



**Judge  
Murphy/ILSD/07/USCOURTS**

10/06/2008 12:11 PM

To <Rules\_Comments@ao.uscourts.gov>

cc

bcc

Subject

**08-CV-009**

I oppose the proposed amendment to Rule 56. It will prove to be time consuming and expensive. Moreover it will further leverage the tremendous advantage that the larger firms have over the smaller firms. Each year federal litigation becomes more difficult and expensive for the smaller firms and thier clients and this amendment is a giant step in the wrong direction. And, this will do nothing to advance the truth-seeking process that we are charged to pursue. This procedure was tried in our court by local rule and it proved to be a waste of time; it did have the effect of keeping scores of young associates pointlessly busy. An entire motion practice developed around what is an "undisputed fact." This amendment if adopted will prove to be a disaster - don't do it.