

CAUSE NO. 401-_____

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

JURY TRIAL DISCOVERY CONTROL PLAN AND SCHEDULING ORDER
(Family)

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 must include all information required by the rules.
- This case is set for a **Formal Pre-Trial Conference** on _____ at _____, __.m.
 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 the hearing.
 3. Each party **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** present and 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. The parties and their attorney shall participate in person and attend mediation of the case on or before _____. The agreed (if not agreed, ordered) mediator is _____. 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.
- **Time Required for Trial.** Each side needs _____ hours per side. (*no more than 6 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 _____

 GEORGE B. FLINT, JUDGE PRESIDING

 Petitioner

 Respondent

 Other

If you cannot get an opposing counsel or party to sign this order or agree to a trial date, please file a letter describing your efforts and submit your proposed scheduling order to the court.