

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

**Scheduling Order Setting Jury Trials for the Week of
May 8, 2023**

For the cases pending trial listed on Exhibit A, the following shall apply:

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.

March 13, 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.

March 20, 2023

Defendant's portion of pre-trial order shall be submitted by Defendant to Plaintiff by this date.

Any uninsured or underinsured motorist carrier shall file by this date a notice of whether the UMC elects to proceed at trial in its own name or in the name of Defendant as allowed under O.C.G.A. § 33-7-11. The UMC shall include the election in §1 of the pre-trial order. If no election is filed, the UMC will waive the ability to proceed in its own name, and the Court will find the UMC has elected to proceed in the name of Defendant.

Compliance with O.C.G.A. § 9-11-26 (e) – Parties shall comply with O.C.G.A. § 9-11-26 (e) and supplement all discovery responses by this date.

March 27, 2023

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

Motions in limine shall 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

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

FILED IN OFFICE
CLERK SUPERIOR COURT
CLARKE COUNTY, GEORGIA
2023 FEB 23 PM 3:13
DOCKET INITIALS

rulings on general topics of well-established of law, evidence or procedure that 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).

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.

April 4, 2023

Mediation shall 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. All cases must attend mediation prior to the pre-trial conference.

April 5, 2023

Pre-trial Conference shall be held at **2:00 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.)***

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

The Pre-trial Conference will have a WebEx remote attendance option. Please notify the State Court Staff Attorney at lesley.weise@accgov.com at least two days in advance if you wish to appear remotely.

Attorneys who have a previously scheduled leave of absence for this date shall contact the State Court Staff Attorney no later than March 3, 2023 to request an alternative date for a pre-trial conference.

May 8, 2023

Jury Trials shall begin at 8:30 a.m. in the State Court Courtroom on May 8, 2023. 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 will exclude any witness who has not been sufficiently identified except for the limited purpose of authenticating documents, records, or other exhibits.

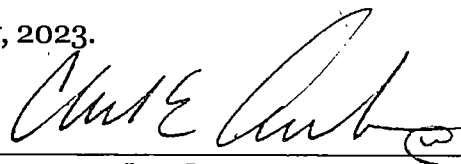
Amendments: The Court will not enter pre-trial orders that contain provisions attempting to reserve the right to amend the pre-trial order or to conduct discovery. Amendments will be allowed only upon order of the Court and upon good cause shown.

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 **Lesley Weise, Staff Attorney**, 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 23 day of February, 2023.



Charles E. Auslander, III
Judge, State Court of Athens-Clarke County

Exhibit A

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

Pre-trial conference on Wednesday, April 5, 2023 at 2:00 p.m.

Jury trial week of Monday, May 8, 2023 at 8:30 a.m.

ST20CV0282 <i>CPTO entered</i>	Tittoris Fambrough versus James P. Sims	Reid Peacock Blaine A. Norris, PC 1143 Prince Ave. Athens, GA 30606	Allen Orr Denise E. Weiner Michael Callicutt Hall Booth Smith, PC 191 Peachtree St. NE, Suite 2900 Atlanta, GA 30303
ST20CV0124	Amani Willis and Janereyal Martin versus Allyssa Bidwell	Philip Pendergrass, Jr. The Pendergrass Law Firm, PC 275 Scientific Drive, Suite 1000 Peachtree Corners, GA 30092-3311	Nadia Nickerson Law Office of McLaughlin & Ream PO Box 7217 London, KY 40742
ST20CV0548	Joel and Carmeana Smith versus Shevlyn Taylor, Mike Rizo, Gregory Taylor, John Doe 1 and John Doe 2	Brian W. Craig John K. Schultz Wood Craig Miller 3520 Piedmont Road NE, Suite 280 Atlanta, GA 30305 Kathleen Mary Opperman Montlick & Associates, PC 17 Executive Park Drive NE Suite 300 Atlanta, GA 30329	Trey Moody Andrew Bryce Moody Allison Gylfe Law Office of SE 'Trey' Moody, III, PC PO Box 220 Perry, GA 31069 Michael Broun Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST20CV0642	Ernie Nkembo- Miantezoulo versus Turner Automotive, Inc. and Brandon M. Rehberg	Mitchell Ladson, Jr. Morgan & Morgan Atlanta PLLC PO Box 57007 Atlanta, GA 30343	William R. Merchant John David Blair Levy, Sibley, Foreman, & Spier, LLC 900 Brookstone Centre Parkway, Suite 201 Columbus, GA 31904

ST20CV0672	Afiwaa Mack and Jeffrey Mack versus Kelsey D. Hitchcock, Linda Houston Bailey, and Kimberly Glover	Malcolm Palmore Palmore Boenig & Associates, PC 575 Research Dr., Suite C Athens, GA 30605	Jason D. Darneille Gower Wooten & Darneille, LLC Building 12 4200 Northside Parkway Atlanta, GA 30327 *William S. Cowsert Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST21CV0174	Mary G. Jones versus Alexandra H. Zachowski	Donald T. Wells, Jr. Wells and McElwee, P.C. PO Box 1232 Athens, GA 30603	Victoria Edwards Gower Wooten & Darneille, LLC Building 12 4200 Northside Parkway NW Atlanta, GA 30327
ST21CV0186	Robert T. Gervin, Jr. versus Taylor Austin Barnes	Donald T. Wells, Jr. Wells and McElwee, P.C. PO Box 1232 Athens, GA 30603	Matthew A. Moseley M. Steven Heath Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST21CV0194	Alexandria Zimmerman versus Taylor Austin Barnes	Donald T. Wells, Jr. Wells and McElwee, P.C. PO Box 1232 Athens, GA 30603	Matthew A. Moseley M. Steven Heath Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST21CV0278	Charity Burnside versus Kelandria Howard	Kathryn B. Reddy Jan Cohen Amber Wigley Kenneth S. Nugent, P.C. 4227 Pleasant Hill Rd., Suite 300 Atlanta, GA 30096	N. Nickolas Jackson Amy Daugherty J. Benjamin Finley The Finley Firm, PC 200 13th Street Columbus, GA 31901 *Kenneth M. Barre, III Worsham Corsi Scott & Dobur PO Box 674027 Marietta, GA 30006 *Jodene D. Edwards Larry Cobb PO Box 2903 Hartford, CT 06104

ST21CV0372	Michael Standridge versus Daniel Martinez and Jose Sanchez	Eric Jensen Katherine Cantolina Patrick A. Berkshire Jensen Law, LLC 6111 Peachtree Dunwoody Road Building G, Suite 201 Atlanta, GA 30328	Jay F. Eidex Groth Makarenko Kaiser & Eidex, LLC One Sugarloaf Centre 1960 Satellite Blvd., Suite 2000 Duluth, GA 30097 *William S. Cowsert Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST21CV0624	Jonathan Corker and Brittany Woods versus Anna Swinyer, John Doe, Jane Doe, ABC Corp, and XYZ Corp.	Vangelis Zafiroulis William T. Joyner Haug Law Group, LLC 8237 Dunwoody Pl., Bldg. Atlanta, GA 30350	Destiny Wilkinson Law Offices of McLaughlin & Ream PO Box 7217 London, KY 40742
ST21CV0646	El Rahman McKoy versus Isaac Jamal Hulin and Merry Smith Hulin	Donald T. Wells, Jr. Wells and McElwee, P.C. PO Box 1232 Athens, GA 30603	Trey Moody Andrew Bryce Moody Allison Gylfe Law Office of SE 'Trey' Moody III, PC PO Box 220 Perry, GA 31069
ST21CV0666	Ali Mozoun versus Edgar Delgado Vera	Brian W. Craig Wood Craig Miller 3520 Piedmont Road NE, Suite 280 Atlanta, GA 30305	M. Steve Heath Matthew Moseley Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST21CV0690	Misha Turner versus Walmart, Inc. (a.k.a. Wal-mart Stores, Inc.), Wal-mart Associates, Inc., Wal-mart Realty Company, Wal-mart Stores East, LP, and Wal-mart.com USA, LLC	Robert Cheeley Gabrielle Holland Cheeley Law Group, LLC 2500 Old Milton Parkway, Suite 200 Alpharetta, GA 30009	Garret Meader Lauren A. Smith Drew Eckl & Farnham, LLP 100 Main Street, Suite A St. Simons Island, GA 31522

ST21CV0740	Zachary Rojas versus Daniel Kevan Tyler	Kathryn B. Reddy Jan Cohen Kenneth S. Nugent, P.C. Bldg 11 4227 Pleasant Hill Road Duluth, GA 30096	M. Steve Heath Matthew Moseley Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST21CV0748	Zackary Syfrett versus Caleb Michael Cavanaugh	Evan H. Howell Michael W. Johnson Howell & Johnson, LLC 298 E Washington St., Suite B Athens, GA 30601	Brian C. McCarthy Ashley Yagla Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway SE, Suite 1040 Atlanta, GA 30339
ST21CV0816	Evana Darby versus Timothy Matthew Brown and Landmark Properties, Inc.	J. Michael McGarity The McGarity Group, LLC 5328 Lanier Islands Pkwy., Suite 202 Buford, GA 30518	William J. Rawls, II Richard Bruno Mozley Finlayson & Loggins, LLP 1050 Crown Pointe Pkwy, Suite 1500 Atlanta, GA 30338 Brad Parrott Claire Williamson Hudson Lambert Parrott Walker, LLC Fifteen Piedmont Center 3575 Piedmont Road NE, Suite 200 Atlanta, GA 30305 Lee Washburn, IV Eleanor Jolley Wilson Elser Moskowitz Edelman & Dicker, LLP 3348 Peachtree Road NE, Suite 1400 Atlanta, GA 30326
ST21CV0858	Teresa L. Norton versus Malcolm Christopher Ford, Jay Punnakal, and Jenson Punnakal	John J. McArthur McArthur & McArthur, PA PO Box 893 Athens, GA 30603-0893	Jonathan E. Mills Durdin & Mills, PC 1551 Jennings Mill Rd., Suite 2200B Watkinsville, GA 30677 <i>cont. next page</i>

			<p>LaShawn Terry Law Office of Nancy W. Phillips 3200 Windy Hill Road SE Suite 1525E Atlanta, GA 30339</p> <p>Malcom C. Ford 1608 Lexington Rd., #5 Athens, GA 30605</p>
ST21CV0893	<p>Alize Woodall by and through Hillary B. Cranford, Conservator versus BOS Security, Inc.</p>	<p>Alan Stagmeier, Jr. Michael Rafi Rafi Law Firm, LLC 1776 Peachtree Street NW, Suite 423S Atlanta, GA 30309</p>	<p>William S. Cowsert Joseph Stephens Cowsert Heath, LLP PO Box 627 Athens, GA 30603</p>
ST21CV0904	<p>Delroy Clarke versus Moussa Sarr</p>	<p>Roodgine Bray Robert Bozeman The Davis Bozeman Law Firm, PC 4153-C Flat Shoals Parkway, Suite 332 Decatur, GA 30034</p>	<p>Brannon Carson Law Office of Andrews & Manganiello 100 Crescent Centre Parkway, Suite 950 Tucker, GA 30084</p>
ST21CV0912	<p>Cretina Sanders and Mattie Smith versus Erik Aguirre Ayala, Valerio Jesus Heredia, Heredia Fast Towing, Inc., Ethio-American Insurance Company, John Does 1-3, and ABC Corp. 1-2</p>	<p>Clark Karell, Jr. Karell Trial Attorneys, LLC 3344 Peachtree Road NE, Suite 800 Atlanta, GA 30326-4807</p>	<p>Blake Durham Blake Durham Law, LLC PO Box 1297 Evans, GA 30809</p> <p>Christopher Denison 1735 Buford Highway, Suite 215-272 Cumming, GA 30041</p>
ST22CV0023	<p>James Drewett versus Mitchell Lee Butler</p>	<p>C. Ron Smith C. Ron Smith, LLC 170 Bastille Way, Suite C Fayetteville, GA 30214</p>	<p>William S. Cowsert Joseph Stephens Cowsert Heath, LLP PO Box 627 Athens, GA 30603</p>

ST23CV0061	Cara Lynn Havranek versus Melanie Aston Beadles	Frank Ilardi Ilardi Law, LLC 1201 Peachtree Street NE, Suite 2000 Atlanta, GA 30361	Tameika Jackson Law Office of Nancy W. Phillips 3200 Windy Hill Road SE, Suite 1525E Atlanta, GA 30339
ST22CV0097	Irving Williams versus Hannah Green	Steven W. West Days & West, P.C. PO Box 2519 Decatur, GA 30031-2519	Abi Oyegun Law Office of Nancy W. Phillips 3200 Windy Hill Road SE, Suite 1525E Atlanta, GA 30339
ST22CV0101	Marquis Collier and Chadwick Hosch versus Jack Rinkowski	Alex Mayfield Monge & Associates Building 19 8205 Dunwoody Place Atlanta, GA 30350	Kevin Reardon Blake Sturm Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway SE, Suite 1040 Atlanta, GA 30339
ST22CV0103	Diana Damico versus Dawn Hicks, Robert R. Hicks, III, And John Does 1-5	Robert Cain Cain Injury Law 521 Scenic Highway South Lawrenceville, GA 30046	Russell B. Davis Jackson Griner Downey & Cleveland, LLP 288 Washington Ave. Marietta, GA 30060-1997
ST22CV0119	Nicholas Luke, Jessica V. Luke, and Gracie Vaughn versus Tywana S. Jackson	Basil S. Buchanan, Jr. Jan Cohen Kenneth S. Nugent, PC 4227 Pleasant Hill Road Duluth, GA 30096	William S. Cowsert Joseph Stephens Cowsert Heath, LLP PO Box 627 Athens, GA 30603 *Katrina Croom Law Office of Andrews & Manganiello 100 Crescent Center Pkwy., Suite 950 Tucker, GA 30084
ST22CV0145	James Frazier versus Jennifer Staniloff	Sarah Hendrickson Jan Cohen Kenneth S. Nugent, PC 4227 Pleasant Hill Road Duluth, GA 30096	Allen Orr Michael Callicutt Hall Booth Smith, PC 440 College Ave. N, Ste. 120 Athens, GA 30601

ST22CV0161

Felesha Graves,
Brian Cooper,
and
Jane Doe as the
Administrator of the
Estate of Ketorian Cooper,
Deceased
versus
New Columbia
Residential Property
Management, LLC

Matthew Stoddard
Keith Evra
The Stoddard Firm
1534 N. Decatur Road
Atlanta, GA 30307

Kimberly Council Sheridan
Olivia Truong
Gordon Rees Scully
Mansukhani, LLP
55 Ivan Allen, Jr. Blvd. NW,
Suite 750
Atlanta, GA 30308

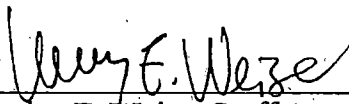
Duane Cochenour
David Carducci
Nneka Egwuatu Anunobi
Hall Booth Smith, PC
191 Peachtree Street NE,
Suite 2900
Atlanta, GA 30303-1775

CERTIFICATE OF SERVICE

I have served the foregoing Scheduling Order Setting Pre-Trial Conference on April 5, 2023 and for a Jury Trial the week of May 8, 2023 and Exhibit A on all counsel as listed on said calendar by email and by depositing copies in the U.S. Mail with sufficient postage thereon at the addresses given, as well as the following by hand delivery:

Beverly Logan, Clerk of Court
Tenth District Alternative Dispute Resolution Program Office

This 23rd day of February, 2023.



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