



## Ohio Administrative Code

### Rule 124-13-01 Exchange of documents and witness lists.

Effective: [March 24, 2014](#)

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(A) On written request of the opposing party, a party shall, at least twenty-eight calendar days prior to the first scheduled record hearing, provide to the requesting party and the board a list of the documents intended to be introduced at the hearing and a list of witnesses. Such requests must be served upon the opposing party at least forty-two calendar days prior to the first scheduled record hearing.

(B) In addition to the requirements contained within paragraph (A) of this rule, if a party deems it necessary to call more than five witnesses to testify at hearing, the party shall file with the board at least seven calendar days prior to the first scheduled record hearing date a list of witnesses to be called and a short summary of the expected testimony of each of those witnesses. If a party fails, without good cause, to comply with this requirement, the board may exclude the testimony of witnesses whose names would have appeared on the witness list referenced in this paragraph.

(C) Upon receipt of a written request, and at least twenty-eight calendar days prior to the first scheduled record hearing, a party shall permit the opposing party to view and copy, at the opposing party's expense, any documents intended to be introduced at a hearing.

(D) If a party fails, without good cause, to comply with paragraphs (A) and (C) of this rule, such testimony or documents may, upon motion of the adversely affected party, be excluded from a hearing before the board. Failure to serve requests for documents and a list of witnesses or for the examination of documents at least forty-two calendar days before the first scheduled record hearing waives all right to move to exclude such evidence.

(E) The time limits set forth in this rule may be modified at the discretion of the administrative law judge or the board.

(F) The board may continue hearings to permit discovery under this rule.



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(G) Discovery, as it pertains to the exchange of documents and witness lists, may be supplemented as set forth in the applicable Ohio Rules of Civil Procedure.