

First Supplement to Memorandum 2004-13

**Civil Discovery: Nonsubstantive Reform
(Conforming Revisions)**

In light of the problems that the staff discovered with regard to the conforming revision of Insurance Code Section 11580.2 (see Memorandum 2004-13), we reviewed each of the other conforming revisions in the Commission's recommendation on *Civil Discovery: Nonsubstantive Reform* for similar problems. We found several other provisions that, like Insurance Code Section 11580.2, require more study because they were never conformed to reflect enactment of the Civil Discovery Act of 1986: Bus. & Prof. Code § 25009; Code Civ. Proc. §§ 1283, 1991.2; Educ. Code § 44944; Gov't Code §§ 12963.3, 68097.6; Health & Safety Code § 1424.1. As with Insurance Code Section 11580.2, the Commission should **remove these provisions from the recommendation and study them further.**

The Commission should **also remove the conforming revision of Code of Civil Procedure Section 1741** from the recommendation, because that provision sunsetted on January 1, 2004.

Respectfully submitted,

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