

v.

**DISCOVERY CONTROL PLAN AND SCHEDULING ORDER**

The following was **agreed and stipulated** to by the parties **and/or** ordered by the Court:

- a. This is a **Discovery Control Plan for Level 1 2 3** or Family Code (Circle One) **Parts a(1) through a(7) to be completed for Level 3 cases only.**
  - 1. **Amended Pleadings.** The deadline for filing amended pleadings is \_\_\_\_\_.
  - 2. **Special Exceptions.** The deadline for filing exceptions to pleadings is \_\_\_\_\_.
  - 3. **Discovery.** All discovery shall be completed by \_\_\_\_\_.  
**Discovery requests shall be served or filed, as appropriate, in sufficient time to allow for a timely response to such discovery requests to be served or filed by the discovery deadline.**
  - 4. Time Limits for **Depositions:** \_\_\_\_\_.
  - 5. Limitations on **Interrogatories:** \_\_\_\_\_.
  - 6. Limitations on **Requests for Production:** \_\_\_\_\_.
  - 7. **Deadline for Designations of Experts.** Plaintiff/Petitioner shall file a designation of its testifying experts by \_\_\_\_\_.  
Defendant/Respondent shall file a designation of its testifying experts by \_\_\_\_\_.
- b. **All "Daubert/Dupont" challenges shall be heard no later than the formal pre-trial conference and must be on file at least 10 days before hearing.**
- c. **Dispositive Motions** (Summary Judgments, Plea to Jurisdiction, Plea in Abatement, etc.) shall be filed and heard by \_\_\_\_\_.
- d. **Mediation.** Mediation is encouraged and may be ordered unless a party certifies to the Court in writing that mediation would not in all likelihood result in a settlement.
- e. **Formal Pre-Trial Conference** (Jury Trials only). Formal pre-trial conference is set on (Wednesday before the week of trial \_\_\_\_\_ at **9:00 a.m.**  
Each party is directed to produce the following at the Pre-Trial Conference:
  - 1) A concise trial summary: State each separate cause of action and/or defense; each element of each cause of action and/or defense; and, if appropriate, a precise legal standard for measuring damages; limit to one page, if possible.
  - 2) Proposed jury charges via email in Word format to the Court Coordinator (acabala@co.collin.ts.us).
  - 3) Completed Witness and Exhibit Lists.
  - 4) All documentary evidence and exhibits (for the purpose of stipulating to the authenticity and admissibility of exhibits).
- f. Each party shall be prepared to consider such other matters as may aid in the disposition of the case, including any matter raised pursuant to TRCP 166a. All pre-trial motions must be filed 10 days before the formal pre-trial conference and will be heard at the formal pre-trial conference.
- g. **Time Required for Trial.** Each side needs \_\_\_\_\_ hours per side.
- h. **Jury Trial.** This matter is set for jury trial on \_\_\_\_\_ at 9:00 a.m.
- i. **Bench Trial.** This matter is set for a trial before the Court on \_\_\_\_\_ at 9:00 a.m.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE PRESIDING

\_\_\_\_\_  
Plaintiff/Petitioner (or Attorney)

\_\_\_\_\_  
Defendant/Respondent (or Attorney)