

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: STANDING ORDER REGARDING THE DECEMBER 1, 2000
 AMENDMENTS TO THE FEDERAL RULES OF CIVIL PROCEDURE**

ORDER

AND NOW, this 8TH Day of January, 2001, the Judges of this Court have determined that:

1. On December 1, 1993, amendments to the Federal Rules of Civil Procedure went into effect. Several of the amended Rules permitted each court by local rule or order to exempt, or “opt out,” all cases or categories of cases from some or all of the requirements of the amended Rules. Accordingly, the court ordered that the following provisions of the Rules shall not be in effect in this district: (a), the requirement of Rule 26(a)(1) for initial disclosures; (b), the requirement of Rule 26(a)(4) that disclosures be filed; (c), the requirements of Rule 26(f) for a meeting of the parties, the development of a proposed discovery plan and a written report to the court, and the prohibition in Rule 26(d) against seeking discovery before the occurrence of a Rule 26(f) meeting; and (d), the limitations in Rules 30(a)(2) and 31(a) on the number of depositions and in Rule 33(a) on the number of interrogatories.

2. On September 22, 1997, the court amended its Standing Order of December 1, 1993, so as to rescind Section 1(c) of that Order, by which the court opted out of the limitations of Federal Rules of Civil Procedure 30(a)(2), 31(a)(2), concerning depositions, and 33(a), concerning interrogatories. The court continued to opt out of the above-referenced Rule 26 discovery requirements. However, the provisions set forth in Chapter IV of this court’s Civil Justice Expense and Delay Reduction Plan concerning the obligation of self-executing disclosure continued to be in effect.

3. Amendments to the Federal Rules of Civil Procedure, as approved by the United States Supreme Court on April 14, 2000, take effect on December 1, 2000.

4. The above-referenced amendments to the Federal Rules of Civil Procedure, which have precluded the court’s discretion to opt out of the discovery and disclosure requirements of Rule 26, and which have narrowed the initial disclosure obligations of Rule 26, impact upon this court’s Civil Justice Expense and Delay Reduction Plan and nullify the provisions of Chapter IV of said Plan concerning the obligation of self-executing disclosure, which sets forth a different standard of disclosure than the amended Rules.

IT IS THEREFORE ORDERED that this court’s Civil Justice Expense and Delay Reduction Plan, as adopted by this court effective December 31, 1991, as amended, is AMENDED, to delete Chapter IV, DUTY OF SELF-EXECUTING DISCLOSURE, in its entirety.

IT IS FURTHER ORDERED that the Order of court, effective December 1, 1993, by which the court opted out of the discovery and disclosure requirements of Rule 26 of the Federal Rules of Civil Procedure is RESCINDED.

IT IS FURTHER ORDERED that this court's Civil Justice Expense and Delay Reduction Plan, as adopted by this court effective December 31, 1991, and as so amended herein, is adopted for use in this court.

JAMES T. GILES
Chief Judge