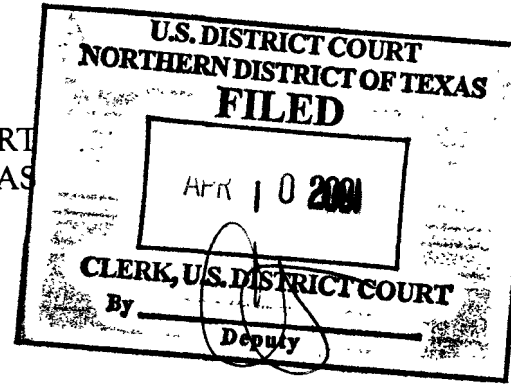


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

v.)

ASI MILLWORK, INC.,)

Defendant.)

Civil Action No. 3:00-CV-2124-H



ORDER

Pursuant to the District Court's Order of Reference filed April 9, 2001, Defendant's Motion to Compel Discovery of Medical Records, filed April 6, 2001, has been referred to the undersigned Magistrate Judge for hearing, if necessary, and determination.

After a review of the motion, the undersigned is of the opinion, pursuant to the *Dondi*¹ decision, that the parties have not fully conferred on the issues in dispute. **Therefore, before a hearing will be scheduled, the parties are directed to meet face-to-face in an attempt to resolve this dispute.** (The "face-to-face" requirement is not satisfied by a telephonic conference.)² Any party failing or refusing to participate in this meeting will be subject to sanctions. After the parties have met, if there are any unresolved items, the **movant** should contact the Court for a hearing date. On the other hand, should the parties resolve this dispute, the **movant** must submit a letter to the Court indicating that a hearing is not needed.

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¹*Dondi Properties Corp. v. Commerce Savings & Loan Ass'n.*, 121 F.R.D. 284, 289 (N.D. Tex 1988). See the discussion regarding proper utilization of Local Rule 5.1(a) now Local Rule 7.1(a).

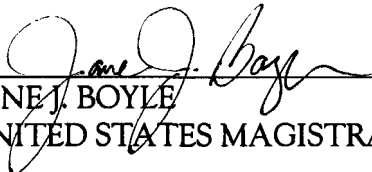
²Out-of-town counsel must attend the face-to-face meeting absent permission from the Court.

This motion will be suspended until **April 30, 2001**. The movant must contact the Court no later than that date. If the motion is not resolved, a hearing will be scheduled immediately, and the non-movant's response will be due no later than two days prior to the hearing. **All responses should be filed with the Clerk's Office and a file-stamped copy *hand delivered* to our office the same day.**

If the parties are agreeable, the hearing may be conducted via telephone conference call. If this alternative is agreed upon, **both parties must appear by telephone**, and it will be the responsibility of the moving party to confirm with Ms. Lisa Martin prior to the time of the hearing and place the conference call with the other parties.

Should you need to contact the Court, please call (214) 753-2393.

SO ORDERED, April 10th, 2001.



JANE J. BOYLE
UNITED STATES MAGISTRATE JUDGE