Minutes of the Meeting
Rules Committee
December 14, 2015

On Monday, December, 14, 2015, the Rules Committee met in the Supreme Court courtroom from 2:00 p.m. to 3:47 p.m.

Members in attendance were:

HON. DENNIS G. EVELEIGH, CHAIR
HON. JON M. ALANDER
HON. MARSHALL K. BERGER, JR.
HON. WILLIAM H. BRIGHT, JR.
HON. HENRY S. COHN
HON. ROBERT L. GENUARIO
HON. MARY E. SOMMER
HON. ROBERT E. YOUNG

Also in attendance were Joseph J. Del Ciampo, Counsel to the Rules Committee, and Attorneys Denise K. Poncini and Lori A. Petruzzelli of the Judicial Branch's Legal Services Unit. The Honorable Robin L. Wilson was not in attendance at this meeting.

1. The Committee unanimously approved the minutes of the meeting held on November 23, 2015. Judge Bright abstained from this vote. Judge Sommer was not present to take part in the vote, but was present and participated in all matters hereafter.

2. The Committee considered a proposal submitted on behalf of Judge Carroll to amend Practice Book Section 3-9 concerning the timing of the withdrawal of an appearance for which an in-lieu-of appearance has been filed.

After consideration, the Committee unanimously voted to submit to public hearing the amendment to Practice Book Section 3-9, as set forth in Appendix A attached to these minutes.

3. The Committee considered a proposal by Judge Bright on behalf of the Civil Commission to amend Practice Book Sections 13-4, 13-7, 13-8 and 13-10 concerning discovery.

After discussion, the Committee unanimously voted to submit to public hearing the amendments to Practice Book Sections 13-4, 13-7, 13-8 and 13-10, as set forth in Appendix B attached to these minutes.

4. The Committee considered a proposal by Judge Adelman for a rule concerning

requests for articulation filed six months or more after the decision for which an articulation is sought has been rendered.

After discussion, the Committee decided to refer the proposal for consideration and comment to the Civil Commission and to Judge Bright, Chief Administrative Judge for the Civil Division, and Judge Elizabeth Bozzuto, Chief Administrative Judge for the Family Division.

5. The Committee considered a revised proposal by Attorneys Ury, Pepe and Morizio to implement Minimum Continuing Legal Education (MCLE) (draft dated 12-7-15) and Frequently Asked Questions (draft dated 10-30-15); the position of the Connecticut Bar Association concerning the MCLE proposal submitted by Attorneys Ury, Pepe and Morizio; the position of the Fairfield County Bar Association's Committee on MCLE concerning the MCLE proposal; comments from Attorney Michael H. Agranoff concerning the MCLE proposal; comments from Attorney Diane Duhaime concerning the MCLE proposal; comments from Attorney David Griffin concerning the MCLE proposal; comments from Attorney Arnold Rutkin concerning the MCLE proposal; comments from Judge Carroll concerning exemptions from MCLE; research from Judicial Branch Legal Services concerning exemptions from the requirements of MCLE; and comments from Attorneys Hume and Parese.

In connection with these matters, the Committee heard comments from the following speakers: Attorney Frederick Ury; Attorney Monte Frank, President Elect of the Connecticut Bar Association (CBA); Attorney Thomas Gugliotti, President of the Hartford County Bar Assocation; Attorney John Parese, President of the New Haven County Bar Assocation; Attorney David Schaefer; Attorney Louis Pepe; and Mr. Hector Morrero.

After discussion, the committee decided to table consideration of the underlying proposal of Attorneys Ury, Pepe and Morizio until its January meeting and directed Counsel to research how other states that have MCLE handle the issue of quality standards for qualifying MCLE programs.

Respectfully submitted,

Joseph J. DelCiampo
Counsel to the Rules Committee

Attachments

APPENDIX A (121415)

Sec. 3-9. Withdrawal of Appearance; Duration of Appearance

(a) An attorney or party whose appearance has been filed shall be deemed to have withdrawn such appearance upon [failure to file a written objection within ten days after written notice has been given or mailed to such attorney or party that a new appearance has been filed in place of the appearance of such attorney or party] the filing of a new appearance that is stated to be in place of the appearance on file in accordance with Section 3-8 and appropriate entries shall be made in the court file. An attorney or party whose appearance is deemed to have been withdrawn may file an appearance for the limited purpose of filing an objection to the in [lieu] place of appearance at any time.

(b) An attorney may withdraw his or her appearance for a party or parties in any action after the appearance of other counsel representing the same party or parties has been entered. An application for withdrawal in accordance with this subsection shall state that such an appearance has been entered and that such party or parties are being represented by such other counsel at the time of the application. Such an application may be granted by the clerk as of course, if such an appearance by other counsel has been entered.

(c) In addition to the grounds set forth in subsections (a), (b), and (d), a lawyer who represents a party or parties on a limited basis in accordance with Section 3-8 (b) and has completed his or her representation as defined in the limited appearance, shall file a certificate of completion of limited appearance on judicial branch form JD-CL-122. The certificate shall constitute a full withdrawal of a limited appearance. Copies of the certificate must be served in accordance with Sections 10-12 through 10-17 on the client, and all attorneys and self-represented parties of record.

(d) All appearances of counsel shall be deemed to have been withdrawn 180 days after the entry of judgment in any action seeking a dissolution of marriage or civil union, annulment, or legal separation, provided no appeal shall have been taken. In the event of an appeal or the filing of a motion to open a judgment within such 180 days, all appearances of counsel shall be deemed to have been withdrawn after final judgment on such appeal or motion or within 180 days after the entry of the original judgment,

whichever is later. Nothing herein shall preclude or prevent any attorney from filing a motion to withdraw with leave of the court during that period subsequent to the entry of judgment. In the absence of a specific withdrawal, counsel will continue of record for all postjudgment purposes until 180 days have elapsed from the entry of judgment or, in the event an appeal or a motion to open a judgment is filed within such 180 day period, until final judgment on that appeal or determination of that motion, whichever is later. (e) Except as provided in subsections (a), (b), (c) and (d), no attorney shall withdraw his or her appearance after it has been entered upon the record of the court without the leave of the court.

(f) All appearances in juvenile matters shall be deemed to continue during the period of delinquency probation, family with service needs supervision, or any commitment to the commissioner of the department of children and families or protective supervision. An attorney appointed by the chief public defender to represent a parent in a pending neglect or uncared for proceeding shall continue to represent the parent for any subsequent petition to terminate parental rights if the attorney remains under contract to the office of the chief public defender to represent parties in child protection matters, the parent appears at the first hearing on the termination petition and qualifies for appointed counsel, unless the attorney files a motion to withdraw pursuant to Section 3-10 that is granted by the judicial authority or the parent requests a new attorney. The attorney shall represent the client in connection with appeals, subject to Section 35a-20, and with motions for review of permanency plans, revocations or postjudgment motions and shall have access to any documents filed in court. The attorney for the child shall continue to represent the child in all proceedings relating to the child, including termination of parental rights and during the period until final adoption following termination of parental rights.

COMMENTARY: Prior to 2013, the existing appearance in the file was deemed to be withdrawn only if no objection to the in place of appearance was filed within ten days of the time that written notice of the new appearance was given or mailed. Effective October 1, 2013, the time limit for filing an objection was removed from Section 3-8 and an additional provision was added to permit an attorney or party to file an appearance for the limited purpose of objecting to an in place of appearance. The

revision to this section eliminates the ten-day delay in the withdrawal of the existing appearance and provides that the existing appearance is withdrawn upon the filing of the in place of appearance. Maintaining two appearances in this situation is unnecessary, confusing to parties and counsel, and potentially imposes legal or ethical obligations on an attorney who in reality, should no longer have any responsibility for the client or the file. In the rare instance when the attorney or party does object to the in place of appearance, an appearance for the limited purpose of filing an objection and an objection can be filed at any time.

APPENDIX B (121415)

Sec. 13-4. —Experts

(a) A party shall disclose each person who may be called by that party to testify as an expert witness at trial, and all documents that may be offered in evidence in lieu of such expert testimony, in accordance with this section. The requirements of Section 13-15 shall apply to disclosures made under this section.

(b) A party shall file with the court and serve upon counsel a disclosure of expert witnesses which identifies the name, address and employer of each person who may be called by that party to testify as an expert witness at trial, whether through live testimony or by deposition. In addition, the disclosure shall include the following information:

(1) Except as provided in subdivision (2) of this subsection, the field of expertise and the subject matter on which the witness is expected to offer expert testimony; the expert opinions to which the witness is expected to testify; **[**and**]** the substance of the grounds for each such expert opinion; and the written report of the expert witness, if any. The report shall not be filed with the court. Disclosure of the information required under this subsection may be made by making reference in the disclosure to**[**, and contemporaneously producing to all parties, a**]** the written report of the expert witness containing such information. **[**The parties shall not file the expert's written report with the court.**]**

(2) If the witness to be disclosed hereunder is a health care provider who rendered care or treatment to the plaintiff, and the opinions to be offered hereunder are based upon that provider's care or treatment, then the disclosure obligations under this section may be satisfied by disclosure to the parties of the medical records and reports of such care or treatment. A witness disclosed under this subsection shall be permitted to offer expert opinion testimony at trial as to any opinion as to which fair notice is given in the disclosed medical records or reports. Expert testimony regarding any opinion as to which fair notice is not given in the disclosed medical records or reports must be disclosed in accordance with subdivision (1) of subsection (b) of this section. The parties shall not file the disclosed medical records or disclosed medical reports with the court.

(3) Except for an expert witness who is a health care provider who rendered care or treatment to the plaintiff, or unless otherwise ordered by the judicial authority or agreed upon by the parties, the party disclosing an expert witness shall, upon the request of an opposing party, produce to all other parties all materials obtained, created and/or relied upon by the expert in connection with his or her opinions in the case within fourteen days prior to that expert's deposition or within such other time frame determined in accordance with the Schedule for Expert Discovery prepared pursuant to subsection (g) of this section. If any such materials have already been produced to the other parties in the case, then a list of such materials, made with sufficient particularity that the materials can be easily identified by the parties, shall satisfy the production requirement hereunder with respect to those materials. If an expert witness otherwise subject to this subsection is not being compensated in that capacity by or on behalf of the disclosing party, then that party may give written notice of that fact in satisfaction of the obligations imposed by this subsection. If such notice is provided, then it shall be the duty of the party seeking to depose such expert witness to obtain the production of the requested materials by subpoena or other lawful means.

(4) Nothing in this section shall prohibit any witness disclosed hereunder from offering nonexpert testimony at trial.

(c) (1) Unless otherwise ordered by the judicial authority upon motion, a party may take the deposition of any expert witness disclosed pursuant to subsection (b) of this section in the manner prescribed in Section 13-26 et seq. governing deposition procedure generally. Nothing contained in subsection (b) of this section shall impair the right of any party from exercising that party's rights under the rules of practice to subpoena or to request production of any materials, to the extent otherwise discoverable, in addition to those produced under subsection (b) of this section, in connection with the deposition of any expert witness, nor shall anything contained herein impair the right of a party to raise any objections to any request for production of documents sought hereunder to the extent that a claim of privilege exists.

(2) Unless otherwise ordered by the judicial authority for good cause shown, or agreed upon by the parties, the fees and expenses of the expert witness for any such deposition, excluding preparation time, shall be paid by the party or parties taking the

deposition. Unless otherwise ordered, the fees and expenses hereunder shall include only (A) a reasonable fee for the time of the witness to attend the deposition itself and the witness' travel time to and from the place of deposition; and (B) the reasonable expenses actually incurred for travel to and from the place of deposition and lodging, if necessary. If the parties are unable to agree on the fees and expenses due under this subsection, the amount shall be set by the judicial authority, upon motion.

(d) (1) A party shall file with the court a list of all documents or records that the party expects to submit in evidence pursuant to any statute or rule permitting admissibility of documentary evidence in lieu of the live testimony of an expert witness. The list filed hereunder shall identify such documents or records with sufficient particularity that they shall be easily identified by the other parties. The parties shall not file with the court a copy of the documents or records on such list.

(2) Unless otherwise ordered by the judicial authority upon motion, a party may take the deposition of any expert witness whose records are disclosed pursuant to subdivision (1) of subsection (d) of this section in the manner prescribed in Section 13-26 et seq. governing deposition procedure generally. Nothing contained in subsection (d) of this section shall impair the right of any party from exercising that party's rights under the rules of practice to subpoena or to request production of any materials, to the extent otherwise discoverable, in addition to those produced under subsection (d), in connection with the deposition of any expert witness.

(3) Unless otherwise ordered by the judicial authority for good cause shown, or agreed upon by the parties, the fees and expenses of the expert witness for any such deposition, excluding preparation time, shall be paid by the party or parties taking the deposition. Unless otherwise ordered, the fees and expenses hereunder shall include only (A) a reasonable fee for the time of the witness to attend the deposition itself and the witness' travel time to and from the place of deposition; and (B) the reasonable expenses actually incurred for travel to and from the place of deposition and lodging, if necessary. If the parties are unable to agree on the fees and expenses due under this subsection, the amount shall be set by the judicial authority, upon motion.

(e) If any party expects to call as an expert witness at trial any person previously disclosed by any other party under subsection (b) hereof, the newly disclosing party

shall file a notice of disclosure: (1) stating that the party adopts all or a specified part of the expert disclosure already on file; and (2) disclosing any other expert opinions to which the witness is expected to testify and the substance of the grounds for any such expert opinion. Such notice shall be filed within the time parameters set forth in subsection (g).

(f) A party may discover facts known or opinions held by an expert who had been retained or specially employed by another party in anticipation of litigation or preparation for trial and who is not expected to be called as a witness at trial only as provided in Section 13-11 or upon a showing of exceptional circumstances under which it is impracticable for the party seeking discovery to obtain facts or opinions on the same subject by other means.

(g) Unless otherwise ordered by the judicial authority, or otherwise agreed by the parties, the following schedule shall govern the expert discovery required under subsections (b), (c), (d) and (e) of this section.

(1) Within 120 days after the return date of any civil action, or at such other time as the parties may agree or as the court may order, the parties shall submit to the court for its approval a proposed Schedule for Expert Discovery, which, upon approval by the court, shall govern the timing of expert discovery in the case. This schedule shall be submitted on a "Schedule for Expert Discovery" form prescribed by the office of the chief court administrator. The deadlines proposed by the parties shall be realistic and reasonable, taking into account the nature and relative complexity of the case, the need for predicate discovery and the estimated time until the case may be exposed for trial. If the parties are unable to agree on discovery deadlines, they shall so indicate on the proposed Schedule for Expert Discovery, in which event the court shall convene a scheduling conference to set those deadlines.

(2) If a party is added or appears in a case after the proposed Schedule for Expert Discovery is filed, then an amended proposed Schedule for Expert Discovery shall be prepared and filed for approval by the court within sixty days after such new party appears, or at such other time as the court may order.

(3) Unless otherwise ordered by the court, disclosure of any expert witness under subsection (e) hereof shall be made within thirty days of the event giving rise to the

need for that party to adopt the expert disclosure as its own (e.g., the withdrawal or dismissal of the party originally disclosing the expert).

(4) The parties, by agreement, may modify the approved Schedule for Expert Discovery or any other time limitation under this section so long as the modifications do not interfere with an assigned trial date. A party who wishes to modify the approved Schedule for Expert Discovery or other time limitation under this section without agreement of the parties may file a motion for modification with the court stating the reasons therefor. Said motion shall be granted if: (i) the requested modification will not cause undue prejudice to any other party; (ii) the requested modification will not cause undue interference with the trial schedule in the case; and (iii) the need for the requested modification was not caused by bad faith delay of disclosure by the party seeking modification.

(h) A judicial authority may, after a hearing, impose sanctions on a party for failure to comply with the requirements of this section. An order precluding the testimony of an expert witness may be entered only upon a finding that: (1) the sanction of preclusion, including any consequence thereof on the sanctioned party's ability to prosecute or to defend the case, is proportional to the noncompliance at issue, and (2) the noncompliance at issue cannot adequately be addressed by a less severe sanction or combination of sanctions.

(i) The revisions to this rule adopted by the judges of the superior court in June, 2008, effective on January 1, 2009, and the revisions to this rule adopted by the judges of the superior court in June, 2009, and March, 2010, shall apply to cases commenced on or after January 1, 2009. The version of this rule in effect on December 31, 2008, shall apply to cases commenced on or before that date.

COMMENTARY: The revision is intended to make clear that any written report of any expert witness who may be called by a party to testify as an expert witness at trial, including a health care provider who conducts a record review, must be provided to all parties as part of the disclosure of expert witness, but not filed with the court.

Sec. 13-7. —Answers to Interrogatories

(a) Any such interrogatories shall be answered under oath by the party to whom directed and such answers shall not be filed with the court but shall be served within [thirty] sixty days after the date of certification of service, in accordance with Sections 10-12 through 10-17, of the interrogatories or, if applicable, the notice of interrogatories on the answering party, or within such shorter or longer time as the judicial authority may allow, unless:

(1) Counsel file with the court a written stipulation extending the time within which answers or objections may be served; or

(2) [The party to whom the interrogatories are directed, after service in accordance with Sections 10-12 through 10-17, files a request for extension of time, for not more than thirty days, within the initial thirty-day period. Such request shall be deemed to have been automatically granted by the judicial authority on the date of filing, unless within ten days of such filing the party who has served the interrogatories or the notice of interrogatories shall file objection thereto. A party shall be entitled to one such request for each set of interrogatories directed to that party; or

(3)] Upon motion, the judicial authority allows a longer time; or

[(4)] (3) Objections to the interrogatories and the reasons therefor are filed and served within the [thirty-day] sixty-day period.

(b) All answers to interrogatories shall (1) repeat immediately before each answer the interrogatory being answered; and (2) be signed by the person making them.

[(b)] (c) A party objecting to one or more interrogatories shall file an objection in accordance with Section 3-8.

[(c)] (d) Objection by a party to certain of the interrogatories directed to such party shall not relieve that party of the obligation to answer the interrogatories to which he or she has not objected within the [thirty-day] sixty-day period. [All answers to interrogatories shall repeat immediately before each answer the interrogatory being answered. Answers are to be signed by the person making them. The party serving the interrogatories or the notice of interrogatories may move for an order under Section 13-14 with respect to any failure to answer.]

(e) The party serving interrogatories or the notice of interrogatories may move for an order under Section 13-14 with respect to any failure to answer.

COMMENTARY: The time for responding or objecting to interrogatories has been increased from thirty to sixty days, unless otherwise established by a scheduling order, to provide respondents with additional time to gather the information. By extending the time, it is expected that parties will not find it necessary to seek an extension of time as frequently. The rule also eliminates the provision for filing a request for extension of time, but it does not preclude a party from filing a motion for an extension of time. In addition, the subsections of the rule have been rearranged slightly, with the requirements for answers to interrogatories preceding the subsections on objecting to interrogatories and seeking an order for compliance.

Sec. 13-8. —Objections to Interrogatories

(a) [Objections to interrogatories shall be immediately preceded by the interrogatory objected to,] The party objecting to any interrogatory shall set forth each interrogatory immediately followed by reasons for the objection[,]. Objections shall be (1) signed by the attorney or self-represented party making them; and [shall be] (2) filed with the court pursuant to Section 13-7. No objection may be filed with respect to interrogatories which have been set forth in Forms 201, 202, 203, 208 and/or 210 of the rules of practice for use in connection with Section 13-6.

(b) No objections to interrogatories shall be placed on the short calendar list until an affidavit by either counsel is filed certifying that bona fide attempts have been made to resolve the differences concerning the subject matter of the objection and that counsel have been unable to reach an [accord] agreement. The affidavit shall set forth the date of the objection, the name of the party who filed the objection and the name of the party to whom the objection was addressed. The affidavit shall also recite the date, time and place of any conference held to resolve the differences and the names of all persons participating therein or, if no conference has been held, the reasons for the failure to hold such a conference. If any objection to an interrogatory is overruled, the objecting party shall answer the interrogatory [shall be answered], and serve the

answer [served] within twenty days after the judicial authority ruling unless otherwise ordered by the judicial authority.

(c) An interrogatory otherwise proper is not objectionable merely because it involves more than one fact or relates to the application of law to facts.

COMMENTARY: This section on objecting to interrogatories has been reworded and simplified, without making any substantive changes to the rule.

Sec. 13-10. —Responses to Requests for Production; Objections

(a) The party to whom the request is directed or such party's attorney shall serve a written response, which may be in electronic format, within [thirty] sixty days after the date of certification of service, in accordance with Sections 10-12 through 10-17, of the request or, if applicable, the notice of requests for production on the responding party or within such shorter or longer time as the judicial authority may allow, unless:

(1) Counsel and/or self-represented parties file with the court a written stipulation extending the time within which responses may be served; or

(2) [The party to whom the requests for production are directed, after service in accordance with Sections 10-12 through 10-17, files a request for extension of time, for not more than thirty days, within the initial thirty-day period. Such request shall be deemed to have been automatically granted by the judicial authority on the date of filing, unless within ten days of such filing the party who has served the requests for production or the notice of requests for production shall file objection thereto. A party shall be entitled to one such request for each set of requests for production served upon that party; or

(3)] Upon motion, the court allows a longer time[.]; or

(3) Objections to the requests for production and the reasons therefore are filed and served within the sixty-day period.

(b) [The response of the party shall be inserted directly on the original request served in accordance with Section 13-9 and shall state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request or any part thereof is objected to. If, pursuant to subsection (b) of Section 13-9, a notice of requests for production is served in lieu of requests for production, the party

to whom such notice is directed shall in his or her response set forth each request for production immediately followed by that party's response thereto. No objection may be filed with respect to requests for production set forth in Forms 204, 205, 206, 209 and/or 211 of the rules of practice for use in connection with Section 13-9. Where a request calling for submission of copies of documents is not objected to, those copies shall be appended to the copy of the response served upon the party making the request. A party objecting to one or more requests shall file an objection to the request. Objections to requests for production shall be immediately preceded by the request objected to, shall set forth reasons for the objection, shall be signed by the attorney or self-represented party making them and shall be filed with the court. Objection by a party to certain parts of the request shall not relieve that party of the obligation to respond to those portions to which that party has not objected within the thirty-day period. The party serving the request or the notice of requests for production may move for an order under Section 13-14 with respect to any failure on the part of the party to whom the request or notice is addressed to respond.] All responses (1) shall repeat immediately before the response the request for production being responded to; and (2) shall state with respect to each item or category that inspection and related activities will be permitted as requested, unless the request or any part thereof is objected to.

(c) [No objection to any such request shall be placed on the short calendar list until an affidavit by either counsel is filed certifying that bona fide attempts have been made to resolve the differences concerning the subject matter of the objection and that counsel have been unable to reach an accord. The affidavit shall set forth the date of the objection, the name of the party who filed the objection and the name of the party to whom the objection was addressed. The affidavit shall also recite the date, time and place of any conference held to resolve the differences and the names of all persons participating therein, or, if no conference has been held, the reasons for the failure to hold such a conference. If an objection to any part of a request for production is overruled, compliance with the request shall be made at a time to be set by the judicial authority.] Where a requet calling for submission of copies of documents is not objected to, the party responding to the request shall produce those copies with the response served upon all parties.

(d) Objection by a party to certain parts of a request shall not relieve that party of the obligation to respond to those portions to which that party has not objected within the sixty-day period.

(e) A party objecting to one or more of the requests for production shall file an objection in accordance with Section 13-10 (f).

(f) A party who objects to any request or portion of a request shall (1) set forth the request objected to; (2) specifically state the reasons for the objection; (3) state whether any responsive materials are being withheld on the basis of the stated objection; and (4) sign the objections and file them with the court.

(g) No objection may be filed with respect to requests for production set forth in Forms 204, 205, 206, 209 and/or 211 of the rules of practice for use in connection with Section 13-9.

(h) No objection to any request for production shall be placed on the short calendar list until an affidavit by counsel or self-prepresented parties is filed certifying that they have made good faith attempts to resolve the objection and that counsel and/or self-represented parties have been unable to reach an agreement. The affidavit shall set forth (1) the date of the objection; (2) the name of the party who filed the objections; and to whom the objection was addressed; (3) the date, time and place of any conference held to resolve the differences; and (4) the names of all conference participants. If no conference has been held, the affidavit shall also set forth the reasons for the failure to hold such a conference.

(i) If an objection to any part of a request for production is overruled, the objecting party shall comply with the request at a time set by the judicial authority.

(j) The party serving the request or the notice of request for production may move for an order under Section 13-14 with respect to any failure to respond by the party to whom the request or notice is addressed.

COMMENTARY: The time for responding to request for production has been increased from thirty to sixty days, unless otherwise established by a scheduling order, to provide respondents with additional time to review and respond to the request. By extending the time for responding, it is expected that parties will not find it necessary to seek an extension of time as frequently. The rule also eliminates the provision for filing

a request for extension of time, but it does not preclude a party from filing a motion for an extension of time. The section has also been broken down into several lettered subsections and rearranged to make it easier to follow the requirements for responding or objecting to production requests. Subsection (f) of the revised rule now includes a requirement that parties specifically state the reasons for their objection and indicate whether they are withholding any responsive materials based upon the objection.