

CAUSE NO. _____

VS

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IN THE _____ DISTRICT COURT
OF
LUBBOCK COUNTY, TEXAS

COURT'S SCHEDULING ORDER

Based on the information available to the court and on the parties' failure to submit an Agreed Scheduling Order, the Court hereby enters the scheduling order that shall apply to this case. If no date is set by the Court, the event is to be governed by the Texas Rules of Civil Procedure. The Court **ORDERS** that the following deadlines shall be met by the parties to this lawsuit:

1. _____ TRIAL DATE: This case shall be tried on this date. If the court cannot reach this case on this date, it will be tried by a visiting judge or by one of the Lubbock County District Judges.
 2. _____ JOINDER: All parties must be added and served, whether by amendment or third party practice, by this date: THE PARTY CAUSING JOINDER SHALL PROVIDE A COPY OF THIS SCHEDULING ORDER AT THE TIME OF SERVICE.
 3. _____ PLAINTIFF'S EXPERT WITNESSES: In addition to compliance with the Texas Rules of Civil Procedure 195, plaintiff shall list each expert's name, address, and topics of the witness' testimony as well as provide all reports, if generated, to Defendant(s) by this date. Unless so provided the witness will not testify and this date will not be extended. This designation is not a substitute for any required interrogatory. Challenges to experts shall be made at least 90 days before trial.
 4. _____ DEFENDANT'S EXPERT WITNESS: In addition to compliance with the Texas Rules of Civil Procedure 195, defendant shall list each expert's name, address and topics of the witness' testimony as well as provide all reports, if generated, to the Plaintiff(s) by this date. Unless so provided the witness will not testify and this date will not be extended. This designation is not a substitute for any required interrogatory supplementation. Challenges to experts shall be made at least 60 days before trial.
 5. _____ FACT WITNESSES: A list including the name, address, phone number, and topic of testimony of each fact witness who may be called at trial must be provided by this date. Witnesses not provided as ordered will not be permitted to testify unless good cause is shown.
 6. _____ STATUS CONFERENCE: All parties must come ready to inform the court of the status of all events as provided in the scheduling order. Any acts of noncompliance will expose the noncompliant party to proper court sanctions. This conference(s) may be held over the phone at the court's discretion, if the requesting party sets up the conference at his/her expense.
(Set at Court's Discretion or upon request of party.)
 7. _____ DISCOVERY DEADLINE: All discovery requests and deposition notices must be completed in accordance with the Texas Rules of Civil Procedures 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 applicable to this level of Discovery Control Plan.
 8. _____ DISPOSITIVE MOTIONS: All motions, that if granted by the court would dispose of part or all of the case, shall be filed by this date. The parties are encouraged to file these motions as early as possible in order to avoid unnecessary costs and delay.
 9. _____ PLEADINGS: All amendments must be filed by this date. This order does not preclude prompt filing of pleadings directly responsive to any timely filed pleadings.
 10. _____ ALTERNATIVE DISPUTE RESOLUTION: It is anticipated that the parties shall cooperate in an ADR procedure, under the terms and conditions ordered by the Court. Mediation should be scheduled by this date with a private mediator or with the Lubbock County Dispute Resolution Center. If mediation is not scheduled by the scheduling deadline date, the mediation will be held on the default mediation date at the time given. You may mediate prior to the default mediation date. However, mediation may not be held after this date or cancelled without prior approval from the Court. Should the parties agree to use a selected neutral for this case, they should notify the Lubbock County Dispute Resolution Center and the Court prior to the scheduling deadline date. The mediator shall report the outcome of the ADR procedure to the Lubbock County Dispute Resolution Center and the Court consistent with the provisions of the Tex. Civ. Prac. & Rem. Code Ann. Section 154. Contact the Lubbock County Dispute Resolution Center for more information or wait for correspondence from the Master of Dispute Resolution. The Master's letter will be transmitted within 30 days after issuance of this order.
(Private Scheduling Deadline)
- Default Mediation Date _____ @ _____ am/pm
- IF YOU DO NOT APPEAR FOR MEDIATION BEFORE DRC, and/or YOU HAVE NOT CANCELLED AT LEAST 24 HOURS ADVANCE, you will be assessed \$75.00 as court costs. Notify the Court and the DRC IMMEDIATELY if the case settles.**
11. _____ PRE-TRIAL SETTLEMENT CONFERENCE: The attorneys shall come prepared to discuss settlement of the case with full authority of their clients or the clients, or a representative of the client, must be present for the conference.
(Set at Court's Discretion)
 12. _____ PRE-TRIAL EXCHANGE DEADLINE: Counsel shall provide to all other counsel, the following: (1) requested jury charges, (2) motions in limine, (3) exhibit lists containing a description of each exhibit and exhibit number, (4) copies of all exhibits the party intends to offer at trial, marked with exhibit tags and numbers, (5) deposition excerpts (counsel shall identify each deposition counsel intends to offer at trial, either by video or otherwise, and designate by page and line number those portions of each deposition counsel intends to offer at trial), and (6) all other pre-trial matters. Counsels are ordered to confer prior to the Pre-Trial Hearing, and are ordered to attempt to reach agreements and stipulations with regard to all pre-trial matters.

13. _____ PRE-TRIAL MANAGEMENT CONFERENCE: The Court will rule on any pending motions, including objections to motions in limine and deposition excerpts, make preliminary rulings on admissibility of proposed exhibits, and make any other appropriate order which will aid the Court in trying the case as efficiently as possible.

These trial events are set within a specific time frame to provide for a fair but efficient disposition of the case. Unless otherwise indicated, none of these events can be changed without the court's approval. The court has set specific dates and will be unwilling to change its Scheduling Order, especially as the case nears the trial date.

SIGNED AND ORDERED ON THIS _____ day of _____, 20 ____.

JUDGE PRESIDING