



Rule Changes to 30(b)(6)

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Dear Rules Committee,

I am writing to speak out against the proposed rule changes. From my read of the proposals they are designed to protect corporate Defendants, all to the detriment of an individual Plaintiff, or Defendant. An individual is bound by what they say in a deposition. Through the great legal creation of a 30(b)(6) deponent, so can a corporation. It appears that the rule changes will take away and real binding effect of a 30(b)(6) deposition whereby the adverse party cannot "hold" the corporation to what they have previously said or represented during the only opportunity to ask them questions prior to trial.

A corporation should to a considerable extent be "bound" by what its selected 30(b)(6) deponent testifies to. To have it any other way lets corporations continue to answer things vaguely with no real repercussions for gamesmanship. This same concept applies to "contention questions." These should be allowed at depositions and if a party wants to make an objection then object. However, this attempted rule change to "forbid" such appears to just be more attempts to use for a corporate party to use gamesmanship at a 30(b)(6).

In reviewing these I ask you to consider this one main issue: Shouldn't a party be able to get an actual answer about an issue from a corporate defendant prior to trial? We all know that written discovery through Interrogatories and Requests for Admissions are mainly a joke that are riddled full of objections and vague answers. Often, the only time to nail a corporate party down is a 30(b)(6) depositions and my read is that these changes, while not intentioned to hugely benefit a corporate party, will have the effect of hugely benefiting a corporate party.

Thank you for your consideration.

Craig

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