

NO. 2013-05455

CARL HENRY BRUNSTING,
INDEPENDENT EXECUTOR OF THE
ESTATES OF ELMER H. BRUNSTING
AND NELVA E. BRUNSTING

vs.

CANDACE L. KUNZ-FREED AND
VACEK & FREED, PLLC f/k/a
THE VACEK LAW FIRM, PLLC

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

164th JUDICIAL DISTRICT

AMENDED DOCKET CONTROL ORDER

The following docket control order shall apply to this case unless modified by the Court. If no date is given below, the item is governed by the Texas Rules of Civil Procedure.

1. **08/15/14** **JOINDER.** All parties must be added and served, whether by amendment or third party practice, by this date. THE PARTY CAUSING THE JOINDER SHALL PROVIDE A COPY OF THIS DOCKET CONTROL ORDER AT THE TIME OF SERVICE.
2. **EXPERT WITNESS DESIGNATION.** Expert witness designations are required and must be served by the following dates. The designation must include the information listed in Rule 194.2(f). Failure to timely respond will be governed by Rule 193.6.
 - (a) **10/14/14** Experts for parties seeking affirmative relief.
 - (b) **11/14/14** All other experts.
3. **STATUS CONFERENCE.** Parties shall be prepared to discuss all aspects of the case, including ADR, with the court on this date. TIME:
Failure to appear will be grounds for dismissal for want of prosecution.
4. **DISCOVERY LIMITATIONS.** The discovery limitations of Rule 190.2, if applicable, or otherwise of Rule 190.3 apply unless changed below:
 - (a) Total hours per side for oral depositions.
 - (b) Number of interrogatories that may be served by each party on any other party.
5. **ALTERNATIVE DISPUTE RESOLUTION.**
 - (a) By this date the parties must either (1) file an agreement for ADR stating the form of ADR requested and the name of an agreed mediator, if applicable; or (2) set an objection to ADR. If no agreement or objection is filed, the court may sign an ADR order.
 - (b) ADR conducted pursuant to the agreement of the parties must be completed by this date.
6. **01/02/15** **DISCOVERY PERIOD ENDS.** All discovery must be conducted before the end of the discovery period. Parties seeking discovery must serve requests sufficiently far in advance of the end of the discovery period that the deadline for responding will be within the discovery period. Counsel may conduct discovery beyond this deadline by agreement. Incomplete discovery will not delay the trial.
7. **DISPOSITIVE MOTIONS AND PLEAS.** Must be set for hearing or submission as follows:
 - (a) If subject to an interlocutory appeal, dispositive motions or pleas must be set by this date.
 - (b) Summary judgment motions not subject to an interlocutory appeal must be set by this date.
 - (c) Rule 166a(i) motions may not be set before this date.
8. **CHALLENGES TO EXPERT TESTIMONY.** All motions to exclude expert testimony and evidentiary challenges to expert testimony must be filed by this date, unless extended by leave of court.
9. **01/02/15** **PLEADINGS.** All amendments and supplements must be filed by this date. This order does not preclude prompt filings of pleadings directly responsive to any timely filed pleadings.

10. Parties shall be prepared to discuss all aspects of trial with the court on this date. TIME: _____
Failure to appear will be grounds for dismissal for want of prosecution.

11. 02/02/15 TRIAL. If not assigned by the second Friday following this date, the case will be reset.

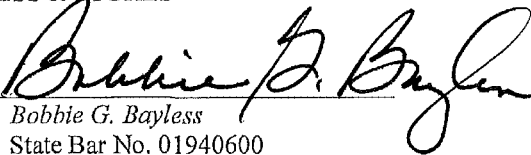
SIGNED THIS DATE: _____

JUDGE PRESIDING

APPROVED AS TO FORM & SUBSTANCE:

BAYLESS & STOKES

By: _____



Bobbie G. Bayless
State Bar No. 01940600
2931 Ferndale
Houston, Texas 77098
Telephone: (713) 522-2224
Telecopier: (713) 522-2218
bayless@baylessstokes.com

*Attorneys for Plaintiff, Carl Henry Brunsting,
Independent Executor of the Estates of
Elmer H. Brunsting and Nelva E. Brunsting*

THOMPSON, COE, COUSINS, & IRONS, L.L.P.

By: _____



Zandra L. Foley
State Bar No. 24032085
Cory S. Reed
State Bar No. 24076640
One Riverway, Suite 1600
Houston, Texas 77056
Telephone: (713) 403-8200
Telecopier: (713) 403-8299
zfoley@thompsoncoe.com
creed@thompsoncoe.com

*Attorneys Defendants, Candace L. Kunz-Freed and
Vacek & Freed, PLLC f/k/a The Vacek Law Firm, PLLC*