THE BUSINESS COURT OF TEXAS, EIGHTH DIVISION

[Plaintiff(s)],	§	
Plaintiff(s),	§	
v.	§	Cause No. [_____]
[Defendant(s)],	§	
Defendant(s).	§	

PROPOSED SCHEDULING ORDER

Unless otherwise specified, this action shall be governed by the laws of the State of Texas, the Texas Rules of Civil Procedure (TRCP), and the Business Court Local Rules (BCLR). This order supplements, rather than displaces, these laws and rules, except the deadlines and discovery limits specified below control over any conflicting deadlines or limits in the TRCP.

If any deadline falls on a court holiday, the effective date will be the next non-holiday business day. Any matter not expressly addressed by this order is governed by the TRCP.

Deadlines marked with an asterisk (*) may be modified by agreement of the parties through a Rule 11 agreement. All other deadlines may be extended only by motion and upon a showing of good cause.

[date]	**Joinder** All parties must be added and served by this date. The party causing the joinder must provide a copy of the scheduling order at the time of service. All joinder must comply with TRCP 37–41.
[date]	**Pleading Amendments** All pleading amendments must be filed by this date. If a party adds a claim or cause of action on this deadline or within seven days before, other parties shall have seven days to add responsive pleadings.

	These deadlines are outer limits and do not relieve the parties of any obligation to act promptly or timely.
[date]	**Governing Law** Deadline to file any motion to determine the applicability of another jurisdiction's laws.
[# hrs.] **[#]**	**Discovery Limitations*** The following discovery limits apply: Each side is limited to this number of total hours for oral depositions. Each party is limited to serving this number of interrogatories on any other party.
[date]	**Electronically Stored Information (ESI) Protocol*** By this date, parties must meet and confer on an ESI protocol, including the parameters for preserving ESI and the procedures the parties will use to determine search terms and methodology for identifying ESI in response to discovery. Absent agreement, search terms returning more than 250 megabytes of data are presumptively overbroad. ESI will be produced in **[PDF/ TIFF/ Native/ Paper]** format, except when the parties agree otherwise. Except as necessitated by the chosen format, the parties will not degrade the searchability of documents as part of the production process.
[date] **[date]** **[date]**	**Expert Witness Designations*** Expert witness designations must include the information listed in TRCP 194.2(f). Failure to timely respond will be governed by TRCP 193.6. By this date, parties seeking affirmative relief must serve their expert witness designations. By this date, all other parties must serve their expert witness designations. By this date, all parties must designate any rebuttal experts.
	Expert Witness Depositions*

[date] **[date]** **[date]** **[date]**	A party seeking affirmative relief must make its experts available for deposition by the following deadlines: if no expert report is furnished under TRCP 195.3, or if an expert report is furnished under TRCP 195.3. A party not seeking affirmative relief must make its experts available for deposition by this date. All parties must make rebuttal experts available for deposition by this date.
[date]	**Case-management Conference** The judge will hold a case-management conference by this date. Parties must be prepared to discuss all aspects of the case. This date should be approximately six months after case filing.
[date]	**End of Discovery Period*** All discovery closes on this date. The date must be at least four months before trial. Parties must serve discovery requests early enough that responses are due within the discovery period.
[date]	**Deadline for Jury Demand** This is the deadline to request a jury trial, if desired, and pay the appropriate jury fees. This date must be at least four months before trial. Parties must include this deadline in their proposed scheduling order.
[date]	**Mediation** Parties must mediate on or before this date.
[date]	**Dispositive Motions & Pleas** Dispositive motions and pleas, including motions for summary judgment, must be set for hearing or submission by this date. The date must be at least 100 days before trial.

[date]

Challenges to Expert Testimony

All *Daubert/Robinson* motions or other motions to exclude or limit expert testimony must be filed by this date.

This date must be at least 60 days before trial.

Proposed Jury Charges

In a jury-trial case, parties must exchange, confer about, and file proposed jury charges as follows:

[date] By this date, each party must exchange its proposed jury questions and instructions, if any, with the other parties.

[date] By this date, each party must inform the other parties, in writing, whether it agrees or objects to each question and instruction proposed by another party.

[date] By this date, all parties must meet and confer in a good faith effort to agree on the proper jury questions and instructions.

[date] By this date, the parties will file:

(a) a Joint Proposed Jury Charge that includes all proposed jury questions and instructions on which all parties agree, and

(b) if a party wishes to propose jury questions or instructions that are not agreed, that party must file a Disputed Proposed Jury Charge containing such proposed questions or instructions.

This process is a precursor to, and not in place of, the charge conference that will be held at trial.

[date]

Trial Materials

By this date, parties must exchange (i) witness lists, (ii) exhibit lists, and (iii) page/line designations for all deposition excerpts to be offered on direct examination.

Exhibit lists should be formatted as follows:

Exhibit #	Admitted	Description
1		Letter from A to B dated 9/1/2024
2		Photograph of land taken 9/1/2024

Witness lists should include the names and addresses of all witnesses, other

	than rebuttal, the parties reasonably anticipate calling to testify. For deposition excerpts, a party must provide both the audio/video cuts the party intends to play and the transcript page/line designations. If a party intends to read the testimony, the party need only provide page and line designations.
[date]	**Exhibit Binders** By this date, each party must provide the Court with binder(s) containing bates-stamped copies of all exhibits the party intends to offer at trial. In the case of physical items offered as exhibits, a photograph or other reproduction may be used. The binders must begin with the party's exhibit list and the exhibits should be tabbed and numbered sequentially, consistent with the exhibit list.
[date]	**Motions in Limine / Motions to Exclude** By this date, parties must file any motions in limine or motions to exclude or otherwise limit the admission of non-expert evidence.
[date]	**Proposed Pretrial Order** By this date, parties must jointly or individually file a Proposed Pretrial Order in the form provided on the judge's website. The proposed pretrial order will address trial issues such as motions in limine, handling evidence, the time needed for trial, notice of daily witnesses, and court reporting. This date should be at least ten days before the pretrial conference.
[date]	**Pretrial Conference** The judge will hold a pretrial conference on this date. Parties must be prepared to discuss all aspects of the case. This date must be at least ten days before trial.
[date] **[#]**	**Trial** Unless otherwise ordered by the Court, trial will be held on this date. This date must be no more than 13 months from the date the lawsuit was first filed or removed/transferred to the Business Court. The parties estimate trial is likely to last this many days.

	A reset or continuance of the trial setting does not alter any deadline established by this order.

SIGNED this ____day of _____.

_____
Judge, Texas Business Court,
Eighth Division

[Signature blocks for counsel]