NO. _____

-	§	**IN THE COUNTY COURT**
	§	
	§	
	§	**AT LAW NUMBR THREE (3) OF**
	§	
	§	
	§	**FORT BEND COUNTY, TEXAS**

UNIFORM SCHEDULING ORDER (LEVEL 1 OR 2)

In accordance with Rules 166, 190 and 192 of the Texas Rules of Civil Procedure, the Court makes the following order to control discovery and the schedule of this cause:

1. This case will be ready and is set for **Jury Trial** on **_____ at_____**(the "Initial Trial Setting"). Reset or continuance of the Initial Trial Setting will not alter any deadlines established in this Order or established by the Texas Rules of Civil Procedure, unless otherwise provided by order. If not reached as set, the case may be carried to the next week.

2. Unless otherwise ordered, discovery in this case will be controlled by:

   - Rule 190.2 (Level 1); or
   - Rule 190.3 (Level 2)

   of the Texas Rules of Civil Procedure. Except by agreement of the party, leave of court, or where expressly authorized by the Texas Rules of Civil Procedure, no party may obtain discovery of information subject to disclosure under Rule 194 by any other form of discovery.

3. Any objection or motion to exclude or limit expert testimony due to qualification of the expert or reliability of the opinions must be filed no later than seven (7) days after the close of the discovery period, or such objection is waived. Any motion to compel responses to discovery (other than relating to factual matters arising after the end of the discovery period) must be filed no later than seven (7) days after the close of the discovery period or such complaint is waived, except for the sanction of exclusion under Rule 193.6.

4. Except with leave of court, any amended or supplemental pleadings asserting new causes of action or affirmative defenses must be filed no later than thirty (30) days before the end of the discovery period and any other amended or supplemental pleadings must be filed no later than seven (7) days after the end of the discovery period. Amended or supplemental pleadings responsive to timely filed pleadings under this schedule may be filed after the deadline for amended or supplemental pleadings if filed with two (2) weeks after the pleading to which they respond. Further, except with leave of court, Texas Rules of Civil Procedure 166a(c) motions and

other dispositive motions (i.e. Motion to Dismiss, Pleas to the Jurisdiction, etc.) must be heard no later than thirty (30) days before trial.

5. No additional parties may be joined more than five (5) months after the commencement of this case except on motion for leave showing good cause. This paragraph does not otherwise alter the requirements of Rule 38. The party joining an additional party shall serve a copy of this Order on the new party concurrently with the pleading joining that party.

6. Mediation is ordered in all cases with $50,000 or more in controversy, no later than thirty (30) days before the Initial Trial Setting, unless otherwise provided by court order. Mediation will be conducted in accordance with the Fort Bend County Local Rules of Court, which is available on-line and from the Fort Bend County Clerk. All parties shall contact the mediator to arrange the mediation.

   The mediator may be selected by agreement of all parties; if one cannot be agreed upon within ninety (90) days of the date of this Order, the **Fort Bend Dispute Resolution Center** is hereby appointed mediator. The parties must advise both the Court and the aforementioned mediator in writing of any agreed mediator within ninety (90) days of the date this Order is signed. Any mediator substitution requested beyond such time may only be made by motion for submission to the Court for good cause and under extraordinary circumstances.

7. Fourteen (14) days before the Initial Trial Setting, the parties shall exchange a list of exhibits, including any demonstrative aids and affidavits, and shall exchange copies of any exhibits not previously produced in discovery; over-designation is strongly discouraged and may be sanctioned. Except for records to be offered by way of business record affidavits, each exhibit must be identified separately and not by category or group designation. Rule 193.7 applies to this designation. On or before ten (10) days before the Initial Trial Setting, the attorneys in charge for all parties shall meet in person to confer on stipulations regarding the materials to be submitted to the Court under this paragraph and attempt to maximize agreement on such matters. By 5:00 P.M. on the Wednesday before the Initial Trial Setting, the parties shall file with the Court the materials stated in Rule 166(e)-(l), an estimate of the length of trial, designation of deposition testimony to be offered in direct examination, and any motions in limine. Failure to file such materials may result in dismissal for want of prosecution or other appropriate sanction.

8. **A Pretrial Conference shall be held on _____at_____.** The parties shall be prepared to discuss all aspects of the case, and resolve any outstanding matters to be brought before the court. Failure to attend the Pretrial Conference may result in dismissal for want of prosecution or other appropriate sanction. Plaintiff/Plaintiff's counsel shall serve a copy of this Order on any currently named defendant(s) answering after the date of this Order.

9. If an interpreter is required for the Initial Trial Setting or any other court proceeding, the parties shall notified the Court forty-five (45) days prior to the Initial Trial Setting or court proceeding, so the Court may begin the process of appointing a qualified interpreter.

SIGNED on this _____day of _____

_____

JULI A. MATHEW, JUDGE PRESIDING