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**Comment regarding the changes to Fed. R. Civ. P. 30(b)(6) proposed by the Rule 30(b)(6) Subcommittee Advisory Committee on Civil Rules**

I am a solo practitioner representing plaintiffs in personal injury and insurance coverage cases. The proposed changes to Rule 30(b)(6) are a solution in search of a problem. The rule is functioning well and does not need amendment. The suggestions by business interests would gut the rule and make it even more difficult to obtain a verdict against corporate defendants. Our legal system has given organizations many of the rights of personhood. Rule 30(b)(6) requires a corporation defendant to act like a person, who must provide a single unified position in legal proceedings, just as a single plaintiff must do.

I oppose the specific changes to the Rule on the following grounds:

1. The Rule 26 Conference is too early in the discovery process to make binding decisions about the scope of a 30(b)(6) deposition. It is necessary to send interrogatories and requests for production before deciding whether a 30(b)(6) deposition will be necessary, let alone what subjects would need to be covered.
2. A primary reason to take any deposition is to obtain judicial admissions. Once again, the corporate party should operate under the same rules as an individual.
3. Allowing an organization to "supplement" their answers would simply open the door to more evasive answers from the corporate designee during the deposition, after which the lawyer for the corporation will answer the questions later.
4. Fact contention questions are totally appropriate in a 30(b)(6) deposition and should not be restricted.
5. Allowing objections to be raised to the deposition notice

would unnecessarily delay discovery and add another opportunity for motion practice by the defense, which would be an additional burden to opponents and the courts. It would be unlikely that the court could deal with objections prior to the deposition, which almost ensures that the deposition would either be vacated until the hearing could be done, or that it would be adjourned and reconvened following the hearing.

6. Each plaintiff is a person who counts as a separate deposition. Corporate defendants should also be counted as one person. Even if that defendant chooses to designate multiple representatives to respond to the issues raised in the deposition notice, they are speaking as the voice of that single corporate defendant. The party should not be able to limit discovery from other fact witnesses by designating multiple spokesmen, thereby reducing the number of other fact witnesses that the plaintiff can depose without special permission from the court.

Please do not make any changes to Rule 30(b)(6). Thank you for your consideration.

WEETH LAW OFFICE

*Electronicall signed and submitted*  
*/s/ George W. Weeth*

George Wright Weeth