

NO. _____

VS.

IN THE 219th JUDICIAL
DISTRICT COURT OF
COLLIN COUNTY, TEXAS

DISCOVERY CONTROL PLAN AND SCHEDULING ORDER

BE IT REMEMBERED that a pretrial conference was held in the above cause pursuant to a request by the Court previously notifying the parties that an informal conference would be held prior to a trial setting in this matter. The following parties and or attorneys were present or agreed to this Order:

The following was **agreed and stipulated** by the parties **AND/OR** Ordered by the Court:

a.

1. **Amended Pleadings.** The deadline for filing amended pleadings is (Date): _____
2. **Special Exceptions.** The deadline for filing exceptions to plead is (Date): _____
3. **Discovery.** All discovery shall be completed by (Date): _____
4. Time Limits for **Depositions:** _____
5. Limitations on **Interrogatories:** _____
6. Limitations on **Requests for Production:** _____
7. Other Limitations: _____
8. **Deadline for Designations of Experts.** Plaintiff shall file a designation of its testifying experts by (Date): _____
Any Expert not designated shall not be permitted to testify. A designation shall include the subject matter and opinions to be offered by the expert.

b. All “Daubert/Dupont” challenges shall be heard at the formal pretrial conference or at a time set by the Court prior to the trial. Such objections shall be in writing and filed at least 10 days before the formal pretrial conference.

The procedure for the hearing will be specified by the Court after considering the objection and the circumstances of the challenge.

c. **Dispositive Motions** (Summary Judgments, Plea to Jurisdiction, Plea in abatement, etc.). All dispositive motions shall be filed and heard by (Date): _____

d. **Mediation.** Mediation is required. Parties may submit an agreed written order designating their own mediator within ten (10) days. If an agreed order is not submitted within ten (10) days, the case shall be mediated with a mediator appointed by the Court and the attached mediation order shall govern the case.

e. **Formal Pre-Trial Conference.** This case is set for formal pre-trial on (Court Coordinator will set – leave blank) _____

Each party is directed to complete the **attached pretrial information sheets and produce the following** at the Pre-Trial Conference.

- 1) A concise trial summary as follows: State each separate cause of action and/or defense; each element of each cause of action and/or defense; if appropriate, a precise legal standard for measure of damages. Please be as brief and concise as possible. No formal headings or styles are required. Reference to case law and statute may be included.
- 2) A list of anticipated witnesses, including the subject of, and estimated length of testimony.
- 3) In a Jury Trial, proposed jury instructions and issues in hardcopy, and if possible, produce a computer disk.
- 4) In a Bench Trial, proposed findings of fact and conclusions of law in hardcopy, and if possible, produce a computer disk.
- 5) All documentary evidence and exhibits. Produce all exhibits to the court reporter **pre-marked for identification**, and to be prepared to consider stipulations as to the authenticity and admissibility of exhibits.

f. **Other:**

g. 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 Rule 166a. All

Pre-Trial motions (Motions in Limine, etc.) shall be filed 10 days before the formal pretrial conference and will be heard at the formal pretrial conference. **The court will not hear pre-trial motions on the day of jury selection, without obtaining prior leave of Court.**

h. **Time Required for Trial.** Each side needs _____ minutes/hours per side.

i. **Jury Trial.** This matter is set for jury trial on _____.

j. **Bench Trial.** This matter is set for a trial before the Court on _____.

Signed and approved this _____ day of _____, 20____.

Judge Scott J. Becker, Judge Presiding

_____ Plaintiff/Petitioner

_____ Defendant/Respondent

_____ Other