

Plaintiff	§	IN THE DISTRICT COURT
	§	
vs	§	352ND JUDICIAL DISTRICT
	§	
Defendant	§	TARRANT COUNTY, TEXAS

LEVEL 2 SCHEDULING ORDER

Based on the information available to the court and pursuant to Rule 166 TRCP, the following order shall apply to this case unless modified by the court. If no date is given below, the item is governed by the Texas Rules of Civil Procedure. **Compliance with this Scheduling Order will not substitute for timely response to any discovery requests or interrogatory supplementation.**

1. **(6 months before trial) NEW PARTIES** shall be joined and served by this date. The party causing the joinder shall provide a copy of this scheduling order at the time of service.
2. **EXPERT WITNESSES:** Any objection to the qualifications of an expert witness or to the reliability of an expert's opinion must be **made** not later than the 30th day after: (1) the date the objecting party receives a copy of the expert's report, or (2) the date of the expert's deposition, or such objection shall be deemed waived. If any such deadlines have already passed prior to the date of this order, any such objections must be made not later than 30 days after the date of this order. Any objections to the qualifications of an expert witness or to the reliability of an expert's opinion must be **heard** by the Court no later than 30 days prior to the trial date or such objection shall be deemed waived. It is the responsibility of the party making such objection to obtain a timely hearing on the objection.
3. **DISCOVERY:** Scope, duration and extent of discovery will be governed by the Texas Rules of Civil Procedure applicable to Level 2 cases [see T.R.C.P. 190.3(b)(2)&(3)], unless further modified by the court or by agreement of the parties.
4. **(4 weeks before trial) MEDIATION**, or a hearing on objection to mediation, must occur by this date. Unless an objection to mediation is sustained by the court, counsel are jointly responsible for participating in mediation of this case, with a mediator agreed to by the parties. If the parties cannot agree to a mediator, one will be appointed by the Court. A party's failure to participate in mediation will result in sanctions.
5. **(30 days before trial) DISPOSITIVE MOTIONS** must be heard by this date.
6. **(7 days before trial) A JOINT PRE-TRIAL ORDER**, in the form enclosed with this Order, shall be filed by this date.
7. For all set hearings or trials, a courtesy copy of all filings, including attachments and exhibits, more than 50 pages in length shall be marked "Judge's Copy" and be mailed or delivered to the Court's chambers.
8. _____ **TRIAL IS SET FOR THIS WEEK.** This is not a preferential setting. If not reached, trial will be reset by the court.

Dated:

Josh Burgess, Judge Presiding