

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

AUDREY J. HILL,)
)
Plaintiff,)
)
vs.) CIVIL ACTION
) FILE NO. 16EV004541
)
ATLANTA CLASSIC CARS, INC.,)
and MARC H. BRUMBERG,)
)
Defendants.)
_____)

GRANTED

CONSOLIDATED PRE-TRIAL ORDER

The following constitutes the parties Proposed Consolidated Pre-Trial Order in the above-styled case:

1.

The names, addresses, and phone numbers of the attorneys who will conduct trial are as follows:

Plaintiff: R. Scott Campbell, Esq.
Alan J. Hamilton, Esq.
Shiver Hamilton, LLC
3340 Peachtree Road, Suite 950
Atlanta, Georgia 30326
Phone: (404) 593-0020
Fax: (888) 501-9536

Defendants: Neal C. Scott, Esq.
Law Office of Terry-Dawn Thomas
1001 Summit Boulevard, Suite 1750
Atlanta, Georgia 30319
Phone: (404) 705-5851
Fax: (404) 705-5874

2.

The estimated time required for trial is: 4-5 days.

3.

There are no motions or other matters pending for consideration by the Court except as follows:

Plaintiff: Plaintiff's Motions in Limine are being filed contemporaneously with the proposed pretrial order. Plaintiff reserves the right to file any appropriate motions and responses to any motions filed in this case, prior to trial.

Defendants: Defendants' Motion in Limine is being filed in accordance the Court's instructions of June 12, 2018. Defendant further reserves the right to file other appropriate pre-trial motions prior to trial.

Defendants have advised the Court that the parties agree that the case is currently not ready for trial. Plaintiff's counsel has advised that Plaintiff Audrey Hill recently underwent additional surgery that Plaintiff contends was necessitated by the motor vehicle accident alleged in the Complaint. Medical records and bills pertaining to this surgery are not currently available. Defendants have retained medical consultants Jon L. Hyman, M.D. and Keith D. Osborne, M.D. to review Plaintiff's medical records and other materials and provide opinions about whether some or all of the treatment received by Plaintiff was causally connected to the motor vehicle accident alleged. These consultants have not yet completed their review and, furthermore, the records related to the recent surgery are not yet available for any party's evaluation and review. Evidentiary depositions of Plaintiff's medical providers have not been completed, nor have discovery or evidentiary depositions of Defendants' medical consultants.

The Court is aware that Defendants' counsel has a Leave of Absence on file for the period July 5, 2018 through July 17, 2018, and the Court has advised the Leave will be honored. The parties agree to having this case set over a future jury trial calendar.

4.

The jury will be qualified as to the relationship of the following:

Plaintiff:

- (1) Audrey Hill;
- (2) Shiver Hamilton, LLC;
- (3) Marc H. Brumberg;
- (4) Atlanta Classic Cars, Inc.;
- (5) Zurich North America, its members, policyholders, officer, directors, and shareholders; and
- (6) Universal Underwriter's Insurance Company, its members, policyholders, officer, directors, and shareholders.

Defendants:

- (1) Plaintiff Audrey J. Hill;
- (2) Alan J. Hamilton, Esq.; R. Scott Campbell, Esq., members of the law firm Shiver Hamilton, LLC; Tedra L. Canella, Esq.; John C. Morrison, III, Esq.; Joseph M. Colwell, Esq., and members of the law firm Butler, Wooten & Peak, LLP;
- (3) Any person or entity having a contingency fee interest in the case;
- (4) Marc H. Brumberg, Atlanta Classic Cars, Inc.

Defendants object to any qualifications of the jury by reference to any insurance company, including, but not limited to Universal Underwriters Insurance Company.

5.

(a) All discovery has been completed, unless otherwise noted, and the Court will not consider any further motions to compel discovery except for good cause shown. The parties shall be permitted to take depositions of any person(s) for the preservation of evidence for use at trial.

Plaintiff: Plaintiff anticipates taking the deposition of any experts identified by the defense.

Defendants: Except as noted in paragraph 3 above, the only remaining discovery to be completed are the deposition of Plaintiff's husband, Austin Hill, and a follow-up deposition of Plaintiff regarding her activities and treatment since she was previously deposed on August 14, 2017. Defendants further reserve the right to take discovery depositions from any expert witness not previously identified who Plaintiff anticipates testifying live at trial.

(b) Unless otherwise noted, the names of the parties as shown in the caption to this Order are correct and complete, and there is no question by any party as to the misjoinder or nonjoinder of any parties.

6.

The following is the Plaintiff's brief and succinct outline of the case and contentions:

On December 2, 2014, at or about 7:30 p.m., Plaintiff was driving her 2011 Toyota Camry east on State Route 120 in Gwinnett County. At or about the same time, Defendant Mark Brumberg was traveling west on State Route 120 in the 2014 Mercedes C250 of Defendant Atlanta Classic Cars, Inc. and was directly behind the vehicle of motorist Edwin Efezokhae. Defendant Brumberg was acting in the course and scope of his employment with Defendant Atlanta Classic Cars, Inc. Defendant Brumberg failed to pay proper attention, was negligently

following too closely, failed to bring his vehicle to a controlled stop behind the vehicle of Mr. Efezokhae and collided with his vehicle when he came to a controlled stopped for a deer crossing the roadway. Following the initial impact with Mr. Efezokhae's vehicle, Defendant Brumberg's vehicle veered into the eastbound lane of State Route 120 and into the path of travel of Plaintiff. Plaintiff was unable to avoid the vehicle of Defendant Brumberg and a violent, head-on collision ensued. As a result of Defendants' negligence Plaintiff Audrey Hill sustained serious and permanent injuries and damages.

Defendant Brumberg's negligence includes negligently following too closely (O.C.G.A. § 40-6-49), negligently creating an accident in the roadway, negligently failing to maintain his vehicle under proper control, negligently failing to keep a proper lookout, negligently failing to make a timely and proper application of his brakes, negligently failing to maintain his lane of travel (O.C.G.A. § 40-6-48), and any other acts of negligence that may be proven at trial. Defendant Brumberg failed to operate his vehicle with the due care exercised by individuals in like or similar circumstances and operated the vehicle in a manner showing a disregard for the safety of others, including Plaintiff. Defendant's negligence and violation of Georgia's motor vehicle laws constitutes negligence *per se* and negligence as a matter of law. At all times mentioned herein, Plaintiff acted with reasonable care under the conditions and circumstances then existing.

At the time he struck and injured Plaintiff, Defendant Brumberg was acting in the course and scope of his job duties for Defendant Atlanta Classic Cars, Inc. Accordingly, Defendant Atlanta Classic Cars, Inc. is vicariously liable for Defendant Brumberg's negligence.

As a result of Defendant's negligence, Plaintiff suffered significant neck, low back, left shoulder, and left knee injuries as well as injury to her eyes. Plaintiff underwent extensive

conservative treatment including physical therapy, multiple epidural steroid injections and the utilization of narcotic and analgesic pain medications. In spite of extensive and prolonged conservative care, Plaintiff's injuries persisted necessitating surgical intervention. To date, Plaintiff has endured four surgical procedures including a cervical spine discectomy and fusion in March of 2015, a left rotator cuff repair surgery in December of 2015, a left medial and lateral meniscectomy and chondroplasty surgery in April of 2016 and a lumbar spine fusion surgery in April of 2018. Plaintiff Audrey Hill's pain and dysfunction continue and her medical treatment is ongoing. Plaintiff has incurred reasonable, necessary, and continuing medical expenses from her injuries in excess of \$300,000.00, and will continue to incur expenses in the future, in an amount to be proven at trial.

7.

The following is Defendants' brief and succinct outline of the case and contentions:

At approximately 7:32 p.m. on December 2, 2014, a vehicle driven by Edwin Efezhokhae was westbound on State Route (SR 120) in Duluth, Gwinnett County, GA, when it came to a complete stop in the road due to the appearance of a deer in the westbound lane. Defendant Marc H. Brumberg, who was operating a vehicle owned by his employer, Defendant Atlanta Classic Cars, Inc., was also westbound on SR 120 some distance behind Efezhokhae, when he saw the brake lights come on the Efezhokhae vehicle. Realizing that he would not be able to stop without a collision, Defendant Brumberg swerved to his right off the road into the grassy shoulder. Once on the shoulder, Defendant Brumberg encountered a deer ahead of him in his path. Not wanting to hit the deer, he swerved back onto SR 120 but collided with the rear of Efezhokhae's vehicle. Defendant Brumberg's vehicle then crossed the centerline and collided with an eastbound vehicle driven by Plaintiff Audrey Hill.

Defendants dispute all allegations of negligence and liability as to Plaintiff's claims against them and deny that they are legally liable to Plaintiff in any sum or manner whatsoever arising from the motor vehicle collision of December 2, 2014. Specifically, Defendants contend that at the time and place in question, Defendant Brumberg was exercising due and ordinary care in the operation of a motor vehicle when he was confronted with a sudden emergency arising from the circumstances described above. Despite Defendant Brumberg's use of all due and reasonable care under the circumstances presented at the time, he was unable to avoid colliding with the vehicle driven by Plaintiff.

As to the issues of damages and causation, Defendants dispute the damages as set forth by Plaintiff, and deny that the injuries and damages claimed were proximately caused by any negligence of the Defendants. Defendants further contend that Plaintiff has exaggerated the injuries she claims to have received in this accident, and that some or all of the medical treatment she has received is not reasonably related to or necessary because of the subject motor vehicle accident but rather due to physical and/or medical conditions that pre-existed or are unrelated to the motor vehicle accident. Defendant further contends that the damages alleged by Plaintiff may have been exaggerated, and demands strict proof of same.

8.

The issues for determination by the jury are as follows:

Negligence, causation, and damages.

9.

Specifications of negligence, including applicable code sections are as follows:

Plaintiff: Common law negligence, inattentiveness and negligently following too closely (O.C.G.A. § 40-6-49), negligently failing to maintain his vehicle under proper control,

negligently failing to maintain his lane of travel (O.C.G.A. § 40-6-48), negligently failing to keep a proper lookout, negligently failing to make timely and proper application of his brakes, and any other acts of negligence that may be proven at trial.

10.

If the case is based on contract, either oral or written, the terms of the contract are as follows: Not applicable. The case is not based on contract, either oral or written.

11.

The types of damages and applicable measures of those damages are stated as follows:

Plaintiff: Plaintiff seeks all compensatory, special, economic, consequential, general, and all other damages permissible under Georgia Law, including, but not limited to, personal injuries; past, present, and future pain and suffering; mental anguish and emotional distress; loss of the capacity for the enjoyment of life; diminished capacity to labor; past, present, and future medical expenses; permanent injuries; and consequential damages to be proven at trial. In further response Plaintiff's past medical special damages are itemized as follows:

AUDREY HILL'S PAST MEDICAL EXPENSES

PROVIDER	DATES OF SERVICE	CHARGES
1. Gwinnett Fire & EMS	12.02.14	\$1,095.00
2. Gwinnett Medical Center	12.02.14	\$16,534.00
3. Gwinnett Emergency Specialists	12.02.14	\$808.00
4. N. Metro Radiology Associates	12.02.14-07.14.15	\$1,049.00
5. Internal Medicine of Johns Creek	12.11.14-01.07.15	\$527.00
6. Sports Medicine South	12.18.14-02.09.15	\$9,794.00
7. Atlanta Spine Institute	01.13.15-04.20.18	\$103,045.80

8. North Georgia Pain Clinic	01.26.15-12.22.17	\$5,194.00
9. Myers Sports Medicine	03.03.15-08.25.16	\$20,065.12
10. Emory St. Joseph's Hospital	03.11.15-03.12.15	\$36,810.09
11. The Emory Clinic	03.11.15-04.17.18	\$460.00
12. Visiting Nurse Health System	03.13.15-03.14.15	\$330.00
13. MRI & Imaging of Johns Creek	03.23.15-05.05.15	\$1,400
14. Orthofix	03.31.15	\$4,995.00
15. Primacare Rehabilitation	04.28.15-12.05.16	\$16,431.72
16. Milan Eye Center	04.28.15-04.03.17	\$859.00
17. Piedmont Surgery Center	12.30.15-04.06.16	\$33,774.91
18. American Anesthesiology of GA	12.30.15-04.06.16	\$6,328.00
19. Northside Hospital Forsyth	12.23.15-04.19.16	\$7,784.00
20. Gwinnett Cardiology Group	02.22.16	\$140.00
21. American Health Imaging	10.01.16-12.27.17	\$15,680.00
22. Barry J. McCasland, MD	10.06.16-02.05.18	\$1,225.00
23. Perimeter ENT	01.20.17	\$694.00
24. Northside Hospital Atlanta	02.15.17	\$1,684.00
25. Valley View RX		\$89.95
26. CVS Pharmacy		\$122.74
27. Express Scripts		\$7,677.79

TOTAL: \$294,598.12

Plaintiff recently underwent a lumbar spine fusion surgery and has yet to receive the medical records and all applicable bills associated with the surgery. Plaintiff will update the total

amount of her past medical expenses and produce the medical records to counsel for Defendants upon receipt.

Defendants: Defendants object to the presentation of any special damages not disclosed in discovery.

12.

If the case involves divorce, each party shall present to the Court at the pre-trial conference with affidavits required by Rule 24.2: Not applicable.

13.

The following facts should be stipulated:

1. Jurisdiction and venue are proper;
2. The subject automobile collision occurred on December 2, 2014 in Gwinnett County, Georgia at approximately 7:30 p.m.; and
3. Defendant Mark Brumberg was in the course and scope of his employment with Defendant Atlanta Classic Cars, Inc. at the time of the subject collision and Defendant Atlanta Classis Cars, Inc. is liable for his negligence if any.

14.

The following is a list of all documentary and physical evidence that will be tendered at the trial by the Plaintiff and Defendant. Unless noted, the parties have stipulated as to the authenticity of the documents listed and all exhibits listed may be admitted without further proof of authenticity. All exhibits shall be marked by counsel prior to trial so as not to delay the trial before the jury:

Plaintiff:

1. A one-page summary of the medical bills and expenses with all accompanying bills (redacted);

2. 1949 Mortality Table;
3. Georgia Uniform Motor Vehicle Accident Report;
4. Diagram from Georgia Uniform Motor Vehicle Accident Report;
5. Google Earth images of scene of collision;
6. Google maps images of scene of collision;
7. Google streetview images of scene of collision and immediate area;
8. Photographs of scene of collision and immediate area;
9. Photographs of Plaintiff's vehicle;
10. Photographs of Defendants' vehicle;
11. Photographs of motorist Edwin Efezokhae's vehicle;
12. Affidavit of Cherell Lawson;
13. Photographs of Plaintiff's pre-wreck family vacations, gatherings, and activities;
14. Plaintiff's journal;
15. Documents related to damage done to vehicles;
16. Certified Citation and Disposition of Defendant Brumberg;
17. Gwinnett County Police Department's Detailed History Report;
18. 911 recording(s);
19. Defendant Brumberg's MVR;
20. Defendant Brumberg's personnel file;
21. Defendant Atlanta Classic Cars, Inc.'s list of employees;
22. Defendant Atlanta Classic Cars, Inc.'s vehicle information file and literature regarding vehicle;
23. Defendant Atlanta Classic Cars, Inc.'s Employee Handbook;
24. Defendant Atlanta Classic Cars, Inc.'s Automobile Loss Notice;

25. Vehicle information sheet on Defendants' vehicle;
26. Defendant Atlanta Classic Cars, Inc.'s Vehicle Operators Agreement;
27. Defendant Brumberg's phone records;
28. Records and curriculum vitae of Plas James, M.D.;
29. Records and curriculum vitae of Thomas Myers, M.D.;
30. Exemplar orthopedic equipment used to treat Audrey Hill and any demonstrative evidence;
31. X-rays, films, or other imaging studies taken of Audrey Hill's anatomy (or blow-ups thereof);
32. Select medical records from any of Audrey Hill's medical providers; which have been produced in discovery and will be specifically marked for trial;
33. Anatomical illustrations or models depicting Audrey Hill's injuries, anatomy, and treatment;
34. Bryant Buchner's curriculum vitae and file;
35. Any other photographs applicable to the case;
36. Pleadings, including discovery responses;
37. Any documents produced in discovery;
38. Exhibits tendered or referenced at depositions; and
39. Demonstrative exhibits.

These are all of the documents known to Plaintiff at the present time, but Plaintiff reserves the right to supplement the document list prior to trial. Plaintiff reserves the right to introduce any documentary evidence listed by Defendants. Plaintiff further reserves the right to amend her list of exhibits prior to the time of trial and reserves the right to introduce new exhibits if needed for rebuttal. Opposing counsel will be given notice of any additional documents as soon as any become known. Plaintiff further states that all medical records and

bills should be redacted by both parties to remove any references to insurance or third party payments.

Plaintiff reserves the right to object to Defendants' evidence at the time of trial or any basis. In particular, Plaintiff objects to any attempt by Defendants to offer into evidence medical records without providing the requisite foundation or notice as required by O.C.G.A. § 24-9-902. Plaintiff further requests that both sides be required to exchange, prior to trial, pre-marked copies of exhibits they may use. As to medical records, this should be limited to particular office notes or other records that are actually claimed to be relevant and admissible. Otherwise, it would waste the Court's and the parties' time to argue objections about each of hundreds of pages of records.

Defendants:

1. Records of Gwinnett County EMS.
2. Records of Gwinnett Medical Center.
3. Records of Internal Medicine Associates of John's Creek.
4. Records of Tiffany Edwards, M.D.
5. Records of Sports Medicine South
6. Records of Gary Levengood, M.D.
7. Records of Bob Eisenberg, M.D.
8. Records of Sports Medicine South Physical Therapy.
9. Records of Atlanta Spine Institute.
10. Records of Plas James, M.D.
11. Records of North Georgia Pain Clinic, M.D.
12. Records of Efrim Moore, M.D.

13. Records of Myers Sports Medicine.& Orthopedic Clinic
14. Records of Thomas Myers, M.D.
15. Records of St. Joseph's Hospital of Atlanta
16. Records of Visiting Nurse Health Service.
17. Records of MRI & Imaging of Georgia.
18. Records of North Metropolitan Radiology
19. Records of Northside Radiology Associates, P.C.
20. Records of Georgia Retina.
21. Records of Eyesight of Buford.
22. Records of Milan Eye Center.
23. Records of John Barker, M.D.
24. Records of Cassandra L. Baker, M.D.
25. Records of Primacare Physical Therapy Wellness
26. Records of Piedmont West Surgery Center.
27. Records of Northside Hospital Forsyth
28. Records of BenchMark Physical Therapy
29. Records of Valley View Drugs
30. Records of Resurgens Orthopedics
31. Records and curriculum vitae of Keith D. Osborne, M.D.
32. Records and curriculum vitae of Jon Hyman, M.D.
33. Records of Authentic Medical Review.
34. Records of Vimal H. Patel, M.D.
35. Any document produced by a medical or health care provider in response to a

- request for production of documents to a non-party under O.C.G.A § 9-11-34(c).
36. Records of any doctor, hospital, physical therapist, or other healthcare practitioner or facility relating to any examination or treatment of Plaintiff.
 37. Records, medical reports, x-rays, tests, records or bills relating to Plaintiff.
 38. Records of Roderick Allen Aycox pertaining to Plaintiff's employment
 39. Paystubs from Roderick Allen Aycox pertaining to Plaintiff's employment.
 40. W-9 forms from Roderick Allen Aycox pertaining to Plaintiff's employment.
 41. Tax returns of Plaintiff for 2013, 2014, 2015, 2016 and 2017.
 42. Any records pertaining to Plaintiff's current employment or from any employment at any time in her life.
 43. Diagrams or drawings depicting the accident scene
 44. Photographs of the accident scene
 45. Photographs of the vehicles involved in the accident.
 46. Georgia Uniform Motor Vehicle Accident Report.
 47. All exhibits and documents attached to any motion filed in this case or a response to any motion.
 48. Exhibits to all depositions taken in this case.
 49. All pleadings and discovery documents, including responses to discovery in this case, and any other civil action or claim for compensation which has been initiated by Plaintiff.
 50. Any document produced by a medical or health care provider in response to request for production of documents to a non-party under O.C.G.A § 9-11-34(c).
 51. Any document necessary for impeachment, cross-examination, or rebuttal.

52. Any documents relied upon by experts for any party.

53. Any documentary evidence or physical evidence listed by Plaintiff.

The Parties hereby give notice pursuant to O.C.G.A. § 24-8-803(6) and O.C.G.A. § 24-9-902(11) that they intend to use certified medical records listed in the preceding paragraph at the trial of this matter.

Defendants reserve the right to amend this list of documentary and physical evidence upon giving reasonable notice prior to trial.

15.

Special authorities relied upon by Plaintiff relating to peculiar evidentiary or other legal questions are as follows: None at this time.

16.

Special authorities relied upon by Defendants relating to peculiar evidentiary or other legal questions are as follows:

Defendants are not currently aware of any peculiar evidentiary or legal questions. Defendants reserve the right, however, to provide the court with appropriate authority as such issues arise.

17.

All requests to charge anticipated at the time of trial will be filed in accordance with Rule 10.3.

18.

The testimony of the following persons may be introduced by depositions:

Plaintiff:

1. Audrey Hill;

2. Marc Brumberg;
3. Edwin Efezokhae;
4. Lieutenant Timothy Dunaway;
5. Plas T. James, M.D.;
6. Thomas Myers, M.D.;
7. Cherell Lawson;
8. Bryant Buchner;
9. Johanna Ellis;
10. Fasheen Lashley;
11. Keith Osborne, M.D.;
12. Jon Hyman, M.D.;
13. Austin Hill;
14. Jayvanita Hill;
15. Tammera Hill;
16. Rod Aycox;
17. Leslie Aycox;
18. Ashley Aycox;
19. AJ Aycox;
20. Marcus Huntley;
21. Dan Evers;
22. Taylor Bradford;
23. Eric Emberly;
24. Justin Meyer;

25. Scott Patterson;
26. Kevin Schussler;
27. Christopher Daves;
28. James Wages;
29. Dustin Long;
30. John Son;
31. David Thrasher;
32. Ronald Reagan, M.D.;
33. Joseph C. Finley, M.D.;
34. Bob Eisenberg, M.D.;
35. Gary A. Levengood, M.D.;
36. Christy Kang, M.D.;
37. Harris A. Patel, PA-C;
38. Efrim C. Moore, M.D.;
39. Matthew Guffey, PA-C;
40. Aagnya Pathak, PT;
41. Leigh Scibetta, PTA;
42. Dennis Martucci, PT;
43. Ram Shahani, PT;
44. Neil Amin, M.D.;
45. Tiffany E. Edwards, M.D.;
46. Sanjay R. Parikh, M.D.;
47. Zoya K. Arbister, M.D.;

48. Barry J. McCasland, M.D.;
49. Elizabeth Shaw, M.D.;
50. Searle Videlefsky, M.D.;
51. Cassandra Baker, M.D.;
52. James Purvis, M.D.;
53. Idopise Umana, M.D.;
54. John Barker, M.D.;
55. Christy Murphy, RN;
56. Tonya Bowman, RN;
57. Atlanta Classic Cars;
58. Any doctor or health care provider (as needed);
59. All applicable records custodians;
60. All persons identified as Plaintiff's "may call" witnesses; and
61. All persons identified as Defendants' "may call" witnesses.

Any objection to the depositions or questions or arguments in the depositions shall be called to the attention of the Court prior to trial.

Defendants: (1) Audrey Hill; (2) Marc Brumberg; (3) Edwin Efezhokhae; (4) Cherell Lawson; (5) Johanna Ellis; (6) Keith Osborne, M.D.; (7) Jon Hyman, M.D.; (8) Gary Levengood, M.D.; (9) T.R. Dunaway; (10) Any witness who is unavailable for trial pursuant to O.C.G.A. § 9-11-32, or other legal cause; (11) Any medical provider, individual or corporate, who has provided medical treatment to the Plaintiff at any time during her life, either preceding this accident or subsequent to it.

Any objection to the depositions or questions or arguments in the depositions shall be called to the attention of the Court prior to trial.

19.

(a) The following are lists of witnesses Plaintiff will have present at trial:

1. Audrey Hill.

(b) The following are lists of witnesses Plaintiff may have present at trial:

1. Marc Brumberg;

2. Edwin Efezokhae;

3. Lieutenant Timothy Dunaway;

4. Plas T. James, M.D.;

5. Thomas Myers, M.D.;

6. Cherell Lawson;

7. Bryant Buchner;

8. Johanna Ellis;

9. Fasheen Lashley;

10. Keith Osborne, M.D.;

11. Jon Hyman, M.D.;

12. Austin Hill;

13. Jayvanita Hill;

14. Tammera Hill;

15. Rod Aycox;

16. Leslie Aycox;

17. Ashley Aycox;

18. Marcus Huntley;
19. Dan Evers;
20. Taylor Bradford;
21. Eric Emberly;
22. Justin Meyer;
23. Scott Patterson;
24. Kevin Schussler;
25. Christopher Daves;
26. James Wages;
27. Dustin Long;
28. John Son;
29. David Thrasher;
30. Ronald Reagan, M.D.;
31. Joseph C. Finley, M.D.;
32. Bob Eisenberg, M.D.;
33. Gary A. Levensgood, M.D.;
34. Christy Kang, M.D.;
35. Harris A. Patel, PA-C;
36. Efrim C. Moore, M.D.;
37. Matthew Guffey, PA-C;
38. Aagnya Pathak, PT;
39. Leigh Scibetta, PTA;
40. Dennis Martucci, PT;

41. Ram Shahani, PT;
42. Neil Amin, M.D.;
43. Tiffany E. Edwards, M.D.;
44. Sanjay R. Parikh, M.D.;
45. Zoya K. Arbister, M.D.;
46. Barry J. McCasland, M.D.;
47. Elizabeth Shaw, M.D.;
48. Searle Videlefsky, M.D.;
49. Cassandra Baker, M.D.;
50. James Purvis, M.D.;
51. Idopise Umana, M.D.;
52. John Barker, M.D.;
53. Christy Murphy, RN;
54. Tonya Bowman, RN;
55. Atlanta Classic Cars;
56. Any doctor or health care provider identified in the medical records produced in discovery;
57. Any witness previously identified in discovery or Plaintiff's deposition;
58. Any records custodian needed for authentication, any person for purposes of rebuttal, any person for purposes of impeachment;
59. Any and all witnesses named by Defendants;
60. Any witness listed on Defendants' will-call or may-call witness list; and
61. Any witness listed in the Exhibits needed to discuss or authenticate same.

This represents a list of witnesses Plaintiff may call. Plaintiff has not listed every person identified in the medical records or the records produced by the parties that may be needed to authenticate or introduce any records into evidence. However, each and every record has been provided to Defendant and Plaintiff anticipates the cooperation of Defendant so that Plaintiff need not bring unnecessary witnesses.

(c) Defendants will have present at trial:

None.

(d) Defendants may have present at trial:

1. Marc Brumberg;
2. Johanna Ellis;
3. Bruce Lamb;
4. Kim Padovano;
5. Representatives of Atlanta Classic Cars, Inc.;
6. Edwin Efezokhae;
7. Cherell Lawson;
8. T.R. Dunaway;
9. Keith Osborne, M.D.;
10. Jon Hyman, M.D.;
11. Gary Levensgood, M.D.;
12. Any witness necessary for impeachment and rebuttal;
13. Any person listed as a “will call” or “may call” witness by Plaintiff.

Defendants reserve the right to utilize additional witnesses provided by all counsel involved in the case are notified of the identity of such witnesses in reasonable time in advance of trial.

Opposing counsel may rely on representations by the designated party that he will have a witness present unless notice to the contrary is given in sufficient time prior to trial to allow the other party to subpoena the witness or obtain his/her testimony by other means.

20.

The form of the verdicts to be considered by the jury are as follows:

_____ We, the jury, find in favor of the Plaintiff in the amount of \$ _____.

_____ We, the jury, find in favor of the Defendants.

Foreperson

21.

(a) The possibilities of settling the case are: fair.

(b) The parties do want the case reported in its entirety.

(c) The cost of take-down will be: shared.

(d) Other matters: Defendants' counsel has a Leave of Absence for the period July 5 17, 2018, which the Court has advised will be honored, as referenced in paragraph 3 above.

The parties agree that the case is not ready for trial and that all necessary evidentiary medical depositions have not been completed, as referenced in paragraphs 3 and 5 above.

This 29th day of June, 2018.

Respectfully Submitted,
SHIVER HAMILTON, LLC

/s/ R. Scott Campbell
Alan J. Hamilton
Georgia Bar No. 320698
R. Scott Campbell
Georgia Bar No. 142384
Attorneys for Plaintiff

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**LAW OFFICE
OF TERRY-DAWN THOMAS**

/s/ Neal C. Scott
Neal C. Scott
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404-705-5840

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

AUDREY J. HILL,)	
)	
Plaintiff,)	
)	CIVIL ACTION
)	FILE NO. 16EV004541
vs.)	
)	
ATLANTA CLASSIC CARS, INC.,)	
and MARC H. BRUMBERG,)	
)	
Defendants.)	
_____)	

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the foregoing ***Consolidated Pre-Trial Order*** with the Clerk of Court using the Odyssey File & Serve system, which will automatically send notification to the following counsel of record:

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This 29th day of June, 2018.

SHIVER HAMILTON, LLC

/s/ R. Scott Campbell

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