

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

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

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

13       (b) Answers and objections.

14       ~~(b)(1) The responding party shall serve a written response within 28 days after~~  
15 ~~service of the interrogatories. The responding party shall restate each interrogatory~~  
16 ~~before responding to it. Each interrogatory shall be answered separately and fully in~~  
17 ~~writing under oath or affirmation, unless it is objected to, ~~in which event.~~ If an~~  
18 ~~interrogatory is objected to,~~ the ~~objecting~~ party shall state the reasons for the objection  
19 ~~and shall answer to the 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. Any~~  
27 ~~ground~~reason~~ 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 ~~contention~~argument that relates to  
36 fact or the application of law to fact, ~~but the court may order.~~ The party shall answer  
37 any part of an interrogatory that ~~such an interrogatory need not be answered until after~~  
38 ~~designated discovery has been completed or until a pretrial conference or other later~~  
39 ~~time is not objectionable.~~

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. Where~~if~~ the answer to an interrogatory may  
43 be ~~derived or ascertained from~~found by inspecting 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 ~~deriving or ascertaining~~finding the answer is substantially the same for both parties,  
48 the answering party ~~-serving the interrogatory as for the party served, it is a sufficient~~  
49 ~~answer to such interrogatory to specify~~may identify the records from which the answer  
50 may be ~~derived or ascertained and to afford to the~~found. The answering party must give  
51 the asking party ~~-serving the interrogatory~~ reasonable opportunity to ~~examine, audit, or~~  
52 inspect ~~such~~the records and to make copies, compilations, ~~abstracts,~~ or summaries. ~~A~~  
53 ~~specification shall be.~~ The answering party must identify the records in sufficient detail  
54 to permit the ~~interrogating~~asking party to locate and to identify, them as readily as ~~can~~  
55 ~~the party served, the records from which the answer may be ascertained~~the answering  
56 party.

57 Advisory Committee Notes

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