

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
FOLEY SQUARE
NEW YORK, NEW YORK 10007

05-CV-D

LORETTA A. PRESKA
DISTRICT JUDGE

May 25, 2005

Honorable Lee H. Rosenthal
Chair, Federal Judicial Conference Advisory
Committee for Federal Rules of Civil Procedure
United States District Court for the
Southern District of Texas
Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

RECEIVED IN CHAMBERS

MAY 31 2005

LORETTA A. PRESKA
DISTRICT JUDGE

Re: Rule 45 Revisions

Lee
Dear Judge Rosenthal:

In connection with what I understand are the ongoing revisions to Rule 45, I enclose a Proposed Local Civil Rule requiring the issuer of the subpoena to produce or make available documents or things obtained in response to a subpoena. I forward it to you at the request of the Joint Committee on Local Rules for the Southern and Eastern Districts of New York for consideration by your Committee for inclusion in the revisions.

Best personal regards.

Sincerely,

Loretta

Loretta A. Preska

enc.

cc: Guy H. Struve, Founding Chair
Joint Committee

bcc: Mag. Judge Peck
Mag. Judge Gold
Chief Judge Mukasey
Mr. Cliff Kirsch

Proposed Local Civil Rule 45.1

**Disclosure to All Parties of Documents or Tangible Things
Obtained Pursuant to Rule 45**

Whenever designated documents or tangible things are obtained in response to a subpoena issued pursuant to Federal Rule of Civil Procedure 45, the party issuing the subpoena shall promptly produce them to, or make them available for inspection and copying by, all parties to the action.