

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

CAMILLE MACEDON a/k/a KING DERBY,

Plaintiff,

v.

GOVERNMENT OF THE VIRGIN ISLANDS,
VIRGIN ISLANDS CARNIVAL
COMMITTEE,

Defendants.

2001-CV-0079

TO: Lee J. Rohn, Esq.

Carol Thomas Jacobs, Esq., AAG – Fax 776-3494

Tamika Archer, Esq., AAG – Fax 776-3494

Arturo Watlington, Jr., Esq. – Fax 775-9111

ORDER FOR CONFERENCE AMONG ATTORNEYS

THIS MATTER is before the Court upon Plaintiff's Motion to Compel Depositions (Docket No. 186), Defendant Government of the Virgin Islands' Motion For Sanctions (Docket No. 187), and Plaintiff's Motion For Extension of Time (Docket No. 189).

Local Rule of Civil Procedure 37 provides, in relevant part:

L.R. 37.1 Pre-Filing Conference of Counsel. Prior to the filing of any motion relating to discovery pursuant to Fed. R. Civ. P. 26-37, counsel for the parties shall confer in a good faith effort to eliminate the necessity for hearing the motion or to eliminate as many of the disputes as possible. It shall be the responsibility of counsel for the moving party to arrange for this conference.

Macedon v. Government of the Virgin Islands
2001-CV-0079
Order For Conference Among Attorneys
Page 2

To the extent practicable, counsel are encouraged to meet in person at a mutually convenient location.

L.R. 37.2 *Moving Papers*. If counsel are unable to settle their differences, they shall formulate a written stipulation.

L.R. 37.2(d) *Failure to File Joint Stipulation*. ***The Court will not consider any discovery motion in the absence of a joint stipulation*** or a declaration from counsel for the moving party establishing that opposing counsel:

- (1) failed to confer in a timely manner in accordance with L.R. 37.1;
- (2) failed to provide the opposing party's portion of the joint stipulation in a timely manner in accordance with L.R. 37.2(b);
or
- (3) refused to sign and return the joint stipulation after the opposing party's portion was added.

LRCi 37 (as amended) (emphasis added).

Because the motion does not conform with the requirements of LRCi 37, the Court finds that counsel have not met and conferred as required by said rule. Accordingly, the Court will strike Plaintiff's Motion to Compel Depositions and order Plaintiff's counsel to arrange a conference to discuss the scheduling of the depositions which are the subject of Plaintiff's motion. Any failure or refusal by opposing counsel to so meet and confer will result in appropriate sanctions. If, after such conference, the parties still are unable to reach agreement with regard to the disputed discovery request, the parties may submit a joint stipulation in accordance with LRCi 37.2.

Macedon v. Government of the Virgin Islands
2001-CV-0079
Order For Conference Among Attorneys
Page 3

Accordingly, it is now hereby **ORDERED**:

1. Plaintiff's Motion to Compel Depositions (Docket No. 186) is **STRICKEN**.
2. Defendant Government of the Virgin Islands' Motion For Sanctions (Docket No. 187) is **STRICKEN**.
3. Plaintiff's Motion For Extension of Time (Docket No. 189) is **DENIED AS MOOT**.
4. Counsel **shall** meet and confer, at date, time, and location mutually convenient, on or before **Wednesday, August 15, 2007**.

ENTER:

Dated: July 18, 2007

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE