

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

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IN THE DISTRICT COURT  
470<sup>TH</sup> 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 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 deadlines for filing **amended pleadings** and **special exceptions** are \_\_\_\_\_
2. All **discovery** shall be completed by \_\_\_\_\_
3. Limits for **depositions, interrogatories, and requests for production**: \_\_\_\_\_  
\_\_\_\_\_
4. **Testifying expert disclosures**: the party seeking affirmative relief on an issue shall provide  
testifying expert disclosures by \_\_\_\_\_  
each other party shall provide testifying expert disclosures by \_\_\_\_\_
5. **Pretrial disclosures** must be exchanged by: \_\_\_\_\_
6. Other terms: \_\_\_\_\_

- All objections or complaints about **initial disclosures** must be filed at least 30 days before trial or they are waived.
  - **Discovery requests** must be propounded in adequate time to allow a timely response by the deadline.
  - Any expert not properly disclosed will not be permitted to testify. A testifying expert disclosure must include all information required by the rules.
  - All **dispositive motions** (summary judgment, plea to jurisdiction, plea in abatement, etc.) must be filed and heard at least 30 days before trial.
  - This case is set for a **Formal Pre-Trial Conference** on \_\_\_\_\_.
1. All pretrial disclosures must have been completed and filed before the pretrial conference. Only file an identification of your exhibits. **Do not file your trial exhibits.**
  2. 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.**
  3. Unless good cause is shown, all **expert challenges** (Daubert/Dupont) shall be heard no later than the formal pre-trial, and written objections must be on file at least 10 days before hearing.
  4. Each party is **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. 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 at a fee of no more than \$3,000 to be paid by the parties.)*
  - **Time Required for Trial.** Each side needs \_\_\_\_\_ hours per side.  
*(no more than 4 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 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 file a letter describing your efforts and submit your proposed scheduling order to the court.*