

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

J.D.H., et al.,

Plaintiff(s),

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendant(s).

Case No. 2:13-cv-01300-APG-NJK

ORDER

(Docket No. 84)

Pending before the Court is Defendants’ motion to compel a supplemental response from Plaintiff Maria Hernandez with respect to Interrogatory No. 21. Docket No. 84. Ms. Hernandez filed a response in opposition, and Defendants filed a reply. Docket Nos. 89-90. At issue is a contention interrogatory requiring Ms. Hernandez to identify the duties owed to her from Defendants. Ms. Hernandez responded by indicating “I don’t know specific duties,” and then referring to various duties. Ms. Hernandez argues that response was the best she could provide given deficiencies in the wording of the interrogatory. Defendants respond that the answer is unclear and appears to include duties owed to Ms. Hernandez’s daughter, rather than to Ms. Hernandez herself. Defendants also argue that they are entitled to know the duties underlying Ms. Hernandez’s claims.

The Court finds neither party’s position fully persuasive. In the interest of moving this case forward, the Court will modify the interrogatory as follows: “Identify each obligation and/or duty that you contend the LVMPD owed to you that gives rise to your claims in this case.” Ms. Hernandez shall

1 provide a response to that interrogatory as modified within 7 days of this order. Her response shall
2 clearly identify each duty she contends was breached by LVMPD that gives rise to her claims.

3 The purpose of a contention interrogatory is to clarify a party's contentions underlying her claims
4 (or defenses). If Defendants do not believe the response to the above modified interrogatory suffices
5 to establish a claim, the proper method for raising that challenge is through a motion for summary
6 judgment or some other motion addressed to the merits of the claims. A motion to compel a
7 supplemental or different answer is not the proper vehicle to address arguments that any duties identified
8 by Ms. Hernandez were not actually owed to her.

9 Accordingly, the motion to compel is GRANTED in part. The request for attorneys' fees is
10 DENIED.

11 IT IS SO ORDERED.

12 DATED: October 15, 2015

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Nancy J. Koppe
United States Magistrate Judge