

## **NJ Court Rule 4:10-2: Scope of Discovery**

**Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows:**

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**(d) Trial Preparation; Experts. Discovery of facts known and opinions held by experts, otherwise discoverable under the provisions of R. [4:10-2\(a\)](#) and acquired or developed in anticipation of litigation or for trial, may be obtained only as follows:**

**(1) A party may through interrogatories require any other party to disclose the names and addresses of each person whom the other party expects to call at trial as an expert witness, including a treating physician who is expected to testify and, whether or not expected to testify, of an expert who has conducted an examination pursuant to R. [4:19](#) or to whom a party making a claim for personal injury has voluntarily submitted for examination without court order. The interrogatories may also require, as provided by R. [4:17-4\(a\)](#), the furnishing of a copy of that person's report. **Discovery of communications between an attorney and any expert retained or specially employed by that attorney occurring before service of an expert's report is limited to facts and data considered by the expert in rendering the report. Except as otherwise expressly provided by R. [4:17-4\(e\)](#), all other communications between counsel and the expert constituting the collaborative process in preparation of the report, including all preliminary or draft reports produced during this process, shall be deemed trial preparation materials discoverable only as provided in paragraph (c) of this rule.****