

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

SCHEDULING ORDER FOR PRETRIAL PROCEDURES

The following procedures are to be followed in the preparation and filing of proposed Consolidated Pretrial Orders and supersede any provisions to the contrary proposed by the parties:

1. Counsel shall consolidate the proposed pretrial order. The Court will not enter pretrial orders which contain provisions attempting to reserve the right to amend the pretrial order or reserve the right to conduct discovery. Amendments will be allowed only upon order of the Court and upon good cause shown. Failure of a party to submit its portion of the proposed pretrial order may result in sanctions. Uniform Rule 7.1.
2. If special damages are being alleged, they must be stated with specificity, including the identity and amount of each item of special damages in paragraph 11.
3. The following shall be added to the Consolidated Pretrial Order at paragraph 3:

Motions in Limine: Except for unforeseen evidentiary issues, **all motions in limine and responses thereto are to be filed prior to, or as a part of, the proposed pretrial order.** The following motions in limine are hereby made by the parties including any supportive legal citations. The Court shall rule on said motions without oral argument unless a hearing is ordered by the Court upon request of either party.

Plaintiff's Motions in Limine:

Defendant's Motions in Limine:

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

4. The following shall be added to the Consolidated Pretrial Order at paragraph 5(a):

Trial Depositions: 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, however, shall be permitted to take depositions of any person(s) for the preservation of evidence at trial **no later than 60 days following the entry of the Consolidated Pretrial Order**

5. The following shall be added to the Consolidated Pretrial Order at paragraph 14:

- I. **Medical Records introduced under O.C.G.A. § 24-8-803(6):** All medical records that a party intends to introduce under O.C.G.A. § 24-8-803(6) must be **specifically identified** as such in the Consolidated Pretrial Order. Upon notification that a party intends to introduce medical records under O.C.G.A. § 24-8-803(6), an opposing party **shall have 30 days** to file a request for the 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 such medical records within 15 Days** of the receipt of a request for production.

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II. Supplementation of Document Lists: Any party may supplement its list of physical or documentary evidence **no later than 90 days prior to trial with adequate notice to opposing counsel and leave of Court.**

6. The following shall be added to the Consolidated Pretrial Order at paragraph 19(e):

a) Supplementation of Witness Lists: Any party may supplement its list of potential witnesses **no later than 90 days prior to trial with adequate notice to opposing counsel and leave of Court** if the additional witness was disclosed during discovery. Any such additional witnesses must be made available for a deposition **within thirty (30) days following the amendment to the Consolidated Pretrial Order.**

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

7. The following shall be added to the Consolidated Pretrial Order at paragraph 21(d):

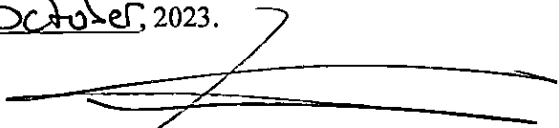
a) Deposition Objections: Prior to trial, counsel shall make a good faith effort to resolve any objections in depositions to be presented at trial. **All unresolved objections, together with argument and citations, shall be filed, with a copy to the Court, no later than fifteen (15) days prior to trial.** Any objections not brought before the Court fifteen days prior to trial shall be deemed waived.

b) Medical Narratives: Notice of intent to use medical narratives **must be filed with the Court no later than the filing of the Consolidated Pretrial Order** and all proposed narratives **must be filed with the Court no later than 90 days prior to trial.** Counsel shall make a good faith effort to resolve any objections to proposed medical narrative reports. The Court shall rule on any objections timely filed, pursuant to under O.C.G.A. § 24-8-826, without oral argument unless a hearing is ordered by the Court upon request of either party at the time of filing.

c) Dispositive Motions: All dispositive motions shall be filed **no later than 60 days following the entry of the Consolidated Pretrial Order.**

d) Supplementation of Discovery: The parties are directed to supplement discovery responses pursuant to O.C.G.A. § 9-11-26(e) **within thirty (30) days of the entry of the Consolidated Pretrial Order.** Failure to supplement may result in sanctions including exclusion of testimony or witnesses. O.C.G.A. § 9-11-26(e)(3).

SO ORDERED, this 10th day of October, 2023.


Eric A. Brewton, Judge
State Court of Cobb County