

Rule 4. Limitations on Discovery

(a) Time Period Limited. The period for conducting discovery shall continue for a period of 90 days from the Case Management Conference, if one is held, or from the scheduling order, or for a different period established by court order. Upon a request of the parties, the court, for good cause shown, may extend the period for conducting discovery for up to an additional 30 days.

(b) Written Discovery Limits; Motions to Compel. Written discovery shall be limited to 15 interrogatories, 15 requests for production of documents and things, and 25 requests for admissions. Written discovery by each party must be served within 30 days of the date of the CMC, if one is held, or from the scheduling order, or for a different period established by court order, and responses thereto must be served within 30 days of the date of service. Motions to compel responses to written discovery shall be made within 15 days of the date a response was due and shall be made pursuant to the modified discovery motion procedure set forth in Rule 4(d) of these rules.

(c) Depositions. Depositions are permitted as a matter of right of the parties only but must be taken within the deadline established by the court. Except as otherwise ordered by the court, a deposition of a non-party witness shall be allowed only if the deposition is being taken in lieu of in-person trial testimony.

(d) Meet and Confer Requirement. Prior to any motion to compel discovery, the party seeking the discovery and the party from whom responses are being sought must, by and through their counsel (or a pro se litigant if unrepresented by counsel), confer in an attempt to resolve the dispute. If the dispute is not resolved, the party seeking the discovery shall contact the court and schedule a telephone conference with the court, and provide notice of the date and time of the telephone conference to all adverse parties. No later than 5 days prior to the date of the discovery dispute telephone conference, each party shall serve and file with the court a letter not exceeding 2 pages in length setting forth the party's position on the discovery dispute and providing copies of the disputed discovery. The court, in its discretion, may allow additional argument at the telephone conference. The court shall promptly rule on the discovery dispute.

(Added effective July 1, 2013; amended effective January 1, 2016.)