

02-ED-001

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From: Carl Person <carlpers@ix.netcom.com>
Subject: 9/02 Letter - Inquiry from Discovery Subcommittee; Advisory Committee
on Civil Rules (Electronic Materials Discovery)
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I have given a lot of thought to new discovery rules relating to data processing and email discovery, as well as document preservation in relation to such discovery, and created a proposed rules for negotiated fact discovery. You can find these three proposed rules and the context in which they were prepared at my website, <http://www.lawmall.com/fedrules> .

I believe that the new rule shifting discovery costs is going to reduce by more than 90% the discovery which otherwise might have been obtained, and I believe my proposed discovery rules can reduce the adverse impact of the cost-shifting rule through a series of trade-offs which would result in the needed discovery through negotiation.

Carl E. Person
