

**IN THE PROBATE COURT OF COBB COUNTY
STATE OF GEORGIA**

IN RE: ESTATE OF

)
)
)

ESTATE NO. _____

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 names, addresses and telephone numbers 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) If applicable, the jury will be qualified as to 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 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: (USE SPACE AS NEEDED)

(7) The following is the Defendant's brief and succinct outline of the case and contentions: (USE SPACE AS NEEDED)

(8) The issues for determination are as follows: _____

(9) The following facts are stipulated: _____

(10) 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.

a. By the Plaintiff: _____

b. By the Defendant: _____

(11) Special authorities relied upon by Plaintiff relating to peculiar evidentiary or other legal questions are as follows: _____

(12) Special authorities relied upon by Defendant relating to peculiar evidentiary or other legal questions are as follows: _____

(13) If applicable, requests and exceptions to charge

All requests to charge shall be numbered consecutively on separate sheets of paper and submitted to the court in duplicate by counsel for all parties at the commencement of trial, unless otherwise provided by pre-trial order; provided, however, that additional requests may be submitted to cover unanticipated points that arise thereafter.

(14) The testimony of the following persons may be introduced by depositions: _____

Any objection to the depositions or questions or arguments in the depositions shall be called to the attention of the court prior to trial.

(15) 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.

(16) If applicable, the forms of all possible verdicts to be considered by the jury are as follows: _____

(17) a. The possibilities of settling the case are: _____

b. The parties do/do not want the case reported. If they do, _____ will arrange for the reporter.

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, Probate Court
Cobb County