

1       **Rule 14. Third-party practice.**

2       (a) **When defendant may bring in third party.** At any time after commencement of  
3 the action a defendant, as a third-party plaintiff, may cause a summons and complaint  
4 to be served upon a person not a party to the action who is or may be liable to him for  
5 all or part of the plaintiff's claim against him. The third-party plaintiff need not obtain  
6 leave to make the service if he files the third-party complaint not later than ~~ten~~14 days  
7 after he serves his original answer. Otherwise he must obtain leave on motion upon  
8 notice to all parties to the action. The person served with the summons and third-party  
9 complaint, hereinafter called the third-party defendant, shall make his defenses to the  
10 third-party plaintiff's claim as provided in Rule 12 and his counterclaims against the  
11 third-party plaintiff and cross-claims against other third-party defendants as provided in  
12 Rule 13. The third-party defendant may assert against the plaintiff any defenses which  
13 the third-party plaintiff has to the plaintiff's claim. The third-party defendant may also  
14 assert any claim against the plaintiff arising out of the transaction or occurrence that is  
15 the subject matter of the plaintiff's claim against the third-party plaintiff. The plaintiff may  
16 assert any claim against the third-party defendant arising out of the transaction or  
17 occurrence that is the subject matter of the plaintiff's claim against the third-party  
18 plaintiff, and the third-party defendant thereupon shall assert his defenses as provided  
19 in Rule 12 and his counterclaims and cross-claims as provided in Rule 13. A third-party  
20 defendant may proceed under this rule against any person not a party to the action who  
21 is or may be liable to him for all or part of the claim made in the action against the third-  
22 party defendant.

23       (b) **When plaintiff may bring in third party.** When a counterclaim is asserted  
24 against a plaintiff, he may cause a third party to be brought in under circumstances  
25 which under this rule would entitle a defendant to do so.

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