LMAR 4.2
Discovery

(a) Discovery Pending at the Time Arbitrator is Assigned. Discovery pending at the time the case is assigned to an arbitrator is stayed pending order from the arbitrator or except as the parties may stipulate or as authorized by MAR 4.2 and LMAR 4.2 below.

(b) Additional Discovery. In determining when additional discovery beyond that directly authorized by MAR 4.2 is reasonably necessary, the arbitrator shall balance the benefits of discovery against the burdens and expenses. The arbitrator shall consider the nature and complexity of the case, the amount in controversy, values at stake, the discovery that has already occurred, the burdens on the party from whom discovery is sought, and the possibility of unfair surprise which may result if discovery is restricted. Authorized discovery shall be conducted in accordance with the civil rules except that motions concerning discovery shall be determined by the arbitrator.

(c) Interrogatories. Notwithstanding the foregoing, the following interrogatories may be submitted to any party:

(1) State the amount of general damages being claimed;

(2) State each item of special damages being claimed and the amount thereof;

(3) List the name, address and phone number of each person having knowledge of any facts regarding liability, and a short summary of their intended testimony at the arbitration hearing;

(4) List the name, address and phone number of each person having knowledge of any facts regarding the damages claimed, and a short summary of their intended testimony at the arbitration hearing;

(5) List the name, address and phone number of each expert witness you intend to call at the arbitration. For each such expert, state the subject matter on which the expert is expected to testify; state the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion.

Only these interrogatories, with the exact language as set out above, are permitted, except as permitted by section (a).

[Amended effective September 1, 2012.]