

CAUSE NO. 401-_____

vs. _____

§ IN THE DISTRICT COURT
§ 401st JUDICIAL DISTRICT
§ COLLIN COUNTY, TEXAS

DOCKET CONTROL ORDER
(Expedited Actions Under TRCP 169)

In accordance with Rules 47, 169, 166, 190, 191, and 194 of the Texas Rules of Civil Procedure, the Court makes the following Order to control discovery and the schedule of this cause.

IT IS ORDERED that Plaintiff must immediately send a copy of this Order by TCRP 21a authorized method to each and every party answering or otherwise appearing in this case after the date this order is signed.

Discovery in this case will be controlled by TRCP 190.2 (Level 1). Pursuant to TRCP 194, initial disclosures by plaintiff and defendant shall be made in accordance with that Rule within 30 days after the Defendant has filed its answer. The Discovery Period begins when the Initial Disclosures are due and ends 180 days later (the "Discovery Deadline").

TRIAL: The trial of this cause is set _____ before the Court (Bench Trial) or _____ before the Jury on _____ (the Original Trial Date) at 9:00 A.M. If a jury fee is paid and a jury trial requested after this Order is entered, the trial will be reset to Monday of the next civil jury week on the Court's calendar automatically. The setting is for a two week rolling docket beginning on the date set for trial. You may be called to trial at any time during the two week rolling docket upon 24 hours' notice. If the case is not assigned by the second Friday following the date set for trial, the case will be reset to a new trial date. Trial limits are 3 hrs/side/TBC (1 ½ hrs/side if no mediation) and 6 hrs/side/jury (3 hrs/side if no mediation), unless otherwise approved by the Court in advance upon good cause shown.

MEDIATION DEADLINE. 30 days before the **Original Trial Date**. Mediation is not required. Any mediation must be concluded and the Court notified no later than the Mediation Deadline.

PLEADING DEADLINE. 90 days before the **Original Trial Date**. All amendments and supplements to pleadings must be filed by this date.

DISCOVERY RESPONSES. 30 days before the **Original Trial Date**. By no later than this date, all written discovery responses must be due, all responses and supplements must be completed, and all depositions must be completed, read, and signed.

DISPOSITIVE MOTIONS. 30 days before the **Trial Date**. All dispositive motions shall be set for a submission date which is no later than this date.

MOTIONS FOR CONTINUANCE. 14 days before the **Trial Date**. All Motions for Continuance of a scheduled trial date must be filed by this deadline, except in exigent circumstances, and will be considered by the Court without submission or a hearing if agreed. No more than two motions for continuance (total) will be granted for a combined total of no more than 60 days (TRCP 169(d)(2)).

PRE-TRIAL FILINGS. 30 days before the Trial Date. 30 days before the Trial Date, the parties shall:

1. **Jointly file with the Court the Joint Notice**, being one-page which states: (a) whether they are ready, (b) estimated length of trial, (c) whether a formal pre-trial conference is required and why (a pre-trial conference will be held during the hour before trial; only request a formal pre-trial if more time is required), (d) whether there are pending motions and, if so, which ones, and (e) any special accommodations for the presentation of the case, including issues pertaining to availability of counsel or witnesses.
2. **Exchange With Each Other and File:**
 - a. **Exhibit List.** All Exhibits to be offered at trial shall be pre-marked and identified by exhibit number on the list, with the exhibits themselves served on all other parties but not filed. Objections to authentication of an exhibit must file and served within seven (7) days after the exhibit is provided. Failure to object shall be an admission as to an exhibit's authenticity. All agreed exhibits shall be admitted into evidence at the beginning of trial.
 - b. **Witness List.** All witnesses who are anticipated to be called to testify at trial shall be listed, including experts.
 - c. **Motions in Limine.**
 - d. **Proposed Jury Charge.** If a jury trial, a proposed Jury Trial shall be filed and e-mailed (in Word format) to the Court Coordinator.
 - e. **Proposed Findings of Fact/Conclusions of Law.** If a bench trial, proposed FF/CL shall be filed and e-mailed (in Word format) to the Court Coordinator.

IF A JOINT NOTICE IS NOT TIMELY FILED OR IS NOT JOINT, the Court will presume that the offending party(ies) have no further interest in pursuing or defending the matter, as the case might be, and will dispose of the suit by dismissal for want of prosecution and/or finding an abandonment of claims or defenses pursuant to Tex. R. Civ. Proc. 165 and 165a.

PRE-TRIAL CONFERENCE. Wednesday or Thursday before trial. A pre-trial conference may be set on the Court's own motion or upon the parties' request (see Joint Notice).

CALCULATION OF DEADLINES. The Pleading and Discovery Deadlines are set by rule and/or are measured from the Original Trial Setting, unless altered or extended by Court Order. All other Deadlines set forth in this Order are calculated from the Trial Date as actually set.

Signed on _____

George B. Flint, Presiding Judge