

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON**

Matthew Wright v. State of Washington, et al.

Wright · No. C25-416-JNW-MLP · Decided January 27, 2026

OPINION

1 2 3 4 5 UNITED STATES DISTRICT COURT 6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE 7 8 MATTHEW WRIGHT, 9 Plaintiff, Case No. C25-416-JNW-MLP 10 v. ORDER
11 STATE OF WASHINGTON, et al., 12 Defendants. 13 14 This is a 42 U.S.C. § 1983 prisoner
civil rights action. Plaintiff Matthew Wright, 15 proceeding through counsel, is a state prisoner
currently confined at Airway Heights Corrections 16 Center.

Before the Court is Plaintiff’s Motion for Leave to Serve Additional Interrogatories. 17 (Dkt. #
39.) Plaintiff requests leave to serve twenty-five (25) additional interrogatories. (Id. at 18 5-7.) He
contends that additional interrogatories are necessary to identify decision-makers, 19 clarify
chains of approval, and require Defendants to articulate the factual bases for their 20 positions
regarding his transfer from the Monroe Corrections Center and his permanent exclusion 21 from
returning there.

(Id.) 22 Defendants Lawrence Alexander Costa, Christine Gomes, Jason Martin, Ryan Quirk, 23
Jarda Roman, Eric Simpson, Carol Smith, the State of Washington, and the Washington State 1
Department of Corrections oppose the motion. (Dkt. # 41.) They argue that they have already 2
responded to substantial written discovery (25 interrogatories, 81 requests for production, and 39
3 requests for admission) and have produced over 1,300 pages of documents and more than 900 4
emails.

(Id. at 2-4.) They further assert that Plaintiff’s broad discovery requests have imposed 5
significant burdens, including extensive searches that yield large volumes of often irrelevant 6
records containing sensitive third-party information that must be reviewed and redacted. (Id.) 7 In
reply, Plaintiff maintains that, despite the volume of production, Defendants’ 8 responses do not
answer the central questions of who made the challenged decisions, how those 9 decisions were
reached, and why Plaintiff was permanently barred from returning to Monroe.

10 (Dkt. # 43 at 3-7.) Plaintiff, however, does not identify any specific additional interrogatories
he 11 proposes to serve, and he does not provide a particularized explanation tied to each
additional 12 interrogatory requested. (Id.) 13 Rule 33 permits a party to serve “no more than 25
written interrogatories, including all 14 discrete subparts,” unless otherwise stipulated or ordered
by the court.

Fed. R. Civ. P. 33(a)(1). 15 Under Rule 26, a court “must limit the frequency or extent of discovery” where “the discovery 16 sought is unreasonably cumulative or duplicative, or can be obtained from some other source that 17 is more convenient, less burdensome, or less expensive[.]” Fed. R. Civ. P. 26(b)(2)(C).

The 18 numerical limit on interrogatories reflects the recognition that, although interrogatories are a 19 valuable discovery tool, “the device can be costly and may be used as a means of harassment,” 20 and the purpose of the limit “is not to prevent needed discovery, but to provide judicial scrutiny 21 before parties make potentially excessive use of this type of discovery device.” Fed.

R. Civ. P. 22 33, advisory committee notes to 1993 amendments; see also *McGraw v. Dematic Corp.*, 2008 23 WL 819348, at *1 (W.D. Wash. Mar. 26, 2008). 1 “Leave to serve additional interrogatories may be granted to the extent consistent with 2 Rule 26(b)(1) and (2).” Fed. R. Civ. P. 33(a)(1).

The party seeking leave must do more than 3 identify broad subject areas; courts require a persuasive explanation or “particularized showing” 4 why exceeding the limit is necessary. See *Stephenson v. Clendenin*, 2024 WL 2924687, at *1 5 (E.D. Cal. May 14, 2024) (requiring a particularized showing as to why additional discovery is 6 necessary); *Rates Tech., Inc. v. Mediatrix Telecom, Inc.*, 688 F.3d 742, 748 (Fed.

Cir. 2012) 7 (upholding denial where the movant failed to justify the need for additional interrogatories); 8 *Archer Daniels Midland Co. v. Aon Risk Servs., Inc. of Minn.*, 187 F.R.D. 578, 586 (D. Minn. 9 1999) (denying leave where the request was “bereft of any showing” that more interrogatories 10 were required). Some courts have further held that the moving party should submit the proposed 11 interrogatories so that the court can properly evaluate the necessity and proportionality of the 12 additional discovery.

See *Hardy v. Davis*, 2017 WL 445723, at *3 (E.D. Cal. Feb. 2, 2017); 13 *Waterbury v. Scribner*, 2008 WL 2018432, at *8 (E.D. Cal. May 8, 2008). 14 Here, Plaintiff has not provided proposed interrogatories or a specific justification for 15 doubling the Rule 33 limit.

The Motion therefore does not satisfy the “particularized showing” 16 described in these authorities. At the same time, the Court recognizes that this First Amendment 17 retaliation claim centers on internal DOC decision-making—who decided to transfer Plaintiff, on 18 what basis, and why he was barred from returning to Monroe—and that much of this information 19 is in Defendants’ exclusive possession.

Given the importance of these issues and the imbalance 20 in access to relevant information, the Court concludes a limited expansion of written discovery is 21 appropriate. 22 // 23 // 1 For the foregoing reasons, the Court hereby ORDERS: 2 (1) Plaintiff’s Motion for Leave to Serve

Additional Interrogatories (dkt. # 39) is 3 GRANTED in part; 4 (2) Plaintiff may serve up to ten (10) additional interrogatories, including all discrete 5 subparts, and up to five (5) additional requests for production; and 6 (3) The Clerk is directed to send copies of this Order to the parties and to the 7 Honorable Jamal N. Whitehead.

8 Dated this 27th day of January, 2026. 9 10 A 11 MICHELLE L. PETERSON United States
Magistrate Judge 12 13 14 15 16 17 18 19 20 21 22 23