**Section 730.260 Discovery**

a) Discovery shall only commence after a Petition for Hearing/Notice of Hearing has been initiated/filed, docketed and assigned a Hearing Number by the Treasurer. Discovery shall not be the subject of motions presented to the Hearing Officer, except when a motion is made alleging failure to comply with this Section.

b) The following discovery procedures shall be used upon service of a written request on the opposing Party:

1) Interrogatories;

2) Request for production of documents or things;

3) Depositions; and

4) Requests to Admit.

c) The Hearing Officer may restrict discovery when necessary to prevent undue delay or harassment.

d) Upon written request served on the opposing Party, any Party shall be entitled to the following, at a minimum:

1) The name and address of all witnesses who may be called to testify at the Administrative Hearing;

2) Copies of all documents that may be offered as evidence; and

3) A description of any other evidence that may be offered.

e) This minimum information shall be provided within 28 days after receipt of the discovery request, unless a longer or shorter period is agreed upon by the Parties or granted by the Hearing Officer.

f) When a Party obtains or is in possession of exculpatory evidence, that Party must submit that evidence to the opposing Party immediately.

g) A Party shall respond to any properly served written discovery requests. The responding Party is required to answer the discovery request within 28 days after receipt, unless a longer or shorter period is agreed upon by the Parties or granted by the Hearing Officer. If a Party fails to answer a request to admit within 28 days, the request to admit shall be deemed admitted against that Party.

h) Nothing in this Section shall prevent the Parties in a contested case from agreeing to a mutual exchange of information that is more extensive than what is provided for in this Section. When the Parties agree to the use of an evidence deposition, that agreement shall be in writing and shall operate as a waiver of any objection not made during the deposition, except for an objection that the testimony of the witness is not relevant to the case.

i) There shall be a continuing obligation upon the Parties to tender new information as it becomes available, as well as a continuing obligation to supplement any disclosures or responses to discovery requests to include information acquired after original submission.