

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

	§	IN THE DISTRICT COURT
<i>Plaintiff,</i>	§	
	§	
VS.	§	238 <sup>th</sup> JUDICIAL DISTRICT
	§	
	§	
	§	MIDLAND COUNTY, TEXAS
<i>Defendant.</i>	§	

**SCHEDULING ORDER (LEVEL 3)**

In accordance with Rules 166, 190 and 192 of the Texas Rules of Civil Procedure, the Court makes the following order to control the schedule of this cause:

**DEADLINE FOR ADDING PARTIES:** \_\_\_\_\_

Parties must still comply with rules 37 through 40 of the Texas Rules of Civil Procedure. However, no additional party may be brought into this case after the deadline, unless all parties (including the one sought to be brought into the case) and the court are convinced, and all parties stipulate, that the introduction of the new party into the case will not require a postponement of the trial on the merits.

**DEADLINE FOR DESIGNATING PLAINTIFF EXPERTS:** \_\_\_\_\_

Plaintiffs shall list each expert's name, address, and topics of the witnesses' testimony as well as provide all written reports to Defendant(s) by this date. This designation is not a substitute for any required discovery supplementation.

**DEADLINE FOR DESIGNATING DEFENDANT EXPERTS:** \_\_\_\_\_

Defendant(s) shall list each expert's name, address and topics of the witnesses' testimony as well as provide all written reports to Plaintiff(s) and Counter-Plaintiff(s) by this date. This designation is not a substitute for any required discovery supplementation.

**DEADLINE FOR DESIGNATING REBUTTAL EXPERTS:** \_\_\_\_\_

Parties shall list each expert's name, address and topics of the witnesses' testimony as well as provide all reports to the opposing party or parties by this date. This designation is not a substitute for any required discovery supplementation.

DEADLINE FOR AGREEING ON MEDIATOR: \_\_\_\_\_

Designation of such mediator shall be filed with the Court by this date. If an agreement as to who will mediate the case is not reached the Court will designate a mediator.

DEADLINE FOR DISCOVERY: \_\_\_\_\_

All discovery must be completed by this date. Counsel may initiate discovery beyond this deadline by agreement but the trial date will not be moved because of incomplete discovery. Limitations on discovery shall be governed by provisions in the Texas Rules of Civil Procedure.

DEADLINE FOR CHALLENGING EXPERTS: \_\_\_\_\_

Any challenge to any expert must set out specifically the reason for the challenge. Unless otherwise ordered by the Court, all challenges to experts will be heard by submission. The answer to any challenge to any expert must include previous trials in which the witness has been recognized as an expert by naming the court, the cause number, the style of the case and the area of expertise and subject on which the witness was recognized as an expert.

DEADLINE FOR PLEADINGS: \_\_\_\_\_

All amendments must be filed by this date. This order does not preempt filing of pleadings directly responsive to any timely filed pleadings.

DEADLINE FOR MEDIATION: \_\_\_\_\_

Parties are required to mediate prior to trial, except upon order finding good cause. This deadline shall not prevent the discovery process as may be indicated in the Local Rules.

DEADLINE FOR FILING OF DISPOSITIVE  
MOTIONS: \_\_\_\_\_

DEADLINE FOR SUBMISSION OF SPECIAL  
ISSUES AND FILING MOTIONS IN LIMINE: \_\_\_\_\_

DISPOSITIVE MOTIONS WILL BE HEARD: \_\_\_\_\_

ALL PRETRIAL MATTERS WILL BE HEARD: \_\_\_\_\_

DATE FOR TRIAL ON MERITS: \_\_\_\_\_

This date is the Initial Trial Setting. Reset or continuance of this Initial Trial Setting will not alter any deadline in this Order or established by the Texas Rules of Civil Procedure, unless otherwise specifically ordered.

This order will control the scheduling of this case, until further order of the Court. Exceptions to the scheduling order shall be permitted by written agreement of the parties, without the approval of the Court, except as it relates to the trial date and/or any deadline requiring Court action.

All parties and attorneys must be present, with their witnesses, on the designated trial date, at 8:30 a.m., and at the same time on each weekday thereafter, until the case is concluded, unless excused by the Court in advance.

THE COURT WILL NOT EXTEND ANY DEADLINE WHICH MAY REQUIRE POSTPONEMENT OF THE TRIAL ON THE MERITS, EXCEPT FOR THE MOST EXTRAORDINARY AND UNFORESEEABLE REASONS. THE ONLY EXCEPTION: WHEN THE MERITORIOUS REASON FOR SEEKING A DEADLINE EXTENSION ARISES FOR THE FIRST TIME AFTER THE DEADLINE ITSELF HAS PASSED.

DOCKET CALLS: Other cases are also scheduled for this trial date. If this case settles, please inform the court. Information on docket status may be obtained by calling JoAnn Gonzalez, Court Coordinator at (432) 688-4380

SIGNED on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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ELIZABETH BYER LEONARD  
Presiding Judge

**(PLEASE ADD ATTORNEY INFORMATION AND EMAILS BELOW)**