≪INSERT "fam-1 caption.wpt"≫

RESPONSE TO MOTION TO COMPEL

≪Client's party designation≫ responds to ≪Opposing party's party designation≫'s Motion to Compel as follows:

1. The ≪Opposing party's party designation≫ fails to comply with Indiana Trial Rule 26(F) which requires the following before the filing of any Motion to Compel:

Before any party files any motion or request to compel discovery pursuant to Rule 37, or any motion for protection from discovery pursuant to Rule 26(C), or any other discovery motion which seeks to enforce, modify, or limit discovery, that party shall:

(1)   Make a reasonable effort to reach agreement with the opposing party concerning the matter which is the subject of the motion or request; and

(2)   Include in the motion or request a statement showing that the attorney making the motion or request has made a reasonable effort to reach agreement with the opposing attorney(s) concerning the matter(s) set forth in the motion or request. This statement shall recite, in addition, the date, time and place of this effort to reach agreement, whether in person or by phone, and the names of all parties and attorneys participating therein. If an attorney for any party advises the court in writing that an opposing attorney has refused or delayed meeting and discussing the issues covered in this subsection (F), the court may take such action as is appropriate.

WHEREFORE, ≪Client's party designation≫ requests that the court deny the ≪Opposing party's party designation≫'s Motion to Compel.

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≪INSERT "Signature and certificate of service.wpt"≫

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