CAUSE NO. _____

	§	**DISTRICT COURT**
_____	§	
	§	**416TH JUDICIAL DISTRICT**
_____	§	
	§	
_____	§	**COLLIN COUNTY, TEXAS**

JURY TRIAL DISCOVERY CONTROL PLAN AND SCHEDULING ORDER

The following was agreed by the parties and/or ORDERED by the Court:

❑   Check this box for a **Level 1 Discovery** Control Plan pursuant to the Texas Rules of Civil Procedure

❑   Check this box for a **Level 2 Discovery** Control Plan pursuant to the Texas Rules of Civil Procedure

❑   Check this box for a **Level 3 Discovery** Control Plan **AND** complete items 1-7 below:

1. The deadline for filing **amended pleadings** is _____

2. The deadline for filing **special exceptions** to pleadings is _____

3. All **discovery** shall be completed by _____

4. Limits for **depositions**: _____

5. Limits on **interrogatories** and **requests for production**: _____

6. **Designations of experts:** the party seeking affirmative relief on an issue shall provide a designation of its testifying experts by _____; the party not seeking affirmative relief on an issue shall provide a designation of its testifying experts by _____

7. Other terms: _____

▪ All **dispositive motions** (summary judgment, plea to jurisdiction, plea in abatement, etc.) must be filed and heard at least 30 days before trial.

▪ **Discovery requests** must be propounded in adequate time to allow a timely response by the deadline.

▪ Any expert not properly designated will not be permitted to testify. A designation includes the subject matter and opinions to be offered by the expert.

▪ <mark>This case is set for a **Formal Pre-Trial Conference** on _____ at 9:00 a.m.</mark>

1. All **pre-trial motions** (motions in limine, etc.) shall be filed at least 10 days before the formal pre-trial conference and will be heard at the formal pre-trial conference. **The Court will not hear pre-trial motions on the day of jury selection without prior leave of court.**

2. Unless good cause is shown, all **"Daubert/Dupont" expert challenges** shall be heard no later than the formal pre-trial, and written objections must be on file at least 10 days before hearing.

3. Each party is **must** produce the following **at** the pre-trial conference:

   o Proposed **jury charges** (instructions, definitions, and questions) emailed in **editable** Word format to the court coordinator.

   o Completed **witness lists** and **exhibit lists**.

   Samples at http://www.collincountytx.gov/district_courts/Pages/416dc.aspx

- o **All exhibits <u>pre-marked</u>** for identification (for the purpose of stipulating to the authenticity and admissibility of exhibits). The Court prefers descriptive marking, for example "H-1" for husband's exhibits or "M-1" for mother's exhibits, as appropriate.

- o **A concise trial summary**: State each separate cause of action including each element of each cause of action and/or defense; and, if appropriate, a precise legal standard for measure of damages. This summary is intended to be an aid for the Court and should be limited to one page.

- ▪ **Mediation** is required in <u>**ALL**</u> cases. Mediation is/was on _____ with _____
  ==*(Client/Party attendance is required. Parties who fail to mediate are limited to 1 hour per side at trial)*==
  Tex. Gov't Code Ch. 36: If court-appointed, the mediator is approved for up to 8 hours of mediation at a compensation of up to $3,000. Any time and fees beyond that are by agreement of the parties and not subject to the reporting requirements of Ch. 36.

- ▪ **Time Required for Trial.** Each side requests _____ hours per side.
  ==*(no more than 6 hours per side without leave of court)*==

- ▪ This matter is set for a <u>**JURY TRIAL**</u> on _____ at 9:00 a.m.

    Signed and approved on _____

    _____
    JUDGE ANDREA THOMPSON

_____
Petitioner

_____
Respondent

==***If you cannot get an opposing counsel or party to sign this order or agree to a trial date, please explain your efforts in writing and submit to the Court along with your proposed scheduling order.***==

_____
Other