

STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

STANDING CASE MANAGEMENT ORDER

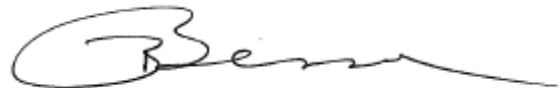
FOR ALL CASES ASSIGNED TO JUDGE DIANE E. BESSEN

It is hereby ORDERED that within 30 days of receiving this order, or within 30 days of the filing of the last Defendants' final Answer (whichever is later), all parties shall jointly efile one of the attached Consent Scheduling Orders, (Order A for Wrongful Death / Medical Malpractice / Complex Cases; Order B for all other cases) setting forth case management deadlines.

Attorneys for represented parties must forward their proposal to all pro se parties, and allow 10 days for the pro se party to review the proposal, prior to submission to the Court.

Until such time as the parties return their proposal, expert and fact discovery shall terminate six months from the date of the last answer; the parties shall have 30 days thereafter to file all dispositive motions; and the deadline to add additional counts, claims, parties, and means of liability shall terminate 30 days prior to the close of discovery. Furthermore, all terms contained in the proposed Orders, including but not limited to the Court's cautions concerning sanctions, the limitations on reply briefs, and the Court's discovery dispute resolution procedure, are hereby made the ORDER of the Court.

SO ORDERED,



Judge Diane E. Bessen
State Court of Fulton County

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

, Plaintiff, v. , Defendant.		CIVIL ACTION FILE NO. JUDGE BESSEN
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CONSENT CASE MANAGEMENT ORDER A
(MEDICAL MALPRACTICE/WRONGFUL DEATH/COMPLEX CASE)

The parties are referred to the Court’s Supplemental Standing Case Management Order, (19EX000121, June 29, 2019, <http://fultonstate.org/chief-judge-diane-e-bessen-division-j/>) for further information concerning the Court’s procedures.

1.

PLAINTIFF’S EXPERT(S) shall be disclosed NO LATER THAN _____.

2.

DEFENSE EXPERT(S) shall be disclosed NO LATER THAN _____.

3.

REBUTTAL EXPERT(S) shall be disclosed NO LATER THAN _____ for PLAINTIFF and _____ for DEFENSE.

4.

ALL EXPERTS shall be deposed NO LATER THAN _____.

5.

ALL WITNESSES shall be deposed NO LATER THAN _____.

6.

DISCOVERY shall close NO LATER THAN **12 MONTHS** after the last answer is filed, which date is _____. (This includes, but is not limited to, written discovery and depositions).

There shall be no amendments to the pleadings to add claims, counts, or methods of recovery after _____.

7.

(a) All PRELIMINARY MOTIONS, including, but not limited to, motions to dismiss, motions regarding venue, service, statute of limitations, or motions to add parties, shall be filed NO LATER THAN _____, absent Court Order. (This date may be no later than 30 days after the entry of this Order).

(b) All other SUBSTANTIVE MOTIONS, including motions for summary judgment, and DAUBERT MOTIONS shall be filed NO LATER THAN _____. (This date may be no later than 30 days after the close of discovery).

(c) There shall be no extensions of these deadlines by agreement of the parties. Any extension of time to file a motion must be made by Order of this Court. **If any motion is filed after these deadlines and without this Court's prior written approval by Order, then the motion will be untimely and may not be considered.**

(d) All motions/briefs are LIMITED to no more than **fifteen (15)** pages, double spaced, exclusive of attachments, unless otherwise permitted by the Court in writing.

(e) The parties are reminded that email addresses must be included in their signature lines, and that where a signature is set forth on a separate page from the contents of the document, the signature page must identify the parties, the case number, and the document. *See*, USCR 36.4.

8.

In the event of a discovery dispute, counsel and parties SHALL contact the Court's Staff Attorney at 404-613-7761 to set up a telephone conference within 90 days from the date of the response or event (e.g. deposition) that is the subject of the dispute, and in no event later than the close of discovery, absent Court Order. This must happen PRIOR TO filing any motion concerning a discovery dispute between the parties.

9.

MEDIATION shall be held NO LATER THAN _____. (This date may be no later than 90 days after the close of discovery). Counsel and all parties, or their representatives, are to appear and participate in good faith in this mediation. Attendance by an attorney or other representative who has **full authority to settle all issues** in the action is **required**. If the client has not given such authorization to counsel, the client must also appear.

The parties are **ORDERED** to notify the Court of the date mediation was actually conducted and whether an agreement was reached.

10.

Parties shall stipulate to this Courts' trial calendar no later than 90 days after discovery closes. Parties desiring a special setting should contact Staff Attorney Amy Abrames, 404-613-7761 or AmyAbrames@fultoncountyga.gov, to make such a request. The parties should notify Ms. Abrames as soon as they anticipate the likelihood of a special setting, understanding that a specially set trial date may not be available for approximately 6 months.

11.

A CONSOLIDATED PRETRIAL ORDER shall be E-filed NO LATER THAN one (1) week prior to the trial calendar.

The failure to comply with the deadlines and other provisions set forth in this Case Management Order may result in the imposition of sanctions, including the striking of pleadings, the disregard of motions (particularly late-filed motions), the assessment of attorney's fees, the exclusion of evidence or witnesses at trial, and/or other sanctions this Court deems warranted under the facts and circumstances. See, *Doherty v. Brown*, 339 Ga. App. 567, 576 (2016); *OTS, Inc. v. Weinstock & Scavo, PC*, 339 Ga. App. 511, 517 (2016); *Hart v. Northside Hospital, Inc.*, 291 Ga. App. 208 (2008). Further, the Court may choose to consider motions filed outside of the deadlines set in this Order to prevent manifest injustice. See *Velasco v. Chambliss*, 295 Ga. App. 377 (2008).

This the ____ day of _____, 20 ____.

Plaintiff's Counsel

Defendant's Counsel

Judge Diane E. Bessen
State Court of Fulton County

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