

United States Code Annotated
Federal Rules of Evidence (Refs & Annos)
Article V. Privileges

Federal Rules of Evidence Rule 502, 28 U.S.C.A.

Rule 502. Attorney-Client Privilege and Work Product; Limitations on Waiver

Currentness

*** Start Section

... same applies to acquiescence in use by another private party.

Moreover, whether the order is entered on motion of one or more parties, or on the court's own motion, the court retains its authority to include the conditions it deems appropriate in the circumstances.

Subdivision (e)--Party Agreements

This subdivision simply makes clear that while parties to a case may agree among themselves regarding the effect of disclosures between each other in a federal proceeding, it is not binding on others unless it is incorporated into a court order. This subdivision does not confer any authority on a court to enter any order regarding the effect of disclosures. That authority must be found in subdivision (d), or elsewhere.

RESEARCH REFERENCES

Encyclopedias

[Am. Jur. 2d Securities Regulation-Federal § 1543](#), Inquiries Into Privileged Areas.

NOTES OF DECISIONS

Privileged documents

Production of privileged or protected documents or data under court's order concerning the management of electronic discovery (e-discovery) would not result in waiver of the attorney-client privilege or work-product protection as to those documents and data in any other federal or state proceeding. [Navajo Nation v. U.S.](#), Fed.Cl.2012, 106 Fed.Cl. 753. [Privileged Communications And Confidentiality](#) 🔑 168; [United States](#) 🔑 1050

Production of privileged or protected documents or data under court's order concerning the management of electronic discovery (e-discovery) would not result in waiver of the attorney-client privilege or work-product protection as to those documents and data in any other federal or state proceeding. [McGrath v. U.S.](#), Fed.Cl.2012, 103 Fed.Cl. 658. [Privileged Communications And Confidentiality](#) 🔑 168; [United States](#) 🔑 1050

Disclosure made in federal proceeding

Production of documents and data pursuant to court's order concerning the management of electronic discovery (e-discovery) would not result in waiver of the attorney-client privilege or work-product protection as to those documents and data. [Navajo Nation v. U.S.](#), Fed.Cl.2012, 106 Fed.Cl. 753. [Privileged Communications And Confidentiality](#) 🔑 168; [United States](#) 🔑 1050

Rule 502. Attorney-Client Privilege and Work Product; Limitations on..., FRE Rule 502

Fed. Rules Evid. Rule 502, 28 U.S.C.A., FRE Rule 502
Including Amendments Received Through 12-1-16

End of Document

© 2017 Thomson Reuters. No claim to original U.S. Government Works.

...