

1 **Rule 34. Production of documents and things and entry upon land for inspection and other**
2 **purposes.**

3 **(a) Scope.**

4 (a)(1) Any party may serve on any other party a request to produce and permit the requesting
5 party to inspect, copy, test or sample any designated discoverable documents, electronically stored
6 information or tangible things (including writings, drawings, graphs, charts, photographs, sound
7 recordings, images, and other data or data compilations stored in any medium from which information
8 can be obtained, translated, if necessary, by the respondent into reasonably usable form) in the
9 possession or control of the responding party.

10 (a)(2) Any party may serve on any other party a request to permit entry upon designated property
11 in the possession or control of the responding party for the purpose of inspecting, measuring,
12 surveying, photographing, testing, or sampling the property or any designated discoverable object or
13 operation on the property.

14 **(b) Procedure and limitations.**

15 (b)(1) The request shall identify the items to be inspected by individual item or by category, and
16 describe each item and category with reasonable particularity. The request shall specify a reasonable
17 date, time, place, and manner of making the inspection and performing the related acts. The request
18 may specify the form or forms in which electronically stored information is to be produced.

19 (b)(2) The responding party shall serve a written response within 28 days after service of the
20 request. The responding party shall restate each request before responding to it. The response shall
21 state, with respect to each item or category, that inspection and related acts will be permitted as
22 requested, or that the request is objected to. If the party objects to a request, the party must state the
23 reasons for the objection with specificity. Any reason not stated is waived unless excused by the court
24 for good cause. An objection must state by individual item or by category whether any responsive
25 items are being withheld on the basis of that objection. An objection that states the limits that have
26 controlled the search qualifies as a statement that the items have been withheld. The party shall
27 identify and permit inspection of any part of a request that is not objectionable. If the party objects to
28 the requested form or forms for producing electronically stored information—or if no form was
29 specified in the request—the responding party must state the form or forms it intends to use.

30 **(c) Form of documents and electronically stored information.**

31 (c)(1) A party who produces documents for inspection shall produce them as they are kept in the
32 usual course of business or shall organize and label them to correspond with the categories in the
33 request.

34 (c)(2) If a request does not specify the form or forms for producing electronically stored
35 information, a responding party must produce the information in a form or forms in which it is
36 ordinarily maintained or in a form or forms that are reasonably usable.

37 (c)(3) A party need not produce the same electronically stored information in more than one form.

38 Advisory Committee Notes

39 The 2016 amendments to paragraph (b)(2) adopt 1) the specificity requirement in the 2015
40 amendments to Federal Rule of Civil Procedure 34(b)(2)(B), 2) a portion of Federal Rule 34(b)(2)(C)
41 dealing with the basis for an objection to production, and 3) some clarifying language from the federal
42 note.