

CAUSE NO. \_\_\_\_\_

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DISTRICT COURT  
470<sup>TH</sup> 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 2 Discovery** Control Plan pursuant to the Texas Rules of Civil Procedure

**-OR-**

Check this box for a **Level 3 Discovery** Control Plan and complete the below items:

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.
  - This case is set for a **Formal Pre-Trial Conference** on \_\_\_\_\_.
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:
    - Proposed **jury charges** (instructions, definitions, and questions) emailed in **editable** Word format to the court coordinator.
    - Completed **witness lists** and **exhibit lists**.
    - **All exhibits pre-marked** 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.

- A trial summary for **any cause of action outside the Family Code**, including each element of each cause of action and 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 **ALL** cases. Mediation is/was on \_\_\_\_\_ with \_\_\_\_\_  
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 needs \_\_\_\_\_ hours per side.  
(no more than 4 hours per side without leave of court)
- This matter is set for a **JURY TRIAL** on \_\_\_\_\_ at 9:00 a.m.

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

\_\_\_\_\_  
JUDGE EMILY MISKEL

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Other

***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.***