

### 37.1 DISCOVERY MOTIONS

- (a) **Attorneys Must Attempt to Resolve Discovery Disputes on Their Own before Requesting Court Intervention.** Unless the Court orders otherwise, no party may file a discovery motion until:
1. An attorney for the prospective moving party has, in good faith, conferred or attempted to confer by telephone or in person with opposing counsel concerning the matter. The attorney must do more than merely write a demand letter.
  2. If the issues remain unresolved after the attorney has satisfied Rule 37.1(a)(1), the attorney must arrange with the Court for an immediate telephone conference with the judge and opposing counsel. When communicating with the Court, the attorney for the prospective moving party must certify compliance with this Rule. The attorney may not file a written discovery motion until after this telephone conference.
- (b) **Exception.** Rule 37.1(a) does not apply to an initial motion requesting the Court compel or deny discovery pursuant to a subpoena issued under the District's authority if the primary case is pending in another district. Once such a motion has been filed and a miscellaneous case is initiated within the District, the parties are then subject to Rule 37.1(a).