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

AMERANTH, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 2:22-cv-1776-WSH
	)	
DOORDASH, INC.,	)	
	)	
Defendant.	)	

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 before the filing of such a motion to determine whether any pleading defects are curable by amendment, thereby obviating part or all of the motion. The duty to meet and confer extends to parties appearing *pro se*. Consistent with the foregoing, **a motion to dismiss must be accompanied by a certificate**, stating that the moving party has made good faith efforts to confer with the nonmovant(s) to determine whether the identified pleading deficiencies 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 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.

IT IS FURTHER 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* https://www.pawd.uscourts.gov/court-info/local-rules-and-orders/local-rules); and (3) all counsel and unrepresented parties must familiarize themselves with the undersigned's Practices and Procedures and they will be held responsible for complying with the same.

/s/ **W. Scott Hardy**
W. Scott Hardy
United States District Judge

Dated: December 12, 2022

cc/ecf: All Counsel of Record