

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT) RULE 19-16
TO SDCL 15-6-45 (b))

A hearing was held on August 26, 2019, at Pierre, South Dakota, relating to the amendment to SDCL 15-6-45(b) and the Court having considered the proposed adoption, oral and written presentation relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-6-45(b) be and it is hereby amended to read in its entirety as follows:

SDCL 15-6-45(b). Subpoena for production of documentary evidence. A subpoena may also command the person to whom it is directed to produce the books, papers, documents, or tangible things designated therein, regardless of whether the attorney also notices the person's deposition or commands the presence of the person to which it is directed to give testimony at a hearing or trial. Before a subpoena commanding the production of documentary evidence is served on the person to whom it is directed, a notice and copy of the subpoena must be served on each party to the matter pending. The court, upon motion made promptly and in any event at or before the time specified in the subpoena for compliance therewith, may:

(1) Quash or modify the subpoena if it is unreasonable and oppressive; or

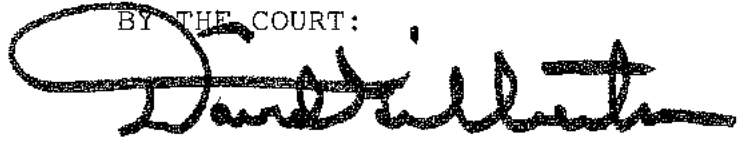
(2) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

IT IS FURTHER ORDERED that this rule shall become effective immediately.

Rule 19-16

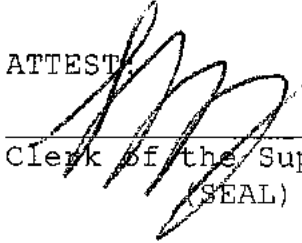
DATED at Pierre, South Dakota, this 6th day of
September, 2019.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST



Clerk of the Supreme Court
(SEAL)

STATE OF SOUTH DAKOTA
In the Supreme Court

I, Shirley A. Jameson-Fergat, Clerk of the Supreme Court of
South Dakota, hereby certify that the within instrument is a true
and correct copy of the original thereof as the same appears
on record in my office. In witness whereof, I have hereunto set
my hand and affixed the seal of said court at Pierre, S.D. this

6th day of Sept, 20 19

Clerk of Supreme Court

Deputy

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

SEP - 6 2019



Clerk