

CAUSE NO. _____

_____) IN THE JUDICIAL DISTRICT COURT
)
VS) OF GALVESTON COUNTY, TEXAS
)
_____) 212TH DISTRICT COURT

CIVIL DISCOVERY AND DOCKET CONTROL ORDER

1. ___/___/___ **NEW PARTIES** joined and served by this date. No parties may be added after this date without approval by the Court. Approval after this date is less likely to be granted if a delay of the trial would result.
2. ___/___/___ **EXPERTS** for all Plaintiffs shall be designated by this date.
3. ___/___/___ **EXPERTS** for all OTHER PARTIES shall be designated by this date. Any party designating a testifying expert witness is **ORDERED** to provide no later than the dates set for such designation, the information set forth in Rule 194.2(f) and a written report prepared by the expert setting the substance of the expert's opinions, unless a deposition is taken of the expert. An expert not designated prior to the ordered deadline shall not be permitted to testify absent a showing of good cause.
4. ___/___/___ **ROBINSON CHALLENGES** are to be filed and heard by this date.
5. ___/___/___ **DISCOVERY** deadlines controlled by designation of case (indicate which applies). Counsel may in written agreement continue discovery beyond this deadline. Such continued discovery, however, will not delay the trial date.
___/___/___ Level One (Rule 190.2) and Level Two (Rule 109.3). Discovery shall be completed 30 days before the date set for trial.
___/___/___ Level Two (Rule 190.3). Discovery shall be completed the earlier of 30 days before the date set for trial or 9 months after the date of the first oral deposition of the due date of the first response to written discovery.
___/___/___ Level Three (Rule 190.4). Discovery shall be completed by this date.
6. Electronically Stored Information Discovery: (Indicate which applies.)
___/___/___ Lawyers will abide by the Court's Protocol for Discovery of ESI and have a Discovery Planning Conference by this date.
___/___/___ Lawyers will abide by the Court's Order Relating to the Discovery of ESI. If lawyers are unable to agree to any of the requirements of this Court Order, they will secure a setting for a hearing date before this date.

_____ Lawyers do not anticipate the need to abide by either the Court's Protocol or Order regarding ESI since prosecuting and defending these claims will not depend on large amounts of ESI.

7. ___/___/___ Pleadings must be amended or supplemented by this date, except by written agreement of **ALL** parties.
8. ___/___/___ Mediation shall be completed by this date. Report to be filed with Court on or before this date. Objections to mediation must be filed within 30 days of this date. Case will not proceed to trial unless mediation is complete. All parties agree to participate in mediation with the following person to serve as mediator:

Name: _____
Address: _____
Phone: _____ Fax: _____
Email: _____

Plaintiff's attorney shall provide a copy of the DCO to the mediator named herein.

9. ___/___/___ **DEADLINE TO FILE ALL MOTIONS**, except Motions in Limine, **AND FOR MOVANT TO SECURE DATES AND TIMES FOR HEARINGS. NO HEARINGS WILL BE SET UNTIL A MOTION AND ORDER SETTING HEARING ARE ON FILE WITH THE CLERK.** This includes motions to exclude expert testimony and any other challenges to expert testimony (6 weeks prior to pre-trial).
10. ___/___/___ at _____ .m. Pre-Trial Conference set. **Court will only hear announcement of parties and motions to continue at this setting. Parties to submit Exhibits for trial at this time. Failure to appear will be grounds for dismissal for want of prosecution.**
11. ___/___/___ at _____ .m. Trial by Jury is set for one-week docket commencing on this date. **Prior to commencement of voir dire, parties are ordered to exchange the following and discuss what the parties will agree to and what issues are contested:**

Proposed jury instructions and questions
 Motion in Limine
 Exhibit list
 Labeled and numbered exhibits
 Witness lists (inform Court at earliest opportunity of scheduling problems relating to witnesses).

12. ___/___/___ at _____ .m. Bench Trial before Court is set.
13. Any attorney representing a party who files bankruptcy during the pendency of the litigation must submit a written report advising the Court of the status of such bankruptcy on the 2nd Monday in January and the 2nd Monday in July.
14. Proposed Findings of Fact and Conclusions of Law to be exchanged prior to trial date.
15. All attorneys shall abide by the Supreme Court of Texas and The Court of Criminal Appeals Texas Lawyer's Creed.

16. Cases not reached for trial during a trial sitting will be notified by the Court. Parties will then need to file with the District Clerk a new Docket Control Order and a Motion for Continuance if needed.

Written notice must be given to the Court of any changes in this DCO. This includes settlement, Rule 11 Agreements, cancellation of hearings, etc. Numbers 9, 10, 11 or 12 cannot be changed without leave of the Court.

SIGNED ON _____, 2_____.

JUDGE PATRICIA GRADY
212th Judicial District Court

APPROVED:

COUNSEL FOR PLAINTIFF:

COUNSEL FOR DEFENDANT:

COUNSEL FOR OTHER PARTIES:

By requesting entry of this Discovery and Docket Control Order, counsel acknowledge they are aware of the deadlines, and acknowledge there is no guarantee of a continuance.