103D CONGRESS 1ST SESSION

H. R. 2814

To permit the taking effect of certain proposed rules of civil procedure, with modifications.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1993

 $\begin{array}{ll} \text{Mr. Hughes (for himself and Mr. Moorhead) introduced the following bill;} \\ \text{which was referred to the Committee on the Judiciary} \end{array}$

A BILL

To permit the taking effect of certain proposed rules of civil procedure, with modifications.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Civil Rules Amend-
- 5 ments Act of 1993".
- 6 SEC. 2. MODIFICATION OF PROPOSED AMENDMENTS.
- 7 The proposed amendments to the Federal Rules of
- 8 Civil Procedure which are embraced by an order entered
- 9 by the Supreme Court of the United States on April 22,

- 1993, shall take effect on December 1, 1993, as otherwise
- provided by law, but with the following amendments:
- 3 (1) RULE 26.—

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- 4 (A) IN GENERAL.—Proposed rule 26(a) is amended so that paragraph (1) reads as 5 6 follows:
- 7 "(1) Insurance agreements.—A party may obtain discovery of the existence and contents of any 8 9 insurance agreement under which any person carrying on an insurance business may be liable to satisfy 10 part or all of a judgment which may be entered in the action or to indemnify or reimburse for pay-12 ments made to satisfy the judgment. Information 13 14 concerning the insurance agreement is not by reason 15 of disclosure admissible in evidence at trial. For pur-16 poses of this paragraph, an application for insurance 17 shall not be treated as part of an insurance 18 agreement.".
 - (2) Conforming amendments.—(A) Proposed rule 26(a)(2) is amended by striking "In addition to the disclosures required by paragraph (1), a" and inserting "A".
- (B) Proposed rule 26(a)(3) is amended by 23 striking "the preceding paragraphs" and inserting 24 "paragraph (2)". 25

1	(C) Proposed rule 26(a)(4) is amended by strik-
2	ing "(1) through" and inserting "(2) and".
3	(D) Proposed rule 26(f) is amended by striking
4	"to make or arrange for the disclosures required by
5	subdivision (a)(1),''.
6	(E) Proposed rule 26(g)(1) is amended by
7	striking "subdivision (a)(1) or".
8	(3) Rule 30.—
9	(A) IN GENERAL.—Proposed rule 30(b)(2) is
10	amended by striking "Unless the court orders other-
11	wise, it may be recorded by sound, sound-and-visual,
12	or stenographic means, and the" and inserting "Un-
13	less the court upon motion orders, or the parties
14	agree in writing to use, sound or sound-and-visual
15	means, the deposition shall be recorded by steno-
16	graphic means. The".
17	(B) CONFORMING AMENDMENT.—Proposed rule
18	30(b) is amended by striking paragraph (3).
19	(4) FORM 35.—Proposed form 35 is amended—
20	(A) by striking paragraph (2); and
21	(B) by redesignating paragraphs (3) and (4) as
22	paragraphs (2) and (3).