STATE COURT OF DEKALB COUNTY

Judge Mike Jacobs

CIVIL MOTIONS CALENDAR

January 13, 2017

1:30 p.m.

Division 5
Judicial Tower
3rd Floor, Courtroom C

Tamika Thompson
Civil Calendar Clerk
404.371.4974

www.dekalbstatecourt.net

IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA

In re:	}	
	}	Division 5
ALL CIVIL CASES ON	}	Judge Mike Jacobs
MOTIONS CALENDARS	}	
	}	

STANDING ORDER REGARDING
CIVIL MOTIONS CALENDARS

This Order shall apply in all civil cases that are scheduled on the Court's motions calendars. The Clerk is directed to file and serve a copy of this Order in each scheduled case. This Order will be filed one time in each case and will apply to all future motions calendars. All parties should read this Order carefully and comply with its provisions.

On the motions calendar, the Court will conduct a hearing on all motions pending in a scheduled case for which the response period provided in Uniform Superior Court Rule 6.2 has elapsed prior to the date of the hearing, regardless of whether the response period had elapsed at the time the calendar was published. If the movant for a particular motion fails to appear for the hearing, the motion will be denied for want of prosecution. Any non-movant who wishes to be heard on a pending motion must appear at the hearing. If the motion requires presentation of evidence, the evidentiary hearing will be conducted on this calendar.

All summary judgment motions will require a hearing even if a hearing has not been requested, except in non-complex debt collection cases in which no party has requested a summary judgment hearing. Additionally, parties are reminded that "[u]pon any motion for summary judgment pursuant to the Georgia Civil Practice Act, there shall be annexed to the notice of motion a separate, short and concise statement of each theory of recovery and of each of the material facts as to which the moving party contends there is no genuine issue to be tried.

The response shall include a separate, short and concise statement of each of the material facts as to which it is contended there exists a genuine issue to be tried." Unif. Super. Ct. R. 6.5.

Failure to file the Rule 6.5 statement before the date of a summary judgment hearing may result in denial of the motion for summary judgment or striking of the response. Before the hearing date, the parties also must file the original sealed depositions for any testimony cited in any filings in support of or in opposition to summary judgment.

The requirement that the parties file original sealed depositions before the hearing date likewise shall apply to any testimony cited in any filings in support of or in opposition to a motion to exclude expert opinion testimony pursuant O.C.G.A. § 24-7-702.

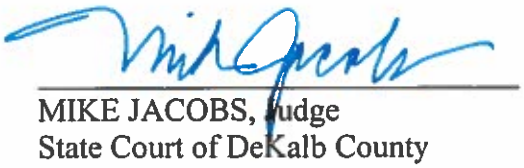
All discovery motions must include a certificate of a good faith conference pursuant to Uniform Superior Court Rule 6.4(B). If the Rule 6.4(B) certificate was not filed with the original motion, the required good faith conference must occur and the motion must be amended to include the certificate prior to the hearing date. If an amended motion and certificate are not filed on or before such deadline, the motion may be denied.

If the movant wishes to withdraw a pending motion, this must be done prior to the hearing date through a written notice filed with the State Court Clerk, with a courtesy copy furnished to Tamika Thompson, Civil Calendar Clerk for Division 5.

All attorney conflicts will be resolved as provided in Uniform Superior Court Rule 17.1. All attorney leaves of absence affecting the calendar and filed after the calendar is published will require an application and Court approval pursuant to Uniform Superior Court Rule 16.2.

Any questions regarding the civil motions calendar should be directed to Tamika Thompson, Civil Calendar Clerk, at (404) 371-4974 or tnthompson@dekalbcountyga.gov.

SO ORDERED, this 8th day of December, 2016.



MIKE JACOBS, Judge
State Court of DeKalb County

State Court Civil Calendar
JUDGE Mike Jacobs
Civil Motion Calendar Calendar

01/13/2017
1:30 PM
Courtroom 3C

	Case	Parties	Attorneys
(1)	07A73429	PHILLIPS & BURNS LLC --- VERSUS --- MILDRED WHATLEY	
		Contract / Account	***MOTION FOR WRIT OF SCIRE FACIAS TO REVIVE DORMANT JUDGMENT-8/24/16***
(2)	07A79145	FLORENCE SMITH --- VERSUS --- THE ELLIOTT GROUP	MARK C BIPS ROBERT KENNER JR; H J A ALEXANDER
		Personal Injury	***MOTION FOR CONTEMPT-8/18/16***
(3)	11A36121	PONDRIA EDWARDS --- VERSUS --- NICOLE K NICOME MD	WILLIAM J ATKINS J. SCOTT REES; PHI U NGUYEN; PHI U NGUYEN; J. SCOTT REES; PHI U NGUYEN
		State General Civil	***MOTIONS IN LIMINE***

	Case	Parties	Attorneys
(4)	13A48475	FATIMAH K PHOENIX	Peter A Law
		--- VERSUS ---	
		WALMART STORES INC	HALL F MCKINLEY III; Joshua S. Wood; MICHAEL L MILLER; Matthew G Moffett; V ASHLEY WALLER; R. SCOTT MASTERSON
		Personal Injury	***DAUBERT MOTION***
(5)	14A50823	ARIZONA FEDERAL CREDIT UNION	RICHARD M HOWE
		--- VERSUS ---	
		TYONNA GRIFFIN	
		State General Civil	***PLTF'S MOTION FOR CONTEMPT--9/22/16***
(6)	14A52522	GLENDA J WILLIAMS	Darren Summerville
		--- VERSUS ---	
		ROBERT J POLLARD	PHILLIP E FRIDUSS; ROBERT DAVID WARE
		Personal Injury	***DEFS MOTION FOR NEW TRIAL-5/24/16***

	Case	Parties	Attorneys
(7)	15A55753	TIMOTHY A TROUTMAN	
		--- VERSUS ---	
		AUSTIN OAKS APARTMENTS	LANCE D CRAWFORD
		State General Civil	***DEF'S MOTION FOR SUMMARY JUDGMENT-8/31/16***
(8)	15A56230	JAMES TELLO	
		--- VERSUS ---	
		NORMA V VELEZ	Savannah L. Bray
		Personal Injury	***DEF'S MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT--8/23/16***
(9)	15A56332E5	WILLIAM RUSSELL	CHANTHINA BRYANT ABNEY
		--- VERSUS ---	
		A-PLUS TEAM, LLC	Grant Butler Smith; TONYA F STOKES
		State General Civil	***DEF MCNAIR'S MOTION TO DIMISS-11/4/16*** ***DEF A-PLUS MOTION TO COMPEL--11/4/16***

	Case	Parties	Attorneys
(10)	15A56978	DUNG CHINH VO	Candace M Boutwell
		--- VERSUS ---	
		MOSES K GBENDEH	
		Tort - Auto Accident	***COUNTERCLAIM DEF STATEFARM'S MOTION TO DIMISS-5/2/2016***
(11)	15A57848E5	DAMITRA BAISDEN	ROD DIXON
		--- VERSUS ---	
		MARK T LUCAS	WILLIAM D HARRISON; E ANDREW TREESE; WILLIAM D HARRISON
		Personal Injury	***DEF GRANGE MUTUAL'S PARTIAL MOTION TO DISMISS--8/22/16*** ***DEF GRANGE MUTUAL'S MOTION TO STAY--9/28/16***
(12)	16A58884	HEAVY MACHINES INC	BRIAN D BURGOON
		--- VERSUS ---	
		EDGE UNDERGROUND INC	J ED SEGRAVES
		Contract / Account	***PLTF'S MOTION FOR SUMMARY JUDGMENT-9/27/16***

Case	Parties	Attorneys
(13) 16A61330	Oldcastle APG South, Inc. d/b/a Georgia Masonry Supply	LEE B PERKINS
	--- VERSUS ---	
	Parkview Design Build, LLC	
	Contract / Account	***PLTF'S MOTION TO STRIKE ANSWER-10/18/16***
(14) 16A61407	Mary Favors	KEVIN A LEIPOW
	--- VERSUS ---	
	Saint Paul African Methodist Episcopal Church Macon, Inc.	CARRIE L CHRISTIE; CARRIE L CHRISTIE; Gwenivere Byerson
	Personal Injury	***DEFS MOTION TO DISMISS RENEWAL ACTION--10/18/16**

State Court Civil Calendar
JUDGE Mike Jacobs
Civil Motion Calendar Calendar

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1:30 PM
Courtroom 3C

	Case	Parties	Attorneys
(15)	16A61663	Rhonda Barken, As Sole Heir and Administratrix of the Estate of Daniel James Barken, Deceased --- VERSUS --- City of Atlanta	Andrew T Rogers Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke; Joan Clarke
		Tort - Auto Accident	***DEF'S MOTION TO TRANSFER-10/28/16***