

ER APR 16 2012
At 3:43 P.M.
Amalia Rodriguez-Mendoza, Clerk

CAUSE NO. D-1-GN-11-003130

THE TEXAS TAXPAYER & STUDENT
FAIRNESS COALITION;
HILLSBORO I.S.D., HUTTO I.S.D. ,
NACOGDOCHES I.S.D.
PFLUGERVILLE I.S.D.
SAN ANTONIO I.S.D., TAYLOR I.S.D.
VAN I.S.D.; RANDY PITTTENGER;
CHIP LANGSTON; and SHELBY
DAVIDSON, as next friend of
CORTLAND, CARLI and CASI
DAVIDSON,

Plaintiffs,

vs.

ROBERT SCOTT, COMMISSIONER
OF EDUCATION, IN HIS OFFICIAL
CAPACITY; SUSAN COMBS, TEXAS
COMPTRROLLER OF PUBLIC
ACCOUNTS, IN HER OFFICIAL
CAPACITY; TEXAS STATE BOARD
OF EDUCATION,

Defendants.

IN THE DISTRICT COURT

250TH JUDICIAL DISTRICT

TRAVIS COUNTY, TEXAS

SCHEDULING ORDER

Unofficial copy Travis Co. District Clerk Velda L. Price



1. DESIGNATION OF EXPERTS

7/30/12

Any party seeking affirmative relief on any claim shall, by this date:

(1) designate experts pursuant to and in compliance with TEX. R. CIV. P. 194.2(f) and 195;

(2) serve all other parties with expert reports, which shall include: (A) a list of the expert(s)' publications for the previous seven (7) years, (B) a list of matters in which the expert(s) provided deposition or trial testimony for the previous seven (7) years, (C) a description of the compensation for the expert(s)' work in this case, and (D) a complete statement of the opinions the expert(s) will offer and the bases for same; and

(3) provide three dates prior to September 7, 2012, upon which each such expert will be made available for oral deposition (deposition dates beyond September 7, 2012 may be provided by agreement of the parties or with leave of Court).

8/27/12

Any party resisting claims for affirmative relief on any claim shall, by this date:

(1) designate experts pursuant to and in compliance with TEX. R. CIV. P. 194.2(f) and 195;

(2) serve all other parties with expert reports, which shall include: (A) a list of the expert(s)' publications for the previous seven (7) years, (B) a list of matters in which the expert(s) provided deposition or trial testimony for the previous seven (7) years, (C) a description of the compensation for the expert(s)' work in this case, and (D) a complete statement of the opinions the expert(s) will offer and the bases for same; and

(3) provide three dates prior to September 24, 2012, upon which each such expert will be made available for oral deposition (deposition dates beyond September 24, 2012 may be provided by agreement of the parties or with leave of Court).

9/17/12

All parties asserting claims for affirmative relief shall provide to all other parties any supplemental expert reports for previously designated experts by this date.

Disclosures of experts and expert reports later than the dates identified above shall be permitted only by agreement by all parties or with leave of Court.

2. AMENDMENTS TO PLEADINGS/PARTIES

- 6/11/12 All new parties shall be added by this date, unless by agreement of the parties or with leave of Court.
- 7/27/12 Parties asserting claims for affirmative relief shall amend or supplement pleadings by this date. Pleadings may be amended after this date only by agreement of all parties or with leave of Court.
- 8/10/12 Parties resisting claims for affirmative relief shall amend or supplement pleadings by this date. Pleadings may be amended after this date only by agreement of all parties or with leave of Court.

3. DISCOVERY LIMITATIONS

Each Plaintiff group may submit a maximum of 35 interrogatories to Defendants.

The Intervenor group may submit a maximum of 20 interrogatories to Defendants and a maximum of 20 interrogatories to each Plaintiff group. Defendants may submit a maximum of 20 interrogatories to the Intervenor group. Each Plaintiff group may submit a maximum of 20 interrogatories to the Intervenor group.

Defendants may submit a maximum of 35 interrogatories to each Plaintiff group.

All parties agree that expert depositions shall be limited to 10 hours each and fact witness depositions shall be limited to 8 hours each, exclusive of breaks.

4. DESIGNATION OF DISTRICTS FOR TRIAL

6/11/12 Plaintiffs agree to designate any school districts or parent(s) from each school district where more than one party parent attends they intend to call for purposes of trial by this date. Plaintiffs may designate additional school districts after this date only by agreement of all parties or with leave of Court. These designations will not prevent a Plaintiff from presenting evidence for statewide comparisons or for comparisons of groupings of districts by region, county or contingent districts.

7/2/12 Defendants agree to designate any school district they intend to use for purposes of trial by this date. Defendants may designate additional districts after this date only by agreement of all parties or with leave of Court. These designations will not prevent a Defendant from presenting evidence for statewide and/or district-to-district comparisons.

The designation of districts, in and of itself, does not create a presumption that evidence from those districts can be extrapolated to be representative of other groups of districts (or parents) that are not designated.

The designation of districts may not serve as the basis for an objection to any parties' request for documents or information from any other party to this suit on the grounds that the request is outside the scope of discovery in this case.

5. FINDINGS OF FACT, CONCLUSIONS OF LAW

10/15/12 Each party shall file with the Court, without service on other parties, draft findings of fact and conclusions of law.

6. DISCOVERY COMPLETION DEADLINE

9/24/12 All discovery shall be completed by this date unless otherwise agreed by the parties.

7. DISPOSITIVE MOTIONS DEADLINE

5/15/12 Parties shall file motions to strike or otherwise challenge the basis of the intervention by this date. If Intervenors add new claims to their pleadings after this date, the parties will have 14 days to file a motion to strike or otherwise challenge the basis of the intervention based solely on additional claims, if any. If Intervenors amend or supplement their pleadings in response to special exceptions, and such amendments or supplements do not raise additional claims, it shall not extend or create a new deadline.

9/24/12 Any dispositive motions shall be filed by this date.

8. DESIGNATION OF TRIAL EXPERTS, WITNESSES, AND EXHIBITS

10/8/12 All parties shall file and serve upon each other and the Court a list of expert witnesses, fact witnesses, deposition designations, exhibits, and copies of exhibits to be used at trial. Any objections and counter deposition designations thereto shall be filed within 10 days of service of said designation.

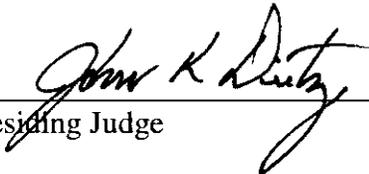
9. PRE-TRIAL HEARING

10/15/12 (Suggested date subject to the Court's preference)

10. TRIAL

October 22, 2012

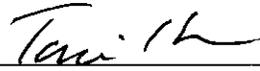
Signed this 10th day of April, 2012.



Presiding Judge

AGREED AS TO FORM:

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