

ACTION: FINAL  
FILED

DATE: 10/07/2002  
08:50 AM

4112-3-12

**Discovery.**

- (A) Rights of discovery. ~~The~~ After issuance of a complaint and receipt of the commission's file by the commission's attorney, the commission and respondent shall both enjoy the same rights of discovery as are provided for in division (B)(3) of section 4112.04 of the Revised Code, and in rules 26 through 37, "Ohio Rules of Civil Procedure."
- (B) Civil rules govern discovery. The "Ohio Rules of Civil Procedure" governing discovery shall be applicable to discovery under this rule, except to the extent that the civil rules by their nature would be inapplicable and except to the extent that Chapter 4112. of the Revised Code provides otherwise, as in division (B)(3) of section 4112.04 of the Revised Code.
- (C) ~~Notwithstanding the above~~ Except as set forth in paragraph (A) above, a hearing examiner or an administrative law judge has inherent power the discretion to control the scope of discovery, including, but not limited to, issuing protective orders on his or her own motion.

Replaces: 4112-3-12

Effective: 10/17/2002

R.C. 119.032 review dates: 8/1/2002 and 08/01/2007

CERTIFIED ELECTRONICALLY

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Certification

10/07/2002 08:50 AM

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Date

Promulgated Under: 119.03  
Statutory Authority: 4112.04(A)(4)

Rule Amplifies: 4112.04, 4112.05  
Prior Effective Dates: 11/4/1971, 11/15/1977,  
7/12/1989