

**STATE COURT
OF DEKALB COUNTY**

**JUDGE KIMBERLY A. ALEXANDER
DIVISION VII**

CIVIL MOTIONS CALENDAR

DECEMBER 20, 2023

AT 1:30 P.M.

**COURTROOM B
OF THE
JUDICIAL TOWER LOCATED
ON THE 2ND FLOOR AT
556 N. MCDONOUGH STREET
DECATUR, GEORGIA 30030**

**MICHELLE A. CHEEK
CIVIL CALENDAR CLERK**

**404-687-3985
E-Mail to macheek@dekalbcountyga.gov**

www.dekalbstatecourt.net

THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA

ORDER

(Civil Motions Calendar)

Pending motions which are ripe for decision are hereby placed on the Civil Motions Calendar scheduled for **December 20, 2023, at 1:30 P.M.** in Courtroom B on the second floor of the Judicial Tower, located at 556 N. McDonough Street, Decatur, Georgia 30030. All parties and counsel are required to appear at the call of the Calendar and should be prepared to proceed with argument at that time.¹ Information concerning position on the Calendar is available at **www.dekalbstatecourt.net**.

The removal of any motion from this calendar shall be by Order of the Court only. A Motion for Continuance must be made in writing at least ten days before the hearing, and an Order must be submitted. If a case has settled or the issues have been resolved, the parties must notify **Michelle Cheek, Civil Case Manager, at (404) 687-3985** or **macheek@dekalbcountyga.gov**, and follow-up with a pleading confirming withdrawal of the motion or other disposition.

Failure to respond to the notice to appear at the Motions Calendar may result in dismissal of the pending motion or in any other action the Court may deem appropriate.

SO ORDERED this 9th day of November, 2023.


Kimberly A. Alexander, Judge
State Court of DeKalb County

¹ The Court hereby advises all parties that a corporation must be represented by an attorney in any civil proceeding in this Court. **Eckles v. Atlanta Technology Group, Inc., 267 Ga. 801, 485 S.E.2d 22 (1997).** Any corporate party not represented by counsel by the call of this Calendar will not be heard during this calendar, and such corporate party risks the Court taking appropriate action including, but not limited to, judgment for the opposing party or dismissal of the claim or motion. Counsel for the corporate party must either appear in Court or must have filed a written entry of appearance on behalf of the corporation before the call of the Calendar.



State Court Civil Calendar
Judge Kimberly A. Alexander
Civil Motions Calendar

12/20/2023
1:30 PM
Courtroom 2B

Case

Parties

Attorneys

(1)

19A77256

Ruth Brooks

Evan R Mermelstein

--- VERSUS ---

Deondrea Beard, and

American Service
Insurance Company, Inc

Jessica C Samford
Lee D Whatling

Tort - Auto Accident

PLAINTIFF'S MOTION TO LIFT STAY DUE TO
EXPIRATION OF 120-DAY PERIOD AND TO
PLACE CASE ON NEXT
AVAILABLE PRE-TRIAL CALENDAR

DEFENDANT AMERICAN SERVICE
INSURANCE COMPANY'S
MOTION TO STAY

(2)

21A05140

Dangelo Gonzalez Miranda

Clark R Karell, Jr.

--- VERSUS ---

Nathan Cost

Andrew A Curtright

Incoming Transfer

PLAINTIFF'S MOTION AND SUPPORTING BRIEF
TO COMPEL AND FOR SANCTIONS AGAINST
NON-PARTY DR. TARIQ JAVED



State Court Civil Calendar
Judge Kimberly A. Alexander
Civil Motions Calendar

12/20/2023
1:30 PM
Courtroom 2B

Case

Parties

Attorneys

(3) 22A00864 Mohamed A Magdy,
individually and as the
surviving natural and legal
Father of Ali Magdy

— VERSUS —

Osama M Ibrahim,	Brittany DeDiego
Eman Maamoun,	Michael P DiOrio
Mariam Ibrahim, and	R Scott Masterson
John Doe A	

Personal Injury

ALL PENDING MOTIONS

(4) 22A01926 Patricia Elangwe Kathryn N Guzner

— VERSUS —

Sharay Cunningham, and	Sean A Gordon
Doordash, Inc	Austin B Alexander
	Jenna S Schneider
	Benjamin J Yancey
	Terry O Brantley

Personal Injury

**DEFENDANT DOORDASH, INC'S
MOTION FOR SANCTIONS**

(5) 22A01996 Chassity Nobles Esther Oise

— VERSUS —

Lateijah Alexander	Denice A Byrd
	Averiel D Jackson
USAA Casualty Insurance Company	Jessica E Sanford

Personal Injury

MOTION FOR ENTRY OF DEFAULT



State Court Civil Calendar
Judge Kimberly A. Alexander
Civil Motions Calendar

12/20/2023
1:30 PM
Courtroom 2B

Case

Parties

Attorneys

(6) 22A03456 Rodriquis Scott John S O'Briant, III.

— VERSUS —

Rachel Elder

Unique Insurance Company Nanette L Wesley

Tort - Auto Accident

PLAINTIFF'S MOTION FOR LEAVE TO
AMEND PLEADINGS TO ADD PARTY
DEFENDANT ENTERPRISE LEASING
COMPANY OF GEORGIA LLC

(7) 23A00275 Christopher Thomas Dean Catherine Gibson

— VERSUS —

North Peachtree
Donuts Holdings, LLC

Elissa B Haynes
Geoffrey F Calderaro

Personal Injury

DEFENDANT NORTH PEACHTREE DONUTS
HOLDINGS, LL'S 12(B)(6) MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT

(8) 23A01217 Mantis Funding Cory C Close

— VERSUS —

High Quality
Communications, LLLP, and

Jaduan Jarae Hogan

Foreign Judgment

PLAINTIFF'S MOTION FOR
CONTEMPT AND SANCTIONS



State Court Civil Calendar
Judge Kimberly A. Alexander
Civil Motions Calendar

12/20/2023
1:30 PM
Courtroom 2B

Case

Parties

Attorneys

(9)

23A01594

Krystal Willingham

Susan M Witt

--- VERSUS ---

Michael P Gross, MD, and

Et Al

Kenneth Newby
Nicholas A Bacon
Jamaal R Brown
Nichole L Hair
R Tyler Fisher

Tort -Medical
Malpractice

DEFENDANTS' MOTION TO COMPEL
ARBITRATION AND DISMISS
PLAINTIFF'S COMPLAINT WITH PREJUDICE

(10)

23A02559

Carol Naylor

Brian D Rogers
Steve Hart

--- VERSUS ---

Tyrus Anthony Webster

Thomas G Ross, II.

Tort - Auto Accident

PLAINTIFF'S MOTION TO COMPEL TO
NON-PARTY ATTORNEY NICHOLAS GETTY'S

PLAINTIFF'S MOTION TO COMPEL TO
NON-PARTY ATTORNEY DARYL QUEEN,
DEKALB COUNTY PUBLIC DEFENDER'S OFFICE
AND/OR SUCCESSOR COUNSEL



State Court Civil Calendar
Judge Kimberly A. Alexander
Civil Motions Calendar

12/20/2023
1:30 PM
Courtroom 2B

Case

Parties

Attorneys

(11) 23A02869 Deria Terrell Susan M Witt

--- VERSUS ---

Andrew Hwu, MD, and
Et al

Kenneth Newby
Nicholas A Bacon,
Jamaal R Brown
Nichole L Hair
R Tyler Fisher

Tort -Medical
Malpractice

DEFENDANTS' MOTION TO COMPEL
ARBITRATION AND DISMISS
PLAINTIFF'S COMPLAINT WITH PREJUDICE

(12) 23A03753 Lonyay Sangster Eldridge Suggs, IV.
Robbin Shipp

--- VERSUS ---

Dr. Gary R McGillivray,
Emory Healthcare, Inc, and
Emory Clinic, Inc

Kyle H Sparwath
Stephen H Sparwath

Tort -Medical
Malpractice

DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT