

CAUSE NO. _____

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IN THE DISTRICT COURT
470TH 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 deadlines for filing **amended pleadings & 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.
- All **dispositive motions** (summary judgment, plea to jurisdiction, plea in abatement, etc.) must be filed and heard at least 30 days before trial.
- All **expert challenges** (Daubert/Dupont) must be filed 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 at a fee of no more than \$3,000 to be paid by the parties.)
- **Interview of Child in Chambers**. If requested, the child interview per 153.009 is set for _____
(Unless the interview is scheduled on this order or is docketed with the court before the day of trial, it is waived.)
- **Bench Trial**. This matter is set for a **Trial Before the Court** on _____ at 9:00 a.m.
(Trials set at 9:00 a.m. will not finish before lunch. You may be reached in the afternoon. Please plan accordingly.)
- **Time Required for Trial** – _____ 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 file a letter describing your efforts and submit your proposed scheduling order to the court