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Comments:

I would like to express my opposition to proposed Federal Rule of Appellate Procedure 32.1 and to discourage the Committee from submitting the proposed amendment for approval by the Standing Committee.

I practiced law in Southern California for a number of years and represented a variety of corporations. My California State Bar No. is 157331.

Changes and additions to the rules are to promote: (1) simplicity in procedure; (2) fairness in administration; (3) just determination of litigation; and (4) elimination of unjustifiable expense and delay. The proposed rule would accomplish none of these.

I believe that proposed rule 32.1 will only make procedure more complicated by increasing the sheer number of opinions that may be cited. This will further increase the burden on litigants and ultimately the cost of litigation, which has reached stratospheric levels. This I believe is counter to fairness in administration and just determination of litigation. Finally, opening the floodgates of unpublished opinions that may be cited will cause additional delay.

Respectfully submitted,

Douglas Feick

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