IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

IN THE MATTER OF)

THE ADMIRALTY RULES)
OF THIS COURT)

The following rule, drafted by the Department of Justice and the Navy Department, with reference to procedure to be followed in taking testimony in cases arising under Supreme Court Admiralty Rule 46 as amended, is pursuant to Admiralty Rule 44 of the Supreme Court, adopted as Admiralty Rule 41A of this Court, effective on and after this date:

RULE 41A. In any cause in Admiralty in which the Court has directed that the proceedings be conducted in private and that the records, pleadings, evidence and documents filed therein be impounded under authority of Supreme Court Admiralty Rule 46 as amended, the procedure in the taking of the testimony except where the hearings are had before the court shall be as follows:

(a) Any person by or before whom any testimony shall be taken shall subscribe to an oath to comply with the requirements of this rule and return such oath with the deposition.

(b) The officer administering the oath shall also swear the witnesses and interpreters to secrecy and warn them against divulging any matters disclosed at the hearing.

(c) The hearings are to be held in camera and attendance limited to the reporter, counsel for the parties to the litigation, witnesses and necessary parties duly vouched for by counsel. Witnesses are to be examined separately and apart from each other.

(d) The reporter shall make only such number of copies of the deposition, in addition to an original, as are required by counsel and shall prepare a certificate, stating the number of copies made, attaching thereto a dated receipt for each counsel for the copy of deposition and exhibits received by him.

(e) The certificate, prepared by the reporter, together with the original of the deposition and all exhibits thereto and his original stenographic notes, shall be filed with the Clerk of the Court by the reporter immediately upon the completion of the transcription of the testimony.

(f) Counsel are responsible for the security of the copies of the depositions and exhibits furnished to them which shall be treated as confidential documents and subject to the necessary supervision and safeguards to prevent disclosure of their contents.

(g) During the taking of the depositions, and at other times, counsel, interested parties and all other persons in attendance shall observe all precautions to preclude any possible disclosure of the information acquired by them and all procedure shall be with the view of obtaining the objective intended by Supreme Court Admiralty Rule 46 as amended.

Dated this 17th day of June, 1943.

John C. Bowen
United States District Judge

Lloyd L. Black
United States District Judge

Charles H. Leavy
United States District Judge

ENDORSED
Filed in the United States District Court, Western District of Washington, Northern Division
Jun 21, 1943
JUDSON W. SHORETT, CLERK
By T. Egger, Deputy