

CAUSE NUMBER \_\_\_\_\_

_____	§	IN THE 241 <sup>ST</sup> JUDICIAL
Plaintiff(s)	§	
	§	
vs.	§	DISTRICT COURT
	§	
_____	§	
Defendant(s)	§	SMITH COUNTY, TEXAS

### **SCHEDULING ORDER**

It is **ORDERED** that the following schedule of deadlines is in effect until further order of this Court:

1. \_\_\_\_\_ **JOINDER.** All parties must be joined and served, whether by amendment or third party practice, by this date. The party causing such joinder will provide copies of this Order to the new parties.
2. \_\_\_\_\_ **EXPERT WITNESS DESIGNATION FOR PLAINTIFF.** Plaintiff must designate its experts- name, address, subject matter of testimony and provide reports, if any, by this date. Experts not listed in compliance with this paragraph will not be permitted to testify absent a showing of good cause. This designation is not a substitute for any required discovery supplementation.
3. \_\_\_\_\_ **EXPERT WITNESS DESIGNATION FOR DEFENDANT.** Defendant must designate its experts- name, address, subject matter of testimony and provide reports, if any, by this date. Experts not listed in compliance with this paragraph will not be permitted to testify absent a showing of good cause. This designation is not a substitute for any required discovery supplementation. (30 days after Plaintiff's designation, unless otherwise agreed.)
4. \_\_\_\_\_ **DISCOVERY DEADLINE.** All discovery must be completed by this date. Counsel may initiate discovery beyond this deadline by agreement, however incomplete discovery will NOT DELAY the trial date. Discovery motions must be filed, and a ruling obtained, if necessary, with sufficient time prior to this deadline to allow a response to the discovery sought if the Motion were granted.
5. \_\_\_\_\_ **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.
6. \_\_\_\_\_ **MOTIONS FOR SUMMARY JUDGMENT AND MOTIONS TO EXCLUDE EXPERT TESTIMONY.** These motions must be filed 70 days before trial.

7. \_\_\_\_\_ **HEARING SET ON MOTIONS FOR SUMMARY JUDGMENT AND MOTIONS TO EXCLUDE EXPERT TESTIMONY.** These motions must be set for hearing (or submission per the Local Rules) at least forty-five (45) days before trial.
8. \_\_\_\_\_ **MEDIATION DEADLINE.** The parties and their attorney, along with any third party having full and final settlement authority shall participate in and attend mediation of the case on or before this date. The agreed mediator is \_\_\_\_\_.
9. \_\_\_\_\_ **EXHIBIT LISTS TO BE FILED.** (14 days before Joint Pretrial Order deadline)
10. \_\_\_\_\_ **OBJECTIONS TO EXHIBITS TO BE FILED.** (7 days before Joint Pretrial Order deadline)
11. \_\_\_\_\_ **DEPOSITION DESIGNATIONS TO BE FILED.** Each party who proposes to offer deposition testimony shall identify the page numbers and lines to be offered. (10 days before Joint Pretrial Order deadline)
12. \_\_\_\_\_ **OBJECTIONS TO DEPOSITION DESIGNATIONS TO BE FILED.** (5 days before Joint Pretrial Order deadline)
13. \_\_\_\_\_ **MOTIONS IN LIMINE TO BE FILED. Limited to 10 without leave of Court.** (10 days before Joint Pretrial Order deadline)
14. \_\_\_\_\_ **RESPONSES TO MOTIONS IN LIMINE TO BE FILED.** (5 days before Joint Pretrial Order deadline)
15. \_\_\_\_\_ **JOINT PRETRIAL ORDER** shall be filed by this date. (1 week before pretrial conference) (Form on Court's website.)
16. \_\_\_\_\_ **PRETRIAL CONFERENCE.** Contact Court for dates/times.
17. \_\_\_\_\_ **TRIAL DATE.** Please see Court's website for civil trial dates.

\*If no date is given for a particular deadline, the deadline is governed by the Texas Rules of Civil Procedure. If a date falls on a weekend or holiday, the deadline should be the next business day.

#### **RULE 165A DISMISSAL FOR WANT OF PROSECUTION NOTICE**

**Pursuant to Rule 165a of the Texas Rules of Civil Procedure, a case may be dismissed for want of prosecution on failure of any party seeking affirmative relief to appear for any hearing or trial of which the party had notice. You are hereby notified of the Court's intention to dismiss any case on the date and time of any hearing or trial where a party seeking relief fails to appear for trial or hearing.**

\_\_\_\_\_  
Plaintiff's Counsel Signature      Date

\_\_\_\_\_  
Defendant's Counsel Signature      Date

(All other counsel may add signature page or insert here.)

SIGNED AND ENTERED THIS THE \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**DEBBY GUNTER**, Judge  
241<sup>st</sup> Judicial District Court