

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

**PATRICK C. DESMOND, MARY C.
DESDMOND, Individually, and MARY C.
DESMOND, as Administratrix of the Estate of
PATRICK W. DESMOND,
Plaintiffs,**

vs.

**NARCONON OF GEORGIA, INC.,
NARCONON INTERNATIONAL DELGADO
DEVELOPMENT, INC., SOVEREIGN
PLACE, LLC, SOVEREIGN PLACE
APARTMENT MANAGEMENT, INC., LISA
CAROLINA ROBBINS, M.D., and THE
ROBBINS GROUP, INC.,
Defendants.**

*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*

Civil Action File No: 10A28641-2

**STANDING ORDER AND
INSTRUCTIONS TO PARTIES AND COUNSEL**

This case has been assigned to Judge Stacey K. Hydrick. The purpose of this Order is to inform the parties and their counsel of the Court's policies, practice and procedure. It is issued to promote the just and efficient determination of the case. This Order, in combination with this Court's Local Rules and the Georgia Civil Practice Act shall govern this case.

CASE ADMINISTRATION

1. Contacting Chambers

Tess Smith, our Civil Case Manager, is your principal point of contact on matters relating to this case. Where possible, communication with Ms. Smith should be by telephone (404-371-7022) or by e-mail (tsmith@dekalbcountyga.gov). Mailed, couriered, and hand delivered communications should be addressed as follows:

Ms. Tess Smith
C/O Hon. Stacey K. Hydrick
DeKalb County Courthouse
556 N. McDonough Street
Suite 2210
Decatur, GA 30030

Any documents required to be filed in this case should be addresses and delivered to the Clerk of State Court rather than Ms. Smith.

The Court's staff attorney is Carol Dees. She can be reached by telephone (404-371-2240) or e-mail (cmdees@dekalbcountyga.gov). Neither the parties nor their counsel should discuss the merits of the case with Ms. Smith or Ms. Dees.

2. Courtesy Copies

Parties are not required to forward courtesy copies of motions and other filings directly to chambers. However, in large cases, courtesy copies of substantive motions are appreciated.

CASE MANAGEMENT

Extension of Time

The Court, along with counsel for the parties, is responsible for processing cases toward prompt and just resolutions. To that end, the Court seeks to set reasonable but firm deadlines. Motions for extensions, whether opposed, unopposed or by consent, will be granted only upon a showing of good cause.

Conferences

Scheduling, discovery, pre-trial and settlement conferences promote the speedy, just and efficient resolution of cases. Therefore, the Court encourages the parties to request a conference when counsel believes that a conference will be helpful and counsel has specific goals and an agenda for the conference.

Candor in Responsive Pleadings

In accordance with O.C.G.A. § 9-11-8 (b), a party's responsive pleading must admit or deny the averments of the adverse party's pleading. A party may not deny, in his responsive pleading, an averment in his opponent's pleading on the grounds that the averment raises a matter of law rather than fact.

Discovery Responses - Boilerplate and General Objections

Boilerplate objections in response to discovery requests are strongly discouraged. Parties should not carelessly invoke the usual litany of rote objections, i.e., attorney-client privilege, work-product immunity from discovery, overly broad/unduly burdensome, irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, unless the responding party has a valid basis for these objections.

Moreover, general objections are disfavored, i.e., a party should avoid including in his response to a discovery request a "Preamble" or a "General Objections" section stating that the party objects to the discovery request "to the extent that" it violates some rule pertaining to discovery, e.g., the attorney-client privilege, the work product immunity from discovery, the requirement that discovery requests be reasonably calculated to lead to the discovery of admissible evidence, and the prohibition against discovery requests that are vague, ambiguous, overly broad, or unduly burdensome. Instead, each individual discovery request should be met with every specific objection thereto - but only those objections that actually apply to that particular request. Otherwise, it is impossible for the Court or the party upon whom the discovery response is served to know exactly what objections have been asserted to each individual request. All such general objections may be disregarded by the Court.

Finally, a party who objects to a discovery request but then responds to the request must

indicate whether the response is complete. For example, in response to an interrogatory, a party is not permitted to raise objections and then state, "Subject to these objections and without waiving them, the response is as follows" unless the party expressly indicates whether additional information would have been included in the response but for the objections(s).

Conduct During Depositions

(a) At the beginning of the deposition, deposing counsel shall instruct the witness to ask deposing counsel, rather than the witness's own counsel, for clarifications, definitions or explanations of any words, questions or documents presented during the course of the deposition. The witness shall abide by these instructions.

(b) All objections except those that would be waived if not made at the deposition under O.C.G.A. § 9-11-32 (d) (3) (B) and those necessary to assert a privilege or to present a motion pursuant to O.C.G.A. § 9-11-30 (d), shall be preserved. Therefore, those objections need not be made during the course of depositions. If counsel defending a deposition feels compelled to make objections during depositions, he or she should limit the objections to only "objection to form." Defending counsel should only elaborate on his/her objection upon the request of deposing counsel. Defending counsel should avoid speaking objections except in extraordinary circumstances.

(c) Counsel SHALL NOT instruct a witness not to answer a question unless that counsel has objected to the question on the ground that the answer is protected by a privilege or a limitation on evidence directed by the Court. And the objection had better be good.

(d) Counsel shall not make objections or statements that might suggest an answer to a witness. Counsel's statements when making objections should be succinct and verbally economical, stating the basis of the objection and nothing more.

Motions to Compel Discovery and Objections to Discovery

Prior to filing a motion to compel discovery, the movant - after conferring with the respondent in a good faith effort to resolve the dispute by agreement - should contact Ms. Dees and notify her that the movant seeks relief with respect to a discovery matter. Ordinarily, Ms. Dees will then schedule a conference call or meeting in which the Court will attempt to resolve the matter without the necessity of a formal motion. This process shall not apply to post-judgment discovery.

Motions for Summary Judgment

All Motions for Summary Judgment should be filed within 30 days of the close of discovery.

Pretrial Orders - Exhibit and Witness Lists

In listing witnesses or exhibits, a party may not reserve the right to supplement his list, nor should a party adopt another party's list by reference.

Pretrial Conference and Motions in Limine

Normally, the Court will conduct a pretrial conference. The purpose of the conference is to simplify the issues to be tried and to assist in settlement negotiations where appropriate.

The parties will be required at the pretrial conference to identify the specific witnesses they will call in their case in chief at trial.

Motions in limine shall be filed before or at the pretrial conference. They will be argued and ruled upon the first day of trial. Motions in limine filed the day of trial will be reserved.

SO ORDERED, this 8th day of August, 2011.

FILED IN THIS OFFICE
THIS 11th DAY OF Aug 2011
J. Dees
Clerk, State Court, DeKalb County

Stacey K. Hydrick
HON. STACEY K. HYDRICK
STATE COURT OF DEKALB COUNTY