[As Approved at Meeting on February 3, 2023]

VERMONT SUPREME COURT
SPECIAL ADVISORY COMMITTEE ON
RULES FOR ELECTRONIC FILING

**MINUTES OF MEETING, DECEMBER 16, 2022**

The Committee meeting was convened (via video conference) at approximately 1:33 p.m. Present/participating were Committee Chair Justice John Dooley, Judges Tom Durkin, David Fenster, Megan Shafritz and Kate Hayes; Teri Corsones, Su Steckel, Chasity Stoots-Fonberg, Laura LaRosa, Marcia Schels, David Koeninger, Jordana Levine, Elizabeth Kruska, Michele McDonald, and Steven Brown. Liaison Justice Nancy Waples, Committee Reporter Walt Morris and Emily Wetherell were also present. Justice Dooley welcomed Michele McDonald, Court Operations Manager, Caledonia Unit, to her first Committee meeting.

The December meeting was scheduled with a limited Agenda, to primarily address the issues associated with Rule 5 rejection criteria and process, including establishment of a rejection-appeals process for those limited cases in which dispute as to rejection cannot be resolved at staff reviewer or supervisor stages.

1. **Approval of the October 28, 2022 meeting minutes**.

Minutes of the October 28th meeting were not available for Committee review, and will be provided by the Reporter for review in advance of the next scheduled meeting.

PRIORITY ITEMS OF OLD BUSINESS CONSIDERED:

2. **V.R.E.F. 12 and 3(b); Proposed amendments of V.R.P.P. 5 and 78—**Exemption from efiling for wills in Probate Division and other original "paper" documents for which non-electronic filing may be mandated or authorized by specific provision of law. (*Review latest draft of proposed amendments for publication and comment; Status report on recent action of Probate Rules Committee re: proposed V.R.P.P 78)* (Morris)

Prior to the meeting Reporter Morris provided Committee members with the latest draft of these amendments, which also amend the Probate rules and involve the concurrent work of that Advisory Committee. This draft contained a number of additional amendments suggested by Emily Wetherell on close review in preparation for publication for comment. Judge Morris and Emily described the recommended changes: (1) the proposed new subsection (b)(4) would be deleted as unnecessary, consistent with the existing Rule 3(c) exception for documents which must be filed electronically by law; (2) Rule 3(c)(1) is amended to add the phrase "a statute", which is intended to include submission of paper original wills to the Probate Division under the wills registry statute (thus rendering a 3(b)(4) exception unnecessary); (3) the proposed Rule 12(c) text referencing retention of wills deposited per the registry statute, and original testamentary and vital records documents filed in "paper" form, per proposed V.R.P.P. 5 and 78 is also deleted. Given the document retention text remaining in the proposed amendment of V.R.E.F. 12(c), and explanatory addition to the Reporter's Notes, these references are also

unnecessary to clarify authorization for the "paper" submission of these documents to, and their retention by, the Probate Division; (3) proposed V.R.P.P. 5(f)(2) is amended to specify filing on "Paper" rather than "nonelectronically" since that mode of filing also includes emailing. An accompanying Reporter's Note will specify that where an original "paper" document is in issue in a case, it is contemplated that it will be electronically filed as well, where the litigant is required to efile, and in any event would be scanned and made a part of the electronic case record per V.R.E.F. 6(a) and 12(a); and (4) proposed V.R.P.P. 78 is amended throughout to reference "paper" documents, to clarify the distinctions between such and other species of nonelectronic filing (e.g., filing by email) authorized by 2022 amendment of V.R.P.P. 5(b)(1)(D) and (b)(2)(ii).

In consideration of these latest revisions, the Committee discussed whether the subset of original paper Wills Registry deposits were not actually case document "filings" as contemplated by, or even subject to the V.R.E.F. (There was no question raised as to whether other original paper filings for *open case* purposes—including wills--would be considered subject to the V.R.E.F.). The questions were whether a paper Will Registry submission resulted in an open case, and if not, how the Probate Division records and tracks such Wills Registry submissions. As to Wills Registry, Justice Dooley was of the view that if the paper wills submitted were not "case records", they must be considered administrative records of the court, and must at the least be accounted for. He was concerned that there may be public access implications (notwithstanding that they are, per statute, only accessible to the depositor, and returnable to the depositor or last representative, upon request).[1] Liz Kruska replied that in her experience, when a will is deposited in the Registry, an open case is created in the electronic case record, for tracking purposes, and that a "certificate of deposit" is entered into the ECR. There was no further discussion of this issue. Committee members had no other comments about the changes outlined in the latest draft. Teri Corsones offered one typographical correction (in amended 3(c)(1), lower case, rather than capital "s" for the word "statute").

Justice Dooley called for a Committee vote on approval for forwarding of the latest draft of the V.R.E.F. 3 & 12 amendments for publication and comment. On motion of Tom Durkin, seconded by Megan Shafritz, the Committee unanimously approved. As to the proposed V.R.P.P. 5 & 78 amendments, Committee consensus was to support, while expressing no objections, to the revised text appearing in the latest draft. The Committee Reporter will follow up with Jeff Kilgore, Probate Rules Chair, to facilitate joint submission of this amendments package to the Court for publication and comment.

3. **V.R.E.F. 5(d) and (g): Proposed Amendments to Clarify Grounds for Rejection on Court Staff Review.** *(Committee Discussion, and Review of Draft Proposed Amendments).*

Justice Dooley and Judge Morris reviewed the work that had been done per Committee request following the October 28th meeting. Joined by Emily Wetherell, they met with Chas Stoots-

[1] See, 14 V.S.A. § 2. The statute provides that an index of wills deposited must be maintained; that each will deposited is to be enclosed in a sealed envelope with name/address of testator/executors; and not opened until delivered to the person entitled to receive it or per court order. The statute, § 3(e), expressly provides that wills deposited, or any index of the wills, are not open to public inspection during the life of the testator. In contrast to the Registry, wills filed with the court in open cases in probate, whether electronically or in paper form, would be subject to public access as provided by the Rules for Public Access to Court Records.

Fonberg and Laura LaRosa on November 14th to more closely look at the current efiling review and rejection criteria, reflected in the administrative Staff Reviewer Guidance, as related to the proposed amendments of V.R.E.F. 5. The focus was upon which, if any, of the 18 efiling review criteria, should be expressly referenced in Rule 5 amendments, as opposed to treated administratively, through continuation of the process of staff guidance, and ready public access to, and education as to the established criteria. At this (11/14) meeting, Chas reviewed rejections data by type and number that she had retrieved for a three month period—July, August and September, 2022. Laura indicated that the Administrative OFS Clerk Reviewer Guidance document, as updated October 4, 2022, was the product of Trial Court Operations Team, with some revisions by the Judiciary's Standard Practices Committee. The group discussed each of the existing review criteria, focusing on which go to failure to comply with the requirements of the efiling system (such as a filing in the wrong case; mixing initial filings with subsequent filings, or wrong offense dates/incorrect charge code), in contrast to more complex issues of rejection (redaction filings required by the Rules of Public Access). This review established that many of the bases for rejection are not explicitly rules-based, but go to the efiler's correct use of the system's basic navigation and data entry requirements. The more complex rejection questions go to compliance with Public Access rules redaction requirements, and also to Rule 5(g)'s prohibition of filing combined motions seeking independent, as opposed to alternative, forms of relief. The issue of fair notice also weighs in to the question of what if any further, specific rejection criteria should be added to the rule.

In this meeting, Justice Dooley indicated that three questions were presented: what the specific avenue and authority would be for deciding the process for administrative appeal from rejection; what criteria for rejection, if any should be added to the text of the rule; and which rejection criteria are best addressed administratively (to include staff reviewer guidance, and ready access to those same criteria, to facilitate successful efiling).

Chair Dooley, Judge Morris, and Ms. Wetherell followed up their November 14th meeting with Chas and Laura in a meeting with Teri Corsones on December 13th, to review recommendations and to discuss Teri's own views as to the nature of the proposed administrative rejection appeal process.

A resulting discussion draft of amendments of V.R.E.F. 5 was sent to the Committee members in advance of the December 16th meeting. This was the product of Judge Morris, Justice Dooley and Emily Wetherell. Justice Dooley shared his view that the existing 5(d)(2) is inadequate, as some reasons for rejections that are occurring are not covered by rule at all—the "machine" does it, meaning, that the efiler has erred by failing to make, or incorrectly making, entries that are required to secure completion of the efiling. These failures do not fall under the category of noncompliance with--as 5(d)(2) states generally--"these rules" (meaning, the body of the VREF). He stated that Committee focus should be on amendment of 5(d) to provide further clarification as to reasons for rejection, to include these typical types of filer errors, spotted on staff review, as well as those circumstances in which there is a "failed submission"—meaning that the filer's error is such that the OFS system will not permit an efiling to be submitted, prior to post-submission staff review for acceptance. In addition, he suggested that the Committee focus on Rule 5(g) requirement of separate filing of motions seeking "independent" vs. "alternative" forms of relief, as this has become another significant reason for rejections. In contrast to rejections for basic filer error with system requirements, rejections under 5(g) (as well as those for non-compliance with P.A.C.R. 7(a)(1)) present legal complexity, placing review staff in

difficult situations, and occasional disputes requiring higher level review for resolution. And, this issue in turn brings forward the need for an administrative review process and its details.

In terms of approach, Emily Wetherell mentioned Maryland as another OFS jurisdiction, which treats efiling rejections administratively. In Maryland's OFS Reference Guide, reasons for efiling rejection are identified by number, with accompanying response/status actions. These include (apart from "accepted"), "rejected"; "deficient" (with notice of filer corrective actions); and "stricken". The Maryland document was provided to Committee members in advance of the meeting. In discussion, Committee consensus was that while Maryland's model of review criteria, and administrative treatment of potential rejections, was worthy of further examination, the more immediate task was to provide specific guidance, in the form of amendments of V.R.E.F. 5, coupled with administrative measures--provision of effective user and public access to existing staff review criteria, and further bar/user engagement and information efforts.

The Committee proceeded to a line-by-line review of the most recent draft[2] that had been provided, including last amendments suggested by Ms. Wetherell:

**V.R.E.F. 5(d)(2)** would be amended as follows:

(2) ~~*Accepting or*~~ *Failed Submission or Rejected* ~~*ing a*~~ *Filing*. A filing that does not comply with the instructions in the efiling system, these rules, or Rule 7(a)(1) of the Rules for Public Access to Court Records may result in a failed submission or may be rejected by court staff. The Court Administrator will provide a list of errors, and court action as to each. ~~Court staff will electronically notify the~~ The efiler will receive notice ~~either~~ that the efiling has failed to be submitted, has been accepted, or has been rejected. A rejection will provide the reason for the rejection. ~~that it cannot be accepted until specified actions required under these rules have been taken.~~

This text parsed what have been collectively referred to as "rejections" into two categories, first, where there has been a failed submission altogether, resulting in a failure to file anything, due to efiler non compliance with basic entry requirements of the OFS system. It was noted that a few such filings actually were able to be noted on the staff reviewer side, even though OFS appeared not to have permitted the submission to be actually received. The concern warranting inclusion of failed submissions in the rule's coverage is that the attempted efiler be clearly on notice that the attempted submission is registered as a failure. The second category, occurring far more routinely and frequently, is where filer noncompliance with efiling requirements presents grounds for rejection upon staff review.[3]

**V.R.E.F. 5(d)(3)** would be amended as follows:

(3) *Correcting an eFiling.* An efiler may submit a corrected efiling within 7 days after receiving the notification that a filing failed to be submitted or was rejected if the efiler follows the instructions for efiling a correction on the electronic filing system. It is the efiler's responsibility to demonstrate the date and reason of the original failed submission or rejection.

[2] Draft dated 12/15/22.

[3] Whether that is "post entry" review in new civil case filings per 5(d)(1)(B), or post-submission review in all other instances per 5(d)(1)(A).

The court may extend the time for correction for good cause. Court staff will accept a corrected efiling if all requirements of those rules and the instructions for correction have been met.

This amendment would expressly add failed submissions as being subject to correction, and clarify that it is the efiler's responsibility to demonstrate date and reason for an initially failed submission or rejection (as is implicit in the existing 5(d)(3) correction remedy for rejections).

**V.R.E.F. 5(d)(7)** would be added, to provide for an administrative appeal process upon rejection of an efiling, as follows:

(6) *Appeal of Rejected Filing*. The Court Administrator will provide an administrative process for an efiler to appeal the basis for a rejected efiling. The appeal must be filed within 7 days from the date of the rejection. The time period in (d)(3) for correcting an efiling is tolled from the time the appeal is filed until its final resolution.

The detail of this procedure would be as established by the Court Administrator, with the accompanying Reporters Notes explaining that recourse to Court Administrator would be expected in only a few cases, and only after an efiler and court staff had not been able to resolve a rejection dispute otherwise.

**V.R.E.F. 5(g)** would be amended as follows:

**(g) Motions.** Efilers must submit motions, responses, and supporting materials in a manner consistent with any other applicable rules of procedure and the following:

(1) *Requirements for Motions in the Supreme and Superior Courts.*

~~(A) *Motions Requesting Alternative Forms of Relief.* An efiler may file motions, or responses, requesting alternative forms of relief as a single document.~~

~~(B) *Motions Requesting Independent Forms of Relief.* An efiler must file motions, or responses, requesting independent forms of relief as separate documents.~~

(A) *Motions; Separate Filing.* All motions must be filed as separate documents.

~~(C)~~ (B) *Separating Motions and Responses.* An efiler may not respond to a motion and file a new motion in the same document.

(2) *Additional Requirements for Motions in the Superior Court.* Efilers in the superior court must also submit motions in accordance with the following requirements for supporting material.

(A) *Supporting Material ~~Single Motion or Response~~.* A memorandum of law, affidavit, exhibit, or other supporting material or required attachment to a single motion or response ~~may be efiled with the single motion or single response or may~~ must be filed as a separate document.

~~(B) *Multiple Motions or Responses.* A memorandum of law, affidavit, exhibit, or other supporting matter or required attachment for multiple motions or responses must be efiled as a separate document.~~

~~(C) *Separate Document.* If supporting material is efiled as a~~ The separate document~~, it~~ must identify the motions or responses to which it relates and must be referenced in the motions or responses ~~unless it is efiled after them~~.

(~~D~~ B) *Format of Supporting Material.* ~~If supporting material relates to more than a single memorandum of law, it~~ Supporting Material must:

(i) be numbered sequentially so that the electronic and paper page references are consistent; and

(ii) contain a table of contents listing the separate parts of the supporting material included, with references to the page of the document at which each part begins.

These amendments, which follow up on Committee recommendations from the October 28th meeting, would abrogate the existing distinctions in 5(g) between motions requesting "alternative" forms of relief (which may be in a single, combined efiling) and motions for "independent" forms of relief (which must be separately efiled). The existing rule has proven complex in the process of staff review, placing staff in the position of making difficult decisions as to the legal import of "independent" vs. "alternative" forms of relief, and frustration on the part of certain attorney efilers. The proposal would require that all motions be efiled separately.

In the ensuing general discussion of this package of amendments, the following points were made:

- **5(d)(2) and (3)—***(Rejection Criteria and Post-Rejection Process; "Failed Submissions")*

The draft for Committee consideration added provision for a "failed submission" which Emily Wetherell explained occurs when the efiler fails to comply with OFS system requirements, resulting in the filing not even reaching the staff reviewer stage for acceptance or rejection. Judge Hayes asked, if the submission has failed, how is it ever possible to know that? Emily stated that this has occurred in a limited number of cases, and that, after the fact, upon sufficient proof on the part of the efiler that a submission was attempted, the submission can be verified. However, it is the efiler's responsibility to demonstrate both the attempt, and a failed submission. As to the amendments for 5(d)(2), Justice Dooley again reminded that presently, there are two grounds for rejection stated in the rule—a failure to comply with "these rules, or Rule 7(a)(1) of the Rules for Public Access to Court Records". Since the amendment adds the phrase, "A filing that does not comply with the instructions in the efiling system", as a basis for rejection, he asked what that meant. Emily replied that the OFS system prompts the efiler to make certain entries that are basic to the process of completing an efiling submission, failure of which would prompt an automatic failure message to the efiler.[4] Su Steckel described this as a message that there is an "internal server error", or text to that effect. Justice Dooley asked whether "comply with the instructions" could be narrowed, or made more specific. Emily replied that the proposed amendment adds provision that the Court Administrator "will provide a list of errors, and court action as to each."

Jordana Levine stated that the proposed text, merging "failed submission" and "rejection" conflates what are two separate issues. The essential problem is rejection of submitted efilings, and the criteria for rejection of them. She asked how significant the number of failed submissions was, and stated that it would be helpful to have more information as to the reasons for failed submissions (as opposed to efiling rejections upon staff review). Su Steckel suggested that failed submissions should not be addressed in the rule, at least this section of the rule dealing with rejection of submitted filings: "If you are logged in, you (the efiler) can see that the submission didn't go." Chas Stoots-Fonberg and Emily emphasized that it was important to address failed submissions somewhere in the rules, in that it does occur in circumstances warranting correction.

[4] Existing VREF 5(a) and (b) reference that it is the efiler's responsibility to comply, or file in accordance with "the instructions in the electronic filing system".

Dave Fenster's view was that a better approach would be to draft the amendments as two separate subsections, one addressed to failed submissions, the other addressed to criteria for rejection on clerk review of submitted efilings, and post rejection process, to be able to better address the unique circumstances as to each. This (separate subsections dealing with failed submissions) was the Committee consensus. Steve Brown indicated his preference for a system that accepts as many efilings as possible, and minimizes rejections. For him, it is challenging when reviewing staff are making gate-keeping decisions that are legal questions, and not just straightforward system compliance errors. Clarity for users through easily accessible rejection criteria information is also an important consideration.

- **5(d)(6)** *(Administrative Appeal)*—Teri Corsones agreed with the proposed text, based upon her original draft, which includes the requirement that the appeal be filed within 7 days. Megan Shafritz strongly supported establishment of such a process. In response to a question from Chas as to what the specifics of the appeal process would look like, Teri indicated that it would certainly be based upon input from reviewing staff; and would be resorted to only when reasonable efforts to resolve any disputes had first been resorted to at the reviewer/supervisor level. Steve Brown shared his view that any process should incorporate local (unit) level involvement, since in his experience rejections appeared to result from misperceptions at centralized review, where unit review including Court Operations Managers would more effectively achieve resolutions. Laura LaRosa pointed out that the phrase "until final resolution" (referring to the running of the time period for correction and "relation back" of a rejected efiling) could be clarified in administrative staff guidance. She did not suggest editing the text of the proposed amendment in this regard, though. Liz Kruska stated that she wasn't sure an administrative appeal process would be useful, and that in any event would be rarely used. After discussion of some of the disputed rejections that triggered the request for an administrative appeal, she agreed that it might be helpful for those types of issues. Committee consensus was to add an administrative appeal provision per rule amendment.

- **5(g)** *(All Motions to be eFiled Separately)*—The Committee engaged in a very extensive discussion of the proposal to require that all motions be efiled separately. Justice Dooley indicated that existing 5(g) was brought forward in substantially identical form to Rule 4(g) of the 2010 V.R.E.F. when the 2020 rules were promulgated. He stated that he was not aware of any other jurisdiction employing the "alternative/independent relief" standard in permitting combined motions filing in their efiling systems. The proposed amendment drew strong support from judge committee members. Judges Hayes, Durkin, Shafritz and Fenster all agreed that it is difficult to track motions and their status in Odyssey if they are "hidden" in a combined filing, and not identifiable given the particular coding and entries made in the electronic case record as to case documents and events. And, as to the "alternative"/"independent" distinction of the present rule, and the common issue that has arisen in criminal cases in which such relief as "suppression and dismissal" is sought, the granting of a "lead" motion does not necessarily result in the (alternative) dismissal sought, as there may be other case considerations. Judge Fenster provided an example of three different outcomes of a motion to suppress, that would not categorically dictate dismissal as an alternative. He noted as another concern, the "court-side" of Odyssey marking an event or coded item as "complete" doesn't always fully inform whether there are remaining matters to be addressed in the case in consequence of a filing. The viewing judge may miss a significant task to be addressed. Emily Wetherell observed that if an attorney files two motions in one, and one filing code is used for the document, only one code is registered, and the other it likely to be missed. In her view, requiring separate efiling of motions,

each assigned a code, helps to sort out and respond to this problem. Judge Hayes agreed that this would serve to keep the record clean, for everyone's benefit.

A variety of other Committee member views were expressed. The committee members from Trial Court Operations were similarly supportive of the separate efiling proposal. Su Steckel observed that existing 5(g) has been problematic for her practice, which includes significant numbers of mortgage foreclosures. In this practice area, there are a number of closely related motions that "go hand in hand", i.e., follow, or are contingent upon, the disposition of an earlier motion in series, and requiring separate motions for each is quite burdensome, and increases expense of litigation. She gave two examples of perceived problems with the requirements of the existing rule: first, a motion to vacate judgment of foreclosure and dismiss the proceeding. Without both events occurring (the latter necessarily following the former), a title problem is later created for the mortgagor or successors in title. Second, a motion for default is necessarily followed by a motion for clerk's accounting. If default is granted, the accounting must occur promptly. In the cases of these examples, the efiling rules should facilitate reasonably prompt occurrence of case events simply, and efficiently in a combined filing. And, from the court perspective it is easier for a judge to sign one order combining action of several closely related motions, without having to enter a number of separate orders as to each. Su acknowledged that in responding to certain motions and requests for relief, judges may differ. She gave an example of a case that might be treated as a motion for default (given insufficiency of the mortagor's responsive pleading) or a motion for summary judgment (plaintiffs may be inclined to submit both together, with a view to the orientation and practices of the judge). Finally, Su noted that parties often enter into stipulations in resolution of multiple issues presented in a case, and types of relief. She questioned how such a stipulation addressing a number of case filing/event codes should be treated in relation to the proposed 5(g) separate motions requirement. Liz Kruska stated that she had a slightly different view, that as to the criminal "motion to suppress and dismiss" issue, she saw no reason why separate motions should not be required and filed. In particular, in cases on appeal, the clarity of the appeal volume is critical, and it just makes sense to separately file a one-line motion to dismiss to accompany what would be considered the lead motion.

Steve Brown's view was that practitioners want to file less, not more documents, and that judges would prefer to review one, rather than many documents that are basically related. If the Court wants to continue a practice of separate efiling of some motions, then it would be preferable to require separate efiling of all motions, to eliminate the confusion and disputes over whether alternative or independent relief is sought. Kate Hayes suggested that if separate efiling of all motions is required, there should be consideration of an option to submit one memorandum in common for all.

*Conclusion of Committee Discussion; Next Steps as to Rule 5 Amendments*

At conclusion of the discussion, the strongest Committee consensus was in favor of the added administrative appeal provision. There was general recognition that some amendment of Rule 5(d) was necessary, to clarify efiling rejection criteria and process following any rejections. Addressing "submission failure" appeared to add complexity to the Committee's consideration of the presenting and predominant post-submission rejection issues. Consensus was to address this in separate subsections. And general agreement as well, that amendment of Rule 5(g) was necessary, to address the difficulties that have been experienced with rejection in legally

complex circumstances and resulting disputes. Judge Hayes suggested that it would be helpful if the "drafters subcommittee" would continue its work, in consideration of the points brought out in discussion, and in coordination with Trial Court Operations committee members, with a reconvened meeting to focus on reaching agreement on a revised package addressing all three of the issues (i.e., 5(d)&(e) rejection standards and process, including separate, specific "submission failure" references; the text of the added 5(d)(6) administrative appeal addition; and the proposed changes, if any in the text or Reporters Notes of the 5(g) "separate efiling" amendments).

Ultimately, while drawing closer to consensus on the draft proposals of specific amendments of Rule 5 that had been suggested in the package, Committee consensus was to continue consideration of them at a next meeting, to be scheduled for a date as soon as possible after the holidays. In the interim, Judge Morris will provide Liz Kruska with a current draft of the proposed amendments, incorporating any suggestions derived from today's meeting, for circulation to the Odyssey Court Users Group, to secure their comments as well in advance of the next Committee meeting.[5]

4. **V.R.E.F. 5: (Added Subsection) Need for Clarity of an Administrative Appeal Process in event of eFiling Rejection** (Request of Judge Zonay, 12/20/21). V.R.E.F. 5(d)(2) amendment, or administrative remedy/protocol? (Consideration of draft of Administrative Appeal process) (Corsones/Morris).

This item, which has been long pending, was considered and addressed in discussion of the other Rule 5 amendments, above.

5. **Adjournment.**

The meeting was adjourned at approximately 4:00 p.m. Next meeting will be set after Membership poll, for a late January/Early February date.[6]

Respectfully submitted,

Walter M. Morris, Jr.
Superior Court Judge (Ret.)
Committee Reporter

wm/2/2/23

[5] A post-meeting draft, with further revisions dated 1/19/23 was sent to Liz for forwarding to the OFS Users group for comment (and to all VREF Committee members as well). VREF Committee members Koeninger, Kruska and Levine are also members of the Users Group.

[6] After member poll, the next Committee meeting date was scheduled for Friday, February 3rd at 9:30 a.m.