

CAUSE NO. 401 - \_\_\_\_\_

\_\_\_\_\_  
§ IN THE DISTRICT COURT  
§  
v. § 401<sup>ST</sup> JUDICIAL DISTRICT  
§  
\_\_\_\_\_  
§ COLLIN COUNTY, TEXAS

**BENCH TRIAL DISCOVERY CONTROL PLAN AND SCHEDULING ORDER**

(Family)

The following has been agreed to by the parties and/or ORDERED by the Court:

Rule 190.3 (Level 2)

Rule 190.4 (Level 3)

Date:	<b>BENCH TRIAL SETTING.</b> This matter is set for <b>Trial Before the Court</b> on this date.
Time:	<b>Time for Trial:</b> Each side needs _____ hours. (No more than 2.5 hours per side unless good cause shown. If additional time is requested, the parties must seek leave of the Court at least 60 days before the first Trial before the Court Setting.)  <b>Jury Waiver:</b> By selecting a Trial Before the Court, the Parties waive their right to a Jury Trial. Counsel by signing this discovery control plan represents that s/he has authorization and assent from client to waiver.
10 days prior to first Trial Before the Court Setting	<b>EXPERT CHALLENGES.</b> All expert challenges (Daubert/Dupont) must be filed at least 10 days prior to the first Trial Before the Court setting or they are waived.
30 days prior to first Trial Before the Court Setting	<b>MEDIATION REQUIRED.</b> Parties and their respective attorneys (if represented) shall participate in and attend mediation on or before this date. Failure to participate in mediation is not a basis for continuance of the Trial Before the Court setting. Unless otherwise ordered, the parties shall select a mediator by agreement. The agreed mediator is _____. <i>Parties who fail to mediate are limited to 1 hour per side at Trial Before the Court.</i>
30 days prior to first Trial Before the Court Setting	<b>MOTIONS TO COMPEL.</b> All motions to compel must be filed and heard at least 30 days before the first Trial Before the Court setting. Discovery requests must be propounded in adequate time to allow a timely response by the deadline.
30 days prior to first Trial Before the Court Setting	<b>DISPOSITIVE MOTIONS.</b> All dispositive motions (summary judgment, etc.) must be filed, set for hearing, and heard at least 30 days before the first Trial Before the Court setting.
Level 3 Additions	For <b>all Level 3 cases</b> , please also complete the following:  Deadline for filing and serving <b>amended pleadings</b> : _____ <b>Responses to amended pleadings</b> , including and any all affirmative defenses and/or special exceptions may be filed within 2 weeks after this deadline.

	<p><b>All discovery shall be completed by:</b> _____ Discovery requests must be propounded in adequate time to allow a timely response by the deadline.</p> <p>Limits for <b>depositions:</b> _____ per side</p> <p><b>Expert designation</b> deadline of parties <b>seeking affirmative relief:</b> _____</p> <p><b>Expert designation</b> deadline of parties <b>opposing affirmative relief:</b> _____</p> <p><b>Other terms:</b> _____ _____ _____</p>
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\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Other

\_\_\_\_\_  
Respondent

Signed and approved on: \_\_\_\_\_

\_\_\_\_\_  
JUDGE KIMBERLY M. LASETER

*In the event you have been unable to get opposing counsel or party to sign this Order or agree to a trial before the court date or mediator, please explain that in writing and submit it to the Court along with this Order.*