

23826

12/3/21

IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA

In re:

ALL CIVIL CASES ON THE
DECEMBER 14, 2021 PRETRIAL
CONFERENCE CALENDAR

Division 5
Judge Mike Jacobs

ORDER REGARDING CIVIL PRETRIAL CONFERENCE CALENDAR

If this Order is docketed in your case, the case is scheduled for a Zoom video pretrial conference on **Tuesday, December 14, 2021 at 9:30 a.m.** All attorneys and any parties who may be attending the pretrial conference should participate via video conference in lieu of an in-person appearance. A court reporter will be available on the video conference to take down the matter upon request. The conference code on the Zoom app is **83058880584** and the following is the internet address to join the video conference that can be typed into your browser:

<https://dekalbcountyga.zoom.us/j/83058880584>

Not less than seven (7) days prior to the date of the pretrial conference, the parties shall file with the State Court Clerk a proposed consolidated pretrial order in substantially the format prescribed in Uniform Superior Court Rule 7.2. This includes the proposed order for adopting the consolidated pretrial order that is found at the end of Rule 7.2. All parties shall participate in preparing the consolidated pretrial order, which must be signed on behalf of each party appearing in the case. If any party fails to participate in the preparation of a consolidated pretrial order, the remaining parties may prepare and file their own pretrial order(s). However, this is not preferred and could subject a party to sanctions for failure to participate as directed.

Unless the Court has separately ordered a different deadline at an earlier juncture in this case, all dispositive motions, including but not limited to motions for summary judgment,

and all motions pursuant to O.C.G.A. § 24-7-702, including but not limited to *Daubert* motions, must be filed no later than seven (7) days preceding the above pretrial conference date. Any issue which may be raised in a dispositive motion or a motion pursuant to O.C.G.A. § 24-7-702 will not be permitted to be raised after this deadline and shall be deemed waived. This deadline shall not apply to a motion for directed verdict presented during trial. The filing of a timely dispositive motion or motion pursuant to O.C.G.A. § 24-7-702 will automatically remove this case from the pretrial conference calendar, pending the outcome of the motion, and will excuse all parties from appearing.

If the parties wish to extend the discovery period and/or continue the pretrial conference, a consent motion and proposed consent order must be filed with the State Court Clerk *and* transmitted via electronic mail to Dylan Herzog, Civil Case Manager for Division 5, at the below e-mail address. If the Court grants the consent order, this will automatically extend the deadlines for filing a proposed consolidated pretrial order, any dispositive motion, and any motion under O.C.G.A. § 24-7-702 until seven (7) days prior to the next date set for a pretrial conference. The consent motion and consent order must bear a signature on behalf of each party appearing in the case. Submission of a consent motion and consent order does not excuse the parties from appearing at the pretrial conference unless the consent order is signed by the Court.

All parties must appear or be represented for the pretrial conference. Filing a pretrial order does not obviate participation. Failure to participate could result in the imposition of sanctions. All attorney conflicts will be resolved as provided in Uniform Superior Court Rule 17.1. All attorney leaves of absence affecting this Order and filed after this Order will require an application and Court approval pursuant to Uniform Superior Court Rule 16.2.

During the pretrial conference, the Court will inquire into whether any discovery remains to be completed, whether the filing of any further non-dispositive, non-702 motions is anticipated, and whether court-ordered mediation could be helpful in resolving the matter. The Court strongly prefers to require the parties to participate in mediation. The Court's standard mediation order provides for two free hours of mediation through the DeKalb County Courts Dispute Resolution Center or alternatively the parties may elect to mediate through a private mediator. When mediation is ordered, it is mandatory that all parties participate such that an individual with full authority to settle the case on behalf of each party is participating.

Failure of a plaintiff to participate as directed in this Order may result in this case being moved to a peremptory calendar from which a dismissal is possible. Failure of a defendant to participate as directed in this Order may result in their answer being stricken and entry of default.

Any questions regarding the pretrial conference should be directed to Dylan Herzog, Civil Case Manager, at (404) 371-4974 or dherzog@dekalbcountyga.gov.

SO ORDERED, this 2nd day of November, 2021.



MIKE JACOBS, Judge
State Court of DeKalb County