

190.2A. Discovery Control Plan—Cases where the Amount in Controversy is \$250,000 or less (Level 1A)

(a) *Application.*

- (1) This subdivision applies to any suit where the amount in controversy is \$250,000 or less and is not in Level 1.
- (2) This subdivision does not apply if the parties agree that Rule 190.3 should apply or the court orders a discovery control plan under Rule 190.4

(b) *Limitations.* Discovery is subject to the limitations provided elsewhere in these rules and to the following additional limitations:

- (1) Discovery Period. Without leave of court, all discovery must be conducted during the discovery period, which begins when initial the suit is filed and continues until 180 days after the date the first request for discovery of any kind is served on a party.
 - (2) Total Time for Oral Depositions. Each party may have no more than 20 hours in total to examine and cross-examine all witnesses in oral depositions. The court may modify the deposition hours so that no party is given unfair advantage.
 - (3) Interrogatories. Any party may serve on any other party no more than 20 written interrogatories, excluding interrogatories asking a party only to identify or authenticate specific documents. Each discrete subpart of an interrogatory is considered a separate interrogatory.
 - (4) Requests for Production. Any party may serve on any other party no more than 20 written requests for production. Each discrete subpart of a request for production is considered a separate request for production.
 - (5) Requests for Admissions. Any party may serve on any other party no more than 20 written requests for admissions. Each discrete subpart of a request for admission is considered a separate request for admission.
 - (6) Requests for Disclosure. In addition to the content subject to disclosure under Rule 194.2, a party may request disclosure of all documents, electronic information, and tangible items that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses. A request for disclosure made pursuant to this paragraph is not considered a request for production.
- (c) Reopening Discovery. If the filing of an amended pleading renders this subdivision no longer applicable, the discovery period reopens, and discovery must be completed within the limitations provided in Rules 190.3 or 190.4, whichever is applicable. Any person previously deposed may be redeposed. On motion of any party, the court should continue the trial date if necessary to permit completion of discovery.

Rule 47 also needs to be changed. Change (3) and (4) to reflect \$250,000.00.