CAUSE NO. _____

_____   IN THE 469ᵀᴴ JUDICIAL

V.   DISTRICT COURT OF

_____   COLLIN COUNTY, TEXAS

DISCOVERY CONTROL PLAN AND SCHEDULING ORDER

The following was **agreed and stipulated** by the parties **AND/OR** Ordered by the Court:

a. This is a **Discovery Control Plan for Level   1   2   3**   or Family Code (Circle One)
    Parts a(1) through a(6) to be completed for Level 3 cases only.
    1. **Amended Pleadings.** The deadline for filing amended pleadings is _____.
    2. **Special Exceptions.** The deadline for filing exceptions to pleadings is_____.
    3. **Discovery.** All discovery shall be completed by _____.
        Discovery requests shall be served or filed, as appropriate, in sufficient time to allow for a timely response to such discovery requests to be served or filed by the discovery deadline.
    4. Time Limits for **Depositions**: _____.
    5. Limitations on **Interrogatories and Requests for Production**_____.
    6. **Deadline for Designations of Experts.** Plaintiff/Petitioner shall file a designation of its testifying experts by _____. Defendant/Respondent shall file a designation of its testifying experts by _____.

b. All "Daubert/Dupont" expert challenges must be on file at least 10 days before hearing. If set for a Jury Trial, these challenges shall be heard no later than the formal pre-trial conference.

c. **Dispositive Motions** (Summary Judgments, Plea to Jurisdiction, Plea in Abatement, etc.). All dispositive motions shall be filed and heard by _____.

d. **Mediation.** <mark>Mediation is required in all cases.</mark> (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

e. **Jury Trials Only - Formal Pre-Trial Conference.** This case is set for formal pre-trial on _____at **1:30 p.m**. Each party is directed to produce the following at the Formal Pre-Trial Conference:
    1) A concise trial summary as follows: State each separate cause of action and/or defense; each element of each cause of action and/or defense; if appropriate, a precise legal standard for measure of damages. Please be as brief and concise as possible. This summary is intended to be an aid for the Judge and staff, and should be limited to one page if possible.
    2) Proposed jury charges in hardcopy and via computer disk and/or email in Word format to Court Coordinator.
    3) All documentary evidence and exhibits (for the purpose of stipulating to the authenticity and admissibility of exhibits).
    4) Each party shall be prepared to consider such other matters as may aid in the disposition of the case, including any matter raised pursuant to Rule 166a. All pre-trial motions (Motions in Limine, etc.) shall be filed 10 days before the formal pre-trial conference and will be heard at the formal pre-trial conference.

f. **Time Required for Trial.** Each side needs <mark>_____</mark> hours per side. (no more than 5 hours per side on jury trials and 2.5 hours per side on non-jury trials without leave of court). Additional time would need to be pre-approved by Judge McCraw.

g. **Jury Trial.**   This matter is set for **Jury Trial** on _____ at 9:00 a.m.

h. **Bench Trial.** This matter is set for a **Trial Before the Court** on_____ at 9:00 a.m.

<mark>Mediation is required in all cases and must be completed prior to the trial date. Failure to mediate prior to the trial date is NOT an automatic ground for continuance. Mediation must occur within 6 months of the trial.</mark> (Parties who fail to mediate prior to the trial date are limited to 1 hour per side at trial.)

<mark>Motions for Continuance are to be filed and ruled on prior to the trial date absent an extenuating circumstance. Otherwise, you are expected to appear at the trial setting.</mark>

Signed and approved on _____.

_____
JUDGE PIPER MCCRAW

_____ Plaintiff/Petitioner

_____ Defendant/Respondent

➡ ***In the event you have not been able to get opposing counsel/party to sign this Order or agree to a trial date, please explain that in writing and submit it to the Court along with this Order.***