WDMO Local Rule 37.1

(Revision as proposed by the Federal Practice Committee with review by the Local Rules Committee)

37.1 DISCOVERY MOTIONS

(a) Except when authorized by an order of the Court, the Court will not entertain any discovery motions, until the following requirements have been satisfied:

1. Counsel for the moving party has in good faith conferred or attempted to confer by telephone or in person with opposing counsel concerning the matter prior to the filing of the motion. Merely writing a demand letter is not sufficient. Counsel for the moving party shall certify compliance with this rule in any discovery motion. *See* Rule 26(c), Federal Rules of Civil Procedure and *Crown Center Redevelopment Corp. v. Westinghouse Elec.*, 82 F.R.D. 108 (W.D. Mo. 1979); and

2. If the issues remain unresolved after the attorneys have conferred in person or by telephone, counsel shall arrange with the Court for an immediate telephone conference with the judge and opposing counsel. No written discovery motion shall be filed until this telephone conference has been held.

(b) Sub-section (a) shall not apply to an initial motion requesting this Court compel or deny discovery pursuant to a subpoena issued under the authority of the Western District if the primary case is pending in another District. Once such a motion has been filed and a miscellaneous case initiated within the Western District, counsel shall then follow the requirements in sub-section (a) to resolve the discovery dispute.