



**Clerk of Superior Court
Bartow County**

Melba Scoggins

MARCH 22, 2017 ***PLEASE NOTE CHANGE OF DATE****

DEAR ATTORNEY:

Enclosed herewith is the Pre-Trial Calendar for the May Term, 2017 of the Bartow County Superior Court. The Pre-Trial hearings will be on Monday April 10, 2017 beginning at 9:00 a.m. Following the Pre-Trial hearings, a calendar will then be made up of the Jury Trial cases for the May Term which will begin Monday May 1, 2017 at 9:00 a.m. in the Frank Moore Administrative and Judicial Building in Courtroom A. All cases will be placed on this calendar in numerical order.

If you have any questions or need to take any cases off this calendar, please contact the office of Judge Suzanne H. Smith at 770-387-5124. Once a case is placed on this calendar, the Civil Calendar Clerk has no authority to remove it.

Sincerely,

Melba Scoggins
Melba Scoggins, Clerk of Superior Court

Enclosures: ALL PRE-TRIALS WILL BE HELD AT THE FRANK MOORE
ADMINISTRATIVE AND JUDICIAL BUILDING, 135 WEST CHEROKEE AVENUE
CARTERSVILLE, GA 30120 IN COURTROOM A.

SUPERIOR COURT OF THE CHEROKEE JUDICIAL CIRCUIT

ORDER FOR PRE-TRIAL

You are hereby notified that the cases on the enclosed calendar will be called for Pre-Trial in accordance with Rule 7 of the Uniform Rules of the Superior Court on Monday April 10, 2017 beginning at 9:00 a.m. at the Frank Moore Administrative and Judicial Building, 135 W. Cherokee Avenue, Cartersville, Georgia Courtroom A before the Honorable Judge Suzanne H. Smith and Honorable Judge G. Carey Nelson. By direction of the Judges, Pre-Trials will not be reassigned nor removed from the calendar except upon showing good cause and by Order of the Court.

ALL CASES MUST BE MEDIATED BEFORE THEY WILL BE PLACED ON THE TRIAL CALENDAR. IF THE CASE HAS PREVIOUSLY BEEN MEDIATED, THE MEDIATION REPORT MUST BE PRESENTED AT THE PRE-TRIAL CONFERENCE.

INSTRUCTIONS

FORM AND ORDER: The form of the Pre-Trial shall be that contained in the Uniform Superior Court Rules. Jurisdiction and parties are assumed unless the issues have been raised by the pleadings. Counsel for both parties may agree on a written order prior to the Pre-Trial Conference provided that the appropriate subjects are covered in the proposed order.

In the event of an agreed Order, the same shall be signed by both counsel and presented to the Court for approval at or before the time scheduled for the Pre-Trial Conference.

PREPARATION AT PRE-TRIAL: With reasonable cooperation, the Pre-Trial Conference can save time and effort for both counsel and the Court. Any problems, which can be foreseen, or stipulations, which can be made, should be freely discussed at the Pre-Trial Conference. Any information obtainable by discovery will normally be required to be revealed at the Pre-Trial Conference.

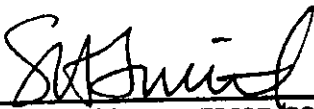
In accordance with the above, counsel will be orally prepared at the hearing on the other items covered by the Pre-Trial Conference, with particular attention to the following:

- (A) Discussion of any unusual or important authorities on crucial issues in the case and the desirability for the filing of trial briefs.
- (B) Amendments to the Pleadings.
- (C) Estimated length of Trial.
- (d) Settlement possibilities

Failure to comply with the terms of the Pre-Trial order will authorize the Court to repel exhibits. Should a party or their attorney fail to appear at the Pre-Trial Conference, an ex-parte hearing may be held and appropriate action taken, including dismissal of the action or striking of pleadings.

THE ATTORNEY SHALL HAVE A PRE-TRIAL ORDER PREPARED; OTHERWISE THE CASE WILL NOT BE PLACED ON THE TRIAL CALENDAR.

SO ORDERED, this 22nd day of March 2017.



Suzanne H. Smith, SUPERIOR COURT JUDGE
CHEROKEE JUDICIAL CIRCUIT

CASE NO.	PARTIES	CAUSE OF ACTION	ATTORNEY(S)
1.	2012-SU-CV-3066- <u>OFF</u>	CONTRACT ACCOUNT	
	PLAINTIFF BETHPAGE FEDERAL CREDIT UNION		DANIEL F BRIDGERS
	DEFENDANT STEVEN S ANDERSON		HARRY B WHITE
	Comments:		
2.	2012-SU-CV-3233-	COMPLAINT FOR DAMAGES	
	PLAINTIFF DELTA OEM INC		WILLIAM R ATKINSON
	DEFENDANT KEITH OLIVER		DONALD C EVANS
	DEFENDANT OSPREY WORLDWIDE LLC		
	DEFENDANT OSPREY INTERNATIONAL INC		
	DEFENDANT OSPREY GLOBAL LLC		
	Comments:		

CASE NO.	PARTIES	CAUSE OF ACTION	ATTORNEY(s)
3.	2014-SU-CV-342-	CONDEMNATION AND FORFEITURE	
	PLAINTIFF	DEPARTMENT OF TRANSPORTATION	ROBERT M DYER
	DEFENDANT	HOWARD F BARTLETT	PRO SE
	DEFENDANT	GLORIA R BARTLETT	
	DEFENDANT	.275 ACRES OF LAND	
	DEFENDANT	ESTATE OF ANN FELTON COLLINS (DECEASED)	
	DEFENDANT	BREE'S RESALE	
	DEFENDANT	MAJOR MOTORS	
	DEFENDANT	KINGS UPSCALE RESALE	
	Comments:		
4.	2014-SU-CV-2189-	TORT / NEGLIGENCE	
	PLAINTIFF	PATRICIA BOWEN	RON SMITH
	DEFENDANT	THE ULTIMATE NAILS, LLC	
	DEFENDANT	ANH NGUYEN	JASON SANKER
	DEFENDANT	JOHN DOE	
	Comments:		

CASE NO.	PARTIES	CAUSE OF ACTION	ATTORNEY(s)
5.	2015-SU-CV-69-	COMPLAINT FOR DAMAGES	
	PLAINTIFF EDWARD F STOCKTON		RICHARD A GRIGGS
	PLAINTIFF DELAINA STOCKTON		
	DEFENDANT SCOTT R DANIEL MD		WADE K COPELAND
	Comments:		
6.	2015-SU-CV-450-	PETITION TO CANCEL AND SET ASIDE DEED	
	PLAINTIFF MATTHEW HERNDON		JEFFREY M HOOD
	DEFENDANT TAMMY HAYWORTH		BRYAN E. BUSCH
	Comments:		
7.	2015-SU-CV-605-	TORT / NEGLIGENCE	
	PLAINTIFF MALIK KIRBY		BRIAN C MCCARTHY
	DEFENDANT L & M CARTERSVILLE INC DBA MING MOON RESTAURANT		SHARON E ANDREWS
	Comments:		
8.	2015-SU-CV-1344-	TORT / NEGLIGENCE	
	PLAINTIFF MATTHEW B SIMON		MATTHEW R THIRY
	DEFENDANT JAMES H DINNING SR		JON DAVID HUFFMAN
	DEFENDANT FRANKIE DINNING		
	DEFENDANT Signature Partners, LLC		
	Comments:		

CASE NO.	PARTIES	CAUSE OF ACTION	ATTORNEY(s)
9.	2015-SU-CV-1397-	COMPLAINT FOR DAMAGES	
	PLAINTIFF AMBER PLAYER		BRANDON HORNSBY
	DEFENDANT DANIEL A KOUTAVAS		NICOLE SHOCKLEY JAY EIDEX
	Comments:		
10.	2016-SU-CV-237-	TORT / NEGLIGENCE	
	PLAINTIFF ROGELIO GALLEGOS		FRANCISCA C MANUWUIKE
	DEFENDANT RICHARD S MURRAY		JENNIFER WALKER DEBAUN
	Comments:		
11.	2016-SU-CV-600-	CONDEMNATION AND FORFEITURE	
	PLAINTIFF DEPARTMENT OF TRANSPORTATION		ROBERT M DYER
	DEFENDANT .044 ACRES OF LAND AND CERTAIN EASEMENT RIGHTS		
	DEFENDANT MARGARET ELAINE HALBGEWACHS		FRANK E JENKINS III
	Comments:		
12.	2016-SU-CV-716-	COMPLAINT FOR DAMAGES	
	PLAINTIFF SALLY ZEISLER		JONATHAN P SEXTON
	PLAINTIFF BRITTANY FELLOWS		ALEKSANDRA BRONSTED
	DEFENDANT RALPH HYDE		STEVAN A MILLER
	DEFENDANT PHILLIP CANTRELL		
	DEFENDANT INFINITY INSURANCE CO		RUSSELL D WALDON
	Comments:		

TRANSFER FROM MAGISTRATE

13. 07CV538 ANNA RAY VS STEVE CANTRELL
SARAH MARTIN JOHN MROCZKO
