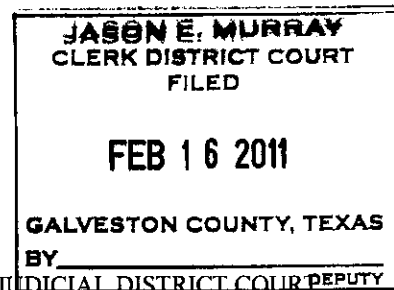




Wright
Burnett



CAUSE NO 10CV3828

Cheney, Richard

vs.

TWIA

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IN THE JUDICIAL DISTRICT COURT DEPUTY

OF GALVESTON COUNTY

10th DISTRICT COURT

DISCOVERY AND DOCKET CONTROL ORDER

NOTICE: The American Bar Association Time Standards relating to trial courts indicate that 90% of general civil trial cases should be concluded within 12 months and 100% within 24 months. Most cases will not be continued past 12 months. No cases will be continued past 24 months. Continuances will no longer be granted just because lawyers have not completed discovery or mediation. PROCRASTINATE AT YOUR OWN RISK.

1. 3/9/11 **NEW PARTIES** shall be joined and served by this date. No parties may be added after this date without approval by the Court. Approval after this date is less likely to be granted if a delay of the trial date would result.
2. **EXPERTS** for all Plaintiffs shall be designated by this date.
3. **EXPERTS** for all **OTHER PARTIES** shall be designated by this date (30 days after date Plaintiff's experts are ordered to be designated). Any party designating a testifying expert witness is **ORDERED** to provide no later than the dates set for such designation, the information set forth in Rule 194.2 (f) and a written report prepared by the expert setting the substance of the experts opinions. An expert not designated prior to the ordered deadlines shall not be permitted to testify absent a showing of good cause.
4. **ROBINSON CHALLENGES are to be filed and heard by this date.**
5. **DISCOVERY** deadlines controlled by designation of case. Counsel may by written agreement continue discovery beyond this deadline. Such discovery, however, will not delay the trial date. Level One-(Rule 190.2) Discovery shall be completed 30 days before the date set for trial.

No. of hours per side for oral depositions: _____

No. of written interrogatories that maybe served by any party on another party:
_____(Excluding interrogatories asking a party to identify or authenticate specified documents).

Level Two-(Rule 190.3) Discovery shall be completed the earlier of 30 days before the date set for trial or 9 months after the date of the first oral deposition of the due date of the first response to written discovery.

Level Three-(Rule 190.4) Discovery shall be completed by this date.

No. of hours per side for oral depositions:

No. of written interrogatories that maybe served by any party on another party:
(Excluding interrogatories asking a party to identify or authenticate specified documents).

6. Pleadings must be amended or supplemented by this date, except by written agreement of all parties.
7. Mediation shall be completed by this date. Report to be filed with court on or before this date. Objections to mediation must be filed within thirty days of this date (by _____).

Wright
Burnett

All parties agree to participate in mediation with the following person to serve as mediator:

Name:

Address:

Phone:

Fax No.

Norma Vanzo

8. _____ A pretrial conference will be held. *If you are not present we will assume you are ready for trial. Attorneys are responsible for checking the website throughout the two-week trial period to determine their current trial status at www.co.galveston.tx.us. Cases may be tried out of order.*

9. 11/7/11 at 9 a.m. Trial by jury is set for two-week docket commencing on this date.
Prior to commencement voir dire parties are ordered to exchange the following:

____ Proposed jury instructions and questions
____ Motion in Limine
____ Exhibit list
____ Labeled and numbered exhibits
____ Witness lists (inform court at earliest opportunity of scheduling problems relating to witnesses)

10. _____ at _____ Trial before Court is set.

11. All counsel will be required to file a **joint report** on the 3rd Monday in January and the 3rd Monday in July of each year, in all cases involving in excess of 20 parties. Such report shall inform the Court of the remaining parties and claims currently involved in the lawsuit and the current attorney's name, telephone number, facsimile number, e-mail address.
12. Any attorney representing a party who files **bankruptcy** during the pendency of the litigation must submit a written report advising court of the status of such bankruptcy on the 2nd Monday in January and the 2nd Monday in July.
13. All attorneys shall abide by the Supreme Court of Texas and The Court of Criminal Appeals Texas Lawyer's Creed – A Mandate for Professionalism as set forth in our website:
www.co.galveston.tx.us/Justice_Center/documents/Rules-district-court01-09.pdf
14. Cases not reached for trial during a trial setting will automatically be reset for trial on the next civil trial date setting for this Court unless a court order is issued setting the case for another date. Pretrial conference will be reset for the corresponding trial date. Cases will continue to be reset as each consecutive civil pre-trial and trial setting until reached regardless of whether you receive a notice or order regarding the trial reset date. Usually the pretrial conference is set the Monday proceeding the first day of the beginning of the trial period at 1:30 p.m. Calendar dates for the civil trial weeks of this court can be found on the court's website.

SIGNED on 2-16-11

Judge - 10th

Murray Hitt
PLAINTIFF

James - TWA
DEFENDANT

Cheney, Richard 10CV3828