

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

FILED IN OFFICE
ATHENS-CLARKE COUNTY
STATE OF GEORGIA

2023 JUL 21 AM 10:21

**Scheduling Order Setting Pre-trial Conferences for August 16, 2023 at 10:00 a.m.
and Jury Trials for the Week of September 11, 2023**

CLERK OF COURTS
SUPERIOR/STATE

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 Lesley Weise at lesley.weise@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.

July 31, 2023

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.

August 8, 2023

Consolidated Pre-trial Order shall be submitted by this date to the Staff Attorney by email at lesley.weise@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.

August 15, 2023

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.

August 16, 2023

Pre-trial Conference shall be held at **10:00 a.m.** in State Court Hearing Room 415, Fourth 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 lesley.weise@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.

September 11, 2023

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 lesley.weise@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 Lesley Weise at lesley.weise@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 20th day of July, 2023.



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

**Civil Calendar Call for Wednesday, August 16, 2023 at 10:00 a.m.
Jury trial week to begin on Monday, September 11, 2023 at 8:30 a.m.**

1. Demarris L. Heard v. Nicole P. Irizarry
ST-19-CV-0329
Don Wells / William Gordon & Joshua Ruplin
2. Sophia Johnson v. Jonette Jones
ST-20-CV-0325
Minerva Steele / Nikolai Makarenko & Douglas MacKimm
3. Duglas Calderon-Alvanes v. Jose F. Castro
ST-20-CV-0587 (Damages only)
Joseph Conoscienti, Juan Silva & J. Blake Ledbetter / John McArthur
4. Ernie Nkembo-Miantezoulo v. Turner Automotive, Inc. & Brandon M. Rehberg
ST-20-CV-0642
Jeremy Babb / William Merchant & John Blair
5. Norman Gainer v. Autozone Stores, LLC d/b/a Autozone Auto Parts Athens #3449
ST-21-CV-0689
No attorney / Edward M. Newsom
6. Matthew Mackinnon Gibbs and Marguerite Gibbs v. Gabrielle Connally & John Does #1-2
ST-21-CV-0866
Matthew R. Hagen / Robert Hoyland / Claire Sumner
7. Charlotte McKenzie v. Jacob Sandor & John Doe
ST-21-CV-0886
Keenan Rogers / Morris Margulis / Tonya Boykin
8. Allie Vickers v. Teri Harris Trucking, LLC; John Colquitt; & Hallmark Insurance Co.
ST-22-CV-0028
J. Tyler Schermerhorn / David Dial
9. Sandman of North Atlanta, Inc. v. Mark Adams
ST-22-CV-0098
Michael J. Anderson / Beverly R. Adams
10. Gwenetta Powers v. Arthur Sloman, Power Properties, John Does 1-5, and ABC Corporations 1-5
ST-22-CV-0118
Tonya Shy / Joseph Stephens & Adam Cain
11. Jan Bannister v. Jammoul Enterprises, LLC d/b/a Dos Palmas Mexican Grill, Youssef Jammoul, and John Does 1-3
ST-22-CV-0295
Michael Denney & Matthew T. Wilson / Neil Brunetz & Matthew Nanninga
12. Charity Nicole Curtis v. Jack Ronald Hayes
ST-22-CV-0378
John O'Briant / Justin Sanders & Rebecca L. Abraham
13. Tonya Smith and Brenda Smith v. Lauren Stevens
ST-22-CV-0387
Daquita Cooper / Sarah Young
14. Jefferson Capital Systems, LLC v. Hal Clark
ST-22-CV-0413
Cherice Tadday / John Clark
15. Tammy Strong v. McDonald's Restaurants of Georgia, Inc.
ST-22-CV-0417
Carrie Christie & Chastity Marshall / Miranda Hanley
16. Amy D. Jordan v. Amanda Adams McClendon
ST-22-CV-0453
Don Wells / Amanda Newquist / Kristine Snyder
17. Demetrius Coleman v. Tracy Lynn Velasquez
ST-22-CV-0461
Deborah Yates & J. Ross Massey / Steve Heath
18. Britton W. Baker v. Mehul Pravinbhai Amin, Bulldog Package, Inc., and Arthur L. Gaither
ST-22-CV-0541
Casey W. Stevens / Scott Tolbert & Christopher D. Elrod / William Cowsert / Jason Darneille

CERTIFICATE OF SERVICE

I have served the foregoing Scheduling Order Setting Pre-Trial Conference on August 16, 2023 and for a Jury Trial the week of September 11, 2023 and Calendar on all counsel as listed on said Calendar by mail and email as well as the following by hand delivery:

Elisa Zarate, Clerk of Court

Tenth District Alternative Dispute Resolution Program Office

This 20th day of July, 2023.



Lesley E. Weise, Staff Attorney
State Court of Athens-Clarke County