

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

ICE CORPORATION, a Kansas Corporation)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-4135-JAR
)	
HAMILTON SUNDSTRAND CORPORATION,)	
)	
and)	
)	
RATIER-FIGEAC, S.A.S., a French Corporation)	
)	
Defendants.)	

ORDER

This matter comes before the court on plaintiff's Second Motion to Compel (Doc. 140). According to plaintiff's Motion to Compel, plaintiff seeks a full and complete production from defendants as to each of plaintiff's requests contained in its Second Request for Production of Documents. Specifically, the present motion alleges that "[d]efendants objected to all of [plaintiff's Second Requests for Production] and refused to furnish most of the requested information."¹ Plaintiff has included their Second Request for Production,² but has failed to include defendants' responses and objections to said request.³ Plaintiff cannot ask the court to compel production of documents and overruled defendants objections to plaintiff's requests without providing the court with defendants' objections.

¹See Second Motion to Compel (Doc. 140) at p. 2.

²See Exhibit A in Support of Second Motion to Compel (Doc. 144).

³Plaintiff asserts that it included defendants' response as Exhibit B to the present motion. See Second Motion to Compel (Doc. 140) at p. 2. However, no just Exhibit is included on the record.

D. Kan. R. 37.1(a) provides in pertinent part:

Motions under Fed. R. Civ. P. 26(c) or 37(a) directed at depositions, interrogatories, requests for production or inspection, or requests for admission under Fed. R. Civ. P. 30, 33, 34, or 36 or at the responses thereto, *shall be accompanied by copies of the notices of depositions, the portions of the interrogatories, requests or responses in dispute* (emphasis added).

Under these circumstances, the court shall order plaintiff to supplement its Motion to Compel (Doc. 140). This court's local rules are clear that any motion to compel directed at requests for production *shall be* accompanied by the portions of the requests or responses in dispute. The court cannot know what portions of the requests are in dispute without knowing what objections defendants have raised.

Accordingly,

IT IS THEREFORE ORDERED that on or before **April 24, 2007**, plaintiff shall file, as a supplement to their Second Motion to Compel (Doc. 140), all responses thereto that are the subject of their Motion to Compel.

IT IS SO ORDERED.

Dated this 20th day of April, 2007, at Topeka, Kansas.

s/ K. Gary Sebelius
K. GARY SEBELIUS
U.S. MAGISTRATE JUDGE