

From: Robinson, Richard (ConnApp)
Sent: Wednesday, October 18, 2017 4:36 PM
To: Del Ciampo, Joseph; Bright, William
Subject: RE: quick note on problematic PB provisions

Thanks Judge Bright for bringing it to our attention. Thank you Joe, your solution sounds perfect.

RAR

From: Del Ciampo, Joseph [mailto:Joseph.DelCiampo@jud.ct.gov]
Sent: Wednesday, October 18, 2017 10:25 AM
To: Bright, William
Cc: Robinson, Richard
Subject: RE: quick note on problematic PB provisions

That's fine, Judge. They will remain pending until I am told to move them forward. Thank you.

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From: Bright, William
Sent: Wednesday, October 18, 2017 10:22 AM
To: Del Ciampo, Joseph
Cc: Robinson, Richard
Subject: RE: quick note on problematic PB provisions

Thanks Joe. I think we should give the new CAJ for civil an opportunity to weigh in on all of these before presenting them to the Rules Committee. So, can we hold off on the third one for now? I hope there will be a new CAJ in place before the next meeting, but I am not sure whether he/she will be up to speed.

From: Del Ciampo, Joseph
Sent: Wednesday, October 18, 2017 10:18 AM
To: Bright, William
Cc: Robinson, Richard
Subject: RE: quick note on problematic PB provisions

Dear Judge Bright,

I have reviewed the list of matters pending before the Rules Committee and have determined that the following, in addition to the issue set out below regarding Section 13-28(c), are matters that you have received from or raised with the Rules Committee in your capacity as CAJ Civil and/or Chair of the Civil Commission:

- Proposal referred by Justice Eveleigh regarding whether an automobile's "black box" is included in a discovery order involving a ruling on Section 13-3. **(On 9-18-17, RC referred matter to Judge Bright for consideration by Civil Workgroup.)**
- Proposal by Judge Bright to include Medicare questions in standard discovery. **(These questions were removed from the Form 202 recommendations of Rules Committee on May 15, 2017 prior to Judges' Annual Meeting in June 2017. On May 15, 2017 based on comments received from Judge Stevens, the Rules Committee referred matter and Judge Stevens's comments to Civil Commission for its consideration.)**
- Issue concerning whether an attorney admitted pro hac vice in a municipal or state hearing or proceeding needs to re-apply for permission to appear when that issue is filed as an administrative appeal to the Superior Court. **(This issue was raised with Judge Bright, Court Operations, and Legal Services in August 2017 and it was decided that based on the rule as it now stands, an additional application with the applicable fee should be filed. It was also decided by Jude Bright that this should be raised with the Rules Committee to discuss and decide whether the rule should be modified to avoid the additional application and/or fee.)**

As regards the third item concerning attorneys admitted pro hac vice, with your permission, I can move that forward through the Rules Committee. Please let me know if you need anything further. Have a good day.

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From: Bright, William
Sent: Tuesday, October 17, 2017 11:46 AM
To: Del Ciampo, Joseph
Subject: RE: quick note on problematic PB provisions

That would be great. Thanks.

From: Del Ciampo, Joseph
Sent: Tuesday, October 17, 2017 11:44 AM
To: Bright, William
Subject: RE: quick note on problematic PB provisions

Dear Judge Bright,

Thank you. I will take care of this.

I will also review my Rules Committee Pending List for items that you have received or offered in your capacity as CAJ and we can discuss how you wish to proceed on those. Have a good day.

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From: Bright, William
Sent: Tuesday, October 17, 2017 9:34 AM
To: Del Ciampo, Joseph
Subject: FW: quick note on problematic PB provisions

Joe,

In light of my impending (hopefully) departure from the Rules Committee and the civil CAJ role, I am forwarding this to you for consideration at the next Rules Committee meeting. I will also send it to the new civil CAJ. I do think the incongruity is worth addressing. As I previously said, I am going to miss working with you and the Rules Committee.

From: John D. Tower [<mailto:jtower@crameranderson.com>]
Sent: Tuesday, October 17, 2017 8:54 AM
To: Bright, William
Cc: Christopher J. Sochacki; Abigail Miranda
Subject: quick note on problematic PB provisions

Your Honor – I have no pending cases before you, so am writing to you fast to point out a problem in our current PB discovery rules.

PB § 13-28(c) allows us to compel non-party witnesses to cough up docs within **15 days** while § 13-27(g) now gives parties, due to its incorporation of PB §§ 13-9 – 13-11, **60 days** to produce docs sought in Notices of Deposition, unless we go through the hassle of getting a court to order a shorter time (or stipulate to shorter time with counsel). So non-parties fact more onerous discovery responsibilities than litigants? Makes no sense to me whatsoever.

Thank you sir.

Best, J.Tower

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