The Business Court of Texas,
[__] Division

[Plaintiff(s)]	§	
Plaintiff(s)	§	
v.	§	Cause No. [_____]
[Defendant(s)]	§	
Defendant(s)	§	

Proposed Scheduling Order

Instructions: Pursuant to Business Court Local Rule 4, the parties must confer on and jointly file this Proposed Scheduling Order. Please fill in the bracketed material as indicated below, based on available information. Parties must make a thorough and good-faith effort to reach agreement, but if the parties cannot agree, they may specify separate answers as demonstrated below. Do not add argument—the Court will request briefing as needed. All instructions (in red) should be deleted before filing.

I. Jurisdiction & Venue

Instructions: This section provides the Court with early notice of known disputes about this Court's jurisdiction or the trial venue. It does not constitute a challenge to venue or a plea to the jurisdiction, nor does it preclude future challenges to venue or pleas to the jurisdiction.

If the parties disagree on jurisdiction or venue, they may specify separate answers, such as: "Plaintiff contends the Court has jurisdiction over this action under Section … ." "Defendant contends the Court lacks jurisdiction over Plaintiff's claim for … under Section … ."

The Court [has/lacks] jurisdiction over [this action / list specific claim] under Section(s) 25A.004(__)(__) of the Government Code.

Venue [is / is not] proper in a county in the [__] Division of the Business Court as provided [by law / by written contract].

[If case will be tried to a jury:] Jury trial of this action should be held in [_____] County under Section(s) 25A.015(__) of the Government Code.

II. Applicable Law

Instructions: This section provides the Court with early notice of known choice-of-law issues. The parties' positions may change as the case develops.

The substantive laws of [the State of Texas / specify other jurisdiction] govern [this action / list specific claims]. The procedural laws of the State of Texas govern this action.

III. Deadlines & Discovery

Instructions: The parties must submit proposed dates and numbers in the brackets below. If the parties cannot agree on the proposed dates or numbers, they may provide separate proposals. For example, if Plaintiff proposes September 1, 2024, and Defendant proposes October 1, 2024, the parties may fill in the brackets as follows: "P: 9/1/24, D: 10/1/24." After the parties file this proposed order, the Court will set a scheduling conference to discuss the proposed dates and any proposed protective order. Following the conference, the Court will issue the Scheduling Order for the case.

[# hrs.] **[#]**	**Discovery Commencement & Limitations** The discovery period begins when the first initial disclosures are due under TRCP 194.2. The following discovery limits apply, incorporating TRCP 190.3(b)'s definitions, exclusions, and rules for subparts: Each side is limited to this number of total hours for oral depositions. Each party is limited to serving this number of interrogatories on any other party.
[date]	**Electronically Stored Information (ESI) Protocol** By this date, the parties must meet and confer on an ESI protocol, including the parameters for preservation of ESI and the procedures the parties will employ to determine search terms and methodology for identifying ESI in response to a discovery request calling for such information. The parties should be prepared to discuss the ESI protocol at the scheduling conference. ESI will be produced in **[PDF/ TIFF/ Native/ Paper]** format, except when the parties agree to a different format. Except as necessitated by the chosen format, the parties will not degrade the searchability of documents as part of the production process.

	The parties may modify their ESI protocol by agreement at any time, without Court involvement.
[date]	**Joinder** All parties must be added and served, whether by amendment or third-party practice, by this date. The party causing the joinder must provide a copy of the Scheduling Order at the time of service. All joinder must also comply with TRCP 37–41.
[date]	**Joint Advisory on Early Legal Issues** By this date, the parties must file a Joint Advisory on Early Legal Issues in the format provided on the Court's website.
	Pleading Amendments
[date]	Except as provided below or with leave of Court, all pleading amendments must be filed by this date.
[date]	If a party adds a claim or cause of action on or near the date above, other parties may add only defensive pleadings in response to the new claim or cause of action by this date. These deadlines are outer limits and do not relieve the parties of any obligations to act promptly or timely.
	Expert Witness Designations Expert witness designations must include the information listed in Rule 195.5(a) [Parties may add: and the expert report described in Rule 195.5(b)]. Rule 193.6 will govern any failure to timely make, amend, or supplement a designation.
[date]	By this date, parties seeking affirmative relief must serve their expert witness designations.
[date]	By this date, all other parties must serve their expert witness designations.
[date]	By this date, all parties must serve any rebuttal-expert designations.
[date]	**End of Discovery** Fact discovery must be completed by this date. Expert discovery

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