

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

K. GLENDA CAMERON, ESQ., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	CIVIL NO. 1:10-00126
v.	)	
	)	
	)	
LEE J. ROHN, ESQ., <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

ORDER

Before the Court is the defendants' motion seeking sanctions pursuant to Federal Rule of Civil Procedure 37 (ECF 115) based on plaintiffs' failure to supplement Rule 26 disclosures¹.

Local Rules of Civil Procedure 37.1 and 37.2 set forth procedures that are mandatory prior to the filing of a discovery-related motion. Defendants do not even hint that they have complied with any of the provisions of the Rules (apart from the curious claim that raising an issue at a status conference somehow substitutes for the "meet and confer" requirement under Federal Rule of Civil Procedure 37(a)(1)) , nor do they state why compliance may have been unnecessary. Furthermore, Local Rule 37.3 provides that sanctions may be imposed for the failure to follow the specified procedures.

¹ The Court notes that plaintiffs supplemented the disclosures shortly after the motion was filed. Defendants, in their reply, complain that the supplementation is still deficient. For the same reasons as set forth above, that dispute is not ripe for motion practice.

Cameron v. Rohn, et al.

Civil No. 1:10-00126

Page 2 of 2

Accordingly, it is hereby ORDERED that the motion for sanctions is DENIED.

Furthermore, the parties are cautioned that any future failure to comply with the letter and spirit of the Federal and Local Rules regarding sanctions motions may result in the imposition of sanctions on the non-compliant party.

S\ _____
RUTH MILLER
United States Magistrate Judge