

17 NCAC 11 .0218 DISCOVERY

(a) Parties shall exhaust all less formal opportunities to obtain discoverable material before utilizing this Rule.

(b) Any means of discovery available pursuant to the North Carolina Rules of Civil Procedure, G.S. 1A-1, is allowed. If the party from whom discovery is sought objects to the discovery, the party seeking the discovery may file a motion with the Commission to obtain an order compelling discovery. In the disposition of the motion, the party seeking the discovery shall have the burden of showing that the discovery is needed for the proper presentation of the party's case, is not for purposes of delay, and that the issues in controversy are significant enough to warrant the discovery. In ruling on a motion for discovery, the Commission shall recognize all privileges recognized at law.

*History Note: Authority G.S. 105-288;
 Eff. June 1, 1991;
 Amended Eff. July 1, 1993.*