



Ohio Administrative Code

Rule 3746-6-04 Production and inspection of documents.

Effective: August 15, 2011

(A) Subject to the scope of discovery set forth in rule 3746-6-01 of the Administrative Code and such discovery deadlines as the commission may order, any party may serve upon any other party a written request to:

(1) Produce or permit the inspection of, and/or copy any designated documents or electronically stored information, including writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained that are in the possession, custody, or control of the party upon whom the request is served;

(2) Produce for inspection, copying, sampling, or testing any tangible things in the possession, control, or custody of the party upon whom the request is served.

(B) Without leave of the commission, the request may be served within the timeframe set forth in the case management schedule. Any request pursuant to this rule shall set forth the items to be produced or inspected either by individual item or by category and shall describe each category with reasonable particularity. The request may specify the form or forms in which electronically stored information is to be produced, but may not require the production of the same information in more than one form.

(C) The party upon whom the request is served shall serve a written response within twenty-eight days after the service of the request, or within such shorter or longer time as the commission may order. The response shall state, with respect to each item or category, that the production or inspection and related activities will be permitted as requested, unless the request is objected to, in which case the reason for the objection shall be stated. If an objection is made to part of an item or category, that part shall be specified. If objection is made to the requested form or forms for producing electronically stored information, or if no form was specified in the request, the responding party must state the form or forms it intends to use. The party submitting the request may move for an order under rule 3746-6-08 of the Administrative Code with respect to any objection or



other failure to respond to a request or any part thereof, or any failure to permit inspection as requested.

(D) At the request of any party, the commission may examine in camera the documents sought for the purpose of determining which documents or portions thereof are not available for discovery.

(E) Where a request calls for the production of a document previously furnished to the party submitting the request, it is a sufficient response to specify the circumstances under which the document was previously furnished to the party submitting the request.

(F) The commission may order the production of documents on its own motion.