

STATE COURT OF DEKALB COUNTY

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**Judge Mike Jacobs**

**SPECIALLY SET**

**CIVIL MOTIONS CALENDAR**

**September 6, 2018**

**1:30 p.m.**

Division 5  
Judicial Tower  
3<sup>rd</sup> Floor, Courtroom C

Tamika Thompson  
Civil Calendar Clerk  
404.371.4974

**IN THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA**

In re:

ALL CIVIL CASES ON  
MOTIONS CALENDARS

}  
} Division 5  
} Judge Mike Jacobs  
}  
}

**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](mailto:tnthompson@dekalbcountyga.gov).

SO ORDERED, this 9<sup>TH</sup> day of August, 2018.

A handwritten signature in blue ink, appearing to read "Mike Jacobs", written over a horizontal line.

MIKE JACOBS, Judge  
State Court of DeKalb County



**State Court Civil Calendar**  
**JUDGE Mike Jacobs**  
**Civil Motions Calendar**

09/06/2018  
1:30 PM  
Courtroom 3C

<b>Case</b>	<b>Parties</b>	<b>Attorneys</b>
( 1 ) 14A51191	THE IMPACT PARTNERSHIP, LLC	WILLIAM P EISELSTEIN; Stacey Allen Carroll; Stacey Allen Carroll
	--- VERSUS ---	
	J.D. MELLBERG FINANCIAL, AN ARIZONA LIMITED LIABILITY CO.	DAVID N FERRUCCI; LAUREN A NATIONS
	State General Civil	***EVIDENTIARY HEARING ON PLTF'S ATTY'S FEES (2/5/18 ORDER) ***IMPACT'S MOTN FOR PROTECTIVE ORDER- 3/16/18***
( 2 ) 18A69308	Mary Margaret Oliver	Robin Frazier Clark
	--- VERSUS ---	
	Claud Lee McIver, III.	R Chris Harrison; James W Scarborough
	Ace American Insurance Company; Great Northern Insurance Company; State Farm Mutual Automobile Insurance Company	
	Personal Injury	***DEF CARTER'S MODI-6/20/18***