

02-ED-025



Via E-mail

Date sent: Mon, 30 Jun 2003 12:52:48 -0500
From: Mary Lou Wolfe <mwolfe@hrva.com>
Subject: Electronic Discovery
To: marcusr@uchastings.edu

Dear Professor Marcus:

I am writing to you as President of the Federation of Defense and Corporate Counsel (FDCC), an organization made up of approximately 1,000 lawyers in private practice and 250 corporate and insurance executives primarily involved in the defense of civil litigation.

Our members are very concerned about the numerous problems involved in the discovery of electronic evidence. We understand that the Discovery Subcommittee of the Judicial Conference Civil Rules Advisory Committee is now considering proposing specific rule amendments for consideration by the full Committee at its fall meeting. The FDCC strongly supports amendments which will relieve corporate defendants from the onerous burdens and costs associated with e-discovery. We particularly support proposed rule amendments in the areas of "safe harbor" and "cost shifting."

We very much appreciate the work of the Discovery Subcommittee and hope to see proposed amendments which will level the playing field in this area.

Very truly yours,

Robert V. Dewey, Jr.
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