

1 **NRCP 33 – Proposed**  
2 **(Tracks FRCP 33, with minor amendments to reflect Nevada**  
3 **practice on number and application of NRCP 37(a) for**  
4 **unfounded objections or failure to answer)**

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5 **Rule 33. Interrogatories to Parties**

6 (a) **In General.**

7 (1) **Number.** Unless otherwise stipulated or ordered by the court, a  
8 party may serve on any other party no more than 40 written interrogatories,  
9 including all discrete subparts. Leave to serve additional interrogatories may be  
10 granted to the extent consistent with Rule 26(b)(2).

11 (2) **Scope.** An interrogatory may relate to any matter that may be  
12 inquired into under Rule 26(b). An interrogatory is not objectionable merely because  
13 it asks for an opinion or contention that relates to fact or the application of law to  
14 fact, but the court may order that the interrogatory need not be answered until  
15 designated discovery is complete, or until a pretrial conference or some other time.

16 (b) **Answers and Objections.**

17 (1) **Responding Party.** The interrogatories must be answered:

18 (A) by the party to whom they are directed; or

19 (B) if that party is a public or private corporation, a partnership,  
20 an association, or a governmental agency, by any officer or agent, who must furnish  
21 the information available to the party.

22 (2) **Time to Respond.** The responding party must serve its answers  
23 and any objections within 30 days after being served with the interrogatories. A  
24 shorter or longer time may be stipulated to under Rule 29 or be ordered by the court.

1           (3) **Answering Each Interrogatory.** Each interrogatory must be set  
2 out, and, to the extent it is not objected to, be answered separately and fully in  
3 writing under oath.

4           (4) **Objections.** The grounds for objecting to an interrogatory must be  
5 stated with specificity. Any ground not stated in a timely objection is waived unless  
6 the court, for good cause, excuses the failure. The party submitting the  
7 interrogatories may move for an order under Rule 37(a) with respect to any objection  
8 to or other failure to answer an interrogatory.

9           (5) **Signature.** The person who makes the answers must sign them, and  
10 the attorney who objects must sign any objections.

11           (c) **Use.** An answer to an interrogatory may be used to the extent allowed by  
12 Nevada law of evidence.

13           (d) **Option to Produce Business Records.** If the answer to an interrogatory  
14 may be determined by examining, auditing, compiling, abstracting, or summarizing  
15 a party's business records (including electronically stored information), and if the  
16 burden of deriving or ascertaining the answer will be substantially the same for  
17 either party, the responding party may answer by:

18           (1) specifying the records that must be reviewed, in sufficient detail to  
19 enable the interrogating party to locate and identify them as readily as the  
20 responding party could; and

21           (2) giving the interrogating party a reasonable opportunity to examine  
22 and audit the records and to make copies, compilations, abstracts, or summaries.

1 Rule 33 is conformed to FRCP 33 while preserving in Rule 33(a)(1) Nevada  
2 practice as to the number of interrogatories and in Rule 33(b)(4) the applicability of  
3 Rule 37 to unfounded objections and failure to answer.

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