

CAUSE NO. 219-\_\_\_\_\_

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

**JURY TRIAL DISCOVERY CONTROL PLAN AND SCHEDULING ORDER**  
(Family)

Unless otherwise ordered, discovery in this case will be controlled by:  
( ) Rule 190.3 (Level 2) ( ) Rule 190.4 (Level 3)

Date:  9:00 a.m.	<b><u>JURY TRIAL SETTING:</u></b> This matter is set for Trial by Jury on this date at 9:00 a.m.  <b>Time required for Trial:</b> Each side needs _____ hours per side. <i>(No more than 6 hours per side without leave of court)</i>
Date:  Time:	<b><u>FORMAL PRE-TRIAL CONFERENCE (Court will set).</u></b> A pre-trial conference shall be held on this date. Parties are encouraged to meet and confer prior to this date to determine agreed exhibits, deposition designations, and motions in limine.  Each party is directed to produce the following at the pre-trial conference: (1) All <b>pre-trial motions</b> (motions in limine, etc.) shall be filed at least <b>10 days</b> before the formal pre-trial conference and will be heard at the formal pre-trial conference. The court will not hear pretrial motions on the day of jury selection without prior leave of court. (2) Unless good cause is shown, all <b>Daubert/Dupont expert challenges</b> shall be heard no later than the formal pre-trial, and written objections must be on file at least <b>10 days</b> before hearing. (3) Each party must produce the following at the pre-trial conference: a. Proposed jury charges (instructions, definitions, and questions) emailed in editable Word format to the Court Coordinator. b. Completed witness lists and exhibit lists. c. All exhibits must be pre-marked for identification (for the purpose of stipulating to the authenticity and admissibility of exhibits). The Court prefers descriptive markings, for example “H-1” for husband’s exhibits or “M-1” for mother’s exhibits, or the person’s initials for exhibits, where appropriate. d. 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 Required	<b><u>MEDIATION REQUIRED.</u></b> The parties and their attorney shall participate in person and attend mediation of the case on or before this date. Unless otherwise ordered by the Court, <b>the parties shall select a mediator by agreement.</b> The agreed mediator in this case is: _____ Phone/Email: _____ <i>Tex. Gov’t Code Ch. 36: If court-appointed, the mediator is approved for up to 8 hours at a fee of no more than \$3,000 to be paid by the parties. Any additional time/fees are by agreement of the parties and not subject to reporting by the court.</i>
30 days before trial	<b><u>DISPOSITIVE MOTIONS.</u></b> All dispositive motions (summary judgment, plea to the jurisdiction, plea in abatement, etc.) must be filed at least thirty (30) days before trial.

**IF THIS IS A LEVEL 3 CASE**, also complete (a) – (f) below:

<p>_____</p> <p>(Date)</p>	<p><b>a. AMENDED PLEADINGS.</b> Parties shall file with the Court and serve all other parties with any amended pleadings asserting new causes of action or defenses no later than this date.</p> <p><b>Responses to such Amended Pleadings</b>, including any and all affirmative defenses and/or special exceptions may be filed within two (2) weeks after this deadline. No additional affirmative defenses, inferential rebuttal defenses, or any other defensive theories shall be pled after this date without prior leave of court based upon a showing of good cause or by written Rule 11 agreement of the parties.</p>
<p>_____</p> <p>(Date)</p>	<p><b>b. DISCOVERY DEADLINE. All discovery shall be completed by this date.</b> Any <b>motion to compel responses</b> to discovery must be filed no later than 14 (fourteen) days after the discovery deadline or such complaint is waived, except for the sanction of exclusion under Rule 193.6.</p> <p>Discovery requests must be propounded in adequate time to allow a timely response by the deadline.</p>
<p>_____</p> <p>(Number of depositions per side)</p>	<p><b>c. LIMITS FOR DEPOSITIONS.</b> The parties agree that each side may take this many depositions.</p>
<p>_____</p> <p>(Date)</p>	<p><b>d. EXPERT DESIGNATION DEADLINE OF PARTIES SEEKING AFFIRMATIVE RELIEF.</b></p>
<p>_____</p> <p>(Date)</p>	<p><b>e. EXPERT DESIGNATION DEADLINE OF PARTIES OPPOSING AFFIRMATIVE RELIEF</b></p>
<p>_____</p>	<p><b>f. OTHER TERMS:</b></p>

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

\_\_\_\_\_ Judge Jennifer Edgeworth

\_\_\_\_\_  
 Petitioner’s Counsel or  
 Self-Represented Petitioner

\_\_\_\_\_  
 Respondent’s Counsel or  
 Self-Represented Respondent