

Discovery deadlines — Effect of later-added parties on discovery deadlines.

Question: What happens to the discovery deadlines if new parties are added?

Answer: “The days to complete standard discovery are calculated from the date the first defendant's first disclosure is due.” URCP 26(c)(5). This creates a strong incentive for counsel to join all parties from the outset of the litigation.

A defendant joined after the plaintiff's initial disclosures are due must make its own initial disclosures within 28 days after its appearance. URCP 26(a)(2)(A).

When the timing of joinder impairs a party's discovery, that party may seek extraordinary discovery by stipulation or by motion at the appropriate time.