

CAUSE NO. \_\_\_\_\_

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DISTRICT COURT  
470<sup>TH</sup> JUDICIAL DISTRICT  
COLLIN COUNTY, TEXAS

**BENCH 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 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 testifying experts by \_\_\_\_\_; the party not seeking affirmative relief on an issue shall provide a designation of its testifying experts by \_\_\_\_\_
  7. All **dispositive motions** (summary judgment, plea to jurisdiction, plea in abatement, etc.) shall be filed and heard by \_\_\_\_\_
- **Discovery requests** must be propounded in adequate time to allow a timely response by the deadline.
- Unless good cause is shown, all **“Daubert/Dupont” expert challenges** must be on file at least 10 days before hearing/trial.
- **Mediation** is required in ALL cases. Mediation is/was on \_\_\_\_\_ with \_\_\_\_\_  
*(Parties who fail to mediate are limited to 1 hour per 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.
- **Bench Trial.** This matter is set for a **Trial Before the Court** on \_\_\_\_\_ at 9:00 a.m.
- **Time Required for Trial.** Each side needs \_\_\_\_\_ hours per side.  
*(no more than 2.5 hours per side without leave of court)*

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

\_\_\_\_\_  
JUDGE EMILY MISKEL

\_\_\_\_\_  
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.**