

# STEVENS & WARD, P.A.

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Clerk of Appellate Courts  
Post Office Box 249  
Jackson, Mississippi 39205

OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS

*Re: Proposed change(s) to Miss. Rule of Civil Procedure 56*

Dear Colleagues:

I do not support the deletion of section (h) from the Rule. Summary judgment motions are among the most common litigation abuses in our system, used to harass or "overwork" an opponent, oftentimes by those litigants who have far superior resources; used to create unjustifiable pressure to compromise; used as a tactic to discover another party's litigation strategies, investigatory work product and privileged legal research.

Given the bench's uneasiness with issuing Rule 11 sanctions as general rule, the omission of this mandate will likely result in even more liberal abuse of Rule 56.

Kindest regards,

STEVENS & WARD, P.A.

Lance L. Stevens

LLS: ns

**MOTION#**

**2020**

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