

11/16/23

STATE COURT OF GWINNETT COUNTY

29102

CLERK OF STATE COURT  
GWINNETT COUNTY, GEORGIA  
23-STCIV-05-5  
11/9/2023 10:45 A  
TIANA P. GARNER, CLERK

JUDGE ERICA K. DOVE - DIVISION V - COURTROOM 3H

ONE WEEK CIVIL JURY TRIAL CALENDAR BEGINNING DECEMBER 4, 2023

The above term of Gwinnett State Court will convene Monday, December 4, 2023, for disposition of Civil Cases hereinafter listed. The cases will be called and tried in the order listed. **ALL ATTORNEYS WITH CASES ON THIS CALENDAR ARE REQUIRED TO MAKE AN E-MAIL ANNOUNCEMENT TO KIANA EVANS [kiana.evans@gwinnettcountry.com](mailto:kiana.evans@gwinnettcountry.com) ON OR BEFORE WEDNESDAY, NOVEMBER 29, 2023, BY 5:00 PM. FAILURE TO FOLLOW THESE INSTRUCTIONS WILL SUBJECT YOUR CASE TO BEING CALLED IN ON MONDAY, DECEMBER 4, 2023, FOR A STATUS CALENDAR CALL.** E-mail announcements shall include the following.

1. Case Number;
2. Plaintiff/Defendant reporting;
3. Estimated length of trial and estimated number of witnesses;
4. If court reporter is needed;
5. Name and telephone number of attorney(s) trying the case;
6. If language interpreter is needed;
7. If parties or witnesses are out of state;
8. If parties request a 6 or 12 person jury.

**CONTINUANCES:**

Pursuant to Rule 8.5 of the Uniform Superior Court Rules, continuances WILL NOT BE GRANTED MERELY BY AGREEMENT OF COUNSEL OR BY TELEPHONE. This Court requires that all motions for continuance must be submitted, in pleading form, and must be received by the Court at least ten (10) days prior to the call of the calendar. If mailed, send to address listed below. Requests shall contain at least the following information: Reason for requesting the continuance, if opposing counsel or party agrees to continuance, if continuances have previously been granted, to which party and for what reason, and an Order for Judge Dove's signature in the event the request is granted. It is the responsibility of the requesting party to ascertain if a continuance has been granted and to notify all parties.

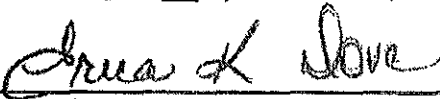
**APPEARANCE OF COUNSEL:**

Counsel and/or self-represented litigants are directed to call (770) 822-8688 after 5:00 p.m. on Friday before the week of Jury trials for a list of the cases to appear on the following Monday. Parties in all other actions on the calendar are expected to be ready for trial. There will be a recording daily after 5:00 p.m. for the cases which need to appear the following day. Each attorney/party will need to contact (770) 822-8688 daily after 5:00 p.m. for an update.

**DISMISSALS AND SETTLEMENTS:**

It is required by this Court that any dismissal or settlement announcement be submitted to the clerk and a copy forwarded to Kiana Evans at [kiana.evans@gwinnettcountry.com](mailto:kiana.evans@gwinnettcountry.com), within ten (10) days from the call of the calendar or the terms of such agreement shall be dictated to the court reporter and made a part of the record, or the case may be DISMISSED FOR WANT OF PROSECUTION.

THIS CALENDAR APPROVED AND ORDERED PUBLISHED, this 9<sup>th</sup> day of November, 2023

  
Erica K. Dove, Judge  
State Court of Gwinnett County

FOR ASSISTANCE OR TO ORDER AN INTERPRETER, PLEASE CONTACT:  
KIANA EVANS, JUDICIAL ASSISTANT  
75 LANGLEY DRIVE, LAWRENCEVILLE, GEORGIA 30046  
[KIANA.EVANS@GWINNETTCOUNTY.COM](mailto:KIANA.EVANS@GWINNETTCOUNTY.COM)  
Office (770) 822-8554 Fax: (770) 822-8645 Trial Info. Line: (770) 822-8688

# DEFINITIONS

## ❖ Mediation

Mediation is a consensual process in which a neutral third party (the mediator) assists parties in a dispute in reaching their own resolution. Cases with underlying disputes, personal relationships, and emotional issues are good candidates for mediation. The mediator has no authority to make a decision or impose settlement. There is no formal evaluation by the mediator. The mediator helps facilitate communication, promote understanding, focus the parties on their interests and seek creative problem solving to enable the parties to reach their own agreement. The mediator may offer suggestions and help parties develop options, however the parties retain the ultimate decision-making power.

## ❖ Arbitration

The primary goals of arbitration are to speed up the resolution of cases, reduce litigation costs to the parties and to the court, and provide attention to cases that otherwise would settle with little or no involvement of the court. Attorneys or *pro se* litigants, present documentary evidence, testimony and legal arguments in a hearing before a neutral third party fact-finder. The arbitration may be conducted with one fact-finder in which case the arbitrator must be an attorney with at least five years experience or a panel of arbitrators may be used from different areas of expertise (with the lead arbitrator being an attorney). In non-binding arbitration, the arbitrator(s) renders a decision which becomes the order of the court unless appealed within a specified number of days, in which case a trial *de nova* is granted. The parties may stipulate in advance to binding arbitration, in which case the award is immediately converted to a judgment.

## ❖ Case Evaluation

Case evaluation provides the parties with a **confidential**, non-binding evaluation of their case by an impartial experienced attorney. The neutral reviews the case with the litigants and their attorneys and gives advice on the strengths and weaknesses of their case and the likely outcome at trial. The case evaluator may help parties convey additional information to each other, develop a discovery plan and narrow the issues in dispute. Often the neutral assists in facilitating the resolution of the case or in developing a settlement plan.

**Mediation and Case Evaluation sessions and related materials are confidential. No information will be provided to the Court, other than the fact that a case has settled or a follow-up session is needed.**

STANDING ORDER ON JURY TRIAL CONDUCT AND READINESS  
STATE COURT DIVISION 5, JUDGE ERICA K. DOVE

Unless the Court has previously ordered otherwise, the following shall apply to the cases called for jury trial

1       **CONSOLIDATED PRE-TRIAL ORDER**

No later than 3 business days before trial counsel for the parties shall submit a consolidated civil pre-trial order pursuant to U.S.C.R. 7.2 Counsel for Plaintiff shall prepare the consolidated pre-trial order Other counsel must submit their portion(s) of the consolidated pre-trial order to the counsel preparing the consolidated order 5 business days before trial.

2       **DEPOSITION OBJECTIONS**

The Court **WILL NOT** rule on any deposition objections made for the first time on the day of trial, regardless of when the deposition was taken This applies to all depositions which might be used at trial

Counsel and parties shall discuss and attempt to resolve all objections to depositions prior to trial. Parties shall report to the Court in writing any unresolved objections, motions, etc concerning deposition(s) at least 8 business days prior to the trial date. Objections, motions, etc reported to the Court shall include the full text of the deposition passage at issue, including citation to the line(s) and page number(s) at issue

Any party opposing an objection, motion, etc. regarding a deposition shall have three (3) days following filing (of the objection, motion, etc ) to respond to the timely filed objection, motion, etc regarding a deposition.

The failure to timely file objections, motions, etc regarding depositions may be considered a waiver of the objection at issue

3       **EXHIBITS**

All exhibits shall be pre-marked and listed on an exhibit list Copies of all exhibits and a copy of the list of exhibits shall be provided to each opposing counsel. A copy of the list of exhibits shall be provided to the court. All copies and lists of exhibits shall be exchanged prior to trial and copies shall be submitted to the court at the time Requests to Charge are submitted Counsel shall not show exhibits to the jury without prior permission from the court.

4       **STIPULATIONS**

Stipulations shall be reduced to writing and submitted to the Court prior to trial

5       **REQUESTS TO CHARGE**

Requests to Charge shall be submitted in two forms: A) hard copy for the record,

and B) an electronic copy for the Court (e-mail  
dan.whitworth@gwinnettcountry.com) prior to the beginning of trial

6

**VOIR DIRE**

*Voir dire* questions shall comply with U S C R. 10 1

7

**OPENING STATEMENT**

Opening statements shall be limited to a brief, non-argumentative outline of what the attorney expects the evidence to show

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**DEMONSTRATIVE AIDS**

Demonstrative aids must be approved by the Court before being shown to the jury

9

**VERDICT FORM**

The parties shall submit a proposed verdict form prior to commencement of trial

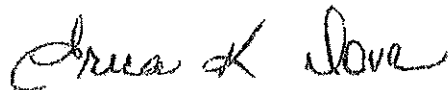
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**DECORUM**

Professionalism (which includes courtroom courtesy) is required at all times

Unless the Court has entered a prior Order governing the issues addressed above, this Order shall control the course of the trial and may not be amended except by consent of the parties and the Court or by Order of the Court to prevent manifest injustice.

SO ORDERED this 9th day of November, 2023



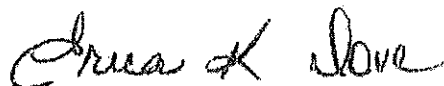
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ERICA K. DOVE, Judge  
State Court of Gwinnett County

IN THE STATE COURT OF GWINNETT COUNTY  
STATE OF GEORGIA

All parties on the **December 4, 2023**, Jury Trial Calendar are hereby ordered to confer with their clients and opposing counsel regarding the appropriateness of an Alternative Dispute Resolution (ADR) process as a beneficial alternative to trial. If you are not represented by counsel, you shall confer with the opposing counsel or party. All parties are **required** to return this form to the Judge's office by mail or fax (770-822-8645) or e-mail to [kiana.evans@gwinnettcourt.com](mailto:kiana.evans@gwinnettcourt.com) by November 29, 2023 **IF you wish to utilize ADR.**

SO ORDERED this 9th day of November, 2023



ERICA K. DOVE, Judge

I have conferred with my client in civil action no \_\_\_\_\_, position no \_\_\_\_\_

We wish to utilize an ADR process

Mediation

Non-binding Arbitration

Case Evaluation

Binding Arbitration

We do not wish to utilize an ADR process

\_\_\_\_\_  
Plaintiff or Attorney for Plaintiff

\_\_\_\_\_  
Defendant or Attorney for Defendant

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

A copy of Gwinnett's *Alternative Dispute Resolution Program Standing Order* regarding Alternative Dispute Resolution (ADR) may be obtained at [www.gwinnettcourts.com/#courtprograms\\_alternativedisputeresolution](http://www.gwinnettcourts.com/#courtprograms_alternativedisputeresolution). Mediation, arbitration, and case evaluation are alternatives that may be requested through the judge's office. If you choose an alternative process, a list of neutrals with their background experience and rates is available at [www.gwinnettcourts.com/home.asp#courtprograms\\_adrprocesses](http://www.gwinnettcourts.com/home.asp#courtprograms_adrprocesses). You may also contact a Dispute Resolution Coordinator at 770-822-8553. The parties are responsible for agreeing on a neutral, covering the cost of the neutral, and coordinating with the neutral to set a date for the ADR session. Sessions may be held at the Gwinnett Justice and Administration Center at 9:00 a.m. or 1:00 p.m. weekdays. If the parties cannot agree on a neutral, the court will appoint one.

ERICA K. DOVE, Judge

Gwinnett Justice and Administration Center, 75 Langley Drive, Lawrenceville, Georgia 30046-6935