

CAUSE NO. _____

§
§
§
§
§

DISTRICT COURT
416TH 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 1 Discovery** Control Plan pursuant to the Texas Rules of Civil Procedure
- Check this box for a **Level 2 Discovery** Control Plan pursuant to the Texas Rules of Civil Procedure
- Check this box for a **Level 3 Discovery** Control Plan **AND** complete items 1-7 below:
 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 all information required by the rules.
- **This case is set for a Formal Pre-Trial Conference on _____ at 1:30 p.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 hearing.
 3. Each party **must** produce, exchange **and** review the following **before** the pre-trial conference:
 - Proposed **jury charges** (instructions, definitions, and questions) emailed in **editable** Word format to the OP and court coordinator **WITHOUT** footnotes, PJC references, citations.
 - Completed **witness lists** and **exhibit lists**.

Samples at http://www.collincountytx.gov/district_courts/Pages/416dc.aspx

- **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 concise trial summary:** State each separate cause of action including each element of each cause of action and/or 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 _____
(Client/Party attendance is required. Parties failing to mediate receive no more than 2 hours/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.

▪ **Time Requested for Trial.** Each side requests _____ 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 _____

 JUDGE ANDREA THOMPSON

 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.