

Sharing discovery between aligned parties.

Question: Are defendants or third-party defendants with substantial controversies between them required to share their standard discovery allocation for depositions, interrogatories, requests for production, and requests for admission?

Answer: Yes. Standard fact discovery is "per side (plaintiffs collectively, defendants collectively, and third-party defendants collectively.)" URCP 26(c)(5). Substantial controversies between aligned parties may be grounds for seeking extraordinary discovery at the appropriate time.