

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

2024 JAN 24 AM 11:31

**Scheduling Order Setting Pre-trial Conferences for February 27, 2024 at 2:30 PM
and Jury Trials for the Week of April 1, 2024**

CLERK OF COURTS
SUPERIOR COURT

DOCKET INITIALS

For the cases pending trial listed on Exhibit A, the following shall apply:¹

Discovery

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

February 2, 2024

Extension of discovery – If either party is seeking additional time for discovery, an appropriate motion should be filed by this date.

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.

February 9, 2024

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.

February 16, 2024

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.*)

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.

Motions in limine shall be filed by this date. The Court requests that 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 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.***

February 27, 2024

Pre-trial Conference shall be held at **2:30 p.m.** in Hearing Room 415, Fourth Floor of the Athens-Clarke County Courthouse, 325 E. Washington Street, Athens, Georgia 30601. ***(See further instructions below.)***

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.

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 February 1, 2024 to request an alternative date for a pre-trial conference.

April 1, 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 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 January, 2024.



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 Tuesday, February 27, 2024 at 2:30 p.m.
Jury trial week of Monday, April 1, 2024 at 8:30 a.m.**

ST21CV0646 <i>CPTO entered</i>	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
ST22CV0398 <i>CPTO entered</i>	Ananya Roy versus Board of Regents of the University System of Georgia	Ananya Roy 4295 Harrison Landing Cumming, GA 30041	Peter F. Fisher 40 Capitol Square, S.W. Atlanta, GA 30334-1300
ST21CV0628 <i>Counterclaim only</i>	Sarai Baltazar-Juarez and Mayrani Baltazar-Juarez, individually and as mother and legal guardian of Maylin Rodriguez Baltazar, Rosely Rodriguez Baltazar, and Abraham Rodriguez Baltazar versus Enrique Martinez Avila	John E, Morrison, Jr. Landon Crider The Law Offices of John Morrison, LLC 1955 Lower Roswell Road Marietta, GA 30068	Robert W. Johnson, Jr. Gower Wooten & Darneille, LLC 4200 Northside Parkway NW, Building 12 Atlanta, GA 30327 Adam Cain Law Offices of Adam M. Cain, LLC 297 Prince Avenue, Suite 24 Athens, GA 30601
ST21CV0912 <i>*The Court notes that discovery has been extended through 2/2/24</i>	Cretina Sanders and Mattie Smith versus Erik Aguirre Ayala, Valerio Jesus Heredia, Heredia Fast Towing, Inc., Ethio-American Insur. Co., John Does 1-3, and ABC Corp. 1-2	Clark Karell, Jr. Karell Trial Attorneys, LLC 3344 Peachtree Road NE, Suite 800 Atlanta, GA 30326-4807	Blake Durham Blake Durham Law, LLC PO Box 1297 Evans, GA 30809 Christopher Denison 1735 Buford Highway, Suite 215-272 Cumming, GA 30041

ST22CV0519	Alondra Martinez versus Liberty Montana Taylor	Thomas O. Rainey, IV Morgan & Morgan PO Box 57007 Atlanta, GA 30343	Steve Heath Matthew Moseley Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST22CV0561	Deborah Williams and Ronnie Williams versus Elena Mora-Gomez	Malcolm Palmore Palmore Boenig & Associates, PC 575 Research Drive, Suite C Athens, GA 30605	Chelsea Cooke Timothy L. Mitchell Cruser Mitchell Novitz Sanchez Gaston & Zimet, LLP Meridian II 275 Scientific Dr., Ste. 2000 Peachtree Corners, GA 30092
ST23CV0012	Corey Lumpkin versus Dalvontrea Bone	Bryce Angell The Angell Law Firm, LLC 3391 Peachtree Road NE, Suite 110 Atlanta, GA 30326	Ian Kahler Groth Makarenko Kaiser & Eidex, LLC One Sugarloaf Centre 1960 Satellite Blvd., Ste. 2000 Duluth, GA 30097
ST23CV0118	Laura L. Dunham versus John Kenneth Still and Georgia Power Company	Ross Warsett W. Calvin Smith, II, PC 3560 Lenox Road NE, Suite 3020 Atlanta, GA 30326	Steve Heath Matthew Moseley Cowsert Heath, LLP PO Box 627 Athens, GA 30603
ST23CV0140	James Cocchiola versus Mandarin V. Brown and Charita M. Rowser	Jason Saltzman Mark A. Molina Montlick & Associates, PC 17 Executive Park Drive NE, Suite 300 Atlanta, GA 30329	Jessica Sanford Fain Major & Brennan, PC One Premier Plaza 5605 Glenridge Dr., Ste. 900 Atlanta, GA 30342 Deborah Nogueira Yates Groth Makarenko Kaiser & Eidex, LLC 1960 Satellite Blvd., Suite 2000 Duluth, GA 30097-4124

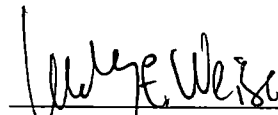
CERTIFICATE OF SERVICE

I have served the foregoing Scheduling Order Setting Pre-Trial Conference on February 27, 2024 and for a Jury Trial the week of April 1, 2024 and Exhibit A on all counsel as listed on said calendar by email through PeachCourt and U.S. Mail at the addresses given, as well as the following by hand delivery:

Elisa Zarate, Clerk of Court

Tenth District Alternative Dispute Resolution Program Office

This 24th day of January, 2024.



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