


to Local Rule CV-7(h):

The Court may refuse to hear or may deny a nondispositive motion unless the movant advises the Court within the body of the motion that counsel for the parties have first conferred in a good-faith attempt to resolve the matter by agreement and, further, certifies the specific reason(s) that no agreement could be made. . . .

L.R. CV-7(h) (W.D. Tex.). This differs from a Certificate of Service. *See* L.R. CV-5(b). Plaintiff does not indicate via the body of the motion or a certificate of conference that counsel has contacted Defendants' counsel regarding this matter. Local Rule CV-7(h) is particularly important at this stage of the proceeding where leave could be granted immediately by the Court with some indication that the parties had conferred on the matter and reached an agreement. The Court hereby STRIKES Plaintiff's motion for failure to comply with the Local Rules of the Western District of Texas.

It is so ORDERED.

SIGNED this 1st day of December, 2009.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', is written over a horizontal line.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE