

BRIAN MORROW, et al.,
Plaintiff(s),

vs.

WENDY ELDREDGE, et al.,
Defendant(s).

IN THE DISTRICT COURT

95TH JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

UNIFORM SCHEDULING ORDER (LEVEL 3)

(Revd. Aug. 22, 2001; 95th District Court’s 2019 non-standard provisions in **ALL CAPS BOLD**)

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

1. This case will be ready and is set for **Non-Jury Trial on September 21, 2026, at 9:00 a.m. (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.

Trial announcements must be made in accordance with rule 3.02 Local Rules of the Civil Courts of Dallas County Texas. When no announcement is made for defendant, defendant will be presumed ready. If plaintiff fails to announce or to appear at trial, the case will be dismissed for want of prosecution in accordance with Rule 165a, Texas Rules of Civil Procedure.

2. Pretrial matters will be complete by the following dates:

- a. amended pleadings asserting new causes of action or defenses 120 days before the Initial Trial Setting
- b. fact discovery closes..... 105 days before the Initial Trial Setting
- c. party seeking affirmative relief shall designate experts and must provide reports..... 105 days before the Initial Trial Setting
- d. party opposing affirmative relief shall designate experts and must provide reports..... 90 days before the Initial Trial Setting
- e. party seeking affirmative relief shall designation of rebuttal experts and must provide reports 75 days before the Initial Trial Setting
- f. all expert discovery closes 45 days before the Initial Trial Setting
- g. other amended pleadings..... 45 days before the Initial Trial Setting

The parties may by written agreement alter these deadlines **EXCEPT SEE ADDENDUM BELOW**. Amended pleadings responsive to timely filed pleadings under this schedule may be filed after the deadline for amended pleadings if filed within two (2) weeks after the pleading to which they respond. Except by agreement of the party, leave of court, or where expressly authorized by

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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 expert discovery, or such objection is waived. Such motions must be **FILED AND** heard ***no later than thirty (30) days prior to trial (EMPHASIS ADDED)***. Any motion to compel responses to discovery (other than relating to factual matters arising after the end of fact discovery) must be filed no later than seven (7) days after the close of fact discovery or such complaint is waived, except for the sanction of exclusion under Rule 193.6

4. Motions for summary judgment or other dispositive motions must be **FILED AND** heard ***no later than thirty (30) days prior to trial (EMPHASIS ADDED)***.

5. Each side may have 75 hours of depositions and each party may have 50 interrogatories, subject to the conditions of Rule 190.3(b)(2) and (3).

6. No additional parties may be joined more than eight (8) 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. The parties shall mediate this case no later than thirty (30) days before the Initial Trial Setting, unless otherwise provided by court order **WITH A MEDIATOR OF THE PARTIES' CHOICE**. Named parties shall be present during the entire mediation process and each corporate party must be represented by an executive officer or corporate representative with authority to negotiate a settlement. ~~Unless, within 14 days of the date of this Order, the parties file and bring to the attention of the Court Coordinator a Joint Notice of Agreed Upon Substitute Mediator, the parties agree to mediate this case _____ whose phone number is _____.~~ **Any joint motion requesting appointment of a mediator should include a brief description of the nature of the dispute, and any novel legal, language, demographic, or other issues the parties desire to have the Court consider in appointing a mediator.** The provisions contained herein regarding mediation will be strictly enforced. Parties violating the requirements of this Order will be required to show cause as to why they are in violation of same.

8. Fourteen (14) days before the Initial Trial Setting, the parties shall exchange designations of deposition testimony to be offered in direct examination and 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. Ten (10) days before the Initial Trial Setting, the parties shall exchange in writing their objections to the opposing party's proposed exhibits, including objections under Rule 193.7, and deposition testimony. **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**

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paragraph and attempt to maximize agreement on such matters. By 4 p.m. on the Thursday before the Initial Trial Setting, the parties shall file with the Court the materials stated in Rule 166(d)-(m), 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. ~~A courtesy copy of each party's pre-trial materials shall be delivered to the Judge's Chambers by 4 p.m. the Thursday before the trial setting~~ **KARIN ALONZO, 95TH DISTRICT COURT ADMINISTRATOR, KALONZO@DALLASCOURTS.ORG WILL ADVISE WHAT TO PROVIDE THE COURT WHEN THE CASE IS CALLED TO TRIAL.**

9. A pre-trial conference shall be conducted from 8 a.m. to 9 a.m. the morning of trial on all matters the parties could not resolve during their meet and confer. If, after the meet and confer between counsel, the parties anticipate more time will be needed for a pre-trial conference, a pre-trial conference shall be scheduled the week before the trial setting.

Plaintiff/Plaintiff's counsel shall serve a copy of this order on any currently named defendants and all parties answering after the date of this order.

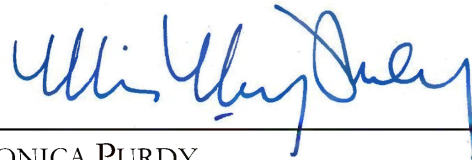
Addendum to Scheduling Order

Dispositive and Expert Motions Deadline. Notwithstanding any provision in this or any order to the contrary, the deadline to file and have heard dispositive motions or motions to strike expert witnesses based on qualifications or *Daubert/Robinson* is 30 days before trial. This deadline cannot be changed by agreement of the parties.

Change by Agreement. Other than the foregoing dispositive and expert motions deadline, the parties may agree to change other dates in the scheduling order. However, any lack of preparation for trial resulting from back-loading the deadlines close to the trial date shall not be grounds for continuance.

Certain Deadlines Rollover. In the event this case is reset or continued, the new trial date is the date from which the dispositive and expert motions deadline shall be calculate as well as deadlines pertaining to exchanging trial materials (e.g., exhibit lists, exhibits, witness lists, deposition excerpts, motions in limine, proposed charges, etc.).

SO ORDERED: November 6, 2025.



MONICA PURDY
Judge, 95th District Court