

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LAYNA CROFTS and JEREMY SANDERS,

Plaintiffs,

v.

ISSAQUAH SCHOOL DISTRICT,

Defendant.

CASE NO. C17-1365RAJ

ORDER

I. INTRODUCTION

This matter comes before the Court Plaintiffs' Second Motion to Compel. Dkt. # 30. Defendant Issaquah School District opposes the Motion. Dkt. # 31. For the reasons set forth below, the Court **DENIES** Plaintiffs' Motion to Compel. Dkt. # 30.

II. BACKGROUND

Plaintiffs Layna Crofts and Jeremy Sanders, proceeding *pro se*, seek judicial review of the final order of an administrative law judge pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 *et seq.* ("IDEA"). Dkt. # 6. Plaintiffs filed their first motion to compel on October 24, 2017. Dkt. # 13. Plaintiffs' motion was denied with leave to refile because Plaintiffs failed to comply with the meet-and-confer

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1 requirements of Federal Rule of Civil Procedure 37(a)(1) and Local Rule 37(a)(1).

2 Dkt. # 17. On January 2, 2018, Plaintiffs filed this Second Motion to Compel. Dkt. # 30.

3 **III. DISCUSSION**

4 Plaintiffs ask the Court to compel Defendants to respond to interrogatories
5 directed to Issaquah School District, Ron Thiele, and Melissa Madsen. Plaintiffs also ask
6 the Court to issue an order allowing Plaintiffs to serve interrogatories on each of the
7 current Issaquah School Board Members. Dkt. # 30. To the extent that Plaintiffs ask the
8 Court to compel Ron Thiele and Melissa Madsen to respond to interrogatories, Plaintiff's
9 Motion is **DENIED**. Pursuant to the Court's Order issued on March 28, 2018, Ron
10 Thiele and Melissa Madsen have been dismissed as individual defendants in this matter.
11 Dkt. # 28. As they are no longer named parties to this action, the Court will not compel
12 them to answer Plaintiffs' interrogatories. Further, to the extent that Plaintiffs' Motion
13 requests that the Court rule that they may serve interrogatories on any persons that are not
14 a named party to this action, it is **DENIED** pursuant to Federal Rule of Civil Procedure
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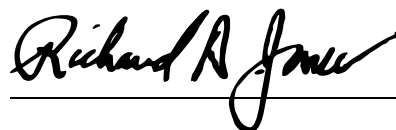
19 The Court will reiterate that Federal Rule of Civil Procedure 37(a)(1) and Local
20 Rule 37(a)(1) require that a motion to compel discovery include a certification that the
21 movant has in good faith conferred or attempted to confer with the person or party failing
22 to make disclosure or discovery in an effort to obtain it without court action. Fed. R. Civ.
23 P. 37(a)(1). W.D. Wash. Local Civ. R. 37(a)(1). The Federal and Local Rules have this
24 requirement to minimize waste of judicial time and resources on issues that could be
25 resolved amongst the parties. Plaintiffs provide no such certification in their Motion and
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1 have failed to comply with the meet-and-confer requirements of both the Federal and
2 Local rules. Failure to comply with these requirements are grounds for denial without
3 addressing the merits of the dispute. LCR 37(a)(1).

4 Defendant Issaquah School District represents that it repeatedly asked to meet and
5 confer with Plaintiffs to discuss ongoing discovery issues, but that Plaintiffs refused to
6 confer by telephone, restricting all communications to email. Defendant also represents
7 that it attempted to discuss the scope of Plaintiffs' discovery requests and its objections to
8 those requests with Plaintiffs on several occasions but Plaintiffs refused, instead asking
9 Defendant to provide written questions regarding the requests. Defendant eventually
10 provided responses to Plaintiffs' discovery requests and reiterated that it would be willing
11 to meet and confer to discuss these responses. Plaintiffs did not attempt to meet and
12 confer with Defendant and instead filed this Motion to Compel. As Plaintiffs have failed
13 to comply with the meet-and-confer requirements of Federal Rule of Civil Procedure
14 37(a)(1) and LCR 37(a)(1), Plaintiffs' motion to compel responses to discovery requests
15 sent to Defendant Issaquah School District is **DENIED**.

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17 For the reasons stated above, the Court **DENIES** Plaintiffs' Motion to Compel.
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19 Dkt. # 30.

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21 DATED this 30th day of March, 2018.

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26 The Honorable Richard A. Jones
27 United States District Judge