

**Union Calendar No. 170**

103D CONGRESS  
1ST SESSION

**H. R. 2814**

**[Report No. 103-319]**

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**A BILL**

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

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NOVEMBER 3, 1993

Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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### IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1993

Mr. HUGHES (for himself and Mr. MOORHEAD) introduced the following bill;  
which was referred to the Committee on the Judiciary

NOVEMBER 3, 1993

Additional sponsors: Mr. DARDEN, Mr. SPRATT, Mr. BLUTE, and Mr.  
VALENTINE

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Civil Rules Amend-  
3 ments Act of 1993”.

4 **SEC. 2. MODIFICATION OF PROPOSED AMENDMENTS.**

5 The proposed amendments to the Federal Rules of  
6 Civil Procedure which are embraced by an order entered  
7 by the Supreme Court of the United States on April 22,  
8 1993, shall take effect on December 1, 1993, as otherwise  
9 provided by law, but with the following amendments:

10 (1) RULE 26.—

11 (A) IN GENERAL.—Proposed rule 26(a) is  
12 amended so that paragraph (1) reads as  
13 follows:

14 “(1) INSURANCE AGREEMENTS.—A party may  
15 obtain discovery of the existence and contents of any  
16 insurance agreement under which any person carry-  
17 ing on an insurance business may be liable to satisfy  
18 part or all of a judgment which may be entered in  
19 the action or to indemnify or reimburse for pay-  
20 ments made to satisfy the judgment. Information  
21 concerning the insurance agreement is not by reason  
22 of disclosure admissible in evidence at trial. For pur-  
23 poses of this paragraph, an application for insurance  
24 shall not be treated as part of an insurance  
25 agreement.”.

1           (2) CONFORMING AMENDMENTS.—(A) Proposed  
2 rule 26(a)(2) is amended by striking “In addition to  
3 the disclosures required by paragraph (1), a” and  
4 inserting “A”.

5           (B) Proposed rule 26(a)(3) is amended by  
6 striking “the preceding paragraphs” and inserting  
7 “paragraph (2)”.

8           (C) Proposed rule 26(a)(4) is amended by strik-  
9 ing “(1) through” and inserting “(2) and”.

10           (D) Proposed rule 26(f) is amended by striking  
11 “to make or arrange for the disclosures required by  
12 subdivision (a)(1),”.

13           (E) Proposed rule 26(g)(1) is amended by  
14 striking “subdivision (a)(1) or”.

15           (3) RULE 30.—

16           (A) IN GENERAL.—Proposed rule 30(b)(2)  
17 is amended by striking “Unless the court orders  
18 otherwise, it may be recorded by sound, sound-  
19 and-visual, or stenographic means, and the”  
20 and inserting “Unless the court upon motion  
21 orders, or the parties agree in writing to use,  
22 sound or sound-and-visual means, the deposi-  
23 tion shall be recorded by stenographic means.  
24 The”.

1                   (B) CONFORMING AMENDMENT.—Proposed  
2 rule 30(b) is amended by striking paragraph  
3 (3).

4 (4) FORM 35.—Proposed form 35 is amended—

5                   (A) by striking paragraph (2); and

6                   (B) by redesignating paragraphs (3) and

7 (4) as paragraphs (2) and (3).