

**IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA**

Plaintiff(s), vs. Defendant(s).	CIVIL ACTION FILE NO.: _____ CHIEF JUDGE SUSAN EDLEIN
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(PROPOSED) CONSOLIDATED PRE-TRIAL ORDER

Parties/counsel **SHALL** use the Court's Consolidated Pre-Trial Order without alterations to the Order. The following constitutes a Pre-Trial Order submitted by the parties and entered in the above-styled case after a Pre-Trial Conference with counsel for the parties on ____ (date).

1.

The name, address, phone numbers, and **email addresses** of the attorneys and/or self-represented parties who will conduct the trial are as follows:

Plaintiff(s):

Defendant(s):

Other:

2.

In all cases for cases in which a Case Management Order was entered mandating mediation, the parties must certify they satisfied the mediation requirement. The parties mediated the case on:

_____ (date).

Failure by the parties to complete mediation within the required time-frame, unless excused or extended in writing by this Court, may result in sanctions, including but not limited to the dismissal of the action, striking of the answer, and/or imposition of attorney's fees; and

3.

Plaintiff(s): The estimated time required for trial is ____ days.

Defendant(s): The estimate time required for trial is ____ days.

4.

There are no motions or other matters pending for consideration by the Court except as follows:

(a) Motions in Limine: Except for unforeseen evidentiary issues, all motions in limine and responses thereto are to be filed contemporaneously with, or as a part of, the proposed Consolidated Pre-Trial Order (CPTO). The Court will hear oral argument, if necessary, during the Pre-Trial Conference. Parties must confer before the Pre-Trial Conference to narrow the motions in limine for argument and must advise the Court's Staff Attorney, Lisa Liang by email to lisa.liang@fultoncountyga.gov no later than five (5) days prior to the Pre-Trial Conference which motions are withdrawn or stipulated.

Parties acknowledge that counsel are directed to notify the Court – on the record and at the time of any alleged violation – of the contention that the Court's ruling on a motion in limine has been violated during trial.

(b) Plaintiff(s)'s Motions in Limine:

(c) **Defendant(s)'s Motions in Limine:**

(d) **Dispositive and Rule 702 Motions:** In accordance with the CMO/Scheduling Order, the Court shall not consider further dispositive or Rule 702 motions.

5.

The jury will be qualified as to relationship with the following:

Plaintiff(s):

Defendant(s):

6.

a) **Discovery:** All discovery has been completed, unless otherwise noted, and the Court will not consider any further motions to compel discovery except for good cause shown. The parties. The parties, however, shall be permitted to take depositions of any person(s) for the preservation of evidence for use at trial no later than sixty (60) days following entry of the CPTO.

b) **Parties:** Unless otherwise noted, the names of the parties shown in the caption to this order are correct and complete and there is no question by any party as to the misjoinder or non-joinder of any parties.

7.

The following is **Plaintiff(s)'s** brief and succinct outline of the case and contentions:

8.

The following is **Defendant(s)**'s brief and succinct outline of the case and contentions:

9.

The issues for determination by the jury are as follows:

Plaintiff(s):

Defendant(s):

10.

Specifications of negligence including applicable code sections are as follows:

Plaintiff(s):

Defendant(s):

11.

If the case is based on a contract, either oral or written, the terms of the contract are as follows (or the contract is attached as an Exhibit to this Order):

12.

The types of damages and the applicable measure of those damages are stated as follows:

If special damages are alleged, they shall be stated with specificity, including the identity and amount of each item of special damages and are as follows:

13.

If the case involves divorce, each party shall present to the Court at the pre-trial conference the affidavits required by Rule 24.2: **Not applicable.**

14.

The following facts are stipulated:

15.

a) **Documentary and Physical Evidence Lists**: The following is a list of all documentary and physical evidence that will be tendered at the trial by Plaintiff(s) or Defendant(s):

1. **Plaintiff(s)**:

2. **Defendant(s)**:

Unless noted, the parties have stipulated as to the authenticity of the documents listed and the exhibits listed may be admitted without further proof of authenticity. All exhibits shall be marked by counsel prior to trial so as not to delay the trial before the jury.

b) **Medical Records introduced under O.C.G.A. § 24-8-803(6)**: all medical records a party intends to introduce under O.C.G.A. § 24-8-803(6) must be **specifically identified** herein. Upon notification that a party intends to introduce medical records under O.C.G.A. § 24-8-803(6), an opposing party shall have thirty (30) days to file a request for production of such documents. Upon the receipt of such a request for production, the party seeking to introduce medical records under O.C.G.A. § 24-8-803(6) shall produce the medical records within fifteen (15) days of the receipt of a request for production.

- c) **Supplementation of Documents Lists**: Any party may request permission to supplement its list of physical or documentary evidence no later than ninety (90) days prior to trial with adequate notice to opposing counsel and leave of Court. The supplementary physical or documentary evidence must be produced to the opposing party within fifteen (15) days of supplementation.
- d) **Medical Narratives**: Notice of intent to use medical narratives must be filed with the Court no later than the filing of the proposed CPTO and all proposed narratives must be eFiled with the Court no later than sixty (60) days prior to trial. Counsel shall make good faith efforts to resolve any objections to proposed medical narrative reports. The Court shall rule on any timely filed objections pursuant to O.C.G.A. § 24-8-826, without oral argument, unless the Court orders a hearing.

16.

Special authorities relied upon by Plaintiff(s) relating to peculiar evidentiary or other legal questions are as follows:

17.

Special authorities relied upon by Defendant(s) relating to peculiar evidentiary or other legal questions are as follows:

18.

All requests to charge anticipated at the time of trial will be filed in accordance with Rule 10.3. The parties shall eFile their proposed charges and email the Court's Staff Attorney, Lisa Liang, lisa.liang@fultoncountyga.gov a courtesy copy in Word version no later than 8:00 A.M. on the final day of trial.

19.

The testimony of the following persons may be introduced by depositions or medical narrative:

Plaintiff(s):

Defendant(s):

Deposition Objections: Prior to trial, counsel shall make a good faith effort to resolve any objections in depositions to be presented at trial. All unresolved objections, together with the deposition transcript, argument, and citations, shall be eFiled, with a copy to the Court's Staff Attorney, Lisa Liang, lisa.liang@fultoncountyga.gov, **five (5) days** prior to the Pre-trial Conference. For depositions taken after entry of the Pre-trial Order, objections must be filed no later than **fifteen (15) days** prior to trial. Any objections not brought before the Court at least **fifteen (15) days** prior to trial shall be deemed waived.

20.

- a) **Identification of non-authentication witnesses:** The parties must specifically identify the name of any non-authentication witness within thirty (30) days of the entry of the CPTO

and may not rely upon any nonspecific designation. **Failure to do so may result in exclusion of the witness.**

b) **Modification of the Pre-Trial order, including the witness list:** shall be governed by O.C.G.A. §9-11-16 (b); and witnesses unnamed by either party, and listed only by description, may only be used to authenticate documents or other exhibits.

c) **Plaintiff(s)'s List of Witnesses:**

1. Plaintiff(s) will have present at trial:

2. Plaintiff(s) may have present at trial:

d) **Defendant(s)'s List of Witnesses:**

1. Defendant(s) will have present at trial:

2. Defendant(s) may have present at trial:

21.

The forms of all possible verdicts to be considered by the jury are as follows:

Plaintiff(s):

Defendant(s):

22.

a) The possibilities of settling this case are:

b) The parties ***do/do not*** want the case reported.

c) The cost of take-down will be paid by (include the name and contact information

for those responsible for ensuring take-down is paid):

- d) The parties request a *bench/jury* trial.
- e) The parties *do/do not* consent to a 6-person jury trial.
- f) An interpreter **is/is not** needed. If so, the language needed: _____
- g) Other matters:

Submitted by: