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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 BOOKXCHANGE FL, LLC,

10 Plaintiff,

11 v.

12 BOOK RUNNERS, LLC, et al.,

13 Defendants.

Case No. 19-CV-1099-RSL

ORDER DENYING  
PLAINTIFF'S MOTION TO  
COMPEL AMAZON.COM'S  
COMPLIANCE WITH  
SUBPOENA

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15 This matter comes before the Court on plaintiff's "Motion to Compel Amazon.com Inc.'s  
16 Compliance with Subpoena" (Dkt. #1) and "Stipulated Motion to File Under Seal Five Reply  
17 Exhibits" (Dkt. #10). Plaintiff moves to compel Amazon.com, Inc.'s ("Amazon") compliance  
18 with a subpoena in this district under Federal Rule of Civil Procedure Rule 45(d)(2)(B)(i). The  
19 underlying action is *BookXchange FL, LLC v. Book Runners, LLC, et al.*, No. 19-CV-506 (N.D.  
20 Ill.).

21 Local Civil Rule ("LCR") 37(a)(1) provides,

22 Any motion for an order compelling disclosure or discovery must  
23 include a certification, in the motion or in a declaration or affidavit,  
24 that the movant has in good faith conferred or attempted to confer  
25 with the person or party failing to make disclosure or discovery in an  
26 effort to resolve the dispute without court action. The certification  
27 must list the date, manner, and participants to the conference. If the  
28 movant fails to include such a certification, the court may deny the  
motion without addressing the merits of the dispute. A good faith  
effort to confer with a party or person not making a disclosure or  
discovery requires a face-to-face meeting or a telephone conference.

1 LCR 37(a)(1). The Court, having reviewed the parties' briefing, supporting declarations, and  
2 exhibits, finds plaintiff's motion failed to include the requisite LCR 37(a)(1) certification.

3 Accordingly, plaintiff's motion to compel (Dkt. #1) is DENIED without prejudice. See  
4 LCR 37(a)(1). Plaintiff's alternative request to transfer this matter to the Northern District of  
5 Illinois for decision is DENIED as moot. Pursuant to LCR 5(g)(3), plaintiff's unopposed  
6 motion to file under seal Exhibits A through E to its reply (Dkt. #10) is GRANTED.

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8 IT IS SO ORDERED.

9 DATED this 5<sup>th</sup> day of February, 2020.  
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14 Robert S. Lasnik  
15 United States District Judge  
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