IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CONSUMER FINANCIAL PROTECTION BUREAU, Plaintiff, v. RELIANT HOLDINGS, INC. AND ROBERT KANE, Defendant.	)	Civil Action No. 2:24-1301-RJC

ORDER

Given that motions pursuant to Federal Rule of Civil Procedure 12(b) are discouraged if the pleading defect is curable by amendment, IT HEREBY IS ORDERED that the parties must meet and confer prior to the filing of such a motion to determine whether it can be avoided. The duty to meet and confer extends to parties appearing *pro se*. Consistent with the foregoing, **motions to dismiss must be accompanied by a certificate of the movant**, stating that the moving party has made good faith efforts to confer with the nonmovant(s) to determine whether the identified pleading deficiencies properly may be cured by amendment.

Motions to dismiss that do not contain the required certification will be summarily denied. Furthermore, a non-moving party's non-compliance with this Order, including a failure to timely engage in the meet-and-confer process, may result in the assessment of

monetary and/or nonmonetary sanctions. Those sanctions may include, but are not limited to, an assessment of attorney(s)' fees and costs associated with the filing of the motion to dismiss; and/or a denial of the non-movant's subsequent request for leave to amend.

In addition, the parties shall endeavor not to oppose motions to amend the pleadings that are filed prior to the initial Case Management Conference, or within the time set forth in the parties' Rule 26(f) Report and/or the Court's Rule 16 Case Management Order.

Finally, IT IS ORDERED that: (1) as soon as is practicable, Plaintiff(s) promptly shall serve a copy of this Order upon Defendant(s); (2) all counsel and unrepresented parties must read, know and understand the Local Rules of this Court (*see* web page at: http://www.pawd.uscourts.gov/court-info/local-rules-and-orders/local-rules).

IT IS SO ORDERED.

September 16, 2024

s/Robert J. Colville
Robert J. Colville
United States District Judge

cc (via ECF email notification):

All Counsel Currently of Record