

27010

# JUDGE BESSEN

CIVIL DIVISION  
CIVIL JURY TRIALS  
3/13/2023  
9:00 AM  
COURTROOM 3D

## NOTICE ONE 1 WEEK ORCA CIVIL JURY TRIAL CALENDAR

The following cases have been set for trial on the Court's One 1 Week Civil Jury Trial Calendar beginning on Monday, March 13, 2023. Timely and properly-filed leaves of absence will be honored. Failure to appear or to present admissible evidence may result in dismissal of the Complaint with prejudice or striking of the Answer and entry of default judgment as appropriate.

In the event that a case has been included on both this calendar and another calendar, both calendars will remain in effect. A case may be reached on one calendar before it is reached on the other, and all counsel are to meet the deadlines for all calendars on which their cases appear until their case is heard. If your case is on both this calendar and another calendar for the same date, a continuance from one calendar does not mean your case is continued from all calendars. All cases on this ORCA trial calendar will be heard by a senior judge. If you have any questions regarding this calendar, please contact Senior Staff Attorney, Ebony Johnson by email at [ebony.johnson@fultoncountyga.gov](mailto:ebony.johnson@fultoncountyga.gov).

In all cases, counsel and/or self-represented parties must consult with each other regarding: phone number and email addresses for all counsel and pro se parties; type of trial jury

5 or 12 person or bench; the anticipated length of trial; number of witnesses; the need for a court reporter; whether an interpreter is needed; for cases in which a Case Management Order was entered mandating mediation, the parties must certify that the mediation requirement has been satisfied. Failure by the parties to complete mediation within the required timeframe, unless excused or extended in writing by this Court, may result in sanctions, including the dismissal of the action without prejudice and imposition of attorney's fees; and any other pertinent scheduling considerations or particular courtroom requirements. Plaintiff's counsel must report on such matters to Senior Staff Attorney, Ebony Johnson, by email to [ebony.johnson@fultoncountyga.gov](mailto:ebony.johnson@fultoncountyga.gov) copying counsel for all parties by 12:00 Noon on Monday, February 27, 2023. In cases involving a self-represented plaintiff, the plaintiff and defendant's counsel must report. **THERE WILL BE NO CONTINUANCES FROM THIS CALENDAR, EXCEPT FOR LEGAL CAUSE.** A case from this calendar may only be continued by the court in writing. All requests for continuances must be in writing. **THERE WILL NOT BE A CALENDAR CALL.** Counsel and self-represented parties in the first case to be tried will be notified by the Court. **CASES WILL NOT NECESSARILY BE TRIED IN THE ORDER THEY ARE PUBLISHED.** This is a Continuing Calendar and all cases will be on call for the entire calendar, subject to two-hour notice. All cases that are not reached on this calendar will be carried over to any subsequent calendar until they are reached for trial.

**Settlement/Dismissal:** If the case has been settled, dismissed, or otherwise completed, upon providing notice to Ms. Johnson via email, the parties may be excused from appearing. All parties must appear unless they have received written notice that they are excused. **Consolidated Pre-Trial Order:** A consolidated pre-trial order CPTO and any motions in limine should already have been submitted. In the event that a CPTO and motions in limine have not already been submitted, then they must be submitted no later than 12:00 Noon on Friday, March 3, 2023, unless otherwise instructed by the Court. Counsel shall consolidate the proposed pre-trial order. Failure of a party to submit its portion of the proposed pre-trial order may result in sanctions. Uniform Superior Court Rule 7.1. **Motions in Limine:** Except for unforeseen evidentiary issues, all motions in limine and responses thereto should have been filed contemporaneously with, or as a part of, the proposed CPTO. The Court will hear oral argument, if necessary, prior to trial. Parties must confer before trial to narrow the motions in limine for argument. Parties acknowledge that counsel are directed to notify the Court on the record 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. **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 contemporaneously but separately from the CPTO, with a copy emailed to Ms. Johnson no later than 12:00 Noon on Wednesday, March 1, 2023.

**Jury Charges:** Consolidated proposed jury charges must be eFiled, with a Word version emailed directly to Ms. Johnson no later than 12:00 Noon on Monday, March 6, 2023. Your jury charges should be written exactly as you wish the judge to read them to the jury. The parties must confer with one another and try to reach an agreement on all jury instructions prior to March 6, 2023. Any objections should be noted immediately after the jury charges for which the parties were able to reach an agreement.

**Number of Jurors:** All parties shall email Ms. Johnson a request for the number of potential jurors you would like to be present for Voir Dire no later than 12:00 Noon on Monday, March 6, 2023.

**Conflicts:** If an attorney has a conflict, a conflict letter in full compliance with Rule 17.1 is REQUIRED. If a self-represented party has a conflict, s/he must email Ms. Johnson no later than Monday, February 27, 2023 at 12:00 Noon.

All inquiries regarding this calendar should be directed to Ms. Johnson via email.