

NO. _____

VS.

IN THE 219TH JUDICIAL
DISTRICT COURT OF
COLLIN COUNTY, TEXAS

DISCOVERY CONTROL PLAN AND SCHEDULING ORDER

BE IT REMEMBERED that pretrial conference was held in the above cause pursuant to a request to a request by the Court previously notifying the parties that an informal conference would be held prior to a trial setting in this matter. The following parties and/or attorneys were present or agreed to this Order:

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

A)

1. Amended Pleadings. The deadline for filing amended pleadings is

(DATE): _____

2. Special Exceptions. The deadline for filing exceptions to plead is

(DATE): _____

3. Discovery. All discovery shall be completed by (Date): _____

4. Time Limits for Depositions: _____

5. Limitations on Interrogatories: _____

6. Limitations on Requests for Production: _____

7. Other Limitations: _____

8. Deadline for Designations of Experts. Plaintiff shall file a designation of its testifying experts by (date): _____

B) All “Daubert/Dupont” challenges shall be heard at the formal pretrial conference or at a time set by the Court prior to the trial. Such objections shall be in writing and filed at least 10 days before the formal pretrial conference. The procedure

for the hearing will be specified by the Court after considering the objection and the circumstances of the challenge.

C) **Dispositive Motions** (Summary Judgments, Plea to Jurisdiction, Plea in abatement, etc.) All dispositive motions shall be filed and heard by (Date):

D) **Mediation.** Mediation is required. Mediation is/was on _____ with _____. (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) **Formal Pre-Trial Conference.** This case is set for formal pre-trial on (Court Coordinator will set - leave blank) _____

Each party is directed to complete the **attached pretrial information sheets and produce the following** at the Pre-Trial Conference.

- 1) A concise trial summary as follows: State each separate cause of action and/or defense; each element of each of each action and/or defense; if appropriate, a precise legal standard for measure of damages. Please be as brief and concise as possible. No formal headings or styles are required. Reference to case law and statute may be included.
- 2) A list of anticipated witnesses, including the subject of, and estimated length of testimony.
- 3) In a Jury Trial, proposed jury instructions and issues should be e-mailed to the court in Word, prior to the start of trial.
- 4) In a Bench Trial, proposed findings of fact and conclusions of law should be e-mailed to the court in Word, prior to the start of trial.
- 5) All documentary evidence and exhibits. Produce all exhibits to the court reporter **pre-marked for identification**, and to be prepared to consider stipulations as the authenticity of exhibits.

F) **Other:** _____

G) 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 pretrial conference and will be heard at the formal pretrial conference. **The court will not hear pre-trial motion on the day of jury selection, without obtaining prior leave of Court.**

H) **Time Required for Trial.** Each side needs _____ minutes/hours per side.

I) **Jury Trial.** This matter is set for jury trial on _____.

J) **Bench Trial.** This matter is set for a trial before the Court on _____.

Signed and approved this date and time _____.

Judge Scott J. Becker
Judge Presiding

_____ Plaintiff/Petitioner

_____ Defendant/Respondent

_____ Other

COURT REPORTER CIVIL PRETRIAL INFORMATION

To facilitate the most efficient use of time in the presentation of your trial, please provide the following information for your respective party(s):

Cause No. _____

_____ Vs. _____

Scheduled Trial Date: _____

Name of Law Firm: _____

Address: _____

Phone: _____ Fax: _____

Attorney: _____ Bar Card #: _____

Paralegal: _____ E-mail: _____

Name of Law Firm: _____

Address: _____

Phone: _____ Fax: _____

Attorney: _____ Bar Card #: _____

Paralegal: _____ E-mail: _____

- List of names of your potential witnesses (Note: If you are planning to call expert witnesses, it would be helpful to know their area of expertise and where possible, to have a list of specialized terms. For example, a copy of a condensed list of keywords from a deposition transcript.)
- List of all pre-marked exhibits with a party designation, number, and brief description. If there is a crossclaim filed, please use proper name designations (i.e., Smith Exhibit 1) rather than a generic "Plaintiff Exhibit" or "Defendant Exhibit".
- If you have audio/videotape items that could possibly be displayed in court, please make a copy available to give to the reporter.
- Please provide an 8.5 by 11 copy of any oversized exhibits.

Dropbox Guidelines

- **At the time of PRE-TRIAL** the court will ask you how much time you anticipate your trial will need, hours are typically set up as follows:

1 Day = 6 hours; each side has 3 hours

- Witness List – Word or PDF
- Exhibit List – Word or PDF
- Jury Charge – Word Only
- Exhibits – PDF and Labeled
- Pictures – PDF
- No Audio or Video
- Exhibits to be given to Court Reporter in 8x11 regardless of trial size due to storage restraints
- Any deposition or video that will be presented during the trial will need to be submitted already officially transcribed and in an electronic format to the court reporter marked as a **Record Only Exhibit**.
- Deadline for Dropbox is before trial begins