

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, NASHVILLE DIVISION

Matthew Rigney, et al. v. CSX Transporttation, Inc.

Rigney · No. 3:22-cv-00342 · Decided April 14, 2026

SUMMARY

The United States District Court for the Middle District of Tennessee overruled CSX Transportation’s objections to a magistrate judge’s Report and Recommendation. The court held that Local Civil Rule 7.01 required CSX to confer with opposing counsel before filing its sanctions-related motion under Federal Rules of Civil Procedure 37 and 41(b). The court adopted the Report and Recommendation and denied CSX’s motion to dismiss.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Nashville Division
JURISDICTION	United States District Court for the Middle District of Tennessee, Nashville Division
DECIDED	April 14, 2026
DOCKET	3:22-cv-00342
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed de novo a magistrate judge's report and recommendation recommending denial of CSX's motion to dismiss under Federal Rules of Civil Procedure 37(c) and 41(b), after CSX filed objections.
STANDARD OF REVIEW	De novo review of portions of the report and recommendation to which specific objections were made under 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b)(3).
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	CSX Transportation, Inc. v. Matthew Rigney, et al.

TOPICS

- sanctions
- motions to dismiss
- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation to deny CSX's motion under Rules 37(c) and 41(b).
2. Whether Middle District of Tennessee Local Civil Rule 7.01(a)(1) required CSX to confer with opposing counsel before filing its sanctions motion.
3. Whether the district court should entertain the sanctions motion despite CSX's failure to comply with the meet-and-confer requirement.

HOLDINGS

1. Local Civil Rule 7.01(a)(1) requires the moving party to confer with opposing counsel before filing a motion unless the motion falls within one of the rule's specified exceptions; motions for sanctions under Rules 37 and 41(b) are not excepted.
2. The court would not entertain CSX's motion because CSX failed to comply with the required meet-and-confer process.

KEY QUOTATIONS

"The purpose is to narrow the scope of the issues, clarify contested facts, and attempt resolution of the underlying dispute before burdening the Court with substantial motion practice." (at 2)

"The Court declines to entertain this motion when the parties cannot be bothered to meet and attempt to resolve their issues or, at the very least, limit their scope." (at 3)

FACTUAL BACKGROUND

CSX sought sanctions-related relief under Federal Rules of Civil Procedure 37(c) and 41(b), apparently based on alleged misconduct concerning a production and video exhibits. CSX filed the motion without first conferring with opposing counsel. The court determined that a conference would have helped narrow factual disputes and potentially resolve or limit the motion practice.

PROCEDURAL HISTORY

The magistrate judge recommended denying CSX's motion based in part on CSX's failure to confer with opposing counsel before filing it. CSX objected on five grounds, including the asserted lack of any meet-and-confer requirement and the magistrate judge's handling of the evidence. The district court conducted de novo review, overruled the objections, adopted and approved the report and recommendation, and denied the motion.

DISPOSITION

other

CASES CITED

- Allergan, Inc. v. Revance Therapeutics, Inc., No. 3:23-CV-00431, 2025 WL 1487280, at *2 (M.D. Tenn. Mar. 31, 2025)
- HBKY, LLC v. Elk River Exp., LLC, 150 F.4th 480, 488 (6th Cir. 2025)

OPINION

Rigney

PER CURIAM.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF TENNESSEE

NASHVILLE DIVISION

MATTHEW RIGNEY, et al.,)) Plaintiffs,)) v.) No. 3:22-cv-00342)

CSX TRANSPORTATION, INC.,)

) Defendant.)

ORDER

Before the Court is the Report and Recommendation by Magistrate Judge Luke A. Evans (“R&R”) (Doc. No. 230) recommending that the Court deny Defendant’s motion to dismiss (Doc. No. 196) under Federal Rules of Civil Procedure 37(c) and 41(b). The R&R found: (1) that Rule 37 and Local Civil Rule 7.01 required Defendant to confer with opposing counsel before filing the motion, and that Defendants failed to do so (Doc. No. 230 at 2); (2) that a conference among counsel would have been helpful in resolving factual disputes at the heart of the motion (*id.*); and (3) that the period of delay between when Defendant received the production at issue and when it brought the motion undermine the severity of the allegations (*id.* at 3). Defendant has filed objections to the R&R. (Doc. No. 239). Defendant objects on five grounds: (1) that the R&R failed to account for the time it took CSX to confirm the alleged misconduct (*id.* at 2-3); (2) that the R&R could not properly evaluate the evidence because it denied leave to file the video exhibits (*id.* at 3); (3) that the R&R improperly speculated about the Court’s views on the merits (*id.* at 3-4); (4) that it did not have to meet and confer before bringing the motion (*id.* at 4); and (5) that the R&R failed to address the substantive allegations (*id.* at 4-5). The Court reviews *de novo* those portions of the R&R to which specific objection is made. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). The district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Having conducted that review, the Court need not go further than Defendant’s failure to meet and confer with opposing counsel. Local Civil Rule 7.01(a)(1) requires that the moving party confer with all opposing counsel before filing any motion, with exceptions for motions under Rules 12, 55, 56, 59, and 60, and motions for admission *pro hac vice*. The Local Rule does not provide any exception for a motion for sanctions under Rules 37 and 41(b):

(1) Conference with Counsel. In cases in which all parties are represented by counsel, all motions, except motions under Rules 12, 55, 56, 59, or 60, and motions for admission

pro hac vice, must state that counsel for the moving party has conferred with all other counsel, and whether or not the relief requested in the motion is opposed. In those instances where counsel for the moving party is unable to confer with all other counsel, the motion must describe all attempts made to confer with counsel. M.D. Tenn. Loc. Civ. R. 7.01(a)(1). Defendant contends that it was not required to meet and confer with opposing counsel before bringing the motion because “the chance that a party will agree that it will be sanctioned is zero,” citing *Allergan, Inc. v. Revance Therapeutics, Inc.*, No. 3:23-CV-00431, 2025 WL 1487280, at *2 (M.D. Tenn. Mar. 31, 2025). There, a magistrate judge addressed a motion for sanctions despite the parties’ failure to meet and confer. *Id.* That decision is not binding, and the Court declines to adopt that approach. And in any case, Defendant’s reliance on it here misses the point. The purpose of a meet and confer is not, of course, to persuade a party to agree to be sanctioned. The purpose is to narrow the scope of the issues, clarify contested facts, and attempt resolution of the underlying dispute before burdening the Court with substantial motion practice. That is exactly what was—and is—needed here. The Court declines to entertain this motion when the parties cannot be bothered to meet and attempt to resolve their issues or, at the very least, limit their scope. *HBKY, LLC v. Elk River Exp., LLC*, 150 F.4th 480, 488 (6th Cir. 2025) (“Judges are not like pigs, hunting for truffles buried in the record.”) (citation omitted). Defendant’s objections (Doc. No. 239) are **OVERRULED**. The R&R (Doc. No. 230) is **ADOPTED** and **APPROVED**. Defendant’s motion to dismiss (Doc. No. 196) is **DENIED**.

IT IS SO ORDERED

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UNITED STATES DISTRICT JUDGE