

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Libertarian Party of Ohio,
et al., :
Plaintiffs, :
v. : Case No. 2:13-cv-953
Jon Husted, et al., : JUDGE MICHAEL H. WATSON
Defendants. : Magistrate Judge Kemp

ORDER

Intervening party Gregory Felsoci has filed a document entitled "Intervening Defendant Gregory Felsoci's Request for Instructions" (Doc. 200). In it, he requests guidance from the Court as to how to respond to document requests served on him by Plaintiffs.

While the Court appreciates Mr. Felsoci's effort to bring a potential discovery dispute to the Court's attention, it is aware of no authority, in the Rules of Civil Procedure or elsewhere, for the issuance of written advice to counsel about a discovery matter that has not ripened to the point of a motion to compel or motion for a protective order, and about which there is no evidence that counsel have conferred. Counsel is free to follow the procedure set forth in Local Civil Rule 37.1 by seeking an informal conference with the Court following the exhaustion of extrajudicial means for resolving any dispute, but the request for instructions appears to be both improper and premature. That request (Doc. 200) is therefore denied.

Any party may, within fourteen days after this Order is filed, file and serve on the opposing party a motion for reconsideration by a District Judge. 28 U.S.C. §636(b)(1)(A),

Rule 72(a), Fed. R. Civ. P.; Eastern Division Order No. 14-01, pt. IV(C)(3)(a). The motion must specifically designate the order or part in question and the basis for any objection. Responses to objections are due fourteen days after objections are filed and replies by the objecting party are due seven days thereafter. The District Judge, upon consideration of the motion, shall set aside any part of this Order found to be clearly erroneous or contrary to law.

This order is in full force and effect even if a motion for reconsideration has been filed unless it is stayed by either the Magistrate Judge or District Judge. S.D. Ohio L.R. 72.3.

/s/ Terence P. Kemp
United States Magistrate Judge