



# JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

THE CHIEF JUSTICE  
OF THE UNITED STATES  
*Presiding*

JAMES C. DUFF  
*Secretary*

November 26, 2008

## MEMORANDUM

To: The Chief Justice of the United States and the Associate Justices of the Supreme Court

From: James C. Duff

RE: TRANSMITTAL OF PROPOSED AMENDMENTS TO THE FEDERAL RULES OF PRACTICE AND PROCEDURE

By direction of the Judicial Conference of the United States, pursuant to the authority conferred by 28 U.S.C. § 331, I transmit herewith for consideration of the Court the proposed amendments to the Federal Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure, which were approved by the Judicial Conference at its September 2008 session. The Judicial Conference recommends that these changes be approved by the Court and transmitted to the Congress pursuant to law.

For your assistance in considering these proposed amendments, I am transmitting a memorandum from Judge Lee H. Rosenthal briefly summarizing the proposed amendments and a report on amendments that raised significant interest during the rule-making process. I am also transmitting excerpts from the Report of the Committee on Rules of Practice and Procedure to the Judicial Conference as well as the Reports of the various advisory rules committees.

### Attachments

cc: Honorable Lee H. Rosenthal  
Professor Daniel R. Coquillette