



Discovery Objections Cheat Sheet

Sample

What are discovery objections?

Discovery objections are formal responses challenging improper discovery requests. They protect client privacy, limit abuse, and avoid waiver. Objections allow attorneys to resist demands that violate rules, seek privileged or irrelevant information, or impose undue burden.

Discovery Objections



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Quick-Reference Discovery Objections Chart

Use this page when drafting responses or prepping for a meet-and-confer.

Objection	When to Use It	Applies To	Litigation Tip
Relevance / Outside Scope	Not tied to claims or defenses	Rogs, RFPs, RFAs	Tie relevance to injuries, causation, damages — not general character
Overbroad	No time, topic, or subject limits	Rogs, RFPs	"Any and all" is a red flag
Undue Burden / Expense	Cost or effort outweighs benefit	Rogs, RFPs	Quantify burden when possible
Not Proportional	Marginal value vs. discovery cost	Rogs, RFPs	Pair with a narrower counter-proposal

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Not Proportional	Marginal value vs. discovery cost	Rogs, RFPs	Pair with a narrower counter-proposal
Vague / Ambiguous	Undefined or unclear terms	All	Define “incident,” “injury,” “treatment”
Compound	Multiple subparts in one request	Rogs, RFAs	Common tactic to exceed limits
Privilege (AC / WP)	Legal advice or litigation prep	Rogs, RFPs	Preserve + log properly
Calls for Legal Conclusion	Pure legal determinations	Rogs	Often better narrowed than refused
Speculative / Argumentative	Hypotheticals or assumptions	Rogs	Watch adjuster-intent questions
Calls for Expert Opinion	Requires expert analysis	Rogs	Defer to expert discovery schedule
Cumulative / Duplicative	Repeats prior discovery	Rogs, RFPs	Cite prior Bates ranges
Public / Equally Available	Public records	Rogs, RFPs	Use sparingly — courts vary
No Personal Knowledge	Info unavailable after inquiry	Rogs, RFAs	Must show reasonable investigation
Not in Possession or Control	Docs not accessible	RFPs	Identify likely third-party sources

The “Golden Rules” of Discovery Objections

1. **Object with a purpose.** Objections should protect privilege, enforce scope, and reduce disproportionate burden—not hide the ball.
2. **Be specific (not boilerplate).** Tie the objection to the exact defect (time period, subject matter, custodian, burden, privacy, privilege, etc.).
3. **Be selective.** Don’t stack five weak objections when one strong objection and a reasonable limitation will do.
4. **Answer what you can.** If only part of a request is problematic, respond/produce to the reasonable portion and object to the rest.
5. **Say what you’re withholding.** If you’re withholding responsive material based on an objection, make that clear (and privilege-log when required).
6. **Use current standards.** In federal practice, use relevance + proportionality language—not outdated phrases some lawyers still recycle.
7. **Preserve and document.** Track what you searched, what you produced, and why you limited. It’s your best protection in meet-and-confers and motions.

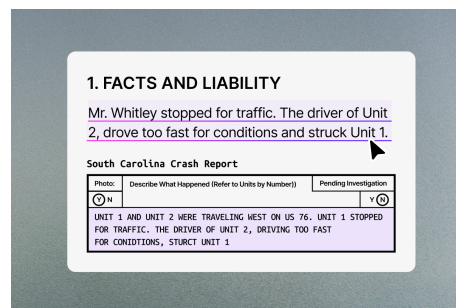
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- Emily West, Paralegal, Springs Law Group



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