

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

2 (a) Request for admission. A party may serve upon any other party a written request
3 to admit the truth of any discoverable matter set forth in the request, including the
4 genuineness of any document. The matter must relate to statements or opinions of fact
5 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 the information known or reasonably available is insufficient to form an
19 admission or denial. If the truth of a matter is a genuine issue for trial, the answering
20 party may deny the matter or state the reasons for the failure to admit or deny.

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

25 (c) Effect of admission. Any matter admitted under this rule is conclusively
26 established unless the court on motion permits withdrawal or amendment of the
27 admission. The court may permit withdrawal or amendment if the presentation of the
28 merits of the action will be promoted and withdrawal or amendment will not prejudice
29 the requesting party. Any admission under this rule is for the purpose of the pending
30 action only. It is not an admission for any other purpose, nor may it be used in any other
31 action.

