

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	H-84-2949
SPRING BRANCH INDEPENDENT	)	
SCHOOL DISTRICT, et al.,	)	
	)	
Defendants.	)	
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REPLY OF UNITED STATES TO DEFENDANTS' RESPONSE  
TO MOTION TO EXTEND THE NUMBER OF INTERROGATORIES

In the United State's Motion to Extend the Number of Interrogatories, filed on August 14, 1986, the United States seeks a waiver of Local Rule 10(E)(4) which imposes a thirty-interrogatory limit on parties. As asserted in the United States' Motion, this action, like many other pattern or practice employment discrimination cases, involves complex factual and legal issues that require extensive discovery, often through the use of interrogatories. The limit imposed by Rule 10(E)(4) would hinder thorough discovery and preparation of this action for trial. Accordingly, both parties regard this action as one in which it is appropriate to waive the limit set forth in Rule 10(E)(4).

In their Response, defendants do not oppose a waiver of the Rule 10(E)(4) limit but they do oppose the United States' Motion "to the extent that it seeks an extension of the number of allowed interrogatories without limit." Defendants assert that in the absence of a limit on the number of interrogatories that can be propounded, "plaintiff could propound 500 interrogatories on defendants."

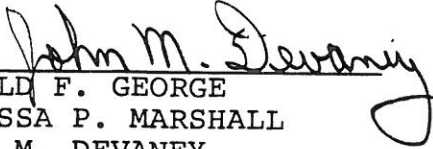
The United States of course has no intention of abusing the discovery process, and it trusts that defendants also do not intend to do so. Without a limit on the number of interrogatories that can be propounded, the parties will be assured of being able to conduct thorough discovery and fully prepare for the trial of this action. At the same time, protection against abuse of the use of interrogatories remains in the form of Rule 26(b)(1), F.R. Civ. P., which directs the court to limit discovery that is unreasonably cumulative or duplicative or unduly burdensome.

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CONCLUSION

For the reasons stated in this Reply and in the United States' Motion to Extend the Number of Interrogatories, the Motion should be granted, and the provisions of Local Rule 10(e)(4) should be waived for this action.

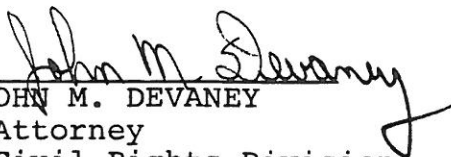
Respectfully submitted,

  
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CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing Reply of the United States to Defendants' Response to Motion to Extend the Number of Interrogatories has been served upon counsel for the Defendants by United States Mail on this 5<sup>th</sup> day of September, 1986, at the following address:

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