



CAUSE NO. CC-25-01512-A

DR. KATHLEEN BAILEY,

IN THE COUNTY COURT

Plaintiff,

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v.

AT LAW NO. 1

DALLAS ATHLETIC CLUB, INC.,

Defendant.

DALLAS COUNTY, TEXAS

AGREED SCHEDULING ORDER

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

1. This case will be ready and is set for jury trial on June 8, 2026, at 9:30 am (the "Initial Trial Setting"). All counsel of record as well as all parties are required to appear at 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 or agreement. If not reached as set, the case may be *reset*.
FAILURE TO COMPLY WITH THE DEADLINES CONTAINED HEREIN SHALL NOT SUPPORT A MOTION TO CONTINUE THIS MATTER.

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

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| January 19, 2026 | Joinder of Additional Parties. No additional parties may be joined after this date 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. |
| February 2, 2026 | Other Amended Pleadings. All other amended pleadings must be filed no later than this date. |
| January 14, 2026 | Party Seeking Affirmative Relief Expert Designation. Plaintiff and/or any party seeking affirmative relief shall designate expert witness(es) and provide reports, if any, of such expert witness(es) within that party's control. |
| February 13, 2026 | Party Opposing Affirmative Relief Expert Designation. Defendant and/or any party opposing affirmative relief shall |

designate expert witness(es) and provide reports, if any, of such expert witness(es) within that party's control.

April 10, 2026

Close of Fact Discovery. All fact discovery shall be concluded by this date. Unless otherwise ordered, discovery in this case will be controlled by Rule 190.3. Discovery should be served in accordance with the Texas Rules of Civil Procedure so as to allow responses to be due on or before this deadline.

April 24, 2026

Motions to Compel. Any motion to compel responses to discovery (other than relating to factual matters arising after the end of the discovery period or matters related to expert discovery must be filed by this date, or such complaint is waived, except for the sanction of exclusion under Rule 193.6.

April 24, 2026

Dispositive Motions. All motions for summary judgment or other dispositive motions shall be filed by this date, except upon leave of the Court. Except with leave of court, Texas Rule of Civil Procedure 166a(c) motions must be heard no later than thirty (30) days before the Initial Trial Setting.

April 24, 2026

Mediation. The parties shall mediate this case, unless otherwise provided by court order. Mediation will be conducted in accordance with the *Court's Order*. **Motions for continuances of trial will not be granted due to failure to mediate.** The mediator shall be Gary Fowler.

May 11, 2026

Exchange of Trial Materials. The parties shall exchange 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. Rule 193.7 applies to this designation.

May 22, 2026

Pretrial Conference. The attorneys in charge for all parties shall meet in person by this date to confer on stipulations regarding the materials to be submitted to the Court and attempt to maximize the agreement on such matters.

May 29, 2026

Filing of Trial Materials. The parties shall file with the Court the materials stated in Rule 166(e)-(m), an estimate of the length of trial, designation of deposition testimony to be offered in direct examination, objections to the other parties' designations of deposition testimony, and any motions in limine.

SO ORDERED: January 27, 2026


JUDGE PRESIDING

