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Salutation: Mr.
First: Mark
MI:
Last: Burton
Org:
MailingAddress1: 601 Van Ness Ave.
MailingAddress2: Suite 2080
City: San Francisco
State: California
ZIP: 94102
EmailAddress: mburton@Hershlaw.com
Phone:
Fax:
CivilRules: Yes
Comments:

The proposed rule amendments concerning electronic discovery should be entitled "Rules for the Protection of Corporate America." Obviously, these changes are proposed at the behest of large corporations that are very disturbed by the fact that their profit over people agenda is partly uncovered during discovery. These corporations choose to make this discovery expensive with their "privilege" reviews and the subsequent disputes over what is privileged.

Instead of making this process more efficient, these are designed to increase the fight over electronic discovery and bolster large corporations ability to hide evidence. None of these proposals are designed to make it easier to get electronic information, which should be goal. Important evidence used in trials across the country has been obtained through the discovery the committees comments complain about. Nowhere in the comments is there any recognition that there is important information stored electronically and that corporations often abuse the discovery and privilege designation process in an attempt to hide evidence.

Where are the proposals to make it easier for small litigants to have easier access to electronically stored information without the ludicrous claims of privilege? I certainly would gamble that there is not a single attorney that represents individuals in actions against Corporations that supports these changes.

I represent clients in personal injury actions, which although the subject matter is of State law, these cases are often litigated in Federal Court under the antiquated theory of Diversity Jurisdiction. If these amendments are adopted it will merely

demonstrate the bias of the federal system in favor of large corporations and against individuals. Further, it will spur attorneys to fight harder to keep their cases in State Court, where often the rules are more balanced than the Federal Rules.

These amendments elevate efficiency over Justice and I urge that these amendments be rejected and let Judges consider the "burdens" imposed by electronic discovery on a case by case basis.

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