IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

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| Plaintiff,v.Defendant. | Civil Action File No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Judge Rachel R. Krause |

**CONSOLIDATED PRE-TRIAL ORDER**

The following constitutes a Pre-Trial Order entered in the above-styled case after conference with counsel for the parties:

1. The name, address and phone number of the attorneys who will conduct the trial are as follows:

2. The estimated time required for trial is \_\_\_ days.

3. There are no motions or other matters pending for consideration by the court except as follows:

4. The jury will be qualified as to relationship with the following individuals or entities:

5. a. All discovery has been completed, unless otherwise noted, and the court will not consider any further motions to compel discovery except for good cause shown. The parties, however, shall be permitted to take depositions of any person(s) for the preservation of evidence for use at trial.

 b. Unless otherwise noted, the names of the parties as shown in the caption to this order are correct and complete and there is no question by any party as to the misjoinder or nonjoinder of any parties.

6. The following is the Plaintiff’s brief and succinct outline of the case and contentions, including the specific actionable conduct of each defendant:

7. The following is the Defendant’s brief and succinct outline of the case and contentions, including any affirmative defenses upon which it intends to rely at trial, as well as the specific actionable conduct of Plaintiff, if counterclaims are asserted:

8. The issues for determination by the jury are as follows:

9. Specifications of negligence including applicable code sections are as follows:

10. If the case is based on a contract, either oral or written, the contract is attached as Exhibit “\_\_” or the terms of the contract are as follows:

11. The types of damages and the applicable measure of those damages are stated as follows:

12. The following facts are stipulated:

13. Below (or attached as Exhibits “\_\_” and “\_\_,” respectively) are lists of all documentary and physical evidence, including specific responses to interrogatories or requests for admission, that may be introduced at trial by the Plaintiff or Defendant.

Unless an objection is asserted in the Pre-Trial order, exhibits, depositions, and discovery responses included on the parties’ exhibit lists and in the Pre-Trial Order shall be admitted at trial when offered. All exhibits shall be marked by counsel prior to trial so as not to delay the trial before the jury.

1. By the Plaintiff:
2. By the Defendant:

14. Special authorities relied upon by Plaintiff relating to peculiar evidentiary or other legal questions are as follows:

15. Special authorities relied upon by Defendant relating to peculiar evidentiary or other legal questions are as follows:

16. All requests to charge anticipated at the time of trial will be filed in accordance with Rule 10.3.

17. Below (or attached as Exhibits “\_\_” and “\_\_,” respectively) are lists of the person or persons whose testimony may be introduced at trial by deposition, including the line and page designations of the specific portions of each deposition that may be offered:

The parties must confer and attempt to agree on the portions of the deposition that will be used at trial. If the parties cannot agree, the parties shall jointly prepare a list of the page and line numbers in dispute and submit it to the Court at the time of filing their motions in limine, along with copies of the disputed deposition text.

18. Below (or attached as Exhibits “\_\_” and “\_\_,” respectively) is a list of witnesses

a. Plaintiff will have present at trial:

b. Plaintiff may have present at trial:

c. Defendant will have present at trial:

d. Defendant may have present at trial:

Trial witnesses must be identified by name, where possible. Failure to identify a witness, including expert witnesses, by name in the consolidated pretrial order may result in the exclusion of the undisclosed witness’ testimony from trial.

Opposing counsel may rely on representation that the designated party will have a witness present unless notice to the contrary is given in sufficient time prior to trial to allow the other party to subpoena the witness or obtain his testimony by other means.

19. Below (or attached as Exhibits “\_\_” and “\_\_,” respectively) are the proposed forms of all possible verdicts to be considered by the jury are as follows:

20. a. The possibilities of settling the case are:

 b. The parties do/do not want the case reported.

 c. The cost of take-down will be paid by:

 d. Other matters:

Respectfully submitted, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_.

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| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Signature BlockCounsel for Plaintiff | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Signature BlockCounsel for Defendant |

It is hereby ordered that the foregoing, including the attachments, constitutes the FINAL PRETRIAL ORDER in the above case and supersedes the pleadings which may not be further amended except by order of the court to prevent manifest injustice.

IT IS SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_.

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 HON. RACHEL R. KRAUSE

 Superior Court of Fulton County

 Atlanta Judicial Circuit