

1       **Rule 36. Request for admission.**

2       (a) **Request for admission.** A party may serve upon any other party a written  
3 request to admit the truth of any discoverable matter set forth in the request, including  
4 the genuineness of any document. The matter must relate to statements or opinions of  
5 fact or of the application of law to fact. Each matter shall be separately stated and  
6 numbered. A copy of the document shall be served with the request unless it has  
7 already been furnished or made available for inspection and copying. The request shall  
8 notify the responding party that the matters will be deemed admitted unless the party  
9 responds within 28 days after service of the request.

10       (b) **Answer or objection.**

11       (b)(1) The matter is admitted unless, within 28 days after service of the request, the  
12 responding party serves upon the requesting party a written response.

13       (b)(2) The answering party shall restate each request before responding to it. Unless  
14 the answering party objects to a matter, the party must admit or deny the matter or state  
15 in detail the reasons why the party cannot truthfully admit or deny. A party may identify  
16 the part of a matter which is true and deny the rest. A denial shall fairly meet the  
17 substance of the request. Lack of information is not a reason for failure to admit or deny  
18 unless, after reasonable inquiry, the information known or reasonably available is  
19 insufficient to enable an admission or denial. A party who considers the subject of a  
20 request for admission to be a genuine issue for trial may not object on that ground alone  
21 but may, subject to Rule 37(f), deny the matter or state the reasons for the failure to  
22 admit or deny.

23       (b)(3) If the party objects to a matter, the party shall state the reasons for the  
24 objection. Any reason not stated is waived unless excused by the court for good cause.  
25 The party shall admit or deny any part of a matter that is not objectionable. It is not  
26 grounds for objection that the truth of a matter is a genuine issue for trial.

27       (c) **Effect of admission.** Any matter admitted under this rule is conclusively  
28 established unless the court on motion permits withdrawal or amendment of the  
29 admission. The court may permit withdrawal or amendment if the presentation of the  
30 merits of the action will be promoted and withdrawal or amendment will not prejudice  
31 the requesting party. Any admission under this rule is for the purpose of the pending

**Rule 36.**

**Effective Date: November 1, 2011**

32 action only. It is not an admission for any other purpose, nor may it be used in any other  
33 action.

34 Advisory Committee Notes

35