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March 26, 1992

MEMBERS OF THE UTAH SUPREME COURT
ADVISORY COMMITTEE ON CIVIL PROCEDURE

Dear Advisory Committee Members:

The next meeting of the Advisory Committee will be held on Wednesday, April 1, 1992, beginning at 4:00 p.m. As usual, the meeting will be held in the council room of the Administrative Office of the Courts, 230 South 500 East, Suite 300, Salt Lake City, Utah. We will try to begin promptly at 4:00. If you will not be able to attend, or if you plan to be late, please call me or my secretary, Kay Rich, before the meeting, so that we do not wait for you.

At our meeting next Wednesday, we will consider the following items:

1. We will briefly consider the direction that the committee should take relating to changes in the discovery rules suggested by recent federal proposals. This was the primary subject of our discussion in February. Rather than repeating the discussion from last month, I would like to take a series of straw polls from the committee to determine the committee's interest in going forward with the drafting of significant changes in discovery procedures.

2. We will again discuss Rule 35 on physical and mental examinations. I have enclosed a letter from Tom Karrenberg which attaches a draft of a complete rule and advisory committee notes. I have also attached for your consideration a letter from Richard K. Glauser relating to an additional change to Rule 35(a). It would be nice to take final action on this rule before we adjourn meetings for the summer.

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3. We will discuss changes in Rule 69. In that connection, please find enclosed a revised draft of changes to that rule sent to me by Brad Baldwin and his subcommittee. The subcommittee has done an enormous amount of work on this rule and should be complimented. They have asked me to tell you that the changes appearing in the first several sections of the rule are so comprehensive that they have not bothered to set forth those changes in the usual legislative format. Their wish is to take the committee through the major changes in subparagraph (a) through (i) at our meeting on Wednesday.

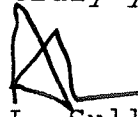
4. We will discuss a request from Judge Harding for a change to Rule 65B. I have enclosed for your information Colin Winchester's letter to me of March 4, 1992, together with Judge Harding's letter.

5. We will discuss a letter from Ross C. Anderson concerning our old friend, Rule 77(d). Please find enclosed Colin's transmittal letter of Ross Anderson's letter of March 23, 1992.

6. Finally, we will discuss an issue raised by Colin Winchester on renewal of civil judgments. I enclose Colin's letter to me of January 21, 1992.

I look forward to seeing all of you on Wednesday.

Very truly yours,



Alan L. Sullivan

ALS/kr
Enclosures

cc: Colin Winchester, Esq.
Craig Jacobsen, Esq.