

NO. _____

— § IN THE COUNTY COURT AT LAW
§
§
VS. § NUMBER ONE (1) 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 **BENCH / JURY TRIAL** on the _____ day of _____, 20____ at 10:00 o'clock A.M. (the "Trial Setting"). A continuance of the Trial Setting will not alter any deadlines established in this Order or established by the Texas Rules of Civil Procedure (TRCP), unless otherwise provided by order of the Court.
2. A **PRETRIAL CONFERENCE** shall be held on all jury trials on the _____ day of _____, 20____ at 9:00 o'clock A.M. The parties shall be prepared to discuss all aspects of the case and resolve any outstanding matters to be brought before the court. All Motions in Limine and exhibit objections shall be handled at the Pretrial Conference. 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. During the Pretrial Conference, the Court will hear announcements for trial and will notify the parties the order in which the cases shall be heard for the Trial Setting. Cases announcing ready after the first announcement of ready shall be placed on standby for the Trial Setting and are expected to appear before the Court on a half (1/2) days' notice.

A PRETRIAL CONFERENCE SHALL **NOT** BE HELD FOR BENCH TRIALS, UNLESS REQUESTED IN WRITING BY THE PARTIES.

3. Unless otherwise ordered, discovery in this case will be controlled by:
 - TRCP 190.2 (Level 1); or
 - TRCP 190.3 (Level 2).

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 TRCP 194 by any other form of discovery.

4. 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 ten (10) days after the close of the discovery period or such complaint is waived, except for the sanction of exclusion under TRCP 193.6.
5. 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, TRCP 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.
6. 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.
7. Mediation is ordered in all cases no later than thirty (30) days before the Pretrial Conference, 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 the Court 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.

8. Thirty (30) days before the 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. TRCP 193.7 applies to this designation. On or before seven (7) days before the Pretrial Conference, 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. Three (3) business days before the Pretrial Conference, the parties shall file with the Court the materials stated in TRCP 166(e)-(I), 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.

All aforementioned materials for bench trials shall be filed with the Court or exchanged with the opposing party seven (7) days before the Trial Setting.

9. If a litigant, party, client, witness or any person associated with the court proceeding cannot communicate in the English language during a court hearing or needs a document translated, the attorney or Limited English Proficient Individual (LEP) must make a written request for interpretation or translation services. It is the responsibility of the attorney or LEP to complete the request form and return it to the Court Coordinator, either in person or by email, at least ten (10) days prior to a hearing, or thirty (30) days prior to the Trial Setting. A copy of the Translation Services Request and the Interpreting Services Request are located on the Fort Bend County Courts at Law webpage. Printed copies are available in the courtroom. The Court will cover all costs associated with the interpretation or translation services in *ALL* court proceedings.

SIGNED on this _____ day of _____ 20_____.

**HON. CHRISTOPHER G. MORALES,
JUDGE PRESIDING
COUNTY COURT AT LAW NO. 1
FORT BEND COUNTY, TEXAS**