

Rule 36. Requests for Admission

(a) Request for admission. A party may serve upon any other party a written request for the admission of the truth of a statement or opinion of fact or of the application of law to fact, or the genuineness of any document described in the request, for any matter within the scope of SCR-Dom Rel 26(b)(1). Copies of documents shall be served with the request unless they have been or are otherwise furnished or made available for inspection and copying. The request may be served upon the plaintiff after commencement of the action and upon any other party with or after service of the complaint or petition upon that party.

Each matter of which an admission is requested shall be separately set forth. The matter is admitted unless, within 30 days after service of the request, or within such shorter or longer time as the Court may allow, the party to whom the request is directed serves upon the party requesting the admission a written answer or objection addressed to the matter, signed by the party and by the party's attorney, but, unless the Court shortens the time, a defendant shall not be required to serve answers or objections before the expiration of 45 days after service of the complaint or petition upon that defendant or before the expiration of 75 days after service of the complaint or petition upon the District of Columbia or its officer or agency or the United States or its officer or agency. The response shall state verbatim each request for an admission. If objection is made, the reasons therefor shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify an answer or deny only a part of the matter of which an admission is requested, the party shall specify so much of it as is true and qualify or deny the remainder. An answering party may not give lack of information or knowledge as a reason for failure to admit or deny unless the party states that the party has made reasonable inquiry and that the information known or readily obtainable by the party is insufficient to enable the party to admit or deny. A party who considers that a matter of which an admission has been requested presents a genuine issue for trial may not, on that ground alone, object to the request; the party may, subject to the provisions of SCR-Dom Rel 37(c)(2), deny the matter or set forth reasons why the party cannot admit or deny.

The party who has requested the admissions may move to determine the sufficiency of the answers or objections. The provisions of SCR-Dom Rel 37(a)(4) apply to the award of expenses incurred in relation to the motion.

(b) Effect of admission. Any matter admitted under this Rule is conclusively established unless the Court on motion permits withdrawal or amendment of the admission. The Court may permit withdrawal or amendment of an admission if the party who obtained the admission will not be unduly prejudiced in maintaining the action or defense on the merits. Any admission made by a party under this Rule is for the purpose of the pending action only and is not an admission for any other purpose nor may it be used against the party in any other proceeding.

(c) Filing. Except as provided for in SCR-Dom Rel 5(d), requests for admissions and responses thereto shall not be filed with the Court.