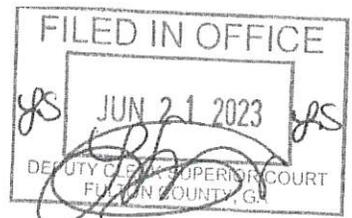


IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
ATLANTA JUDICIAL CIRCUIT



2023-Ex-000732

IN RE: PROCEDURE FOR ALL
CIVIL CASES ASSIGNED TO
JUDGE BELINDA E. EDWARDS'
DIVISION

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JUDGE BELINDA E. EDWARDS

SECOND AMENDED STANDING CASE MANAGEMENT ORDER FOR
CIVIL CASES IN JUDGE EDWARDS' DIVISION

The Court orders the following deadlines, policies, and procedures governing civil matters during the pre-trial phase of cases in Judge Edwards' Division.

I. COMMUNICATION

Kier Prince, Staff Attorney is the principal contact for civil matters in this division. Electronic communication is encouraged. Communication with Ms. Kier Prince should be via email at Kier.Prince@fultoncountyga.gov. Ms. Kier Prince is extremely busy and will respond to all matters as time permits. Documents and pleadings submitted via U.S. mail should have the appropriate postage affixed and be addressed as follows:

Kier Prince, Esq.
185 Central Avenue S.W.
Suite T-8905
Atlanta, Georgia 30303

When communicating with the Court, parties are reminded to ensure opposing counsel, parties, and *pro se* litigants are copied on all communication with the Court staff. Documents and pleadings emailed for the Court's review should be submitted in a .PDF format. Documents and/or proposed orders submitted requesting the Court's signature should be submitted in a Microsoft Word format.

Requests that the Court extend a deadline or hearing date should be made as early as the need becomes apparent. The Court may be contacted via email to the Staff Attorney for these requests.

II. E-FILING

Electronic filing (e-filing) is mandatory for all civil cases filed in the Superior Court of Fulton County. All parties including *pro se* litigants should create an account with cFileGA to ensure consistent service of orders and other notices from the Court. Please visit <http://www.odysseyefilega.com> for account registration, information, and training. Filing fees will apply for all e-filing transactions. The parties are still required to send courtesy copies to the Court. If there is a filing that you want to be sure is brought to the attention of the Court, you must email a copy to Ms. Prince. Additionally, the parties are now required to provide their exhibits in digital form as later detailed.

Please visit <http://www.fultoncourt.org/efile/> for more information and to see the Order Implementing Electronic Filing in Civil Cases.

III. Case Management

Upon the filing of an answer in a case, the Court will arrange a scheduling conference. This conference will be conducted by Zoom videoconference. During the conference, the Court will hear from parties regarding discovery deadlines and dispositive motions, and a proposed trial date. The Court will also hear from parties regarding mediation or alternative dispute resolution. All dates established in the conference will be reduced to writing and delineated in a scheduling order.

IV. Discovery

Discovery in all cases shall end on the date established by the Court in the scheduling order. The Court is to be immediately notified via email by contacting the Court's Staff Attorney of any discovery motion that is filed so that arrangements for its expeditious resolution can be made. An extension of discovery will be granted only for good cause shown. The discovery motion shall be limited to no more than ten (10) pages, double spaced. The response to the discovery shall adhere to the same limited ten (10) pages double spaced.

1. Timing

All discovery requests must be served early enough so that the response thereto are due on or before the last day of the discovery period. The Court typically will not compel responses to discovery request that were not served in time for responses to be made before the discovery period ended.

2. Discovery Disputes

Prior to filing a discovery motion, the movant, after conferring with the respondent in a good faith effort to resolve the dispute by agreement, should contact Ms. Prince and advise her that the movant seeks relief with respect to a discovery matter. The Court will either decide the matter based on the submission, schedule a Zoom conference call with counsel, or authorize counsel to file a formal motion.

Any motion seeking resolution of discovery must adhere to the requirement of the Georgia Uniform Superior Court Rules (“USCR”) 6.4 (A) and (B). Per the USCR requirements, parties must confer with one another prior to raising discovery disputes before the Court. The USCR also requires that “at the time of filing the motion, counsel shall also resolve by agreement the issues raised failed.” Ga. Unif. Super Ct. R. 6.4(B)

3. Deadlines

In the event an extension to the discovery deadline(s) established in the Scheduling Order is requested, the moving party shall submit a proposed Revised Scheduling Order, which must include all proposed deadline extensions as well as a statement indicating whether the Court has previously granted extension requests. All requests for discovery extension shall include a basic description of discovery conducted thus far, the requested deadline extension, a specific schedule of outstanding discovery to be completed during the requested extension, and an explanation as to why the deadline the parties set in the original Scheduling Order is insufficient.

All discovery requests must be served early so that the responses thereto are due on or before that last day of the discovery period. The Court typically will not enforce private agreements between the parties to conduct discovery beyond the end of the discovery request period, nor will the Court compel responses to discovery requests that were not served in time for responses to be made before the discovery period runs. Similarly, the Court typically will not mandate dispositions for the preservation of testimony after the close of discovery if an objection is raised by the opposing party.

4. Responses

General Objections

All-purpose and wide-ranging objections in response to discovery requests are strictly prohibited. Parties should not carelessly invoke the usual litany of rote objections, i.e., attorney-client privilege, work-product immunity from discovery, overly broad/unduly burdensome, irrelevant, not reasonably calculated to lead to the discovery of admissible evidence.

Moreover, general objections are prohibited, i.e., a party shall not include in a response to a discovery request a "Preamble" or a "General Objections" section stating that the party objects to the discovery request "to the extent that" it violates some rule pertaining to discovery, e.g., attorney-client privilege, work-product immunity from discovery, and the prohibition against discovery requests that are vague, ambiguous, overly broad, or unduly burdensome. Instead, each individual discovery response must be met with every specific objection thereto- but only those objections that apply to that particular request. Otherwise, it is impossible for the Court or the party upon whom the discovery response is served to know exactly what objections have been asserted to each individual request. All such general objections shall be disregarded by the Court.

Finally, a party who objects to a discovery request, but then responds to the request, must indicate whether the response is complete, i.e., whether additional information or documents would have been provided but for the objection(s). For example, in response to an interrogatory, a party is not permitted to raise objections and then state, "Subject to these objections and without waiving them, the response is as follows ... " unless the party expressly indicates whether additional information would have been included in the response but for the objection(s).

V. MOTIONS

All motions, including dispositive motions, such as motions for summary judgment and Daubert motions, must be filed within 30 days after the close of discovery. Extensions for filing dispositive motions will only be granted for good cause shown. **The parties are DIRECTED to submit courtesy copies of any motion or pleading that requires the Court's attention, including any exhibits, directly to Chambers by emailing Staff Attorney, Kier Prince at Kier.Prince@fultoncountyga.gov.** Failure to respond to a motion within timeframe identified by the Uniform Superior Court Rules will not prevent the Court from ruling once a motion is prepared for adjudication.

Except upon written permission of the Court, briefs and responsive briefs shall be limited to twenty-five (25) pages in length, excluding exhibits. Responsive briefs shall be filed within 30 days after the filing of the subject motion. Approval for page limitation extensions may be requested informally by email.

Generally, motions will be determined upon the written motion and supporting documents; however, the Court may allow oral argument, upon good cause shown in a written request, or as otherwise prescribed in the Civil Practice Act. Submit any requests for oral argument relating to summary judgment motions in accordance with Uniform Superior Court Rule 6.3 to the Court's Staff Attorney.

Failure to respond to any motion within the time afforded by the Uniform Superior Court Rules (unless extended) will indicate that there is no opposition to the motion. If a motion or

response brief is over thirty (30) pages in length, including exhibits, it must be hand delivered or mailed to Chambers.

1. Hearings

Unless otherwise ordered by the Court, all motions in civil actions, including those for summary judgment, shall be decided by the Court without oral hearing, except motions for new trial and motions for judgment notwithstanding the verdict. However, oral argument on a motion for summary judgment shall be permitted upon written request made in a separate pleading bearing the caption of the case and entitled "Request for Oral Hearing," and provided that such pleading is filed with the motion for summary judgment or filed not later than five (5) days after the time for response. Copies of exhibits to be tendered at an evidentiary hearing should be submitted electronically to the Court's Staff Attorney Ms. Prince and copy the Court's Court Reporter Ms. Stephanie Richardson at stephanie.richardson@fultoncountyga.gov.

2. Digital Submission of Exhibits

Pursuant to the new rules of the Judicial Council of Georgia, all transcripts, and accompanying exhibits, are required to be e-filed. Due to the size limits of eFileGa, all exhibits must be scanned individually and emailed to the court reporter. For oversized or non-paper exhibits, i.e., guns, poster boards, etc., you may submit a digital photograph of the object marked with an exhibit sticker. If no photograph is submitted, then a piece of paper describing the exhibit, i.e., gun, poster board, etc., will be inserted by the court reporter in its place as the exhibit attached to the transcript. Regarding DVDs / CDs, provide the court reporter with the original and one copy. They will need to be contained in a hard case (e.g., jewel case). Stephanie Richardson is the Court's assigned Court Reporter, and her email address is stephanie.richardson@fultoncountyga.gov.

VI. PRE-TRIAL PROCEDURES

1. Consolidated Pre-Trial Orders

A proposed, fully consolidated pre-trial order shall be submitted to the Judge's chambers via email to the staff attorney, Ms. Prince, no later than the deadline established by the Court in the scheduling order. (Please do not present pre-trial orders to the clerk for filing unless they have been signed by the Court). Plaintiff(s) shall be responsible for consolidating the pre-trial order. All other parties shall provide their portions of the consolidated pre-trial order to the plaintiff(s) no later than two business days prior to the due date. No party shall submit their own individual portion of a pre-trial order to the Court without written certification detailing their

good faith efforts to present the Court with a fully consolidated order. Extensions for submitting proposed pre-trial orders will be granted only for good cause shown. The proposed pre-trial order need not contain a listing of all evidence; however, the parties will be expected to provide this listing within ten (10) days after the Court has ruled on dispositive motion(s).

Pursuant to Uniform Superior Court Rule 7.3 Any proposed pre-trial order submitted by any party shall designate any witnesses whose testimony will need the services of an interpreter and the language, including sign language for the deaf, for which the interpreter is required. If known, the name, address, and telephone number of the interpreter or interpreting service intended to be used shall be listed. If this information is not known at the time the pre-trial order is signed, it shall be promptly provided to Court and opposing counsel once known. Where notice is not provided, the Court may, among other sanctions, refuse the use of any non-certified interpreter and then exclude the use of the witness's testimony if the witness cannot readily communicate in English.

2. Pre-Trial Conference, Motion in Limine, Daubert Motions

A pre-trial conference will be held during the timeframe established by the Court as outlined in the scheduling order. The purpose of the conference is to simplify the issues to be tried and to rule on motions in limine and Daubert motions. Motions in limine and Daubert Motions must be filed at least fourteen (14) days before the pretrial conference. Responses to the motions are due seven (7) days before the pretrial conference. Conferences may be requested by contacting Ms. Prince.

3. Conflicts

Conflict letters must be submitted one week before the trial calendar begins and shall comply with Rule 17.1 of the Uniform Superior Court Rules.

4. Proposed Orders

All proposed orders should be submitted electronically to the staff attorney, Ms. Prince, in Microsoft Word format. Proposed orders on Motions for Summary Judgment should include detailed findings of fact and conclusions of law which the Court may adopt as appropriate.

VII. ALTERNATIVE DISPUTE RESOLUTION

If the parties desire to pursue some form of alternative dispute resolution, the Court will support the matter being directed to mediation, arbitration, or a judicially hosted settlement conference. Should any party decide that court-ordered mediation, whether with a private mediator or through the Court's ADR Program, would help to resolve this case, please make your request accordingly. Should parties participate in alternative dispute resolution it should be conducted as not to delay discovery, motions, or trial.

VIII. SANCTIONS

Failure to comply with the Lawyer's Creed, Uniform Superior Court Rules, Civil Practice Act, and the Court's Orders may result in sanctions. Sanctions may include, but not limited to, the striking of pleadings, entry of default, and charging of cost against the offending party.

SO ORDERED this 20th day of June, 2023


HONORABLE BELINDA E. EDWARDS
FULTON COUNTY SUPERIOR COURT
ATLANTA JUDICIAL CIRCUIT