

## **Rule 7037-1**

### **FAILURE TO MAKE DISCOVERY: MOTIONS TO COMPEL DISCOVERY**

Motions to compel discovery pursuant to Fed. R. Bankr. P. 7037 shall quote in full:

- (a) each interrogatory, question on deposition, request for admission or request for production to which the motion is addressed;
- (b) the objection and grounds therefor as stated by the opposing party; and
- (c) the reasons such objections should be overruled and the motion granted.

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#### *Notes of Advisory Committee*

##### *2004 Amendment*

This amendment corrects the Bankruptcy Rules citation to that of the currently used citation.

##### *1997 Amendment*

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment to the rule was effective on April 15, 1997.

This rule was formerly Local Rule 2.16(a). The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

##### *1995 Amendment*

Former subparagraph (a) required that motions to compel discovery or for protective order contain a certificate of counsel's failed good faith efforts to resolve the dispute amicably. Substantially identical requirements now appear in Fed. R. Civ. P. 26(c) and 37(a)(2)(A) and are applicable to adversary proceedings and contested matter through Fed. R. Bankr. P. 7026, 7037, and 9014. The provisions of former subparagraph (a) are therefore deleted as redundant.

These amendments to the rule were effective February 15, 1995.