

1 remainder. An answering party may not give lack of information or knowledge as a reason for
2 failure to admit or deny unless the answering party states that reasonable inquiry has been
3 made and that the information known or readily obtainable by the answering party is
4 insufficient to enable the answering party to admit or deny. A party who considers that a
5 matter of which an admission has been requested presents a genuine issue for trial may not, on
6 that ground alone, object to the request; the party may, subject to the provisions of Rule 46 C,
7 deny the matter or set forth reasons why the party cannot admit or deny it.

8 **C Motion to determine sufficiency.** The party who has requested the admissions may
9 move to determine the sufficiency of the answers or objections. Unless the court determines
10 that an objection is justified, it shall order that an answer be served. If the court determines
11 that an answer does not comply with the requirements of this rule, it may order either that the
12 matter is admitted or that an amended answer be served. The court may, in lieu of these
13 orders, determine that final disposition of the request be made at a designated time prior to
14 trial. The provisions of Rule 46 A(4) apply to the award of expenses incurred in relation to the
15 motion.

16 **D Effect of admission.** Any matter admitted pursuant to this rule is conclusively
17 established unless the court on motion permits withdrawal or amendment of the admission.
18 The court may permit withdrawal or amendment when the presentation of the merits of the
19 case will be subserved thereby and the party who obtained the admission fails to satisfy the
20 court that withdrawal or amendment will prejudice such party in maintaining such party's case
21 or such party's defense on the merits. Any admission made by a party pursuant to this rule is
22 for the purpose of the pending action only, and neither constitutes an admission by such party
23 for any other purpose nor may be used against such party in any other action.

24 **E Form of response.** The request for admissions shall be so arranged that a blank space
25 shall be provided after each separately numbered request. The space shall be reasonably
26 calculated to enable the answering party to insert the admissions, denials, or objections within

1 the space. If sufficient space is not provided, the answering party may attach additional papers
2 with the admissions, denials, or objections and refer to them in the space provided in the
3 request.

4 **F Number.**

5 **F(1) Generally. Excluding requests relating solely to issues in subsection (2), a [A] party**
6 may serve more than one set of requested admissions upon an adverse party, but the total
7 number of requests shall not exceed 30, unless the court otherwise orders for good cause
8 shown after the proposed additional requests have been filed. In determining what constitutes
9 a request for admission for the purpose of applying this limitation in number, it is intended that
10 each request be counted separately, whether or not it is subsidiary or incidental to or
11 dependent upon or included in another request, and however the requests may be grouped,
12 combined, or arranged.

13 **F(2) Admissibility of Business Records. Notwithstanding subsection (1) and, in**
14 **addition to any requests made under that subsection, a party may serve a reasonable number**
15 **of additional requests for admission to establish authenticity and admissibility of specified**
16 **business records under the OEC 803(6) business records exception to hearsay.**

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2 failure to admit or deny unless the answering party states that reasonable inquiry has been
3 made and that the information known or readily obtainable by the answering party is
4 insufficient to enable the answering party to admit or deny. A party who considers that a
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6 that ground alone, object to the request; the party may, subject to the provisions of Rule 46 C,
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13 orders, determine that final disposition of the request be made at a designated time prior to
14 trial. The provisions of Rule 46 A(4) apply to the award of expenses incurred in relation to the
15 motion.

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18 The court may permit withdrawal or amendment when the presentation of the merits of the
19 case will be subserved thereby and the party who obtained the admission fails to satisfy the
20 court that withdrawal or amendment will prejudice such party in maintaining such party's case
21 or such party's defense on the merits. Any admission made by a party pursuant to this rule is
22 for the purpose of the pending action only, and neither constitutes an admission by such party
23 for any other purpose nor may be used against such party in any other action.

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1 the space. If sufficient space is not provided, the answering party may attach additional papers
2 with the admissions, denials, or objections and refer to them in the space provided in the
3 request.

4 **F Number.**

5 **F(1) Generally. Excluding requests relating solely to business records in subsection F(2)**
6 **of this rule, a [A] party may serve more than one set of requested admissions upon an adverse**
7 **party, but the total number of requests shall not exceed 30, unless the court otherwise orders**
8 **for good cause shown after the proposed additional requests have been filed. In determining**
9 **what constitutes a request for admission for the purpose of applying this limitation in number,**
10 **it is intended that each request be counted separately, whether or not it is subsidiary or**
11 **incidental to or dependent upon or included in another request, and however the requests may**
12 **be grouped, combined, or arranged.**

13 **F(2) Requests related to admissibility of business records. Notwithstanding subsection**
14 **F(1) of this rule, and in addition to any requests made under that subsection, a party may**
15 **serve a reasonable number of additional requests for admission to establish the authenticity**
16 **and admissibility of specified business records under Rule 803(6) of the Oregon Evidence**
17 **Code relating to the business records exception to hearsay.**

1 and qualify or deny the remainder. An answering party may not give lack of information or
2 knowledge as a reason for failure to admit or deny unless the answering party states that
3 reasonable inquiry has been made and that the information known or readily obtainable by the
4 answering party is insufficient to enable the answering party to admit or deny. A party who
5 considers that a matter of which an admission has been requested presents a genuine issue for
6 trial may not, on that ground alone, object to the request; the party may, subject to the
7 provisions of Rule 46 C, deny the matter or set forth reasons why the party cannot admit or
8 deny it.

9 **C Motion to determine sufficiency.** The party who has requested the admissions may
10 move to determine the sufficiency of the answers or objections. Unless the court determines
11 that an objection is justified, it shall order that an answer be served. If the court determines
12 that an answer does not comply with the requirements of this rule, it may order either that the
13 matter is admitted or that an amended answer be served. The court may, in lieu of these
14 orders, determine that final disposition of the request be made at a designated time prior to
15 trial. The provisions of Rule 46 A(4) apply to the award of expenses incurred in relation to the
16 motion.

17 **D Effect of admission.** Any matter admitted pursuant to this rule is conclusively
18 established unless the court on motion permits withdrawal or amendment of the admission.
19 The court may permit withdrawal or amendment when the presentation of the merits of the
20 case will be [*subverted thereby*] **furthered** and the party who obtained the admission fails to
21 satisfy the court that withdrawal or amendment will prejudice [*such*] **that** party in maintaining
22 [*such*] **that** party's case or [*such*] **that** party's defense on the merits. Any admission made by a
23 party pursuant to this rule is for the purpose of the pending action only, and neither
24 constitutes an admission by [*such*] **that** party for any other purpose nor may be used against
25 [*such*] **that** party in any other action.

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3 | the space. If sufficient space is not provided, the answering party may attach additional papers
4 | with the admissions, denials, or objections and refer to them in the space provided in the
5 | request.

6 | **F Number.**

7 | **F(1) Generally. Excluding requests identified in subsection F(2) of this rule, a [A] party**
8 | **may serve more than one set of requested admissions [upon] on an adverse party[,]** but the
9 | total number of requests shall not exceed 30, unless the court otherwise orders for good cause
10 | shown after the proposed additional requests have been filed. In determining what constitutes
11 | a request for admission for the purpose of applying this limitation in number, it is intended
12 | that each request be counted separately, whether or not it is subsidiary or incidental to or
13 | dependent upon or included in another request, and however the requests may be grouped,
14 | combined, or arranged.

15 | **F(2) Requests related to admissibility of business records. Notwithstanding**
16 | **subsection F(1) of this rule, and in addition to any requests made under that subsection, a**
17 | **party may serve a reasonable number of additional requests for admission to establish the**
18 | **authenticity and admissibility of documents under Rule 803(6) of the Oregon Evidence Code.**

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2 knowledge as a reason for failure to admit or deny unless the answering party states that
3 reasonable inquiry has been made and that the information known or readily obtainable by the
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20 case will be [*subserved thereby*] **furthered** and the party who obtained the admission fails to
21 satisfy the court that withdrawal or amendment will prejudice [*such*] **that** party in maintaining
22 [*such*] **that** party's case or [*such*] **that** party's defense on the merits. Any admission made by a
23 party pursuant to this rule is for the purpose of the pending action only, and neither constitutes
24 an admission by [*such*] **that** party for any other purpose nor may be used against [*such*] **that**
25 party in any other action.

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4 with the admissions, denials, or objections and refer to them in the space provided in the
5 request.

6 **F Number.**

7 **F(1) Generally. Excluding requests identified in subsection F(2) of this rule, a [A] party**
8 may serve more than one set of requested admissions [*upon*] **on** an adverse party[,] but the
9 total number of requests shall not exceed 30, unless the court otherwise orders for good cause
10 shown after the proposed additional requests have been filed. In determining what constitutes
11 a request for admission for the purpose of applying this limitation in number, it is intended that
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13 dependent upon or included in another request, and however the requests may be grouped,
14 combined, or arranged.

15 **F(2) Requests related to admissibility of business records. Notwithstanding subsection**
16 **F(1) of this rule, and in addition to any requests made under that subsection, a party may**
17 **serve a reasonable number of additional requests for admission to establish the authenticity**
18 **and admissibility of documents under ORS 40.460(6) (Rule 803(6) of the Oregon Evidence**
19 **Code).**