

PART 2

AMENDMENTS TO  
FEDERAL RULES OF CIVIL PROCEDURE  
4, 8, 9, 11, 14, 16, 26, 30, 31, 36, 40, 71A, and 78  
PROPOSED SEPARATE FROM THE  
STYLE REVISION PROJECT

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE  
OF THE  
JUDICIAL CONFERENCE OF THE UNITED STATES  
WASHINGTON, D.C. 20544

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JERRY E. SMITH  
EVIDENCE RULES

**To: Honorable David F. Levi, Chair, Standing Committee on  
Rules of Practice and Procedure**

**From: Honorable Lee H. Rosenthal, Chair, Advisory Committee on  
Federal Rules of Civil Procedure**

**Date: May 17, 2004**

**Re: Report of the Civil Rules Advisory Committee**

*Introduction*

The Civil Rules Advisory Committee met at a conference on electronic discovery at Fordham Law School on February 20-21, 2004, and met again at the Administrative Office of the United States Courts on April 15-16, 2004. Style Subcommittees A and B met at Fordham Law School, one on February 19 and the other on February 21. The Discovery Subcommittee met on March 20 at the Administrative Office of the United States Courts. The several Subcommittees also met by conference calls during the time since the January meeting of the Standing Committee. Draft Minutes of the April Advisory Committee meeting are attached.

\* \* \* \* \*

Part I C recommends approval for publication early in 2005 of Style Rules 38 through 63, minus Style Rule 45 which was approved for later publication at the January 2004 Standing Committee meeting. This part also seeks approval to publish a small number of amendments for comment in parallel with the Style Package. These amendments were considered in the Style Project, but seemed arguably substantive. At the same time, they seem to be both noncontroversial and clear improvements. For ease of internal reference, they have been referred to as the "Style-Substance Track."

\* \* \* \* \*

### **C. Rules for Later Publication (2): “Style-Substance Track”**

The Style Project has required intimate and repeated review of every word and punctuation mark of each rule. Such close reading reveals many opportunities for improvement. Improvement, however, lies outside the Project confines. The sole permissible object is to express present meaning as clearly as can be but without change. The Project will fail if these limits are not honored.

To the extent that time and Advisory Committee resources permit, it might be possible to publish significant rules changes for comment in tandem with the Style Rules. The attempt could easily divert attention from the Style Rules, however, and might generate concern that other substantive changes might lurk in the Style Rules. Many interesting and potentially valuable suggestions for improvement have been deferred to a “Reform Agenda” to be addressed at stages over the indefinite future.

Continuing debates over the Style Rules have nonetheless revealed a small number of reforms that seem beyond reasonable controversy. These are reforms that in some sense change the apparent meaning of the present rule and that cannot be readily defended on the ground that because they make such good sense they must reflect what everyone is doing. The Advisory Committee has concluded that it will be useful to publish these few recommendations for noncontroversial substantive revision in tandem with the Style Rules. Tentatively identified as the “Style-Substance Track,” the hallmark of these proposals is that they must be obviously right. Any proposal that encounters significant doubt should be rejected from this track. The advantage of this approach is that it will enable simultaneous adoption of the Style Rules and a set of simple improvements, leaving the stage clear for ongoing development of more difficult rules changes.

The following proposals include all of the Style-Substance Track proposals contemplated for Rules 1 through 63. No more than brief discussion, if any, is offered to supplement the designation of the amendment and the accompanying Committee Note. Any proposal that requires greater discussion is likely to be unfit for the Style-Substance Track.

\* \* \* \* \*

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**To:** Honorable David F. Levi, Chair, Standing Committee  
on Rules of Practice and Procedure

**From:** Honorable Lee H. Rosenthal, Chair, Advisory Committee  
on Federal Rules of Civil Procedure

**Date:** December 17, 2004

**Re:** Report of the Civil Rules Advisory Committee

*Introduction*

The Civil Rules Advisory Committee met in Santa Fe, New Mexico, on October 28 and 29, 2004.

\* \* \* \* \*

Part I B includes a recommendation for simultaneous publication of a small parallel set of "Style-Substance" amendments. These amendments are very modest and seem noncontroversial. They are put on a separate track only because they do seem to change meaning, making them inappropriate for the pure style package.

\* \* \* \* \*

**Additions to Style-Substance Track, July 2004**

Three Style-Substance Track suggestions emerged from the July meetings of Subcommittees A and B. Two of them go with present Rule 71A(d). They are shown here both with the Style Rules and with the present rules. The present rules would be used for publication; the style versions will be substituted if the Style Rules are adopted as anticipated.

\* \* \* \* \*

**PROPOSED AMENDMENTS TO THE  
FEDERAL RULES OF CIVIL PROCEDURE  
SEPARATE FROM STYLE REVISION PROJECT\***

**Rule 4. Summons**

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**(k) Territorial Limits of Effective Service.**

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**(1) *In General.*** Serving a summons or filing a waiver  
of service establishes personal jurisdiction over a  
defendant:

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7

~~(C) who is subject to federal interpleader jurisdiction  
under 28 U.S.C. § 1335, or~~

8

9

(D) when authorized by a federal statute.

10

\*\*\*\*\*

**Committee Note**

The former provision describing service on interpleader claimants is deleted as redundant in light of the general provision in (k)(1)(C) recognizing personal jurisdiction authorized by a federal statute.

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\*New material is underlined; matter to be omitted is lined through. Rules incorporate changes made in style revision project.

FEDERAL RULES OF CIVIL PROCEDURE

**Rule 8. General Rules of Pleading**

1     **(a) Claim for Relief.** A pleading that states a claim for relief  
2     — whether an original claim, a counterclaim, a crossclaim, or  
3     a third-party claim — must contain:

4                             \* \* \* \* \*

5             **(3)** a demand for the relief sought, which may include  
6     ~~relief in the alternative~~ forms or different types of relief.

7                             \* \* \* \* \*

**Committee Note**

**Subdivision (a)** — “alternative forms . . . of relief” is a style improvement of the present rule’s “relief in the alternative.” No changed meaning is intended.

**Rule 9. Pleading Special Matters**

1                             \* \* \* \* \*

2     **(h) Admiralty or Maritime Claim.**

3                             \* \* \* \* \*

4     ~~**(2) Amending a Designation.** Rule 15 governs amending~~  
5     ~~a pleading to add or withdraw a designation.~~

FEDERAL RULES OF CIVIL PROCEDURE

6           **(32) Designation for Appeal.** A case that includes an  
7           admiralty or maritime claim within this subdivision (h) is  
8           an admiralty case within 28 U.S.C. § 1292(a)(3).

**Committee Note**

Rule 15 governs pleading amendments of its own force. The former redundant statement that Rule 15 governs an amendment that adds or withdraws a Rule 9(h) designation as an admiralty or maritime claim is deleted. The elimination of paragraph (2) means that “(3)” will be redesignated as “(2)” in Style Rule 9(h).

**Rule 11. Signing Pleadings, Motions, and Other Papers; Representations to the Court; Sanctions**

1           **(a) Signature.** Every pleading, written motion, and other  
2           paper must be signed by at least one attorney of record in the  
3           attorney’s name — or by a party personally if the party is not  
4           represented by an attorney. The paper must state the signer’s  
5           address, electronic-mail address, and telephone number, ~~if~~  
6           any. Unless a rule or statute specifically states otherwise, a  
7           pleading need not be verified or accompanied by an affidavit.  
8           The court must strike an unsigned paper unless the omission  
9           is promptly corrected after being called to the attorney’s or  
10          party’s attention.

11                                   \* \* \* \* \*

FEDERAL RULES OF CIVIL PROCEDURE

**Committee Note**

Providing an e-mail address is useful, but does not of itself signify consent to filing or service by e-mail.

**Rule 14. Third-Party Practice**

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\* \* \* \* \*

2

**(b) When a Plaintiff May Bring in a Third Party.** When

3

a counterclaim claim is asserted against a plaintiff, the

4

plaintiff may bring in a third party if this rule would allow a

5

defendant to do so.

6

\* \* \* \* \*

**Committee Note**

A plaintiff should be on equal footing with the defendant in making third-party claims, whether the claim against the plaintiff is asserted as a counterclaim or as another form of claim. The limit imposed by the former reference to “counterclaim” is deleted.

**Rule 16. Pretrial Conferences; Scheduling; Management**

1

\* \* \* \* \*

2

**(c) Attendance and Matters for Consideration at a**

3

**Pretrial Conference.**

4

**(1) Attendance.** A represented party must authorize at

5

least one of its attorneys to make stipulations and



FEDERAL RULES OF CIVIL PROCEDURE

6 admissions about all matters that can reasonably be  
7 anticipated for discussion at a pretrial conference. If  
8 appropriate, the court may require that a party or its  
9 representative be present or reasonably available by  
10 ~~telephone~~ other means to consider possible settlement.

11 \* \* \* \* \*

**Committee Note**

When a party or its representative is not present, it is enough to be reasonably available by any suitable means, whether telephone or other communication device.

**Rule 26. Duty to Disclose; General Provisions Governing Discovery**

1 \* \* \* \* \*

2 **(g) Signing Disclosures and Discovery Requests,**  
3 **Responses, and Objections.**

4 **(1) *Signature Required; Effect of Signature.*** Every  
5 disclosure under Rule 26(a)(1) or (a)(3) and every  
6 discovery request, response, or objection must be signed  
7 by at least one attorney of record in the attorney's own  
8 name — or by the party personally, if unrepresented —  
9 and must state the signer's address, telephone number,

FEDERAL RULES OF CIVIL PROCEDURE

10 and electronic-mail address. By signing, an attorney or  
11 party certifies that to the best of the person's knowledge,  
12 information, and belief formed after a reasonable inquiry:

13 \* \* \* \* \*

14 **(B)** with respect to a discovery request, response, or  
15 objection, it is:

16 **(i)** consistent with these rules and warranted by  
17 existing law or a nonfrivolous argument for  
18 extending, modifying, or reversing existing law,  
19 or establishing new law;

20 \* \* \* \* \*

**Committee Note**

As with the Rule 11 signature on a pleading, written motion, or other paper, disclosure and discovery signatures should include not only a postal address but also a telephone number and electronic-mail address. A signer who lacks one or more of those addresses need not supply a nonexistent item.

Rule 11(b)(2) recognizes that it is legitimate to argue for establishing new law. An argument to establish new law is equally legitimate in conducting discovery.

FEDERAL RULES OF CIVIL PROCEDURE

**Rule 30. Depositions by Oral Examination**

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2

**(b) Notice of the Deposition; Other Formal Requirements.**

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\* \* \* \* \*

4

**(3) *Method of Recording.***

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**(A) *Method Stated in the Notice.*** The party who notices the deposition must state in the notice the method for recording the testimony. Unless the court orders otherwise, testimony may be recorded by audio, audiovisual, or stenographic means. The noticing party bears the recording costs. Any party may arrange to transcribe a deposition ~~that was taken nonstenographically.~~

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**(6) *Notice or Subpoena Directed to an Organization.*** In

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its notice or subpoena, a party may name as the deponent a public or private corporation, a partnership, an association, ~~or a governmental agency,~~ or other entity,

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17

18

and describe with reasonable particularity the matters for

## FEDERAL RULES OF CIVIL PROCEDURE

19 examination. The named organization must then  
20 designate one or more officers, directors, or managing  
21 agents, or designate other persons who consent to testify  
22 on its behalf; and it may set out the matters on which each  
23 person designated will testify. A subpoena must advise  
24 a nonparty organization of its duty to make this  
25 designation. The persons designated must testify about  
26 information known or reasonably available to the  
27 organization. This paragraph (6) does not preclude a  
28 deposition by any other procedure allowed by these rules.

29 \* \* \* \* \*

### **Committee Note**

The right to arrange a deposition transcription should be open to any party, regardless of the means of recording and regardless of who noticed the deposition.

“[O]ther entity” is added to the list of organizations that may be named as deponent. The purpose is to ensure that the deposition process can be used to reach information known or reasonably available to an organization no matter what abstract fictive concept is used to describe the organization. Nothing is gained by wrangling over the place to fit into current rule language such entities as limited liability companies, limited partnerships, business trusts, more exotic common-law creations, or forms developed in other countries.

FEDERAL RULES OF CIVIL PROCEDURE

**Rule 31. Depositions by Written Questions**

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**(c) Notice of Completion or Filing.**

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**(1) Notice of Completion.** The party who noticed the  
deposition must notify all other parties when it is  
completed.

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**(2) Notice of Filing.** A party who files the deposition  
must promptly notify all other parties of the filing.

**Committee Note**

The party who noticed a deposition on written questions must notify all other parties when the deposition is completed, so that they may make use of the deposition.

**Rule 36. Requests for Admission**

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\* \* \* \* \*

2

**(b) Effect of an Admission; Withdrawing or Amending It.**

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A matter admitted under this rule is conclusively established unless the court, on motion, permits the admission to be withdrawn or amended. ~~Subject to Rule 16(d) and (e),~~ tThe court may permit withdrawal or amendment of an admission

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## FEDERAL RULES OF CIVIL PROCEDURE

7     that has not been incorporated in a pretrial order if it doing so  
8     would promote the presentation of the merits of the action  
9     and if the court is not persuaded that it would prejudice the  
10    requesting party in maintaining or defending the action on the  
11    merits. An admission under this rule is not an admission for  
12    any other purpose and cannot be used against the party in any  
13    other proceeding.

### **Committee Note**

An admission that has been incorporated in a pretrial order can be withdrawn or amended only under Rule 16(d) or (e). The standard of Rule 36(b) applies to other Rule 36 admissions.

### **Rule 40. Scheduling Cases for Trial**

1       Each court must provide by rule for scheduling trials  
2     ~~without request — or on a party's request with notice to the~~  
3     ~~other parties.~~ The court must give priority to actions entitled  
4     to priority by a federal statute.

### **Committee Note**

The best methods for scheduling trials depend on local conditions. It is useful to ensure that each district adopts an explicit rule for scheduling trials. It is not useful to limit or dictate the provisions of local rules.

FEDERAL RULES OF CIVIL PROCEDURE

**Rule 71.1. Condemning Real or Personal Property**

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\* \* \* \* \*

**(d) Process.**

\* \* \* \* \*

**(2) Contents of the Notice.**

**(A) Main Contents.** Each notice must name the court, the title of the action, and the defendant to whom it is directed. It must describe the property sufficiently to identify it, but need not describe any property other than that to be taken from the named defendant. The notice must also state:

- (i)** that the action is to condemn property;
- (ii)** the interest to be taken;
- (iii)** the authority for the taking;
- (iv)** the uses for which the property is to be taken;
- (v)** that the defendant may serve an answer on the plaintiff's attorney within 20 days after being served with the notice; ~~and~~

FEDERAL RULES OF CIVIL PROCEDURE

18                   (vi) that the failure to so serve an answer  
19                   constitutes consent to the taking and to the court’s  
20                   authority to proceed with the action and fix the  
21                   compensation; and

22                   (vii) that a defendant who does not serve an  
23                   answer may file a notice of appearance.

24                   (B) *Conclusion.* The notice must conclude with the  
25                   name, telephone number, and electronic-mail address  
26                   of the plaintiff’s attorney, and an address within the  
27                   district in which the action is brought where the  
28                   attorney may be served.

29   \* \* \* \* \*

**Committee Note**

Rule 71.1(e) allows a defendant to appear without answering. Form 28 includes information about this right in the Rule 71.1(d)(2) notice. It is useful to confirm this practice in the rule.

The information that identifies the attorney is changed to include telephone number and electronic-mail address, in line with similar amendments to Rules 11(a) and 26(g)(1).



FEDERAL RULES OF CIVIL PROCEDURE

**Rule 78. Hearing Motions; Advancing an Action**

1 **(a) Providing a Regular Schedule for Oral Hearings;**  
2 ~~**Other Orders.**~~ A court may establish regular times and  
3 places for oral hearings on motions. ~~But at any time or place,~~  
4 ~~on notice that the judge considers reasonable, the judge may~~  
5 ~~issue an order to advance, conduct, and hear an action.~~

6 \* \* \* \* \*

**Committee Note**

Rule 16 has superseded any need for the provision in former Rule 78 for orders for the advancement, conduct, and hearing of actions.

**PROCEDURES FOR THE CONDUCT OF BUSINESS BY THE JUDICIAL  
CONFERENCE COMMITTEES ON  
RULES OF PRACTICE AND PROCEDURE**

Scope

These procedures govern the operations of the Judicial Conference Committee on Rules of Practice, Procedure, and Evidence (Standing Committee) and the various Judicial Conference Advisory Committees on Rules of Practice and Procedure in drafting and recommending new rules of practice, procedure, and evidence and amendments to existing rules.

**Part I - Advisory Committees**

1. Functions

Each Advisory Committee shall carry on "a continuous study of the operation and effect of the general rules of practice and procedure now or hereafter in use" in its particular field, taking into consideration suggestions and recommendations received from any source, new statutes and court decisions affecting the rules, and legal commentary.

2. Suggestions and Recommendations

Suggestions and recommendations with respect to the rules should be sent to the Secretary, Committee on Rules of Practice and Procedure, Administrative Office of the United States Courts, Washington, D.C. 20544, who shall, to the extent feasible, acknowledge in writing every written suggestion or recommendation so received and shall refer all suggestions and recommendations to the appropriate Advisory Committee. To the extent feasible, the Secretary, in consultation with the Chairman of the Advisory Committee, shall advise the person making a recommendation or suggestion of the action taken thereon by the Advisory Committee.

3. Drafting Rules Changes

- a. An Advisory Committee shall meet at such times and places as the Chairman may authorize. All Advisory Committee meetings shall be open to the public, except when the committee so meeting, in open session and with a majority present, determines that it is in the public interest that all or part of the remainder of the meeting on that day shall be closed to the public and states the reason for closing the meeting. Each meeting shall be preceded by notice of the time and place of the meeting, including publication in the Federal Register, sufficient to permit interested persons to attend.
- b. The reporter assigned to each Advisory Committee shall, under the direction of the Committee or its Chairman, prepare initial draft rules changes, "Committee Notes"

explaining their purpose and intent, copies or summaries of all written recommendations and suggestions received by the Advisory Committee, and shall forward them to the Advisory Committee.

- c. The Advisory Committee shall then meet to consider the draft proposed new rules and rules amendments, together with Committee Notes, make revisions therein, and submit them for approval of publication to the Standing Committee, or its Chairman, with a written report explaining the Committee's action, including any minority or other separate views.

#### 4. Publication and Public Hearings

- a. When publication is approved by the Standing Committee, the Secretary shall arrange for the printing and circulation of the proposed rules changes to the bench and bar, and to the public generally. Publication shall be as wide as practicable. Notice of the proposed rule shall be published in the Federal Register and copies provided to appropriate legal publishing firms with a request that they be timely included in their publications. The Secretary shall also provide copies to the chief justice of the highest court of each state and, insofar as is practicable, to all individuals and organizations that request them.
- b. In order to provide full notice and opportunity for comment on proposed rule changes, a period of at least six months from the time of publication of notice in the Federal Register shall be permitted, unless a shorter period is approved under the provisions of subparagraph d of this paragraph.
- c. An Advisory Committee shall conduct public hearings on all proposed rules changes unless elimination of such hearings is approved under the provisions of subparagraph d of this paragraph. The hearings shall be held at such times and places as determined by the chairman of the Advisory Committee and shall be preceded by adequate notice, including publication in the Federal Register. Proceedings shall be recorded and a transcript prepared. Subject to the provisions of paragraph six, such transcript shall be available for public inspection.
- d. Exceptions to the time period for public comment and the public hearing requirement may be granted by the Standing Committee or its chairman when the Standing Committee or its chairman determines that the administration of justice requires that a proposed rule change should be expedited and that appropriate public notice and comment may be achieved by a shortened comment period, without public hearings, or both. The Standing Committee may eliminate the public notice and comment requirement if, in the case of a technical or conforming amendment, it determines that notice and comment are not appropriate or necessary. Whenever such an exception is made, the Standing Committee shall advise the Judicial Conference of the exception and the reasons for the exception.

## 5. Subsequent Procedures

- a. At the conclusion of the comment period the reporter shall prepare a summary of the written comments received and the testimony presented at public hearings. The Advisory Committee shall review the proposed rules changes in the light of the comments and testimony. If the Advisory Committee makes any substantial change, an additional period for public notice and comment may be provided.
- b. The Advisory Committee shall submit proposed rules changes and Committee Notes, as finally agreed upon, to the Standing Committee. Each submission shall be accompanied by a separate report of the comments received and shall explain any changes made subsequent to the original publication. The submission shall also include minority views of Advisory Committee members who wish to have separate views recorded.

## 6. Records

- a. The Chairman of the Advisory Committee shall arrange for the preparation of minutes of all Advisory Committee meetings.
- b. The records of an Advisory Committee shall consist of the written suggestions received from the public; the written comments received on drafts of proposed rules, responses thereto, transcripts of public hearings, and summaries prepared by the reporter; all correspondence relating to proposed rules changes; minutes of Advisory Committee meetings; approved drafts of rules changes; and reports to the Standing Committee. The records shall be maintained at the Administrative Office of the United States Courts for a minimum of two years and shall be available for public inspection during reasonable office hours. Thereafter the records may be transferred to a Government Records Center in accordance with applicable Government retention and disposition schedules.
- c. Any portion of minutes, relating to a closed meeting and made available to the public, may contain such deletions as may be necessary to avoid frustrating the purposes of closing the meeting as provided in subparagraph 3a.
- d. Copies of records shall be furnished to any person upon payment of a reasonable fee for the cost of reproduction.

## **Part II - Standing Committee**

### 7. Functions

The Standing Committee shall coordinate the work of the several Advisory Committees, make suggestions of proposals to be studied by them, consider proposals recommended by the Advisory Committees, and transmit such proposals with its recommendation to the Judicial

Conference, or recommit them to the appropriate Advisory Committee for further study and consideration.

8. Procedures

- a. The Standing Committee shall meet at such times and places as the Chairman may authorize. All Committee meetings shall be open to the public, except when the committee so meeting, in open session and with a majority present, determines that it is in the public interest that all or part of the remainder of the meeting on that day shall be closed to the public and states the reason for closing the meeting. Each meeting shall be preceded by notice of the time and place of the meeting, including publication in the Federal Register, sufficient to permit interested persons to attend.
- b. When an Advisory Committee's final recommendations for rules changes have been submitted, the Chairman and Reporter of the Advisory Committee shall attend the Standing Committee meeting to present the proposed rules changes and Committee Notes.
- c. The Standing Committee may accept, reject, or modify a proposal. If a modification effects a substantial change, the proposal will be returned to the Advisory Committee with appropriate instructions.
- d. The Standing Committee shall transmit to the Judicial Conference the proposed rules changes and Committee Notes approved by it, together with the Advisory Committee report. The Standing Committee's report to the Judicial Conference shall include its recommendations and explain any changes it has made.

9. Records

- a. The Secretary shall prepare minutes of all Standing Committee meetings.
- b. The records of the Standing Committee shall consist of the minutes of Standing and Advisory Committee meetings, reports to the Judicial Conference, and correspondence concerning rules changes including correspondence with Advisory Committee Chairmen. The records shall be maintained at the Administrative Office of the United States Courts for a minimum of two years and shall be available for public inspection during reasonable office hours. Thereafter the records may be transferred to a Government Records Center in accordance with applicable Government retention and disposition schedules.
- c. Copies of records shall be furnished to any person upon payment of a reasonable fee for the cost of reproduction.

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Delaware State Bar Association  
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Bar Association of District of  
Columbia  
*Alden L. Atkins, Esquire*

The District of Columbia Bar  
*William J. Carter, Esquire*

The Florida Bar  
*Jerry M. Gewirtz, Esquire*

Georgia State Bar Association  
*Glen M. Darbyshire, Esquire*

Hawaii State Bar Association  
*Margery S. Bronster, Esquire*

Idaho State Bar  
*Diane K. Minnich, Esquire*

Illinois State Bar Association  
*Dennis A. Rendleman, General Counsel*

Indiana State Bar Association  
*Thomas A. Pyrz, Esquire*

The Iowa State Bar Association  
*John C. Hendricks, Esquire*

Kansas Bar Association  
*Paul T. Davis, Esquire*

Kentucky Bar Association  
*Norman E. Harned, Esquire*

Louisiana State Bar Association  
*Patrick A. Talley, Jr., Esquire*

Maine State Bar  
*Martha C. Gaythwaite, Esquire*

Maryland State Bar Association  
*Roger W. Titus, Esquire*

Massachusetts Bar Association  
*Martin W. Healy, Esquire*

State Bar of Michigan  
*Jon R. Muth, Esquire*

Minnesota State Bar Association  
*Mark H. Gardner, Esquire*

The Mississippi Bar  
*Larry Houchins, Executive Director*

The Missouri Bar  
*Robert T. Adams, Esquire*

State Bar of Montana  
*Lawrence F. Daly, Esquire*

Nebraska State Bar Association  
*Terrence D. O'Hare, Esquire*

State Bar of Nevada  
*Gloria J. Stuman, Esquire*

New Hampshire Bar Association  
*John Burwell Garvey, Esquire*

New Jersey State Bar Association  
*Harold L. Rubenstein, Esquire*

State Bar of New Mexico  
*Carl J. Butkus, Esquire*

New York State Bar Association  
*Sharon M. Porcellio, Esquire*

North Carolina Bar Association  
*G. Gray Wilson, Esquire*

The North Carolina State Bar  
*L. Thomas Lundsford, Esquire*

State Bar Association of North  
Dakota  
*Christine Hogan, Esquire*

Ohio State Bar Association  
*William K. Weisenberg, Esquire*

Oklahoma Bar Association  
*Professor Leo H. Whinery*

Oregon State Bar  
*Honorable Robert E. Jones*

Pennsylvania Bar Association  
*Christopher C. Connor, Esquire*

Rhode Island Bar Association  
*Benjamin V. White, III, Esquire*

South Carolina Bar  
*Howard S. Sheftman, Esquire*

State Bar of Texas  
*Ronald F. Ederer, Esquire*

Tennessee Bar Association  
*Allan F. Ramsaur, Esquire*

Utah State Bar  
*Keith Taylor, Esquire*

Vermont Bar Association  
*Samuel Hoar, Jr., Esquire*

The Virginia Bar Association  
*Charles B. Arrington, Jr., Esquire*

Virginia State Bar  
*Mary Yancey Spencer, Executive  
Director*

Washington State Bar Association  
*M. Janice Michels, Executive Director*

The West Virginia State Bar  
*Thomas R. Tinder, Esquire*

State Bar of Wisconsin  
*Susan C. Blesener, Esquire*

Wyoming State Bar  
*Richard E. Day, Esquire*