LCRLJ 26
DISCOVERY

1. Depositions of a Party. A party will be entitled to take one (1) deposition of another party without prior permission of the court, and in accordance with Rule 30 of the Superior court Rules.

2. Demand for Damages. A party may demand a specification of damages under RCW 4.28.360.

3. Limited Interrogatories Without Prior Approval of the Court. The following Interrogatories and Requests for Production may be submitted by either party:

A. State the amount of general damages being claimed.

B. State each item of special damages being claimed and the amount thereof.

C. List the name, address and phone number of each person having any knowledge of facts regarding liability.

D. List the name, address and phone number of each person having any knowledge of facts regarding the damages claimed.

E. List the name, address and phone number of each expert you intend to call as a witness at trial. For each expert, state the subject matter on which the expert is expected to testify. State the substance of facts and opinion to which the expert is expected to testify and a summary of the grounds for each opinion.

F. Produce a copy of any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of any judgment which may be entered in this action, or to indemnify or reimburse the payments and to satisfy the judgment.

G. Produce a copy of any agreement or contract or other document upon which this claim is being made.

H. Produce a copy of any bill or estimate for items for which special damages is being claimed.

4. Additional Discovery. No additional discovery shall be allowed, except as the parties may stipulate or as the court may order. The court shall have discretion to decide whether to permit any additional discovery. In exercising such discretion the court shall consider:

A. Whether all parties are represented by counsel;

B. Whether undue expense or delay in bringing the case to trial will result;

C. Whether the interests of justice will be promoted.

5. Conducting Discovery. Any discovery authorized pursuant to this rule shall be conducted in accordance with Civil Rules 26-37.

6. Limitations on Discovery. No blanket orders for unlimited discovery will be permitted.

7. Evidence Deemed Admissible.

A. All provisions of Evidence Rule (ER) 904 are adopted.

B. Subject to the time lines established in ER 904, the written statement of any witness, including the written report of an expert

witness, which includes statements of opinion, which the witness would be allowed to express if testifying in person, is deemed admissible if it is made by affidavit or by declaration under penalty of perjury. Any other party may subpoena the author or maker of the written statement admissible under this subsection, at the party's expense, and examine the author or maker as if under cross examination.