

IN THE STATE COURT OF COBB COUNTY

STATE OF GEORGIA

Civil Action Case Number:

VS _____

PROPOSED PRE-TRIAL ORDER OF _____

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:
Plaintiff: _____
Defendant: _____
Other: _____
2. The estimated time required for trial is _____.
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 the relationship with the following: _____

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 the 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:

7. The following is the Defendant's brief and succinct outline of the case and contentions:
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8. The issues for determination by the jury are as follows: _____
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9. Specifications of negligence including applicable code sections are as follows: _____
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10. If the case is based on a contract, either oral or written, the terms of the contract are as follows (or, the contract is attached as an Exhibit to this order): _____
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11. The type of damages and the applicable measure of those damages are stated as follows:
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12. The following facts are stipulated: _____
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13. The following is a list of all documentary and physical evidence that will be tendered at the trial by the Plaintiff or Defendant. Unless noted, the parties have stipulated as to the authenticity of the documents listed and the exhibits listed may be admitted without further proof of authenticity. All exhibits shall be marked by counsel prior to trial so as not to delay the trial before the jury.
- A. By the Plaintiff: _____
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- B. By the Defendant: _____
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14. Special authorities relied upon by Plaintiff relating to peculiar evidentiary or other legal questions are as follows: _____
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15. Special authorities relied upon by Defendant relating to peculiar evidentiary or other legal questions are as follows: _____
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16. All requests to charge anticipated at the time of trial will be filed in accordance with Rule 10.3.
17. The testimony of the following persons may be introduced by depositions: _____
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Any objection to the depositions or questions or arguments in the depositions shall be called to the attention of the court prior to trial.

18. The following are lists of witnesses the
- 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: _____

Opposing counsel may rely on representation by the designated party that he 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. The form of all possible verdicts to be considered by the jury are as follows: _____

- 20.
- a. The possibilities of settling this 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: _____

Submitted by:

It is hereby ordered that the foregoing, including the attachments thereto, constitutes the PRE-TRIAL 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.

This _____ day of _____, 20_____.

Judge, State Court
Cobb Judicial Circuit