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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

DEC - 1 2010

AT GREENBELT  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
BY \_\_\_\_\_ DEPUTY

IN RE: EMERGENCY AMENDMENT TO \*  
LOCAL RULES

\* MISC. NO. 00-308  
MISC. NO. 10-642

\*\*\*\*\*

STANDING ORDER 2010-05

Federal Rule of Civil Procedure 26(a) was amended on December 1, 2010. Because the amendment conflicts with Local Rule 104.10 and there is insufficient time to amend the rules under the regular procedure of Local Rule 605.1, the full bench considered and approved the following emergency amendment to Local Rule 104.10:\*

Unless otherwise ordered by the Court a party must provide the disclosures required by Fed. R. Civ. P. 26(a)(2)(B) only as to experts retained or specially employed by a party to provide expert testimony. The disclosures need not be provided as to hybrid fact/expert witnesses such as treating physicians. The party must disclose the existence of any hybrid fact/expert witness pursuant to Fed. R. Civ. P. 26(a)(2)(A), and **[disclose the subject matter on which the witness is expected to present evidence under Fed. R. Evid. 702, 703, or 705, as well as a summary of the facts and opinions to which the hybrid fact/expert witness is expected to testify, pursuant to Fed. R. Civ. P. 26(a)(2)(C). In addition,]** an adverse party may obtain the opinions of such witnesses (to the extent appropriate) through interrogatories, document production requests, and depositions.

According, it is hereby ORDERED that:

1. The above emergency amendment to Local Rule 104.10 is approved, effective December 1, 2010;
2. This amendment applies to all cases filed or pending on or after December 1, 2010, to the extent practicable, unless otherwise ordered by the presiding judge; and

\* The new language appears in bold between the brackets.

3. The Clerk is directed to provide prompt public notice of this amendment, to publish amended Local Rules, and to submit this amendment for public consideration under Local Rule 605.1 during the next regular amendment cycle.

Dec. 1, 2010  
Date

Deborah K. Chasanow  
Deborah K. Chasanow, Chief Judge  
United States District Court