

411.630 Stay of discovery and other proceedings during pendency of motion to dismiss -- Exceptions -- Treatment of documents and other tangible objects during pendency of stay of discovery.

In any action exempted under KRS 411.610, all discovery and other proceedings shall be stayed during the pendency of any motion to dismiss unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party. During the pendency of any stay of discovery pursuant to this section, unless otherwise ordered by the court, any party to the action with actual notice of the allegations contained in the complaint shall treat all documents, data, compilations, including electronically recorded or stored data, and tangible objects that are in the custody or control of that party and that are relevant to the allegations, as if they were the subject of a continuing request for production of documents from an opposing party under the Kentucky Rules of Civil Procedure.

Effective: June 20, 2005

History: Created 2005 Ky. Acts ch. 23, sec. 4, effective June 20, 2005.