**NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**IN THE COURT OF APPEALS FOR**

**THE [NUMBER] DISTRICT OF TEXAS AT [CITY]**

**[NAMES],**

***Appellant(s)/Cross-Appellee(s),***

**v.**

**[NAMES],**

***Appellee(s)/Cross-Appellant(s).***

**JOINT MOTION TO SET BRIEFING SCHEDULE**

**TO THE HONORABLE COURT OF APPEALS:**

Appellant(s)/Cross-Appellee(s) [Name each] (“[Defined Name”]) and Appellee(s)/Cross-Appellant(s) [[Name each] (“[Defined Name”]) (collectively, the “parties”) jointly file this Joint Motion to Set Briefing Schedule in this cross-appeal.

**I.**

This is an appeal and cross-appeal from a final judgment signed on [DATE] in Cause No. [Number] by the [District Number] Judicial District of [Name of] County, Texas. [Party Name(s)] timely filed a notice of appeal on [Date]. [Party Name(s)] timely filed a notice of appeal on [Date].

**II.**

The record is due on [Date]. If the record is timely filed, the deadline for filing both sides’ briefs as appellants is [Date].

**III.**

The parties request that an initial briefing schedule in the appeal and cross-appeal be set to condense the briefing to four briefs, rather than six, as set forth below. The proposed deadlines and word limits are based on Local Rule 5 of the Fifth Court of Appeals and Local Rule 1 of the Eighth Court of Appeals.

The initial proposed schedule would not preclude either party from seeking an extension of time from the Court.

|  |  |  |
| --- | --- | --- |
| **BRIEF** | **DUE DATE** | **WORD/PAGE LIMITS** |
| Appellants’ Brief | 30 days [20 days if an accelerated appeal] after both the reporters’ record and clerks’ record is filed | 15,000 words |
| Combined Appellees’ Response and Cross-Appellants’ Brief | 30 days [20 days if an accelerated appeal] after the appellants’ brief is filed | 30,000 words |
| Combined Appellants’ Reply Brief and Cross-Appellees’ Response Brief | 30 days [20 days if an accelerated appeal] after the combined appellees’ response and cross-appellants’ brief is filed | 22,500 words |
| Cross-Appellants’ Reply Brief | 20 days after the combined appellants’ reply brief and cross-appellees’ response brief is filed | 7,500 words |

**PRAYER**

The parties respectfully request that the Court establish an initial briefing schedule as proposed above.

Respectfully submitted,

|  |  |
| --- | --- |
| */s/ [Counsel’s Name]*  [Counsel’s Name]  Texas Bar No. [########]  [Email address]  **[Firm Name]**  [Street Address]  [City, State Zip Code]  Telephone: [(###)###-####]  Fax: [(###)###-####]  **Attorneys for Appellants/Cross-Appellees [Party Names]** | */s/ [Counsel’s Name]*  [Counsel’s Name]  Texas Bar No. [########]  [Email address]  **[Firm Name]**  [Street Address]  [City, State Zip Code]  Telephone: [(###)###-####]  Fax: [(###)###-####]  **Attorneys for Appellees/Cross-Appellants [Party Names]** |

**CERTIFICATE OF CONFERENCE**

I certify that on [date] I conferred with counsel for appellees/cross-appellants, [Name], who stated that appellees/cross-appellants agree to the relief jointly requested in this motion.

*/s/ [Attorney Name]*

[Attorney Name]

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was forwarded to all counsel of record shown below by electronic filing in accordance with the Texas Rules of Appellate Procedure on [date].

[Counsel’s Name]

**[Firm Name]**

[Street Address]

[City, State Zip Code]

[Email address]

***Counsel for Appellees/Cross-Appellants***

***[Party Name]***

[*Include any additional Counsel for Appellees/Cross-Appellants*]

*/s/ [Counsel’s Name]*

[Counsel’s Name]