

1 **Rule 33. Interrogatories to parties.**

2 (a) Availability; procedures for use. During standard discovery, any party may
3 serve written interrogatories upon any other party, subject to the limits of Rule 26(c)(5).
4 Each interrogatory shall be separately stated and numbered.

5 ~~(a) Availability; procedures for use. Without leave of court or written stipulation, any~~
6 ~~party may serve upon any other party written interrogatories, not exceeding 25 in~~
7 ~~number including all discrete subparts, to be answered by the party served or, if the~~
8 ~~party served is a public or private corporation, a partnership, an association, or a~~
9 ~~governmental agency, by any officer or agent, who shall furnish such information as is~~
10 ~~available to the party. Leave to serve additional interrogatories shall be granted to the~~
11 ~~extent consistent with the principles of Rule 26(b)(3). Without leave of court or written~~
12 ~~stipulation, interrogatories may not be served before the time specified in Rule 26(d).~~

13 **(b) Answers and objections.** The responding party shall serve a written response
14 within 28 days after service of the interrogatories. The responding party shall restate
15 each interrogatory before responding to it.

16 ~~(b)(1) Each interrogatory shall be answered separately and fully in writing under oath~~
17 ~~or affirmation, unless it is objected to. If an interrogatory is objected to, in which event~~
18 ~~the objecting party shall state the reasons for the objection and shall answer to the~~
19 ~~extent the interrogatory is not objectionable.~~

20 ~~(b)(2) The answers are to be signed by the person making them, and the objections~~
21 ~~signed by the attorney making them.~~

22 ~~(b)(3) The party upon whom the interrogatories have been served shall serve a copy~~
23 ~~of the answers and objections, if any, within 30 days after the service of the~~
24 ~~interrogatories. A shorter or longer time may be ordered by the court or, in the absence~~
25 ~~of such an order, agreed to in writing by the parties subject to Rule 29.~~

26 ~~(b)(4) All grounds for an objection to an interrogatory shall be stated with specificity.~~
27 ~~Any reasonground not stated in a timely objection is waived unless the party's failure to~~
28 ~~object is excused by the court for good cause shown.~~

29 ~~(b)(5) The party submitting the interrogatories may move for an order under Rule~~
30 ~~37(a) with respect to any objection to or other failure to answer an interrogatory.~~

31 ~~(c) **Scope; use at trial.** Interrogatories may relate to any matters which can be~~
32 ~~inquired into under Rule 26(b), and the answers may be used to the extent permitted by~~
33 ~~the Rules of Evidence.~~

34 An interrogatory ~~otherwise proper~~ is not ~~necessarily~~ objectionable merely because
35 an answer ~~to the interrogatory~~ involves an opinion or ~~argument~~ contention that relates to
36 fact or the application of law to fact. ~~The party shall answer any part of an interrogatory~~
37 ~~that is not objectionable.~~, but the court may order that such an interrogatory need not
38 ~~be answered until after designated discovery has been completed or until a pretrial~~
39 ~~conference or other later time.~~

40 (c) **Scope; use at trial.** Interrogatories may relate to any discoverable matter.
41 Answers may be used as permitted by the Rules of Evidence.

42 (d) **Option to produce business records.** ~~If~~ Where the answer to an interrogatory
43 may be ~~found by inspecting~~ derived or ascertained from the answering party's business
44 records, including electronically stored information, ~~of the party upon whom the~~
45 ~~interrogatory has been served or from an examination, audit, or inspection of such~~
46 ~~business records, including a compilation, abstract, or summary thereof~~ and the burden
47 of ~~finding~~ deriving or ascertaining the answer is substantially the same for both parties,
48 the answering party may identify ~~serving the interrogatory as for the party served, it is a~~
49 ~~sufficient answer to such interrogatory to specify~~ the records from which the answer
50 may be found. The answering party must give the asking ~~derived or ascertained and to~~
51 ~~afford to the~~ party serving the interrogatory reasonable opportunity to examine, audit, or
52 inspect ~~the~~ such records and to make copies, compilations, ~~abstracts,~~ or summaries.
53 The answering party must identify the records ~~A specification shall be~~ in sufficient detail
54 to permit the asking ~~interrogating~~ party to locate and to identify them, as readily as the
55 answering party ~~can the party served, the records from which the answer may be~~
56 ascertained.

57 Advisory Committee Notes

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