

INTERROGATORIES – Instructions / Disclaimer:

Once a civil lawsuit is commenced, a party is permitted to seek to obtain information about other parties to the suit during the fact-finding phase before trial, called Discovery. In general, parties may obtain Discovery about any matter which is relevant to the subject matter involved in the pending action, so long as the information is not privileged. General provisions governing Discovery are found in Rule 26 of the Nevada Rules of Civil Procedure ("NRCP"). Information about each of the different Discovery tools available to parties to a lawsuit, and how they may be used, is found in NRCP 30 through 36.

Interrogatories to Parties are formal written questions, provided for by NRCP 33, which a party may ask another party during Discovery. Each party is allowed to serve up to 40 Interrogatories – including related sub-parts -- on another party. You may not serve more than 40 Interrogatories without prior permission, which is obtained by first filing a motion with the Court seeking leave to do so.^{*1*}

The party upon whom the Interrogatories are served must serve a copy of its answers and objections, if any, within thirty (30) days after being served. A shorter or longer time may be directed by the court, or agreed to in writing by the parties, so long as the time to respond does not interfere with any time set for completion of discovery (See, Rule 29).

Each Interrogatory must be answered separately and fully in writing under oath, unless it is objected to. In such event, the objecting party must specifically state the grounds for objection, and must still answer that portion of the interrogatory that is not objectionable. Any ground not stated in a timely objection is waived, unless the party's failure to object is excused by the Court for good cause shown.

Provided [below] are sample Interrogatories which may assist you in discovering certain important information about other parties that will be helpful to your case. These Interrogatories are fundamental in nature, and are not intended to be an all-inclusive compilation of what you may need to know in order to prove your entire case.

DISCLAIMER: THE COURT DOES NOT GIVE LEGAL ADVICE

If you need assistance in determining the applicability of any Interrogatories, or the comprehensiveness of the sample Interrogatories provided below to your case, you are encouraged to obtain the advice of a legal professional licensed to practice in Nevada. Professional legal advice may also be of assistance to you concerning the use of any of the other forms of discoverable information provided for in Court Rules 30 through 36.

Please use only those Interrogatories that apply to the particulars of your own case, e.g. those that will enable you to discover to information you will need to prove the facts of your case. Not all of these Interrogatories apply to every type of case or set of circumstances, and the Court may not require an opposing party to answer some or all of your Interrogatories if they do not apply to the facts of your case.

¹ **PLEASE NOTE:** If your case is in the **Mandatory Arbitration Program**, the number of interrogatories you are entitled to ask may be further limited by the Arbitrator.

Interrogatories from Plaintiff to Defendant

General

- State your name, each name you have used in the past, and the dates you used each name.
- State the date and place of your birth.
- State your current residence address, your residence addresses for the past five years, and the dates you lived at each address.
- Describe your formal education, including the name of each school attended, the dates when you attended each school and whether any degree or certificate was obtained from each school.
- Identify with specificity and detail all expert witnesses whom you expect to call as a witness at trial. For each such expert witness, state the subject matter on which s/he is expected to testify; the substance of the facts and opinions to which the expert is expected to testify; and a summary of the grounds for each opinion.
- Identify with specificity and detail all documentary evidence in your possession, custody or control related to the claims alleged in the Complaint. For each item identified, state the full name and address of the record custodian, the location of the document, and the name(s) of all person(s) who have been provided with a copy.
- Please list each and every exhibit that you intend to have admitted into evidence at the time of trial and for each exhibit please state:
 - a. The name, professional status, job title, and address of each individual who presently has custody of the original of the exhibit.
 - b. The name, address, job title, and professional status of each and every witness from whom you will, at the time of trial, elicit testimony to admit the exhibit as evidence.
- Please identify all documents in your possession which support your responses to these interrogatories.
- Identify each person, other than counsel, who provided information or assisted you with respect to the preparation of the answers to the foregoing interrogatories, and identify the specific interrogatories for which each person provided information or assistance, and the substantive information provided by each person and / or the type of assistance each person rendered.
- At the time of the events alleged in the Complaint, was there in effect any policy of insurance through which you were or might be insured in any manner. If so, for each policy state:
 - a. the name and address of each insurer;
 - b. the name, address, and telephone number of each named insured; and

- c. whether any reservations of rights or controversy or coverage dispute exists between you and the insurance company.
- Are you self-insured under any statute for the damages, claims, or actions alleged in the Complaint?
 - If you contend that someone other than you is responsible, in whole or in part, for the damages alleged in the Complaint, please state all facts supporting your contention.
 - For each denial of a material allegation and each special or affirmative defense in your pleadings, for each state all facts upon which you base the denial or special or affirmative defense. [To be used only after initial discovery takes place.]

Breach of Oral and Written Agreement or Contract

- For each agreement alleged in the Complaint, please identify all specific breaches of the agreement(s) that you contend are at issue in this matter, including the date of each breach and the act or omission constituting the breach.
- Was the performance of any agreement alleged in the Complaint excused? If yes, identify the agreement excused and state why performance was excused.
- Was any agreement alleged in the Complaint terminated by mutual agreement, release, accord and satisfaction, or novation? If yes, please identify each agreement terminated, the date of termination, and the basis of the termination.
- Is any agreement alleged in the pleadings unenforceable? If yes, identify each unenforceable agreement or part thereof and state why it is unenforceable.
- Is any agreement alleged in the Complaint ambiguous? If yes, identify each ambiguous agreement or part thereof and state why it is ambiguous.

Employment

- If you contend the Plaintiff was/was not terminated, please state all facts upon which you base your contention.
- If the Plaintiff was replaced in his/her position, please identify the sex, race, age, and rate of pay of the person who replaced Plaintiff.
- Do you maintain an Employee Handbook containing policies and procedures with which your employees must comply, and by which the company operates.
- State all facts, if any, that would support the Plaintiff's termination that were first discovered after the termination?
- Please state all reasons for the Plaintiff's termination.
- Please state all policies and procedures that you contend Plaintiff violated while employed by you.
- Please describe all discipline received by Plaintiff while employed by you.

Personal Injury

- Have you ever had a vehicle driver's license suspended, canceled, or revoked? If so, state the name of the state suspending, canceling or revoking such license, with the date(s) of such and reason(s) therefor.
- Have you received a traffic violation notice and/or citation within the five (5) years preceding the accident? If so, state for each the name of the city and state of the incident, the date(s) of such, the citation and/or violation charges, the reason(s) therefore, and the disposition(s) thereof.
- If you were involved in the accident or incident that is the subject of this case, please state the date, time, and location of the accident or incident.
- If you were involved in the accident or incident that is the subject of this case, please state the speed at which you were traveling at the time of the accident or incident.
- If you were involved in the accident or incident that is the subject of this case, and were stopped at the time of the accident or incident, please state the reason(s) you were stopped.
- If you were involved in the accident or incident that is the subject of this case, describe the weather and road conditions that existed at the time of the accident or incident.
- If you were involved in the accident or incident that is the subject of this case, describe your view to the north, south, east and west, and state whether anything obstructed your view in any direction at the time of the accident or incident.
- If you were involved in the accident or incident that is the subject of this case, state your intended destination, and the route to be used.
- If you were involved in the accident or incident that is the subject of this case, describe the details of the incident in your own words, describing factually (without legal conclusions), what caused the accident or incident to happen.
- If you were involved in the accident or incident that is the subject of this case, state the name, address, and phone number of each person you spoke to at the accident or incident scene, including any and all witnesses you are aware of.
- If you consumed any intoxicating beverage(s) within 24 hours preceding the subject accident or consumed any type of legal or illegal drug, narcotic, sedative or any other kind of medication within one (1) week preceding the subject accident at issue herein, please state the following:
 - a. the time and place of each use or consumption; and
 - b. the kind and amount of such items used or consumed.
- At the time of the subject incident, did a policy or policies of liability insurance cover you? If so, state for each policy the name, address and telephone number of the insurer, the name and address of the named insured(s), the number of the policy, the effective coverage dates thereof, the nature of the coverages(s), the limits of

liability coverage (as to each covered person) and the name and address of the custodian of the policy.

- Were you charged and/or cited by any governmental authority with a violation(s) of any traffic or other law as a result of your conduct and/or the operation of your vehicle prior to and/or during the occurrence of the subject incident? If so, please state the charge, any plea(s) entered, and the disposition of the citation(s) and/or charges thereof.
- If your vehicle involved in the incident in question sustained any damage, visible or otherwise, state the nature of that damage, the location of the vehicle, cost(s) of repair, and the individual or entity performing the repair, along with their address(es) and phone number(s).

Interrogatories from Defendant to Plaintiff

General

- State your name, each name you have used in the past, and the dates you used each name.
- State the date and place of your birth.
- State your current residence address, your residence addresses for the past five years, and the dates you lived at each address.
- Describe your formal education, including the name of each school attended, the dates when you attended each school and whether any degree or certificate was obtained from each school.
- Identify with specificity and detail all expert witnesses whom you expect to call as a witness at trial. For each such expert witness, state the subject matter on which s/he is expected to testify; the substance of the facts and opinions to which the expert is expected to testify; and a summary of the grounds for each opinion.
- Identify with specificity and detail all documentary evidence in your possession, custody or control related to the claims alleged in the Complaint. For each item identified, state the full name and address of the record custodian, the location of the document, and the name(s) of all person(s) who have been provided with a copy.
- Please list each and every exhibit that you intend to have admitted into evidence at the time of trial and for each exhibit please state:
 - a. The name, professional status, job title, and address of each individual who presently has custody of the original of the exhibit.
 - b. The name, address, job title, and professional status of each and every witness from whom you will, at the time of trial, elicit testimony to admit the exhibit as evidence.
- Please identify all documents in your possession which support your responses to these interrogatories.
- Identify each person, other than counsel, who provided information or assisted you with respect to the preparation of the answers to the foregoing interrogatories, and identify the specific interrogatories for which each person provided information or assistance, and the substantive information provided by each person and/or the type of assistance each person rendered.
- If you dispute the authenticity or validity of the documents attached to the Complaint, please state all facts upon which you base your dispute.
- If you contend the documents attached to the Complaint do not accurately reflect your understanding of the facts of this dispute, please explain the facts upon which you rely.

- Identify all individuals or witnesses whom you believe have personal knowledge of the actions and events described in your Complaint, and provide their full name, address, and telephone number, along with a summary of what facts and knowledge you believe they have.

Breach of Oral and Written Agreement or Contract

- For each agreement alleged in the Complaint, please identify all specific breaches of the agreement(s) that you contend are at issue in this matter, including the date of each breach and the act or omission constituting the breach.
- Was the performance of any agreement alleged in the Complaint excused? If yes, identify the agreement excused and state why performance was excused.
- Was any agreement alleged in the Complaint terminated by mutual agreement, release, accord and satisfaction, or novation? If yes, please identify each agreement terminated, the date of termination, and the basis of the termination.
- Is any agreement alleged in the pleadings unenforceable? If yes, identify each unenforceable agreement or part thereof and state why it is unenforceable.
- Is any agreement alleged in the Complaint ambiguous? If yes, identify each ambiguous agreement or part thereof and state why it is ambiguous.
- For each agreement alleged in the Complaint, please identify the parties to the agreement, the execution date, and general nature of the agreement.

Employment

- If you contend the Plaintiff was/was not terminated, please state all facts upon which you base your contention.
- Please identify the name, address and telephone number of each of your employers prior to the time you were hired by Defendant, including the dates of employment.
- If currently employed, please provide the name and address of your employer.
- In the last five (5) years, have you received any federal or state government benefits for disability, unemployment, retirement, health care, social security or welfare benefit of any nature? If so, please identify each specific benefit received.
- If you applied for employment with any company since the date of the events that gave rise to this lawsuit, please identify the name, address, and date(s) of application of each such company where you have applied for employment.
- Except for this action, within the past 10 years, have you filed any lawsuit or administrative charge related to your employment at any current or former employer? If yes, please state the date of each action/charge, and the court or administrative entity with whom it was filed.
- Do you contend the employment relationship was not "at will?" If yes, state all facts upon which you base this contention.

- Do you contend the employment relationship was governed by any agreement – written, oral, or implied? If yes, state all facts upon which you base your contention.
- If you contend that any of the employer's actions against you were discriminatory, please identify each action, the date on which it occurred, and the basis for your contention that the action was discriminatory.
- If you contend you were harassed in the workplace, please state all facts that support your contention, including each specific incident, the date of each incident, and the person(s) engaging in the harassing behavior.
- If you contend you were harassed/discriminated against in the workplace, did you report the conduct to your employer. If yes, please state the dates you reported the conduct and the person to whom you reported.
- Did the employee file a claim, complaint, or charge with any governmental agency that involved any of the material allegations made in the Complaint? If yes, please identify the date on which it was filed, the agency with which it was filed, and the nature of the charges contained in the claims, complaint, or charge.

Personal Injury

- Have you ever had a vehicle driver's license suspended, canceled, or revoked? If so, state the name of the state suspending, canceling or revoking such license, with the date(s) of such and reason(s) therefore.
- Have you received a traffic violation notice and/or citation within the five (5) years preceding the accident? If so, state for each the name of the city and state of the incident, the date(s) of such, the citation and/or violation charges, the reason(s) therefore, and the disposition(s) thereof.
- If you were involved in the accident or incident that is the subject of this case, please state the date, time, and location of the accident or incident.
- If you were involved in the accident or incident that is the subject of this case, please state the speed at which you were traveling at the time of the accident or incident.
- If you were involved in the accident or incident that is the subject of this case, and were stopped at the time of the accident or incident, please state the reason(s) you were stopped.
- If you were involved in the accident or incident that is the subject of this case, describe the weather and road conditions that existed at the time of the accident or incident.
- If you were involved in the accident or incident that is the subject of this case, describe your view to the north, south, east and west, and state whether anything obstructed your view in any direction at the time of the accident or incident.
- If you were involved in the accident or incident that is the subject of this case, state your intended destination, and the route to be used.

- If you were involved in the accident or incident that is the subject of this case, describe the details of the incident in your own words, describing factually (without legal conclusions), what caused the accident or incident to happen.
- If you were involved in the accident or incident that is the subject of this case, state the name, address, and phone number of each person you spoke to at the accident or incident scene, including any and all witnesses you are aware of.
- If you consumed any intoxicating beverage(s) within 24 hours preceding the subject accident or consumed any type of **legal** or **illegal** drug, narcotic, sedative or any other kind of medication within one (1) week preceding the subject accident at issue herein, please state the following:
 - a. the time and place of each use or consumption; and
 - b. the kind and amount of such items used or consumed.
- At the time of the subject incident, did a policy or policies of liability insurance cover you? If so, state for each policy the name, address and telephone number of the insurer, and the name and address of the named insured(s), the number of the policy, the effective coverage dates thereof, the nature of the coverages(s), the limits of liability coverage (as to each covered person) and the name and address of the custodian of the policy.
- Were you charged and/or cited by any governmental authority with a violation(s) of any traffic or other law as a result of your conduct and/or the operation of your vehicle prior to and/or during the occurrence of the subject incident? If so, please state the charge, any plea(s) entered, and the disposition of the citation(s) and/or charges thereof.
- If your vehicle involved in the incident in question sustained any damage, visible or otherwise, state the nature of that damage, the location of the vehicle, cost(s) of repair, and the individual or entity performing the repair, along with their address(es) and phone number(s).

Damages

- For each item of damages you claim in this action, please identify all persons upon whom you will rely to support your damages.
- For each item of damages you claim in this action, please state the amount of damages you are seeking, and the basis upon which you compute this amount.
- For each item of damages you claim in this action, please identify all documents upon which you will rely upon to support your damages.
- Do you attribute any physical, mental, or emotional injuries to the claims made in your Complaint. If yes, identify with specificity each injury you attribute to the conduct alleged in your Complaint.
- If you attribute any physical, mental, or emotional injuries to the conduct alleged in your Complaint, please state whether you have sought treatment for those injuries.
- If you have sought treatment for any physical, mental, or emotional injuries related to the conduct alleged in your Complaint, please identify by name and address each

treatment provider, the dates of treatment, the treatment received, and any out-of-pocket expenses related to said treatment.'

- If you make a claim for lost income, state the total amount of income, benefits, or earning capacity you have lost to date and how the amount was calculated.
- If you make a claim for lost income, please specify all efforts you engaged in to find work since your last date of work with Defendant.
- If you make a claim for lost income, please itemize all income you have received, including all sources, from the date of termination to the present.