

## PUBLICATION UPDATE

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# Manual of Federal Practice: Forms

Publication 67064    Release 20

June 2019

## HIGHLIGHTS

- This 2019 release consists of two types of general updates, which affect a variety of commentaries and forms. The first set of updates arises from changes or proposed changes to the federal procedural and evidentiary rules. The second set of updates consists of recent case law.
- Several new forms have been included.
- Please also see the Special Alert following this update.

### *—Rule Changes*

This release incorporates some amendments to the federal rules that went into effect at the end of 2018.

Likewise, on October 24, 2018, the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States submitted a set of proposed amendments to various federal rules. The amendments will affect:

- Appellate Procedure Rules 3, 5, 13, 21, 25, 26, 26.1, 28, 32, and 39
- Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts and Rule 5 of the Rules Governing Section 2255 Proceedings for the United States District Courts

### *Evidence Rule 807*

Absent action to the contrary by the Supreme Court or Congress, these rules will go into effect on December 1, 2019.

A **Special Alert** contained in this release comments on the proposed changes, and includes the redlined version of the amendments and the accompanying Advisory Committee Notes.

### *—New Forms*

New forms that have been added to this release include:

- Form 3:403 Complaint Requesting Appointment of Receiver
- Form 3:1501 Official Form: Peti-

- **tion for Writ of Habeas Corpus Under 28 U.S.C. § 2241 (with Instructions)**
- **Form 7:313 Pattern Instruction: Instruction Regarding Juror Conduct**
- **Form 7:459 Opposition to Motion in Limine—Qualifications of Expert in Maritime Case**
- **Form 7:1100 Motion to Set Bond**
- **Form 7:1101 Bond to Secure Stay Post-Judgment**
- **Form 7:1102 Motion for Approval of Bond**
- **Form 7:1103 Objections to Bond**
- **Form 7:1104 Stipulation for Stay Pending Appeal Without Filing of Bond**
- **Form 7:1105 Motion for Injunction Pending Appeal**

- **Form 7:1302 Receiver's Motion for Approval of Account, Compensation, and Discharge**
- **Form 8:7 Declaration of Inmate Filing**

—*Caselaw Updates*

Recent 2018 cases are incorporated into this release. Among the Supreme Court cases noted are the following:

- *Cyan, Inc. v. Beaver Cty. Employees Ret. Fund*, 583 U.S. —, 138 S. Ct. 1061, 200 L. Ed. 2d 332, 339, 343–353 (2018)
- *Epic Sys. Corp. v. Lewis*, 584 U.S. —, 138 S. Ct. 1612, 200 L. Ed. 2d 889, 2018 U.S. App. LEXIS 3086 (May 21, 2018)

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