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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LENIER AYERS,

Plaintiff,

v.

HENRY RICHARDS, *et al*,

Defendants.

Case No. C08-5390 BHS/KLS

ORDER DENYING PLAINTIFF'S
MOTION FOR EXTENSION OF
TIME

Before the Court is Plaintiff's motion for an extension of time to file objections to "Defendants' Response to Plaintiff's Request for Production of Documents." Dkt. # 104. Plaintiff states that he "will express disapproval for the state's attempt to deny or refuse to produce or submit previously requested discovery documents," and that he intends "to motion for the court's permission to undergo tape recorded depositions." There are presently no deadlines or motions to compel discovery pending before the Court. The discovery deadline in this case will not expire until June 5, 2009. Dkt. # 65.

In addition, Plaintiff does not indicate he has met and conferred with opposing counsel prior to filing this motion as required by Local Rule 37 (a)(2). Dkt. # 104. A party applying to the court for an order compelling discovery "must include a certification that he has in good faith conferred or attempted to confer with the person or party failing to make the discovery in an effort to secure the information or material without court intervention." Fed. R. Civ. P. 37(a)(2)(B). "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 telephonic conference." Local Rule CR 37(a)(2)(A)

ORDER - 1

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Accordingly, it is **ORDERED** that Plaintiff's motion for an extension of time to file objections (Dkt. # 104) is **DENIED**.

DATED this 24th day of April, 2009.


Karen L. Strombom
United States Magistrate Judge