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From: Victoria Katz <victoria.katz@aderant.com>
Sent: Thursday, May 24, 2018 1:04 PM
To: Comments Mailbox
Subject: Proposed CBLP Rules of Court, OFC 5/24/18

Good morning,

We have reviewed the proposed CBLP Rules of Court, out for comment until May 24, 2018, and write to bring the Court's attention to an ambiguity in paragraph 7.a of the Discovery Confidentiality Order set forth in Appendix [?].

Paragraph 7.a provides in part, "Counsel for the objecting party shall serve on the designating party or third party a written objection to such designation, which shall describe with particularity the documents or information in question and shall state the grounds for objection. Counsel for the designating party or third party shall respond in writing to such objection within ten (10) days, and shall state with particularity the grounds for asserting that the document or information is Confidential [or Attorneys' Eyes Only]." [Emphasis added.]

As written, it is unclear what the triggering event is for the 10-day period to respond to the objection. Is it 10 days from the receipt of the objection, from service of the objection, or perhaps from the date of the objection itself? To eliminate any confusion amongst practitioners regarding this deadline, and thereby promote consistency and clarity in the rules, we respectfully request that the Court revise Paragraph 7.a to specify the triggering event. For example, the second sentence of Paragraph 7.a might be revised to say, "Counsel for the designating party or third party shall respond in writing to such objection within ten (10) days after receipt of the objection, and shall state with particularity the grounds for asserting that the document or information is Confidential [or Attorneys' Eyes Only]."

Thank you for your time and consideration.

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