

123 This section was amended to require parties disclosing information relatively late in
124 the game to prove a number of things before the information may be used at trial. It is
125 intended to supplement the initial disclosure rules and ensure the timely disclosure of
126 information.

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128 Source of Change:

129 Early production of documents. Parties should be required to produce, early and
130 without request, all evidence that they might rely on to support their claims or defenses.
131 Specialty practice areas should develop their own particular disclosure requirements.

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133 ARIZ. R. CIV. P. 37(c)(2) A party seeking to use information which that party first
134 disclosed later than sixty (60) days before trial must obtain leave of court by motion,
135 supported by affidavit, to extend the time for disclosure. Such information shall not be
136 used unless the motion establishes and the court finds:

137 (i) that the information would be allowed under the standards of Subsection (f)(1)
138 notwithstanding the short time remaining before trial; and

139 (ii) that the information was disclosed as soon as practicable after discovery.