

NO. _____

VS.

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IN THE DISTRICT COURT OF
GALVESTON COUNTY, TEXAS
10TH JUDICIAL DISTRICT

DISCOVERY AND DOCKET CONTROL ORDER

- 1. _____ NEW PARTIES shall be joined and served by this date.
- 2. _____ EXPERTS for all Plaintiffs shall be designated by this date.
- 3. _____ EXPERTS for all OTHER PARTIES shall be designated by this date (30 days from date Plaintiff's experts are ordered to be designated.)

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 deadlines shall not be permitted to testify absent a showing of good cause.

- 4. _____ DISCOVERY deadlines controlled by designation of case. Counsel may by written agreement continue discovery beyond this deadline. Such continued discovery, however, will not delay the trial date without the Court's approval.

_____ Level One-(Rule 190.2) Discovery shall be completed 30 days before the date set for trial.
 No. of hours per side for oral depositions: _____
 No. of written interrogatories that may be served by any party on another party:
 _____ (excluding interrogatories asking a party to identify or authenticate specified documents).

_____ 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.

No. of hours per side for oral depositions: _____

No. of written interrogatories that may be served by any party on another party:

_____ (excluding interrogatories asking a party to identify or authenticate specified documents).

5. _____ Pleadings must be amended or supplemented by this date, except by written agreement of all parties.

6. _____ Mediation shall be completed by this date. Mediation is not required for a trial setting. Failure to mediate before the trial setting will not be grounds for a continuance.

If mediation is agreed to by the parties, they shall select the mediator. The Court will get involved only if the parties cannot agree.

7. _____ DEADLINE to file all motions, other than 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. (Six weeks prior to pre-trial.)

8. _____ at 9 A.M. Pre-Trial Conference set. Court will only hear announcement of parties and motions to continue at this setting. Failure to appear will be grounds for dismissal for want of prosecution.

9. _____ at 9 A.M. Trial by Jury is set for the 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:

- X Proposed jury instructions and questions
- X Motion in Limine
- X Exhibit List
- X Labeled and numbered exhibits
- X Witness lists (inform court at earliest opportunity of scheduling problems relating to witnesses)

10. _____ at _____ .M. Bench Trial before Court is set.

Proposed Findings of Facts and Conclusions of Law to be exchanged prior to trial date.

SIGNED: _____, 20____.

JUDGE KERRY L. NEVES
10TH 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.

PROCRASTINATE AT YOUR OWN RISK!