

**STANDING ORDER
REGARDING MOTIONS TO COMPEL DISCOVERY**

It is ORDERED that these procedures govern Motions to Compel Discovery Filed in the 457th District Court.

The purpose of these procedures is to place each discrete discovery request, related objections, related responses, and related arguments together in a single document in order to expedite the Court's consideration of and rulings on discovery disputes by written submission.

The procedures appearing below should be interpreted with that goal in mind.

A. SUBMISSION AND NOTICE:

Motions to Compel discovery are considered on the 457th District Court's submission docket. Please contact the Court (936-538-3697) in order to schedule a submission date, then please send notice in compliance with the Local Rules of the District Courts of Montgomery County, Texas, and, in particular, with Rule 3.7 Hearings on Pre-Trial, subparts B and C, to the extent those Rules are not inconsistent with this Order.

B. USE OF A SINGLE DOCUMENT FOR MOTIONS TO COMPEL WHERE A RESPONSE WAS MADE:

1. The Movant will prepare a Motion to Compel, identifying each separate discovery request about which there is controversy set forth by its number as propounded, and:
 - Writing the discovery request *verbatim*,
 - Writing each objection made to that request by the Respondent *verbatim*, and
 - Writing each answer or response made by the Respondent to that request *verbatim*.
2. Immediately below the matters described in (1), above, the Movant will succinctly state argument and authority pertaining to, as applicable:
 - Each discrete objection as to why that objection should be overruled, and
 - Each discrete response as to why the response is deficient.
3. The Movant shall electronically serve and file the Motion to Compel along with a Notice of Submission in the usual manner, and shall also email or otherwise electronically serve a copy of the Motion in Word or WordPerfect format on the Respondent.
4. The Movant will prepare a proposed Order in which each disputed discovery request, identified by its number as propounded, is set forth and below which each discrete objection or deficiency is set forth, and leaving space below each discrete objection or deficiency in which the Court will make its rulings.
5. The proposed Order will be electronically served and filed in the usual manner, and a copy of the proposed Order in Word or WordPerfect format with the file named "[Case Number] - Proposed Order – [Name of Party] Motion to Compel" will be emailed to david.kallus@mctx.org.
6. In response to the Motion to Compel, and with respect to each discrete objection or response, Respondent shall succinctly state Respondent's argument and authority as to why, as applicable, an objection should be sustained or a particular response is adequate.

7. The Respondent shall electronically file and serve the Response to the Motion to Compel in the usual manner and shall also email or otherwise electronically serve a copy of the Response in Word or WordPerfect format on the Movant.
8. If the Movant wishes to do so, the Movant may prepare a succinct Reply to each discrete response immediately below that particular response and will electronically serve and file any such Reply in the usual fashion.

C. DO NOT FILE THE WRITTEN DISCOVERY:

Please do not attach copies of the written discovery or the objections and responses to the written discovery to the electronically filed motion or response except as necessary to evidence a failure to accurately quote a discovery request, objection, or response. In that event, attach only the page(s) necessary to evidence the error and highlight the error on the page(s) attached.

D. MOTIONS TO COMPEL IF NO RESPONSE IS MADE:

In the case of a Motion to Compel as to written discovery to which a responding party has wholly failed to timely respond, a simple Motion so stating which provides the date(s) the written discovery was served and a simple proposed Order granting the Motion will suffice:

E. USE OF A SINGLE DOCUMENT FOR MOTIONS TO COMPEL RESPONSES TO QUESTIONS IN ORAL DEPOSITIONS:

If a party seeks a Motion to Compel responses to questions lodged in an oral deposition which the Deponent did not answer or whose answers were deficient, then the Movant must follow the procedures in (B)(1)-(8), modified only insofar as the Movant shall provide deposition page and line references (as opposed to providing the number of the discovery response).

Signed _____



VINCENZO SANTINI, PRESIDING JUDGE OF THE 457TH DISTRICT COURT