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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WILLIAM G. SMITH,

Plaintiff,

v.

RODULF TRIVENO, RANDY PIERCE,  
CATHERINE BAUM, GARY FLETCHER,  
WILLIAM ROLLINS, PATRICK GLEBE,  
DAN VAN OGLE, KERRI McTARSNEY,  
DENNIS DAHNE, TAMMY NIKULA,  
DANO GORTON, KATHY RENINGER,  
JOSEPH LOPIN, ELDON VAIL, DAN  
PACHOLKE, SEAN MURPHY, STEVE  
HAMMOND, and DEPARTMENT OF  
CORRECTIONS,

Defendants.

No. C11-5401 RBL/KLS

ORDER DENYING MOTION TO  
COMPEL

Before the Court is Plaintiff’s “Motion for An Order Compelling Discovery.” ECF No. 28. Within this document, Plaintiff requests an Order compelling Defendants to answer the interrogatories and request for production of documents that he sent to them on June 8, 2011. *Id.*

**DISCUSSION**

Plaintiff must confer with opposing counsel in a good faith attempt to resolve any discovery dispute. If the attempt to confer is unsuccessful, Plaintiff may file a motion to compel,

1 which shall include a certification that he, in good faith, conferred or attempted to confer with  
2 the person or party failing to make the discovery in an effort to secure the information or  
3 material without court intervention in accordance with Fed. R. Civ. P. 37(a)(2)(B).

4 Accordingly, it is **ORDERED**:

- 5 (1) Plaintiff's Motion (ECF No. 28) is **DENIED**.  
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7 (2) The Clerk shall send a copy of this Order to Plaintiff and counsel for Defendants.  
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9 **DATED** this 12th day of September, 2011.  
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13 Karen L. Strombom  
14 Karen L. Strombom  
15 United States Magistrate Judge  
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