

The court also denies plaintiff's request for Rule 11 sanctions. Plaintiff has wholly failed to comply with the procedural requirements for requesting Rule 11 sanctions. A party may not present a motion for Rule 11 sanctions to the court "unless, within 21 days after service of the motion . . . the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or

appropriately corrected.” Fed. R. Civ. P. 11(c)(1)(A). Compliance with this requirement is mandatory, and failure to comply is basis for denying a Rule 11 motion. *See United Food & Commercial Workers Union Local No. 576 v. Four B. Corp.*, 893 F. Supp. 980, 987 (D. Kan. 1995) (denying motion for Rule 11 sanctions solely because the moving party failed to demonstrate compliance with the twenty-one-day safe-harbor requirement). Plaintiff filed his motion to strike and for sanctions nine days after defendants filed their responses to Docs. 137 and 138. The timing of plaintiff’s motion alone requires this court to deny his request for Rule 11 sanctions.

IT IS THEREFORE ORDERED that plaintiff’s motion to strike defendants’ responses to Docs. 137 and 138 (Doc. 142) and request for sanctions contained therein is denied.

Dated this 7th day of December 2006, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge