

CAUSE NO. 219-_____

_____	§	IN THE DISTRICT COURT
	§	
v.	§	219 TH JUDICIAL DISTRICT
	§	
_____	§	COLLIN COUNTY, TEXAS

JURY TRIAL DISCOVERY CONTROL PLAN AND SCHEDULING ORDER
(Family)

In accordance with Rule 166 and Rule 190 of the Texas Rules of Civil Procedure, the Court makes the following order to control discovery and the schedule of this cause:

() Rule 190.3 (Level 2)

() Rule 190.4 (Level 3)

Date:	<u>JURY TRIAL SETTING:</u> This matter is set for Trial by Jury (“Initial Trial Setting”) on this date at 9:00 a.m. Time for Trial: Each side is limited to 6 hours. If additional time is requested, the parties must seek leave of Court at least 60 days before the Initial Trial Setting. Reset or continuance of the Initial Trial Setting will not alter any deadline established by this Order or established by the Texas Rules of Civil Procedure, unless specifically provided by Rule 11 of the parties or Court Order after motion showing good cause.
Date: Time:	<u>TRIAL ANNOUNCEMENT.</u> Parties must announce ready for trial. Failure to appear for the Trial Announcement will result in dismissal for want of prosecution of any and all claims brought by that party. Prior to the Trial Announcement, each party must exchange and confer on the following: proposed jury charges, witness lists, exhibit lists (including conference on exhibits to be pre-admitted and exchange of demonstrative aids), and designation of the deposition testimony to be offered in direct examination. Except for records to be offered by way of business record affidavits, each exhibit must be identified separately and not by category or group designation. The parties should email the proposed jury charge questions, instructions, and definitions in Word format to the Court Coordinator by Noon on the Friday before the Jury Trial Setting. <u>Pretrial Conference:</u> Pending pretrial motions that require a hearing should be set separately for a pretrial conference with the court coordinator.
30 days from the date of this Order	<u>DESIGNATION OF AGREED MEDIATOR.</u> Parties shall file with the Court their designation of an Agreed Mediator.
60 days before Initial Trial Setting	<u>AMENDED PLEADINGS.</u> Parties shall file with the Court and serve all other parties with any amended pleadings asserting new causes of action or defenses no later than this date. Responses to such Amended Pleadings, including any and all affirmative defenses and/or special exceptions may be filed within two (2) weeks after this deadline. No additional affirmative defenses, inferential rebuttal defenses, or any other defensive theories shall be pled after this date without prior leave of court based upon a showing of good cause or by written Rule 11 agreement of the parties.

30 days before trial	MEDIATION REQUIRED. Parties shall participate in person (and with counsel if represented) and attend mediation.
30 days before trial	DISCOVERY DEADLINE. All discovery shall be completed by this date. Discovery requests must be propounded in adequate time to allow a timely response by the deadline.
30 days before trial	DISPOSITIVE MOTIONS. All dispositive motions (summary judgment, etc.) must be filed, set for hearing, and heard at least thirty (30) days before trial.
90 days before Initial Trial Setting	EXPERT DESIGNATION DEADLINE OF PARTIES SEEKING AFFIRMATIVE RELIEF. If designating an expert, a party seeking affirmative relief shall serve a designation of experts and provide written reports of such experts. Reports shall not be required of any non-retained experts unless the non-retained expert has opinions which have not reasonably been disclosed in business records, in response to a Request for Disclosure, or in deposition testimony.
60 days before Initial Trial Setting	EXPERT DESIGNATION DEADLINE OF PARTIES OPPOSING AFFIRMATIVE RELIEF. If designating an expert, a party opposing affirmative relief shall serve a designation of experts and provide written reports of such experts. Reports shall not be required of any non-retained experts unless the non-retained expert has opinions which have not reasonably been disclosed in business records, in response to a Request for Disclosure, or in deposition testimony.
30 days before trial	MOTIONS TO EXCLUDE EXPERT TESTIMONY. Any objection or motion to exclude or limit expert testimony must be filed, set for hearing, and heard at least thirty (30) days before trial or it is waived.

Signed and Approved on: _____

Judge Jennifer Edgeworth