

Serial: 218798

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99001-SCT

**FILED**

*IN RE: THE RULES OF CIVIL  
PROCEDURE*

MAY 17 2018

OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS

**EN BANC ORDER**

Now before the en banc Court is the Motion to Amend Rule 23 of the Mississippi Rules of Civil Procedure, filed by Richard T. Phillips.

Phillips proposed amending Rule 23 to provide a class-action procedure in Mississippi. The motion was posted for comment from May 16, 2017, to October 2, 2017. Numerous comments were filed by individuals, law firms, businesses, and organizations.

The motion was also referred to this Court's Advisory Committee on Rules. The Committee's minutes reflect that, after careful consideration, it voted (with one member abstaining) not to recommend adoption of the proposed amendments to Rule 23.

After due consideration, we find the motion should be denied.

IT IS THEREFORE ORDERED that the motion is denied.

SO ORDERED, this the 17th day of May, 2018.



MICHAEL K. RANDOLPH,  
PRESIDING JUSTICE  
FOR THE COURT

TO DENY: WALLER, C.J., RANDOLPH, P.J., COLEMAN, MAXWELL, BEAM,  
CHAMBERLIN AND ISHEE, JJ.

TO GRANT: KITCHENS, P.J., AND KING, J.