

  
MARWIT CAPITAL

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03-AP-147

January 12, 2004

Peter G. McCabe, Secretary  
Committee on Rules of Practice and Procedure  
Administrative Office of the U.S. Courts  
One Columbus Circle, N.E.  
Washington, D.C. 20544

Re: **PROPOSED FRAP 32.1**

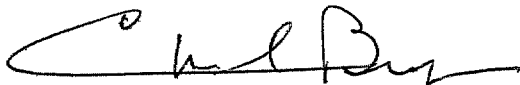
Dear Mr. McCabe:

The purpose of this letter is to express our significant objections and opposition to the proposed FRP 32.1.

I am the President of Marwit Capital, a Southern California based private equity investment firm that has been investing in and acquiring middle market businesses throughout the United States since 1962. Over the past 10 years, my partner and I have invested in 30 different businesses, and currently own or have interests in 9 businesses, ranging in size from \$5 million to \$125 million in annual revenues. Naturally, litigation is an expected part of our business, and the same is true for our portfolio companies, whether we like it or not.

We oppose FRAP 32.1 because, in our view, it will unduly increase the costs of litigation, add unnecessary delays to the judicial process and give well-heeled litigants an unfair advantage in litigation. We respectfully request that you and the Committee dispense with FRAP 32.1.

Sincerely,



Chris L. Britt  
President