



**NELSON • LEVINE • de LUCA & HORST**

A LIMITED LIABILITY COMPANY  
**ATTORNEYS AT LAW**

Michael R. Nelson  
Direct 215.358.5160  
Cell 215.837.4061  
mnelson@nldhlaw.com

PHILADELPHIA    CHERRY HILL    COLUMBUS    NEWARK    NEW YORK    LONDON

[www.nldhlaw.com](http://www.nldhlaw.com)  
518 Township Line Road  
Suite 300  
Blue Bell, PA 19422  
Phone 215.358.5100  
Fax 215.358.5101

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**VIA E-MAIL (Rules Comments@ao.uscourts.gov)**  
**& REGULAR MAIL**

**08-CV-101**

Peter G. McCabe, Secretary  
Rules of Practice and Procedure Committee  
Judicial Conference of the United States  
Thurgood Marshall Federal Judiciary Building  
Washington, D C. 20544

**Re: Request to Testify at Civil Rule Hearing on February 2, 2009 for Rule 56**

Dear Mr. McCabe:

I would like to request the opportunity to testify before the Rules Committee at the public hearing on the proposed amendments to FRCP Rule 56 on February 2, 2009 in San Francisco, California. If my request is approved, I would appreciate receiving a confirmation of the location and time for my testimony. I will submit written comments approximately one week prior to the hearing.

Thank you for this opportunity.

Very truly yours,

**NELSON LEVINE de LUCA & HORST, LLC**

  
Michael R. Nelson

MRN:rlk