

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: 1993 Amendments to
Federal Rules of Bankruptcy Procedure

MEMORANDUM
ORDER OF COURT

AND NOW, this 20th day of December 1993, consistent with the Memorandum Order of Court of the United States District Court for the Western District of Pennsylvania dated December 10, 1993, regarding the suspension of the effectiveness of certain amendments to the Federal Rules of Civil Procedure, the Board of Judges of the United States Bankruptcy Court for the district hereby adopt and incorporate by reference thereto the rationale of the District Court Order as it relates to the Federal Rules of Bankruptcy Procedure.

IT IS THEREFORE ORDERED that, until further order of this Court, the following provisions of the Federal Rules of Civil Procedure shall not be in effect in the Bankruptcy Court for this district: (a) the requirement of Fed.R.Civ.P. 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.

IT IS FURTHER ORDERED that nothing in this order shall be construed to limit the discretion of any judicial officer to enter appropriate orders to insure the just, speedy and inexpensive resolution of any civil action.

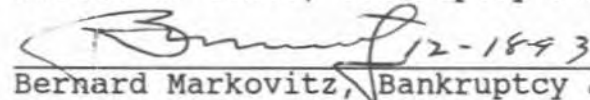
IT IS FURTHER ORDERED that the Clerk of Court shall provide notice of this order to all interested parties and the bar is invited to direct suggestions for consideration by the Court in writing to the Clerk of Court, 1610 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222.



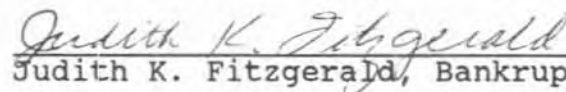
Joseph L. Cosetti, Chief Bankruptcy Judge



Warren W. Bentz, Bankruptcy Judge

 12-1893

Bernard Markovitz, Bankruptcy Judge



Judith K. Fitzgerald, Bankruptcy Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: 1993 Amendments to
Federal Rules of Civil Procedure

MEMORANDUM
ORDER OF COURT

AND NOW, this 10th day of December 1993, the
Board of Judges of this Court has determined that:

1. The local rules of this Court have been revised and renumbered effective January 1, 1994 in accordance with the Local Rules Project of the Judicial Conference of the United States and the recommendations of the Civil Justice Advisory Group;

2. The 1993 amendments to the Federal Rules of Civil procedure will govern all proceedings commenced on or after December 1, 1993, and "insofar as just and practicable" all proceedings then pending;

3. The House of Representatives passed H.R. 2814 entitled the "Civil Rules Amendments Act of 1993" that would have deleted the amendments to Fed.R.Civ.P. 26(a)(1) and 30(b)(3), however, the Senate did not approve the bill under the unanimous consent procedures before adjournment;

4. The Congress will likely reconsider the "Civil Rules Amendments Act of 1993" in the next session;

5. In the event that the amendments to the Federal Rules of Civil Procedure are not amended by adoption of the "Civil Rules Amendments Act of 1993," the Rules Committee of this Court and the Civil Justice Advisory Group will be required to reevaluate the local rules of this Court;

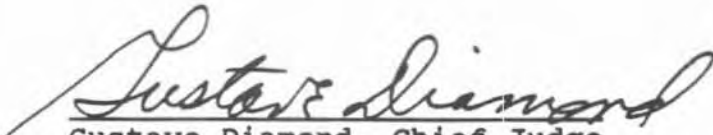
6. Federal Rule of Civil Procedure 26(a)(1), as amended, provides that all disclosure obligations can be suspended by stipulation, court order or local rule; and

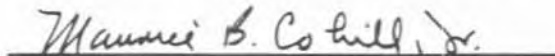
7. Efficient judicial administration to secure the just, speedy and inexpensive determination of all civil actions requires that the Court allow adequate time for Congress, the Rules Committee, the Civil Justice Advisory Committee, and the bench and bar to evaluate the new provisions and pending amendments, and determine the appropriate course of action.

IT IS THEREFORE ORDERED that, until further order of this Court, the following provisions of the Federal Rules of Civil Procedure shall not be in effect in this district: (a) the requirement of Fed.R.Civ.P. 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.

IT IS FURTHER ORDERED that nothing in this order shall be construed to limit the discretion of any judicial officer to enter appropriate orders to insure the just, speedy and inexpensive resolution of any civil action.

IT IS FURTHER ORDERED that the Clerk of Court shall provide notice of this order to all interested parties and the bar is invited to direct suggestions for consideration by the Court in writing to the Clerk of Court, Box 1805, United States Post Office and Courthouse, Pittsburgh, Pennsylvania, 15230.


Gustave Diamond, Chief Judge


Maurice B. Cahill

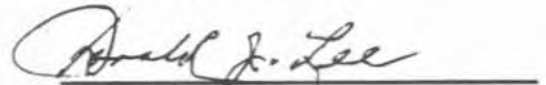

Donald E. Ziegler


Alan N. Bloch


Glenn E. Mencer


William L. Standish


D. Brooks Smith


Donald J. Lee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)	
)	
)	
)	
Memorandum Order of Court)	1993 Amendments to Federal Rules of Bankruptcy Procedure
)	
)	

NOTICE

**ADOPTION OF THE RATIONALE OF THE DISTRICT COURT ORDER DATED
DECEMBER 10, 1993, AS IT RELATES TO THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE**

Consistent with the Memorandum Order of Court of the United States District Court for the Western District of Pennsylvania dated December 10, 1993, regarding the suspension of the effectiveness of certain amendments to the Federal Rules of Civil Procedure, The Bankruptcy Judges of the United States Bankruptcy Court for the district have adopted and incorporated by reference thereto the rationale of the District Court Order as it relates to the Federal Rules of Bankruptcy Procedure.

IT WAS ORDERED that, until further order of this Court, the following provisions of the Federal Rules of Civil Procedure shall not be in effect in the Bankruptcy Court for this district: (a) the requirement of Fed.R.Civ.P. 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.

IT WAS FURTHER ORDERED that nothing in the order shall be construed to limit the discretion of any judicial officer to enter appropriate orders to insure the just, speedy and inexpensive resolution of any civil action.

The bar is invited to direct suggestions for consideration by the Court in writing to the Clerk of Court, 1610 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222.

Theodore S. Hopkins
Clerk, U.S. Bankruptcy Court