

**Information or instructions: Motion to modify a discovery control plan**

**PREVIEW**

1. This motion is used to modify an existing discovery control plan.
2. This pleading is per TRCP 194

**Form: Motion to modify a discovery control plan**

CAUSE NUMBER \_\_\_\_\_

[Name],  
PLAINTIFF

IN THE [Type of Court] COURT

vs.  
[Name],  
DEFENDANT

[Court number]  
OF [NAME], COUNTY, TEXAS

**PLEASE DO NOT COPY**

**MOTION TO MODIFY DISCOVERY CONTROL PLAN**

This Motion to Modify Discovery Control Plan is brought by [Movant Name to Modify Discovery] and shows the following:

1. Movant is [Who is Movant to Modify Discovery?] and respondent to the Motion, [Respondent Name Discoverer] is [Who is Respondent to Modify Discovery] in this suit.
2. The existing Discovery Plan is dated [Date of Current Discovery Plan], and was agreed to by the Parties.
3. The present plan is attached to this motion as Exhibit A.
4. An amendment to pleadings has been filed which asks for relief in excess of the Level 2 limits.

**THIS DOCUMENT**

5. The needed discovery is related to new information disclosed in a discovery response or new, amended or supplemental pleadings and the new pleadings or responses were made after the deadline for completion of discovery or so nearly before that deadline that Movant has not had an adequate opportunity to conduct discovery related to the new matters and Movant would be unfairly prejudiced without such additional discovery.

**THANK YOU**

**LegalFormsForTexas.Com**

6. The needed discovery is regarding matters which have changed materially after the discovery cutoff and trial has been set or postponed and the trial date is now more than three months after the date on which the discovery cutoff period ended.

**PREVIEW**

7. The plan should be modified for the reasons stated below:

[Reasons]

8. The modifications requested include:

[New plan]

**PLEASE DO NOT COPY**

PRAYER

Movant prays that the court grant the relief requested.

Respectfully Submitted,

\_\_\_\_\_  
[Law Firm Name]

By

**THIS DOCUMENT**

\_\_\_\_\_  
[Attorney's Name]

Attorney for [Plaintiff, Defendant or Movant]

[Attorney's Address]

[Telephone Number]

[Facsimile Number]

[Bar Card Number]

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Motion to Modify Discovery Control Plan has been served upon all attorneys of record and any parties who are not represented by an attorney on \_\_\_\_\_.

**THANK YOU**

Attorney for: [Other attorney's client's name]

Attorney's name: [Other attorney's name]

Attorney's Address: [Other attorney's address]

**LegalFormsForTexas.Com**

Type of Service:

**PREVIEW**

\_\_\_ U.S. Mail, certified return receipt requested No. \_\_\_\_\_.  
\_\_\_ U.S. Mail, first class.  
\_\_\_ Hand delivery by [name of delivery service]: \_\_\_\_\_.  
\_\_\_ Facsimile transmission to \_\_\_\_\_ [fax number] before 5 p.m.

\_\_\_\_\_  
[Name of Client's Attorney]

**PLEASE DO NOT COPY**

**THIS DOCUMENT**

**THANK YOU**

**[LegalFormsForTexas.Com](http://LegalFormsForTexas.Com)**