

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

Chambers of
Richard D. Bennett
United States District Judge
Northern Division

U.S.Courthouse - Chambers 5D
101 W. Lombard Street
Baltimore, MD 21201
Tel: 410-962-3190
Fax: 410-962-3177

November 28, 2006

TO COUNSEL OF RECORD

Re: Snyder v. Phelps, et al.
Civil No. RDB 06-1389

Dear Counsel:

Many members of our bar have expressed concern about the obstacles to timely, efficient, and inexpensive resolution of discovery disputes. I have personally noted that the Local Rules of this Court are sometimes too quickly implemented by counsel upon the first indication of a discovery dispute. In order to address these concerns, I have adopted a policy with respect to discovery disagreements. This policy shall be followed **before** the filing of any motions relating to discovery disputes.

In the event of a disagreement involving a discovery matter, counsel shall notify opposing counsel of their intent to contact my chambers to request that I make myself available for a telephone conference. Counsel requesting such a conference shall check the availability of all counsel and then contact my chambers with their suggested dates and times. After a date and time have been scheduled with the Court, it shall be the responsibility of counsel requesting the conference to arrange and initiate the conference call at the prescribed time. I would not anticipate that any conference call would take more than 30 minutes.

Counsel involved in the dispute shall deliver to my chambers short letters (not more than two pages) setting forth their respective positions not later than 5 p.m. on the day prior to the scheduled telephone conference. Unless specifically requested by counsel, there will not be a court reporter present and there will not be an official record of the conference.

Counsel of Record
November 28, 2006
Page two

I will do my best to resolve as many disputes as I can in this informal manner. If, however, I determine that the issues require the formal filing of a motion and briefing, I will so advise counsel. In that event, I may or may not refer the discovery dispute to a Magistrate Judge of this Court.

In order for this informal discovery dispute policy to be successful, it is imperative that counsel exercise restraint. I simply do not have time to resolve each and every dispute that may arise during the course of discovery. However, I recognize the great advantage the court can provide in quickly resolving many discovery issues.

In our telephone conference of today, counsel discussed the issue of the location of the depositions of Defendant Phelps and the corporate representative of the Defendant Westboro Baptist Church, Inc. I would certainly hope that counsel could agree on the location of the depositions without the need to seek assistance from the Court. Obviously, in the event of a trial of this case, the attendance of all parties will be required in court

Sincerely,

/s/
Richard D. Bennett
United States District Judge

RDB/skp