

HOUSE No. 4295

By Mr. Flaherty of Boston, petition of the Massachusetts Trial Lawyers Association relative to extending the time for entry of judgment for failure to answer interrogatories or to amend or expunge answers thereto. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT EXTENDING THE TIME FOR ENTRY OF JUDGMENT FOR FAILURE TO ANSWER INTERROGATORIES OR TO AMEND OR EXPUNGE ANSWERS THERETO.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 231 of the General Laws is hereby amended by striking
2 out section 64, as most recently amended by chapter 432 of the
3 acts of 1966 and inserting in place thereof the following
4 section:—

5 *Section 64.* If a party interrogated fails to answer in-
6 terrogatories, or to amend or expunge an answer or part of an
7 answer as ordered, the court may make and enter such order,
8 judgment or decree as justice requires except that judgment shall
9 not be entered because of the failure of the party interrogated to
10 answer interrogatories until thirty days after written notice that
11 the other party has filed a reapplication Massachusetts rules of
12 civil procedure 33(a) for dismissal of the complaint or for entry of
13 judgment, has been sent by the clerk of court to said party
14 interrogated, or his attorney of record.

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