**The Business Court of Texas,**
**First Division**

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| _____, *Plaintiff(s),* | § | |
| v. | § | Cause No. 2_-BC01A-____ |
| _____, *Defendant(s).* | § | |

## Scheduling Order

The Court enters the following order to control discovery, deadlines, and settings in this Cause. Dates marked with an * may be amended upon the filing of a Rule 11 agreement. No other dates may be changed absent leave of court.

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| TRIAL SETTING<br><br>Date:<br><br>Time: 9AM | _____ Bench _____ Jury<br><br>**Agreement to a bench trial date, or failure to pay the jury fee timely in accordance with any jury fee order(s) issued in this case, will be deemed a JURY WAIVER.**<br><br>If Jury:<br>County where trial is to be commenced: _____<br>_____ This is the county of proper venue *or*<br>_____ The parties have agreed to this county per Tex. Gov't Code § 25A.015.<br><br>Party(s) demanding jury: _____<br><br>**A reset or continuance of the trial setting does not alter any deadline established by this order.** |

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| PRETRIAL HEARING<br><br>Date:<br><br><br>Time: | Parties must confer on the following at least 14 days before the pretrial hearing: witness lists, exhibit lists, demonstrative exhibits, deposition excerpts to be offered on direct examination, motions in limine, and proposed jury charges.<br><br>All agreed pre-marked exhibits, deposition testimony to be offered on direct examination, and proposed jury charges in Word format must be provided to the Court before or at the pretrial conference. |
| AMENDED PLEADINGS (CLAIMS)<br><br>Date: | Pleadings asserting new claims for affirmative relief must be filed and served by this date. |
| AMENDED PLEADINGS (DEFENSES)<br><br>Date: | Pleadings asserting new affirmative defenses must be filed and served by this date. |
| JOINDER<br><br>Date: | No parties may be joined after this date except upon motion for leave showing good cause. This deadline does not alter the requirements of Texas Rule of Civil Procedure 38.<br><br>Any party joined before this deadline or thereafter by order of the Court must be served a copy of this Order by the party moving for joinder. |
| ARBITRATION<br><br>Date: | All motions to compel arbitration must be filed and heard by this date. |
| *FACT DISCOVERY<br><br>Date: | Fact discovery closes on this date. |
| *EXPERT DESIGNATIONS (PARTIES WITH BURDEN/PROOF)<br><br>Date: | Parties bearing the burden of proof on a claim or defense must designate experts by this date. |

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| *EXPERT DESIGNATIONS (PARTIES WITHOUT BURDEN/PROOF)<br><br>Date: | Parties not bearing the burden of proof on a claim or defense must designate experts by this date. |
| *REBUTTAL EXPERT DESIGNATIONS<br><br>Date: | All rebuttal expert designations are due on this date. |
| *EXPERT DISCOVERY<br><br>Date: | All expert discovery closes on this date. |
| *MEDIATION<br><br>Date: | **Mediation is required except on leave of court.** The parties and their attorneys shall participate in mediation on or before this date. The parties may select a mediator by agreement or may request appointment of a mediator by the Court.<br><br>**Parties who fail to mediate by this date will be limited to 3 hours of trial time in a jury trial or 2 hours of trial time in a bench trial.** |
| DISPOSITIVE MOTIONS<br><br>Date: | Except where otherwise provided by statute or rule, dispositive motions must be filed and heard by this date. |
| MOTIONS TO STRIKE/ EXCLUDE<br><br>Date: | Any objection or motion to exclude or limit expert testimony must be filed and heard by this date. |

ENTERED: _____

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PRESIDING JUDGE

AGREED: