

IV.A | PREPARATION AND ANSWERING OF INTERROGATORIES

1 - Informal Requests. Whenever possible, counsel should try to exchange information informally. The results of such exchanges, to the extent relevant, may then be included in the record by requests for admissions or stipulations. However, Rule 26(a), Federal Rule of Civil Procedure, now requires a party, without awaiting a discovery request, to provide to the other parties an initial exchange of disclosures.

2 - Number and Scope of Interrogatories. Rule 33(a), Federal Rules of Civil Procedure, and Local Rule 3.03(a), Middle District of Florida, restrict to 25 (including all parts and subparts) the number of interrogatories a party may serve on any other party. Leave of court, which is not routinely given absent stipulation, is required to serve more than 25 interrogatories cumulatively. Pursuant to Rule 26(g), counsel's signature on interrogatories constitutes a certification of compliance with those limitations. Interrogatories should be brief, simple, particularized, unambiguous, and capable of being understood by jurors when read in conjunction with the answer. They should not be argumentative nor should they impose unreasonable burdens on the responding party. In some cases, the court will propound interrogatories for each party to answer. These must be responded to in a timely manner. The 25 interrogatory limit does not apply to court-ordered interrogatories.

3 - Responses. Rule 33(b), Federal Rules of Civil Procedure, requires the respondent to answer an interrogatory separately and fully in writing and under oath, unless the respondent objects, in which event the party objecting shall state the reasons for objection and shall answer to the extent the interrogatory is not objectionable. Interrogatories should be interpreted reasonably, in good faith, and according to the meaning the plain language of the interrogatory would naturally import. When in doubt about the meaning of an interrogatory, the responding party should give it a reasonable interpretation (which may be specified in the response) and offer an answer designed to provide, rather than deny, information.