

2023-EX-002010

IN THE SUPERIOR COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT

FILED IN OFFICE

DEC 14 2023

STANDING CASE MANAGEMENT
ORDER FOR CIVIL CASES IN
JUDGE MELYNEE LEFRIDGE'S DIVISION

2024EX _____

CHÉ ALEXANDER
Clerk of Superior Court

Fulton County, Georgia



The following terms govern the parties and their practice during the pretrial phase of their civil case in this Division. The Court has issued a separate standing Order governing trial practice.

I. Contacting the Court

Tiffani Johnson, Senior Staff Attorney, is your principal contact. Please refrain from communicating directly with Judge Leftridge. Ms. Johnson may be reached by telephone (404-612-2805) or e-mail (tiffani.johnson@fultoncountyga.gov). Mailed and hand-delivered communications should be addressed as follows:

Tiffani Johnson
Senior Staff Attorney
Judicial Center Tower
185 Central Avenue SW
Suite T-8755
Atlanta, Georgia 30303

The Court has chosen email as the primary method of communication. Telephone calls to the Court should be reserved for exceptional circumstances. 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. Please note that the Court will not condone or participate in "practice by email." The Court will only respond to matters that have been properly filed with the Clerk's office. Documents e-mailed for the Court's review (motions and other pleadings) should be sent in .PDF format. Documents e-mailed for the Court's signature (proposed orders, etc.) should be sent in Microsoft Word format.

The Court does not answer questions regarding legal strategy or approaches to legal questions. Rather, the Court insists attorneys simply follow applicable Georgia law and all Uniform Superior Court Rules. Please be advised that the Court will not counsel self-represented litigants on the procedure of law.

II. **E-Filing**

E-filing is mandatory for civil cases filed in Fulton County Superior Court. This means that electronic service of pleadings, other than the initial Complaint and Summons, is now legally sufficient. If you are e-filing through “Peach Court”, you are responsible for ensuring you are registered as a service contact through “E-file Odyssey.” Every attorney of record and every *pro se* litigant must register with the Court’s e-filing system. This can be accomplished at www.efilega.com. While e-filing ensures your pleadings and other documents are made part of the official record, it does not necessarily result in that pleading or document reaching the desk of either the Senior Staff Attorney or the Judge. To that end, a courtesy copy of any and all motions SHALL be emailed to the Court’s Senior Staff Attorney, Ms. Tiffani Johnson to her email address, which again is: tiffani.johnson@fultoncountyga.gov. (Be mindful that her first name is spelled with an “I” as the concluding letter.)

III. **Case Management**

1. **Scheduling Order**

Upon the filing of an Answer in a case, the Court will enter a Scheduling Order.

Requests to extend the discovery period, even by consent, will only be granted when exigent circumstances exist.

2. **Conferences**

Discovery, pretrial, and settlement conferences promote the speedy, just, and efficient resolution of cases. Therefore, the Court encourages the parties to request a conference whenever they believe that such will be helpful and they have specific goals for the conference.

3. Extensions of time

The Court will generally be disinclined to grant extensions of the time periods set forth in the Scheduling Order. **However, parties seeking an extension should file a formal request with the Court explaining with specificity the unanticipated or unforeseen circumstances necessitating the extension and should set forth a timetable for the completion of the task(s) for which the extension is sought.** The Court shall be notified immediately of any problem or dispute (e.g., discovery issues, witness unavailability, illness or the late addition of parties or claims) which might delay the resolution of the case or cause a party to miss a deadline. A Leave of Absence filed which covers the period in which a filing is due does not absolve the attorney from submitting the filing timely. While counsel/the parties may jointly agree to the extension of the discovery period deadline or other Court imposed deadlines, be advised that such agreements are without legal effect without an Order entered by the Court authorizing any such extension(s).

4. Alternative dispute resolution (ADR)

The Court encourages ADR and will support any timely request to direct the matter to mediation, arbitration or judicially hosted settlement conference. The Court also reserves the right to mandate some form of ADR. If the parties participate in ADR, they shall do so in a manner which does not serve to delay the discovery period or other deadlines imposed by this Court.

IV. Discovery

1. Deadlines

In the event an extension of the deadlines(s) set forth in the Scheduling Order is requested, the moving party shall submit a proposed Amended 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 extensions of the discovery period 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 set forth in the original Scheduling Order should be altered.

All discovery requests must be served early enough such that the responses thereto are due on or before the last day of the discovery period. The Court typically will not enforce private agreements between parties to conduct discovery beyond the end of the discovery period.

2. **Responses**

Boilerplate objections in response to discovery requests are prohibited. Parties should not mindlessly invoke the usual litany of rote objections, *e.g.*, attorney-client privilege, work-product immunity, overly broad/unduly burdensome, irrelevant, not reasonable calculated to lead to the discovery of admissible evidence, etc.

General objections are also prohibited, *i.e.*, a party shall not include in its response to a discovery request a “Preamble” or “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; the prohibition against discovery requests that are vague, ambiguous, overly broad, or unduly burdensome; etc. Instead, each individual discovery request must be met with *specific* objections thereto—but only those objections that *actually* apply to that particular request. General objections will be disregarded by the Court.

Finally, a party who objects to a discovery request but thereafter 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 the state, “Subject to these objections and without waiving them, the response is as follows...” unless the party expressly indicated whether additional information would have been included in the response “but for” the objection(s).

3. **Experts**

Unless otherwise established in the Scheduling Order, Plaintiff(s) shall disclose the names and opinions of all experts *at least* two months before the discovery period expires. Defendant(s) shall disclose the names and opinions of all experts *at least* one month before the discovery period expires.

4. **Disputes**

Direct, informal communication is encouraged between parties to address potential discovery disputes before they become actual discovery disputes. If that fails, an aggrieved party must notify the Court of the discovery dispute by submitting a letter/e-mail demonstrating compliance with Uniform Superior Court Rule 6.4 and providing sufficient information and/or documentation to permit a meaningful telephone conference between parties and the Court. **No party may file a motion to compel or a motion for a protective order without first having discussed the issue with opposing parties.** This stricture applies to disputes with non-parties as well. Motions to compel which do not comply with Uniform Superior Court Rule 6.4 will be denied. The Court will not hesitate to sanction a party and/or counsel found to have abused the discovery process or to have flouted the rules and laws governing it.

5. **Depositions**

Absent extraordinary circumstances, opposing counsel (or *pro se* litigants) should be consulted before a deposition is noticed. Objections lodged during depositions should be noted but questions should be answered over those objections. If a serious, legitimate dispute arises during a deposition, the parties are encouraged to contact the Court for the purpose of seeking an “on the spot” resolution, such that the deposition might continue.

V. Motions

1. Deadlines

Unless otherwise established in the Scheduling Order, dispositive motions must be filed within thirty (30) days after the deadline for mandatory mediation. Movants must provide courtesy copies of motions and related filings to the Court. Electronic copies of pleadings are preferred; hard copies of lengthy exhibits or other attachments are required. Failure to respond to a motion within the time afforded by the Uniform Superior Court Rules (or as extended by Court order) will not prevent the Court from ruling once a motion is ripe for adjudication. An untimely request for oral argument may result in the request being denied.

2. Format

Precision and concision are strongly encouraged. **Absent advance permission, no party may file a motion, brief, or responses in excess of twenty (20) pages (excluding affidavits, deposition extracts, and other relevant exhibits).** Documents exceeding twenty (20) pages which are filed without permission may be struck from the record.

Every ministerial motion (*e.g.* motion for leave to file a reply brief, for leave to extend discovery. etc.) must be accompanied by a proposed order (with the proposed order submitted electronically as a Microsoft Word document).

3. Hearings

As a general practice, motions will be decided upon the written submissions of the parties; however, the Court may request oral argument *sua sponte* or allow it upon good cause shown or as otherwise prescribed in the Civil Practice Act and Uniform Superior Court Rules. A party seeking oral argument on a motion for summary judgment must comply with Uniform Superior Court Rule 6.3 and file a pleading to that effect. That Rule 6.3 pleading must also be emailed to Ms. Johnson along with a proposed rule nisi in Microsoft Word format.

4. **Zoom**

When the Court designates to have a hearing by Zoom, counsel and/or parties are the only persons permitted to have access to the Zoom link. Any non-party seeking to attend the Zoom hearing must receive written permission from the Court. Counsel and/or parties must ensure in advance of the hearing that they can properly access and utilize Zoom. The Court cannot provide technical support.

The Court will only permit entry to individuals identifying themselves by first and last name. Video must be turned on and the audio must be muted until the Court calls the matter for its hearing. Please refrain from excessive movement and loud environments. Persons must be appropriately dressed and in suitable environments that are respectable for court hearings. Any persons joining from bathrooms, bedrooms, etc. will be exited from the Zoom hearing. Please refrain from smoking, talking on the telephone, etc. while in Court. Any person who fails to follow the rules set forth herein will not be permitted to participate in any such hearing *via* Zoom and will be expected to appear, in court, *in person*.

5. **Court Reporter**

The parties must provide their own court reporter if they desire to have proceedings “taken down”. Attorneys have an affirmative duty to notify their clients that failure to have a proceeding reported may have an adverse effect on any appeal.

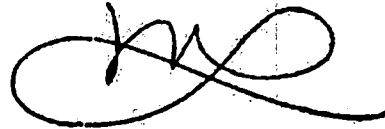
6. **Proposed Orders**

When a dispositive motion (or any motion) is ripe for adjudication, the parties shall submit proposed orders for review. Proposed orders on motions for summary judgment shall include detailed findings of fact and conclusions of law which the Court may adapt as appropriate. All proposed orders should be submitted electronically to Ms. Johnson in Microsoft Word format. **Proposed orders shall not be filed with the Clerk of Court,** inasmuch as, proposed orders have no force and effect in law and arguably serve no other purpose than to unnecessarily clutter the public record.

VI. Sanctions

Failure to comply with basic principles of courtesy (to include timeliness), the Uniform Superior Court Rules, the Civil Practice Act, and the Court's orders (to include this one) may result in sanctions. Sanctions may include, but are not limited to, the striking of pleadings, entry of default and charging costs against the offending party. Let it be **SO ORDERED**.

This 1 day of January 2024.



Judge Melynee Leftridge
Fulton County Superior Court
Atlanta Judicial Circuit