

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

DAVID F. LEVI
CHAIR

ETER G. McCABE
SECRETARY

2006

*Place
in Document
suggests*

CHAIRS OF ADVISORY COMMITTEES

CARL E. STEWART
APPELLATE RULES

THOMAS S. ZILLY
BANKRUPTCY RULES

LEE H. ROSENTHAL
CIVIL RULES

SUSAN C. BUCKLEW
CRIMINAL RULES

JERRY E. SMITH
EVIDENCE RULES

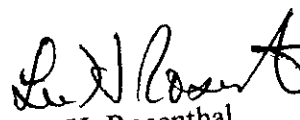
Mr A Benjamin Spencer
Assistant Professor of Law
University of Richmond
28 Westhampton Way, Room 222
Richmond, VA 23173

Dear Professor Spencer

Thank you for your letter concerning the pending e-discovery amendments. You are correct that the change in Rule 26(b)(2) to add 26(b)(2)(C) was not carried forward to Rule 26(b)(1)'s reference to Rule 26(b)(2). We realized this oversight, but not in time to correct it before the Rules had been approved by the Supreme Court. A conforming corrective amendment is already in the works.

We very much appreciate your careful reading and hope that you will continue to give us the benefit of your thoughts and suggestions on the Civil Rules.

Very truly yours,


Lee H Rosenthal

cc Prof Edward H Cooper
Prof Richard L Marcus
Prof Thomas D Rowe, Jr
Prof Daniel R Coquillette
Mr John K Rabiej