IN THE STATE COURT OF COBB COUNTY
STATE OF GEORGIA

IN RE:

CASES ASSIGNED TO

JUDGE JANE P. MANNING

COBB COUNTY, GA
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TAHNUNDA P. PHILLIPS
STATE COURT CLERK-02

Standing Order: Guidelines to Parties and Counsel in Civil Cases Proceeding Before Judge Jane P. Manning

This case has been assigned to Judge Jane P. Manning. These guidelines serve to inform the parties, their counsel, and self-represented litigants regarding the Court's practices and civil procedures. This Order, along with the Georgia State Court Rules and the Georgia Civil Practice Act, governs the proceedings of this lawsuit.

1. Contacting Chambers

Our Staff Attorney, Carlos Vilela, is your primary point of contact regarding this case. Whenever feasible, correspondence with Mr. Vilela should be conducted via email or direct phone call. Should the parties be unable to reach Mr. Vilela, they are advised to contact the Chambers' main line at 770-528-1701 or to send an email to Leisa Williams, our Judicial Assistant, for further assistance.

Neither the parties nor their counsel should discuss the merits of the case with Mr. Vilela or any of the Court's staff, which include:

Judicial Assistant	(770) 528-1701
Ms. Leisa Williams	Leisa.Williams@cobbcounty.gov
Staff Attorney	(770) 528-1704
Mr. Carlos R. Vilela	Carlos.R.Vilela@cobbcounty.gov
Court Reporter	(770) 528-1708
Ms. Mindi Rayburn	Mindi.Clark@cobbcounty.gov

2. Electronic Filing

Pursuant to USCR 6.1, when an attorney or party e-files a motion or any response, the attorney or party upon filing shall furnish a copy of the motion or response to the opposing parties and to the assigned judge by emailing Mr. Vilela.

3. Extensions Of Time

The Court is responsible for the efficient processing of cases towards prompt and just resolutions. To that end, the Court sets reasonable but firm deadlines. Motions for extension — whether opposed, unopposed, or by consent — will not be granted as a matter of course. On the other hand, motions for extension that explain with specificity the unanticipated or unforeseen circumstances necessitating the extension will likely be granted.

In this regard, the Court acknowledges that the legal profession is inherently challenging. The profession is demanding and rife with stress, even under optimal circumstances. In recognition of these difficulties, the Court endeavors to support attorney well-being by permitting extensions and continuances when specific health and wellness issues hinder an attorney from meeting prescribed deadlines. To request such an extension, counsel for either party may initiate an *ex parte* communication with the Court's Staff Attorney. While each case is unique, the Court intends to provide reasonable accommodations when the grounds involve conditions such as depression, stress, substance abuse, familial issues, workplace conflicts, or other comparable health or wellness concerns.

4. Pro Hac Vice

Standard for Admission and Revocation of Admission. The court has discretion as to whether to grant applications for admission pro hac vice and to set the terms and conditions of such admission. USCR 4.4 D(3)

Revocation of Admission. Admission to appear as counsel pro hac vice in a proceeding may be revoked for any of the reasons listed in USCR 4.4 D(3). USCR 4.4 D(4)

Upon the grant of the application for admission *pro hac vice*, the applicant submits to the authority of the Court and the jurisdiction of the State Bar of Georgia for all conduct relating in any way to the proceeding in which the applicant seeks to appear. The applicant who is provided pro hac vice admission for a proceeding may be disciplined in the same manner as an in-state lawyer.

5. Amendments Of Pleadings

Any amendments of pleadings (i) to add, create, or expand counts, claims, or means of liability, (ii) to expand the means of recovery or damages, (iii) to join additional parties, or (iv) to substitute parties for fictitiously named parties (e.g. , John Doe or XYZ Corporation) must be made no later than 30 days prior to the close of discovery.

6. Use Of Artificial Intelligence In Court Documents

Pursuant to O.C.G.A. § 9-11-11[1], by affixing their signature to a filing seeking an order or judgment of the Court, attorneys and self-represented litigants certify that the content of any pleading is:

a) Not for an improper purpose (harassment, delay, cost increase);

b) Warranted by existing law or a good-faith argument for law change;

c) Factually supported by evidence or likely to be after discovery; and

d) Denials are warranted by evidence or reasonably based on lack of information.

In essence, signing a document for the court is a solemn promise to the court about the integrity of the document and its purpose in the legal process.

Although artificial intelligence ("AI") offers significant workplace advantages, it also introduces potential risks. Counsel of record or a *pro se* litigant remains ultimately responsible for any use of generative AI ("GenAI") output. Decision-making authority may not be delegated to GenAI.[2] All responses produced by generative AI must be reviewed by for accuracy and appropriateness prior to filing and dissemination. GenAI-generated responses must not: (a) be presumed truthful, credible, or accurate; (b) be used verbatim; or (c) serve as the sole source of reference.

Counsel and self-represented litigants are cautioned that mistake, lack of technical expertise, and time constraints are typically not recognized by the Court as a good faith excuse for submission of documents that violate O.C.G.A. § 9-11-11. In particular, arguments in briefs to the Court which are supported by GenAI hallucinations (i.e., cases

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[1] This "statute's purpose and intent are requirements of honesty and good faith in pleading." *Stuckey's Carriage Inn v. Phillips*, 122 Ga. App. 681 (1970).

[2] While useful for data-driven insights and automating routine tasks, GenAI should not replace human judgment in areas requiring nuanced understanding and ethical considerations. *See*, Kincaid Brown, *Generative artificial intelligence: Legal ethics issues*, Michigan Bar Journal, Vol. 104, January 2025; and Steven Melendez, *AI Won't Make The Call: Why Human Judgment Still Drives Innovation*, September 29, 2025, Harvard Business School, Institute for Business in Global Society, https://www.hbs.edu/bigs/artificial-intelligence-human-jugment-drives-innovation.

that do not actually exist) are not acceptable and may be considered a fraud upon the Court. Failure to comply with this rule may result in appropriate sanctions, up to and including striking of pleadings, entry of default judgment. In some circumstances reporting of an ethical violation to the State Bar of Georgia may be approppriate.

In the interest of full disclosure, Judge Manning and her staff may use GenAI tools for the following limited purposes:

a) To search and summarize depositions and exhibits;

b) To create timelines of relevant events;

c) To proofread, or check spelling and grammar in draft documents;

d) To assist in determining whether filings submitted by the parties have misstated the law or omitted relevant legal authority; and

e) To help manage and organize schedules, documents and calendars.

7. Conferences

Conferences for scheduling, discovery, pre-trial and settlement motions promote the efficient and just resolution of cases. Accordingly, the Court encourages the parties to request a conference when they believe that they have a specific goal and agenda for the conference. Requests for a conference are to be sent to Mr. Vilela for scheduling. The request must include a proposed agenda.

8. Invitation To Self-Identify Pronouns

Litigants and lawyers may indicate their pronouns (e.g., she, her, he, him, they, their) by filing a letter, adding the information in the name block or signature line of the pleadings, or verbally informing the Court when making an appearance.

9. Proposed Orders

Proposed orders which must contain proposed findings of fact and conclusions of law shall be e-filed contemporaneously with all motions and any responses the same day the motion or response is eFiled.

10. Discovery

10.1 Motions to Compel Discovery.

The Court encourages the parties to confer with each other in good faith to resolve discovery disputes. When the filing of a motion to compel is considered, the

movant shall contact Mr. Vilela, the Court's Staff Attorney, via email copied to all parties, and notify him of the discovery dispute. He will schedule a meeting where the Court will attempt to resolve the matter without the necessity of a formal motion. Post-Judgment discovery is not subject to this provision.

10.2. Service of Discovery Prior to the Conclusion of the Discovery Period.

All discovery requests must be served early enough so that the responses are due on or before the last day of the discovery period. The Court typically will not enforce private agreements between the parties and/or their counsel to conduct discovery beyond the end of the discovery period, nor will the Court ordinarily compel responses to discovery requests that were not served in time for responses to be made before the discovery period ended.

10.3. Extensions of Discovery Period.

Extensions of time for discovery will be granted only upon consent motion or in exceptional cases in which the parties promptly commence and diligently pursue discovery yet are unable to complete discovery. Any motion for an extension of time for discovery must be filed with the Court prior to the expiration of the existing discovery period and must explain in detail why an extension is necessary. A motion made after the discovery period expired will very likely be denied as untimely.

10.4. Duty to Preserve and Electronically Stored Information Procedures.

10.4.1. Generally. A party or person has a duty to take reasonable steps to preserve electronically stored information (ESI) when it learns that an the action is anticipated, or when it commences an action or is commenced against it, whichever event comes first. "ESI" includes: all computer-generated information or data, digital communications, word processed documents, memoranda, diaries, electronic documents, email, databases, reports, spreadsheets, instant messages, text messages, websites and web-data, as well as phone records. These terms should be afforded the broadest possible definition.

10.4.2. Reasonable Anticipation. A party or person reasonably anticipates an action's commencement if it knows or reasonably should know that it is likely to be a defendant in a specific action; or it seriously contemplates commencing an action or takes specific steps to do so.

10.4.3. Reasonable Steps to Preserve. A party or person must take reasonable steps to prevent destroying information that should be preserved. Adequate preservation of ESI requires more than simply refraining from efforts to destroy or

dispose of such evidence. A party or person must also intervene to prevent loss due to routine operations and use proper techniques and protocols suited to the protection of potentially relevant ESI. A party should anticipate the need to disclose, produce, and preserve system and application metadata. Metadata is information describing the history and characteristics of other ESI. This information is typically associated with tracking or managing an electronic file and often includes data reflecting a file's name, size, custodian, location, and dates of creation and last modification or access.

10.4.4. Remedies and Sanctions. If ESI that should have been preserved is lost or deleted because a party—either before or after an action's commencement—failed to take reasonable steps to preserve it, then the Court may order additional discovery to restore or replace it. If the information cannot be restored or replaced through additional discovery, the Court may, upon finding prejudice, order the appropriate sanctions.

11. Dispositive And Daubert Motions

11.1. Motions for Summary Judgment and motions pursuant O.C.G.A.§ 247-702 (or otherwise) to exclude or limit expert testimony shall be filed no later than 30 days after the close of discovery. Prior to filing any such motion regarding expert testimony, the parties shall meet and confer in a good faith effort to resolve the evidentiary issue(s). Requested hearings on motions for summary judgment shall be scheduled according to the Court's availability.

11.2. All citations to the record should be contained in each party's brief, not just in the party's statement of undisputed (or disputed) facts.

11.3. Absent prior permission, briefs filed in support of, or in response to, a motion are limited in length to 20 pages. Any reply brief filed by the movant is limited to 10 pages and shall promptly be filed. Any submissions over 50 pages must be provided to the Court in hard copy to chambers.

11.4. For cases that are proceeding to trial, it is the Court's practice to take up pending motions to exclude expert witnesses based on O.C.G.A. § 24-7-702 on a specially set pretrial hearing date. If either party files a motion for summary judgment, counsel are discouraged from filing 702 motions as part of their summary judgment motion unless the resolution of those motions would materially impact the

pending summary judgment motions. Otherwise, the Court may deny such motions as premature with leave to refile at the appropriate time.

It is the Court's expectation that the expert's proponent shall clearly state what the expert's opinion(s) is/are on each subject for which the expert is being proffered, and the opinion be presented in the style of an expert report.

12. Alternate Dispute Resolution

Parties will be asked about the likelihood of settlement throughout the adjudication of the case. Parties may be ordered to engage in alternate dispute resolution upon the Court's directive at any point prior to the issuance of a Pre-Trial Order. If the Court issues an order for the parties, counsel, and their clients to attend, all parties with authority to settle must participate in good faith. However, compliance does not necessitate reaching a settlement.

13. Pre-Trial Orders and Orders From The Court

13.1. Three days prior to the pre-trial conference, all parties must submit a proposed consolidated Pre-Trial Order in substantially the format required by Uniform Superior Court Rule 7.2. Counsel is directed to agree and stipulate to the greatest extent possible to the provisions of the proposed consolidated pretrial order.

13.2. The statement of contentions in the Pre-Trial Order governs the issues to be tried. The plaintiff should make certain that all theories of liability are explicitly stated as well as the type and amount of each type of damage sought. The specific actionable conduct should be set out. In a multi-defendant case, the actionable conduct of each defendant should be identified. The defendant should explicitly set out any affirmative defenses upon which it intends to rely at trial. Counterclaims are subject to the same requirements stated above.

13.3. Each party should identify exhibits and witnesses with specificity. It is improper to include boilerplate language covering groups or classes of potential witnesses, such as "all individuals identified during discovery." Neither may a party reserve the right to supplement its list nor adopt another party's list by reference. Rather, witnesses to be called at trial must be identified by name.

14. Motions In Limine [3]

Counsel — **not support or paralegal personnel** — must meet and confer on all Motions in Limine before filing them. Subsequent to the meeting(s), counsel must prepare and file a Joint Report on Motions in Limine:

1. Stipulating to the agreed upon Motions in Limine; and
2. Identifying up to 10 Motions in Limine per side that have not been agreed to by opposing counsel. Without leave of Court, any submissions in excess of 10 contested Motions in Limine per side shall be denied and reserved as objections for trial.

Motions in Limine that request relief at a high level of generality or contain extended recitations of the Court's authority should not be filed. Motions in Limine should instead point out with specificity the objectionable material and show why the material under no circumstance is admissible at trial.

All Motions in Limine shall be due no later than 10 days prior to the date the trial is scheduled to begin. Argument on contested motions shall only be upon request of the parties.

15. Jury Charges and Verdict Form

The parties must file a joint set of proposed jury instructions, arranged in the order the parties propose the Court give the instructions and in logical sequence. If disputed, each version of the instruction shall be inserted together, and identified as, for example, "Disputed Instruction No. _____ Re _____
Offered by _____." All disputed versions of the same basic topic shall bear the same number. If undisputed, an instruction shall be identified as "Stipulated Instruction No. _____ Re: _____" with the blanks filled in as appropriate.

The parties should use the latest version of the Georgia Suggested Pattern Jury Instructions to the fullest extent possible. Modifications and "custom" proposed instructions are discouraged and if offered, they must be clearly identified as such.

The parties must email a Word version of the proposed jury instructions and verdict form to the Court's Staff Attorney, Carlos Vilela, 10 days prior to the commencement of trial. Additional requests may be submitted to cover unanticipated points which arise

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[3] A motion in limine "is properly granted when there is no circumstance under which the evidence under scrutiny is likely to be admissible at trial." *Gov't Emples. Ins, Co, v. Kralick*, 313 Ga. App. 492, 493, (2012)(Citation and punctuation omitted).

thereafter. Along with emailing a copy, the parties shall e-File the joint set of jury instructions and joint proposed verdict form.

16. Court Reporter

This Court has a dedicated Court Reporter, Ms. Mindi Rayburn. If any party requires court reporting services, the party in advance of any hearing or trial must arrange for take down by contacting Ms. Rayburn at mindi.clark@cobbcounty.gov.

The Court is also equipped with a DECA recording device. The equipment will be activated at the request of either party if a Court Reporter is not present. Under no circumstances, however, will the failure to arrange for a Court Reporter qualify as grounds for a continuance.

17. Settlements

Immediately upon the settlement or dismissal, the involved attorneys shall notify Mr. Vilela. Cases cannot be taken off calendar and trial dates will not be moved based on settlements "in principle." Unless and until a stipulated dismissal, notice, or judgment is filed or placed on the record, all parties must be prepared to proceed with trial on the trial date. Notices or stipulations of dismissal that satisfy Code Section 9-11-41 (a)(l) and are filed by counsel take effect upon filing.

18. Sanctions [4]

Compliance with this Order is of paramount importance and a party's failure to comply with it could subject that party to sanctions.

SO ORDERED, this 7TH day of July 2026.

Judge Jane P. Manning
State Court of Cobb County

[4] A party's disregard of this Order undermines the Court's ability to control its docket, disrupts the agreed upon course of the litigation, and rewards the cavalier. Indeed, "[al [Standing Order] is not a frivolous piece of paper, idly entered, which can be cavalierly disregarded by counsel without peril." *Lee v. Smith*, 307 Ga. 815, 821 (2020) (citation omitted).