**united states district court**

**southern district of texas**

**Brownsville division**

|  |  |  |
| --- | --- | --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, | §  § |  |
| Plaintiff, | § |  |
|  | § |  |
| v. | § | Civil Action No. 1:16-cv-0\_\_\_ |
|  | § |  |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, | §  § |  |
| Defendant. | § |  |

**Scheduling Order**

*FRCP = Federal Rules of Civil Procedure FPC = Final Pretrial Conference JPO = Joint Pretrial Order*

1. Trial: Estimated time to try: days. ☐ Bench ☐ Jury

*If the estimated length of trial is more than five business days, each party must provide specific*

*and itemized time limits as to each witness listed in the Joint Pretrial Order (“JPO”).*

2. Parties must comply with FRCP 15 in amending pleadings.

3. New party joinder deadline: 180 days from complaint or,

*Furnish a copy of this scheduling order to new parties.* in a removed case, notice of removal

4. The plaintiff’s expert designation and expert report deadline: 180 days before discovery

*See FRCP 26(a)(2)(D); Local Rule 9(A)(4).* deadline

5. The defendant’s expert designation and expert report deadline: 120 days before discovery

*See FRCP 26(a)(2)(D); Local Rule 9(A)(5).* deadline

6. Discovery completion deadline: 90 days before JPO deadline

*Every disclosure under* [*FRCP 26(a)(1)*](https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000600&cite=USFRCPR26&originatingDoc=Id1086a00487211e69a5ffa9f4840b8b8&originationContext=document&transitionType=Document&contextData=(sc.UserEnteredCitation)) *or* [*(a)(3)*](https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000600&cite=USFRCPR26&originatingDoc=Id1086a01487211e69a5ffa9f4840b8b8&originationContext=document&transitionType=Document&contextData=(sc.UserEnteredCitation)) *and every discovery request, response, or objection must be signed by at least one attorney of record in the attorney's own name--or by the party personally, if unrepresented--and must state the signer's address, email address, and telephone number. See FRCP 26(g).*

*Additionally, a party may move for an order compelling disclosure or discovery. The motion must include a certification that the movant has in good faith conferred or tried to confer with the person or party failing to make disclosure or discovery to help obtain it without court action. See FRCP 37(a)(1). Failure to comply with this rule may result in sanctions and the payment of reasonable expenses and attorney’s fees under FRCP 37(a)(5).*

7. The parties’ mediation and status report deadline: 30 days after JPO

8. Dispositive motions deadline: 30 days after discovery

*See FRCP 56(b).* deadline

9. Non-dispositive motions deadline: 30 days after discovery

*Responses to dispositive and non-dispositive motions are due 21 days* deadline

*after the motions are filed. See Local Rule 6(C)(2)*

10. Daubert motions/motion to exclude expert deadline: 30 days after discovery deadline

11. Joint pretrial order (“JPO”) (including witness/exhibit lists) 60 days before FPC

deadline:

*All parties must file the joint pretrial order on time.*

***The following is only applicable to 8 U.S.C.* *§ 1503 cases: Any testifying witness must execute an affidavit; the parties will submit all affidavits in conjunction with the joint pretrial order. See Exhibits A, B. At trial, the parties will be placed on time limits for direct and cross-examination. The Court will initiate questions to every witness before direct examination. See Exhibit C.***

12. Objections to exhibit or witness lists deadline: 15 days after JPO

*All objections must include copies of the disputed exhibit and legal authority.*

13. Responses to objections to exhibit and witness lists deadline: 30 days after JPO

14. Final Pretrial Conference (“FPC”) set for 2:00 P.M.: Please contact Case Manager for FPC date

15. Jury Selection is set for 10:30 A.M.: Please contact Case

Manager for trial date

Approved:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney-in-Charge, Plaintiff(s) Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney-in-Charge, Defendant(s) Date

Signed on this the \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Rolando Olvera

United States District Judge