Bankruptcy Local Rule 7005-1

NON-FILING OF DISCOVERY AND LIMITATIONS ON DISCOVERY

(a) **Adversary proceedings.**

All discovery, including depositions upon oral examination or written questions, interrogatories, requests for production of documents, requests for admissions, and answers and responses thereto, shall be served but shall not be filed except upon order of a judge following a motion by a party in interest.

(b) **Contested matters.**

All discovery made in a contested matter pursuant to Fed. R. Bankr. P. 9014, including depositions upon oral examination or written questions, interrogatories, requests for production of documents, requests for admissions, and answers and responses thereto, shall be served but shall not be filed with the court except upon order of a judge following a motion by a party in interest.

(c) **Limitations on discovery.**

All discovery made in a contested matter pursuant to Fed. R. Bankr. P. 9014 is subject to the following limitations absent stipulation of the opposing party or order of a judge upon a showing of good cause waiving or modifying such limitations:

(1) Interrogatories: No party shall serve upon any other party more than twenty-five (25) interrogatories, in which sub parts of interrogatories shall count as separate interrogatories.

(2) Requests for Admission: No party shall serve upon any other party more than twenty-five (25) requests for admissions.

RELATED AUTHORITY

Fed. R. Bankr. P. 7005, 7026, 7033, 7036, 9014
LBR 9014-1

Advisory Committee Notes:

Subdivisions (a) and (b) are designed to eliminate the filing burden upon the court in the majority of cases where discovery is never utilized prior to or at trial or prior to disposition of the case, as well as eliminate any potential problems caused by the nature or admissibility of the material included in the discovery requests or responses.

The provision of the rule set forth in subdivision (c) is meant to control abuses of discovery processes in regard to motion practice under the provisions of Fed. R. Bankr. P. 9014 regarding "contested matters" while still preserving availability and usefulness of discovery in proper circumstances. Under extraordinary circumstances, the court may modify the limitations.