

IN THE STATE COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

2023 NOV 30 AM 8:55

**Scheduling Order Setting Pre-trial Conferences for January 17, 2024 at 9:30 p.m.
and Jury Trials for the Week of February 12, 2024**

CLERK OF COURTS
SUPERIOR COURT

DOCKET INITIALS

For the cases listed on the attached Calendar, the following shall apply:¹

If your case has settled or you are requesting a continuance from this calendar, please email Staff Attorney David Frisch at david.frisch@accgov.com.

Discovery

This Order contemplates that all discovery has been completed, any expert witnesses have been properly disclosed during discovery, and the discovery period is closed.

January 4, 2024

Dispositive motions shall be filed by this date.

Motions to challenge to an expert's qualification under O.C.G.A. § 24-7-702 shall be filed by this date.

January 10, 2024

Consolidated Pre-trial Order shall be submitted by this date to the Staff Attorney by email at david.frisch@accgov.com. Plaintiff shall be responsible for consolidating the pre-trial order. (*See further instructions below.*)

Motions in Limine should be filed by 5:00 p.m. on this date. The Court requests the attorneys refrain from filing boilerplate motions and motions seeking the Court to enter rulings on general topics of well-established of law, evidence, or procedure which are not tailored to the particular legal or evidentiary issues in the case.

Notices of intent to introduce records pursuant to O.C.G.A. § 24-9-902 (11) or (12) shall be filed by this date or may be included in §14 of the pre-trial order if the notice complies with the requirements of O.C.G.A. § 24-9-902 (11) or (12).

¹ For cases where the Court has already entered a pre-trial order, a note has been made on the Calendar. Counsel in these cases are excused from attending the pre-trial conference and from complying with the other requirements of this scheduling order.

Trial Depositions - For any depositions to be used at trial, the parties shall file any deposition designations or requests for rulings on deposition objections by this date.

For any trial depositions taken after this date, any designations or requests for rulings on objections shall be filed within 48 hours of a party's receipt of the transcript.

January 16, 2024

Mediation should be completed by this date. If counsel has not received an order scheduling mediation, please contact the Tenth District ADR Program at (706) 613-3210 to be scheduled for mediation.

January 17, 2024

Pre-trial Conference shall be held at **1:30 p.m.** in the State Court Courtroom, Fifth Floor of the Athens-Clarke County Courthouse, 325 E. Washington Street, Athens, Georgia 30601. ***(See further instructions below.)***

Motions in Limine and Deposition Designations may be heard by the Court on this date.

The Pre-trial Conference will have a WebEx remote attendance option. Please email the State Court Staff Attorney at david.frisch@accgov.com to request the link.

Attorneys who have a previously scheduled leave of absence for this date shall contact the State Court Staff Attorney to request an alternative date for a pre-trial conference.

February 12, 2024

Jury Trials shall begin at 8:30 a.m. in the State Court Courtroom. If a case is not reached, it will be placed on the next jury trial calendar.

Instructions for Pre-trial Order:

§1 Name, Address, and Phone Number of Attorneys: If the uninsured or underinsured motorist carrier is a party, the pre-trial order shall include whether the UMC will elect to proceed at trial in its own name or in the name of Defendant as allowed under O.C.G.A. § 33-7-11.

§14 Notices of intent to introduce records: Each party may include notices of intent to introduce pursuant to O.C.G.A. § 24-9-902 (11) or (12) if made in compliance with the statute. _____

§17 Proposed Jury Charges: the parties should word §17 as: "Pursuant to Uniform State Court Rule

10.3, all requests to charge, other than additional requests to cover unanticipated points which arise at trial, shall be filed with the Clerk of State Court and a copy submitted to the Court by email to david.frisch@accgov.com in Word document form at the time of jury selection.”

§19 List of Witnesses: Party shall identify all potential witnesses by first and last name and list the witness’s position and / or employer (if applicable). Parties shall not list witnesses by generic description. At trial, the Court may exclude any witness who has not been sufficiently identified except for the limited purpose of authenticating documents, records, or other exhibits.

Amendments: The Court will not enter pre-trial orders that contain provisions attempting to reserve the right to amend the pre-trial order or to conduct discovery. Amendments will be allowed only upon order of the Court and upon good cause shown.

Attendance at Pre-trial Conference / Requests to be Excused: Unless a pre-trial order has already been entered by the Court, an attorney of record must appear for each party to make an announcement in the case. If you are unable to appear, please contact Staff Attorney David Frisch at david.frisch@accgov.com at least 48 hours in advance to request excusal by the Court.

Failure to Appear at Pre-trial Conference / Failure to Present Proposed Pre-trial Order: Failure of counsel to appear at the pre-trial conference without legal excuse or failure to present a proposed pre-trial order shall authorize the Court to remove the action from the trial calendar, enter such pre-trial order as the Court deems appropriate, or impose any other appropriate sanction.

This Order and the attached Calendar shall be entered on the Minutes of the Court and a copy served on the Tenth District Alternative Dispute Resolution Program office.

SO ORDERED, this 30th day of November, 2023.



Ryan S. Hope, Judge
State Court of Athens-Clarke County


CERTIFICATE OF SERVICE

I have served the foregoing Scheduling Order Setting Pre-Trial Conference on January 17, 2024 and for a Jury Trial the week of February 12, 2024 and Calendar on all counsel as listed on said Calendar through PeachCourt as well as the following by hand delivery:

Elisa Zarate, Clerk of Court

Tenth District Alternative Dispute Resolution Program Office

This 30 day of November, 2023.



David C. Frisch, Staff Attorney
State Court of Athens-Clarke County

**Civil Calendar Call for Wednesday, January 17, 2024 at 1:30 p.m.
Jury trial week to begin on Monday, February 12, 2024 at 8:30 a.m.**

1. Susan Michelle Francis, Donald Carson Francis v. Nelson Pavao
ST19CV0013
Kevin Elwell / Michael Kendall & Sylvia Cobb / Marcus Jackson, Timothy Mitchell
2. Maria Fernandez and Julio Andres Benitez as parents, legal guardians, and next best friends of minor child Esmeralda Esperanza Benitez Fernandez v. Bowman Property Management, LLC, Changlin Li, ABC Corporations 1-5, and John Does 1-5
ST20CV0251
Amir Nowroozzadeh / Melissa Segel, Kelly Chartash & Thomas Brennan / Trey Moody, Allison Gylfe, Andrew Moody, Roberto Bazzani, Joi Siler, & David Rusnak
3. Duglas Calderon-Alvanes v. Jose F. Castro
ST20CV0587 (Damages only)
Joseph Conoscienti, Juan Silva & J. Blake Ledbetter /John McArthur
4. Litisha Henry v. Soritas Fears, Southeastrans Inc., Georgia Medical Transportation Inc.
ST21CV0259
Adewale Odetunde / Jason Darneille
5. Sharon Stewart v. Isabella Diane Humphrey and Angela Brunson Humphrey
ST21CV0413
Donald Wells Jr / Dantel Ruiz, Elizabeth Foley & Nevriye Davis / Robyn Roth
6. Dustin Dawson v. Christopher Black and Progressive Mtn Insurance Co
ST22CV0409
W Winston Briggs & Kathy Edwards Opperman / Karen Inniss / Terry Strawser
7. Noel Holloway v. John B. Giles, Jr.
ST22CV0635
John O'Briant / Sarah Williamson / Stephanie Chavies
8. Betty Jacobs v. Lisa Curatolo
ST22CV0708
Megan Garcia / Sarah Britt & Daniel Prout Jr./ Morris Margulis
9. Katrina Gaulden, Patrick Gaulden, Parent and Natural Guardian of Brielle Gaulden Minor v. Jose A Aguilar; John Doe
ST22CV0740
Mary Paulson, Jan Cohen & Shahiriah Hammond / Douglas MacKimm, Adina A. Abrahami & Nikolai Makarenko
10. Tierra Watkins v. Pilgrim's Pride Corporation, Et Al
ST23CV0075
Jameson Sackey / Ashley Webber & Negin Portivent
11. Jennifer Mitchell, Thomas Johnson v. Johnmark Solis, Javier Solis Et Al
ST23CV0077
Charles Johnson / Vanessa Francois & Joseph Angersola
12. Morgan L Watson v. Alexander v. Popik
ST23CV0083
John O'Briant / Kevin Shires
13. Chelsea Favors v. Jane Doe
ST23CV0101
Donald Wells Jr. / Amanda Newquist
14. Gustavo Rodriguez v. Keith Bolton Et Al
ST23CV0143
James Ross Massey & Saif Ahmed / Donald T Wells Jr. & Elizabeth Bentley / James Taylor
15. As Parent And Next Friend Of G.M., A Minor, Et Al v. Georgia Association Of Future Farmers of America
ST23CV0190
Samuel Alderman / John Strauss
16. Adeyemi Makanjuola v. Anna E. Darnell
ST21CV0637 (Case Status on CPTO)
Bret Moore, Laura Moore / Bill Cowsert / Sherman Moody III

**Civil Calendar Call for Wednesday, January 17, 2024 at 1:30 p.m.
Jury trial week to begin on Monday, February 12, 2024 at 8:30 a.m.**

17. David Lloyd v. Kristen N Miller
ST22CV0221 (Case Status on Mediation)
Joshua Branch, Susan Webb & Robert 'Cap'
Russell / Bill Cowsert & Michael Broun