



events has occurred before that date:

(a) A party has filed a Motion to Set and Certificate of Readiness,

(b) The parties have filed a Proposed Scheduling Order, or

(c) The court has entered a Scheduling Order.

(3) If, in a pending action, one of the preceding events has not occurred before April 15, 2014, the parties shall file a Joint Report and a Proposed Scheduling Order in accordance with the Amendments by June 30, 2014, or within 270 days after the commencement of the action, whichever date is later. Otherwise, the court will place the action on the Dismissal Calendar in accordance with the Amendments.

(4) A trial court, in its discretion, may apply any of the Amendments to a case pending before April 15, 2014, even if the Amendments would not otherwise apply under paragraph (2) above. For example, if a party filed a Motion to Set and Certificate of Readiness before April 15, 2014, the trial judge may set the matter for a trial setting conference under amended Rule 16(f), rather than placing the case on the active calendar under pre-Amendment Rule 38.1(c).

(5) Civil actions pending on the Inactive Calendar on April 15, 2014 shall be dismissed without prejudice on June 14, 2014, unless one of the actions set forth in subparts (1)-(4) of amended Rule 38.1(f) occurs before June 14, 2014.

DATED this \_\_\_\_\_ day of November, 2013.

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REBECCA WHITE BERCH  
Chief Justice

TO:  
Rule 28 Distribution  
John A Furlong  
Charles V Harrington

Sarah R Simmons  
Carmine Cornelio  
Mark C Faull  
Laurie Beaver San Angelo  
Andrew J Petersen  
Mark C Faull  
Marcus Reinkensmeyer