

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

v.

DIANA FARLER,

Defendant.

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CAUSE NO. 3:13-cv-71-JD-CAN

ORDER

On December 18, 2013, Plaintiff filed its “Motion for Leave to Appear Telephonically at the Hearing Scheduled for January 17, 2014 at 3:00 PM.”

Telephonic conferences, though obviously inexpensive and convenient, are not always the best method to resolve contested issues, particularly so when one party appears *pro se*. The court is aware that Plaintiff’s counsel is from out of state, Bloomfield Hills, Michigan, but the court also assumes that Plaintiff’s counsel is and was aware when this action was filed that this court sits in South Bend, Indiana. As a consequence, Plaintiff’s counsel must also have been aware that there may be occasions when counsel must personally appear in South Bend. This is one such occasion.

If attorney fees and expenses related to court appearances is a concern, Plaintiff may retain local counsel to assist. Plaintiff should not assume that the court will award additional attorney fees related to travel time and expenses merely because counsel is from out of state. Personal court appearances are still the rule and telephonic appearances are the exception.

Additionally, the court is unable to grant Plaintiff’s motion for a very practical reason that the court is unaware of the *pro se* Defendant’s telephone number. Obviously without a telephone number, a telephonic conference even if appropriate is impossible.

As Plaintiff's counsel has failed to persuade the court that a telephonic conference would be sufficient, for the reasons stated, the court now **DENIES** Plaintiff's motion. [Doc. No. 24]. Both Plaintiff's counsel and the *pro se* Defendant, Diana Farler, must personally appear at the hearing on **January 17, 2014 at 3:00 p.m.** (EST) before Magistrate Judge Christopher A. Nuechterlein in Room 231, Robert A. Grant Courthouse, South Bend, Indiana.

SO ORDERED.

Dated this 19th day of December, 2013.

S/Christopher A. Nuechterlein
Christopher A. Nuechterlein
United States Magistrate Judge