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04-CV-229



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02/15/2005 12:31 PM

To <Rules\_Support@ao.uscourts.gov>  
cc  
bcc  
Subject Proposed Civil Rules Amendments Re Electronic Discovery

Dear Sir or Madame:

The attached letter includes my comments to the proposed amendments to the civil rules concerning electronic discovery.

Thank you,

Brian Sanford

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<<McCabe letter.pdf>> McCabe letter.pdf

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February 15, 2005

Mr. Peter G. McCabe  
Secretary, Administrative Office  
Of the United States Courts  
One Columbus Circle, NE  
Washington, D.C. 20544

Re: *Proposed Civil Rules Amendments Relating to  
the Discovery of Electronically Stored Information*

Dear Mr. McCabe:

I am a litigator regularly involved in commercial and employment cases in federal courts. I urge that the Committee not recommend for adoption the proposed rule changes limiting discovery of electronic information. My experience is that e-mail information is much more accessible and less cumbersome than paper documents. Not only is information much easier to store, but organization and retrieval of the information is much more efficient.

Discovery under the federal rules should be a search for truth. Mechanisms already exist within the rules to prevent burdensome or harassing discovery requests. The proposed rule changes would only hamper proper discovery and in the end, lessen the chance for justice.

Sincerely,

*/s/ Brian P. Sanford*

Brian P. Sanford

BPS/mbs