**Section 500.540 Discovery**

a) The following discovery procedures may be ordered by the Hearing Officer upon the Hearing Officer's initiative or upon the written request of any party where necessary to expedite the proceedings, to ensure a clear or concise record, to ensure a fair opportunity to prepare for the hearing, or to avoid surprise at the hearing:

1) production of documents or things;

2) depositions;

3) interrogatories.

b) The Hearing Officer may order the following discovery upon written request of any party:

1) list of persons who may have knowledge of facts concerning the subjects of inquiry at the hearing;

2) reasonable inspection of books, accounts, records and documents by experts.

c) Any person, including a party, who is deposed, interrogated or required to submit documents or things under this Subpart may be examined regarding any matter, not privileged, which is relevant to the subject matter of the hearing, or which may lead to the discovery of such relevant information.

d) All depositions and interrogatories taken pursuant to this Subpart shall be for purposes of discovery only, except as herein provided. Such depositions and interrogatories may be used for purposes of impeachment and as admissions of the deposed or interrogated party. Upon application to the Hearing Officer either before or after the taking of such deposition or interrogatories and upon a showing that at the time of the hearing, the party deposed or interrogated will not be available to participate in the hearing because of death, age, sickness, infirmity, absence from the country or other exceptional circumstances, the Hearing Officer may order that the deposition or interrogatories be used as evidence in the hearing.