CHAPTE	R 1—WORKING WITH POTENTIAL CLIENTS AND SIGNING UP THE CASE	1
1-000	Working with Potential Clients and Signing Up the Case	2
1-001	New Client Information Sheet	5
1-002	Fee Agreement Contract	6
1-003	Letter to Client Enclosing Fee Agreement Contract	9
1-004	Medical Authorization to Be Signed by Client	10
1-005	Employment Records Authorization to Be Signed by Client	11
1-006	Letter to Client: Investigating Claim Before Deciding Whether to Take Case	13
1-007	Authorization to Transfer File from Previous Attorney	14
1-008	Letter to Previous Attorney Requesting Client's File	15
1-009	Letter to Client: Co-Counsel Agreement	16
1-010	Letter to Referring Attorney Memorializing Co-Counsel Agreement	17
1-011	Formal Association Agreement	18
1-012	Thank-You Letter to Attorney for Referral	19
1-013	Thank-You Letter to Non-Attorney for Referral	20
1-014	Rejection Letter: Personal Injury Case	21
1-015	Rejection Letter: Medical Malpractice Case	22
1-016	Conflict Waiver	23
1-017	Client Acknowledgment of Vehicles in Household	24
1-018	Authorization for Release of Information	25
1-019	Client HITECH Request Letter	26
1-020	Authorization for Disclosure of Protected Health Information	27
1-021	Checklist for Working with Potential Clients and Signing Up the Case	28
CHAPTE	<b>R 2—NOTIFICATION OF REPRESENTATION AND PRESERVING EVIDENCE</b>	29
2-000	Notification of Representation and Preserving Evidence	30
2-001	Letter of Representation to Defendant Requesting Insurance Information	32
2-002	Affidavit for Requesting Policy Limits	33
2-003	Letter of Representation to Insurer Requesting Policy Limits	35
2-004	Ante Litem Notice to City	36
2-005	Ante Litem Notice to County	38
2-006	Notice for State Tort Claims Act	40
2-007	General Spoliation Letter	42
2-008	Trucking Spoliation Letter	44
2-009	Law Enforcement Misconduct Spoliation Letter	48
2-010	Escalator/Elevator Spoliation Letter	50
2-011	Nursing Home Spoliation Letter	53
2-012	Spoliation Letter to Preserve Surveillance Tapes	55

2-013	Letter Placing UM Insurer on Notice of Claim	56
2-014	Letter Placing Client's Insurer on Notice of Medpay Claim	57
2-015	Spoliation Letter to Preserve Defendant Driver's Cellphone	58
2-016	Letter to Client to Preserve Car, Cellphone and Social Media	59
2-017	Checklist for Notification of Representation and Preserving Evidence	60
CHAPTE	R 3—INVESTIGATION OF LIABILITY	61
3-000	Investigation of Liability	62
3-001	Letter to Insurer Requesting Client's Recorded Statement	64
3-002	Letter Requesting Accident Report from Police	65
3-003	Open Records Act Request to Police for Entire Investigative File	66
3-004	Open Records Act Request for 911 Tapes/CAD Report	68
3-005	Letter Requesting Certified Copy of Guilty Plea	70
3-006	Letter to Georgia Bureau of Investigation Requesting Autopsy Report	72
3-007	Letter to Georgia Bureau of Investigation Requesting Toxicology Reports	74
3-008	Freedom of Information Act Request to Federal Governmental Entity	76
3-009	Freedom of Information Act Request to Federal Motor Carrier Safety Administration	77
3-010	Open Records Act Request to MARTA for Elevator/Escalator Incident	78
3-011	Open Records Act Request to Department of Human Resources	81
3-012	Open Records Act Request to Animal Control	83
3-013	Open Records Act Request to Police for Criminal History of Property	85
3-014	Open Records Act Request to Internal Affairs/Police Department for Excessive Force	87
3-015	Open Records Act Request to Department of Labor	89
3-016	Open Records Act Request to DPS for Roadway Defects or Conditions	91
3-017	Checklist for Investigation of Liability	93
CHAPTE	R 4—PROVING YOUR CLIENT'S INJURIES AND DAMAGES	95
4-000	Proving Your Client's Injuries and Damages	96
4-001	Letter to Client Requesting Damages Information in Personal Injury Case	99
4-002	Letter to Client Requesting Damages Information in Wrongful Death Case	100
4-003	Letter to Client Requesting Status of Medical Treatment	101
4-004	Letter to Employer with Wage Loss Verification	102
4-005	Wage Loss Verification to Employer for Personal Injury Claim	103
4-006	Request for Tax Returns to Internal Revenue Service	104
4-007	IRS Form 4506 for Requesting Tax Returns	105
4-008	Request for Client's Personnel File from Employer	107
4-009	Request for Client's Medical Records	108
4-010	Certification of Medical Records as Business Records	109
4-011	Notice of Intent to Introduce Certified Copy of Medical Records	111

4-012	Letter to Doctor Requesting Medical Narrative	114
4-013	Medical Narrative Form	115
4-014	Notice of Intent to Introduce Medical Narrative	117
4-015	Objection to Use of Medical Narrative	119
4-016	Request for Client's Pharmacy Records	122
4-017	Request for Client's Medical Bills	123
4-018	Request for Death Certificate	124
4-019	Letter Following Up on Request for Medical Records or Bills	125
4-020	Letter Requesting Updated Medical Records	126
4-021	Request for Diagnostic Films	127
4-022	Medical Expense Summary	128
4-023	Letter Requesting Military Service Records	129
4-024	Military Service Records Form 180	130
4-025	ISO Claims Search Authorization	133
4-026	Letter to ISO Claims Requesting History	135
4-027	Letter Requesting School Records	136
4-028	Checklist for Proving Your Client's Injuries and Damages	137
СНАРТЕН	R 5—COMPLAINTS	139
5-000	Complaints	140
5-001	Automobile Accident: Two Vehicles	143
5-002	Automobile Accident: Passenger	146
5-003	Automobile Accident: Pedestrian	149
5-004	Automobile Accident: Family Purpose Doctrine	152
5-005	Automobile Accident: John Doe	156
5-006	Boating Accident Complaint	159
5-007	Wrongful Death Section of Complaint	163
5-008	Punitive Damages Section of Complaint	166
5-009	Employer Liability Section of Complaint	168
5-010	Trucking Accident	170
5-011	Premises Liability: Slip and Fall, Foreign Substance	177
5-012	Premises Liability: Slip and Fall, Static Defect	181
5-013	Premises Liability: Negligent Security	185
5-014	Escalator/Elevator Accident	189
5-015	Dog Bite	194
5-016	False Arrest by Premises Owner	198
5-017	Employee Assault on Premises	203
5-018	Excessive Force Police Misconduct	207

5-019	Medical Malpractice: Physician	213
5-020	Medical Malpractice Affidavit	217
5-021	Medical Malpractice: Hospital	220
5-022	Assisted Living Center	224
5-023	Dram Shop Liability	229
5-024	Products Liability	234
5-025	Georgia DOT/State Tort Claims Act	241
5-026	Bad Faith/Negligent Failure to Settle	246
5-027	Loss of Consortium Section of Complaint	250
5-028	Amended Complaint Adding or Withdrawing Claims	253
5-029	City or County Complaint Against	256
5-030	Checklist for Complaints	260
СНАРТЕ	R 6—FILING AND SERVICE OF THE COMPLAINT	261
6-000	Filing and Service of the Complaint	262
6-001	Summons	264
6-002	Letter to Clerk Enclosing Complaint and Service on Defendant	266
6-003	Letter to Clerk Enclosing Complaint and Returning Original for Service	267
6-004	Letter to Sheriff to Serve Complaint	268
6-005	Motion for Appointment of Private Process Server to Serve Complaint	269
6-006	Order Appointing Private Process Server	272
6-007	Affidavit of Service for Private Process Server	274
6-008	Letter to Private Process Server to Serve Complaint and Discovery	276
6-009	Letter to Secretary of State with Complaint by Non-Resident Motorist Statute Service	277
6-010	Affidavit of Compliance for Non-Resident Motorist Statute Service	278
6-011	Certified Letter to Defendant Under Non-Resident Motorist Statute	280
6-012	Acknowledgment of Service	281
6-013	Letter to Opposing Counsel Enclosing Acknowledgment of Service Form	283
6-014	Motion for Substituted Service of Process by Publication	284
6-015	Affidavit of Attorney Supporting Motion for Service by Publication	286
6-016	Order for Service by Publication	288
6-017	Certified Letter to Insurer Enclosing Copy of Complaint	290
6-018	Civil Case Filing Form	291
6-019	Checklist for Filing and Service of the Complaint	292
CHAPTEI	R 7—DISCOVERY: INTERROGATORIES, REQUEST	
FOR DOC	UMENTS AND REQUEST FOR ADMISSIONS	293
7-000	Discovery: Interrogatories, Request for Documents and Request for Admissions	294
7-001	Auto Accident	297

7-002	Auto Accident: Family Purpose	302
7-003	Boating Accident Discovery	308
7-004	Trucking Collision	314
7-005	Premises Liability: Fall Case	326
7-006	Premises Liability: Negligent Security	334
7-007	Escalator/Elevator Accident	341
7-008	Dog Bite	351
7-009	False Arrest by Premises Owner	356
7-010	Employee Assault on Premises	364
7-011	Employer Liability	371
7-012	Excessive Force Police Misconduct	376
7-013	Medical Malpractice: Physician	381
7-014	Medical Malpractice: Hospital	388
7-015	Assisted Living Center	394
7-016	Dram Shop Liability	404
7-017	Products Liability	411
7-018	Georgia DOT/State Tort Claims Act	420
7-019	Bad Faith/Negligent Failure to Settle	429
7-020	City or County Discovery	434
7-021	Jurisdiction Over the Defendant	439
7-022	Underinsured/Uninsured Motorist Insurer	441
7-023	Direct Action Against Truck Insurer	443
7-024	Non-Party Apportionment of Fault Discovery	445
7-025	Liability of Employer for Employee's Conduct	448
7-026	Liability of Defendant for Collision	450
7-027	Certificate of Service of Discovery	452
7-028	Checklist for Interrogatories, Request for Documents and Request for Admissions	454
СНАРТЕВ	<b>R 8—ANSWERING DISCOVERY FROM THE DEFENDANT</b>	455
8-000	Answering Discovery from the Defendant	456
8-001	Letter to Client Requesting Information for Discovery Responses	457
8-002	Letter to Opposing Counsel Confirming Extension Time to Respond to Discovery	459
8-003	Response to Interrogatories	460
8-004	Verification of Interrogatory Responses for Client Signature	463
8-005	Response to Request for Production of Documents	465
8-006	Response to Request for Admissions	468
8-007	Supplemental Discovery Responses	471
8-008	Checklist for Answering Discovery from the Defendant	474

СНАРТЕН	R 9—COMPELLING RESPONSES TO DISCOVERY	475
9-000	Compelling Responses to Discovery	476
9-001	Letter to Opposing Counsel Requesting Overdue Discovery Responses	478
9-002	Letter to Opposing Counsel Requesting Complete Discovery Responses	479
9-003	Good Faith Letter to Opposing Counsel Under Rule 6.4	480
9-004	Motion to Compel Discovery Responses	481
9-005	Brief in Support of Motion to Compel Discovery Responses	484
9-006	Motion to Strike Defendant's Answer for Failing to Respond to Discovery	488
9-007	Brief in Support of Motion to Strike Defendant's Answer for Failing to Respond to Discovery	491
9-008	Motion to Compel Non-Party to Produce Documents	495
9-009	Affidavit in Support of Motion to Compel Non-Party	498
9-010	Order on Motion to Compel Non-Party to Produce Documents	500
9-011	Letter to Opposing Counsel Requesting Verification to Interrogatory Responses	501
9-012	Withdrawal of Motion to Compel	502
9-013	Brief in Opposition to Defendant's Motion for Protective Order	505
9-014	Checklist for Compelling Responses to Discovery	508
СНАРТЕН	R 10—DEPOSITIONS	509
10-000	Depositions	510
10-001	Letter to Client Confirming Deposition	512
10-002	Letter to Opposing Counsel Confirming Deposition	513
10-003	Notice of Deposition of Witness or Party for Discovery	514
10-004	Notice of Videotaped Deposition	517
10-005	Letter to Doctor Confirming Deposition	520
10-006	Notice of Evidentiary Doctor Deposition	521
10-007	Notice of Expert Deposition for Discovery	524
10-008	Letter to Opposing Counsel Requesting Deposition of Corporate Representative	527
10-009	Notice of Corporate Representative Deposition for Discovery	528
10-010	Notice of Corporate Representative Deposition on Financial Issues	531
10-011	Letter to Non-Party Witness Enclosing Subpoena for Deposition	534
10-012	Subpoena for Non-Party Witness Deposition	535
10-013	Amended Deposition Notice	537
10-014	Notice of Zoom Deposition	540
10-015	Checklist for Depositions	543
СНАРТЕН	R 11—OTHER DOCUMENTS RELATED TO DISCOVERY	545
11-000	Other Documents Related to Discovery	546
11-001	Certification of Business Record	548

11-002	Notice of Intent to Introduce Certified Copy of Business Records	550
11-003	Request for Production of Documents to Non-Party	553
11-004	Request for Cellphone Records	556
11-005	Letter Enclosing Subpoena for Driving Record	559
11-006	Joint Motion to Extend Discovery Period	560
11-007	Order Extending Discovery Period	563
11-008	Consent Scheduling Order	565
11-009	Consent Protective Order	567
11-010	Stipulation to Independent Medical Examination (IME)	569
11-011	Identification of Treating Physician as Expert	572
11-012	Withdrawal of Expert	575
11-013	Subpoena for Cellphone Records	578
11-014	Attachment A to Subpoena for Cellphone Records	580
11-015	Letter to Opposing Counsel Requesting to Download Cellphone	582
11-016	Subpoena to Georgia Department of Motor Vehicles for Defendant's Driving Record	583
11-017	Identification of Before & After Witnesses, Accident Reconstructionists and Other Experts	585
11-018	Brief in Opposition to Motion for Medical Examination	587
11-019	Checklist for Other Documents Related to Discovery	591
CHAPTER	12—MOTIONS AND RESPONSES	593
12-000	Motions and Responses	594
12-001	Motion to Add Party Defendant	599
12-002	Brief in Support of Motion to Add Party Defendant	602
12-003	Motion for Default Judgment	605
12-004	Certificate of Default	607
12-005	Order Entering Default Judgment	609
12-006	Motion to Enforce Settlement	610
12-007	Consent Motion to Dismiss Less Than All Parties	614
12-008	Order Dismissing Less Than All Parties	618
12-009	Motion for Partial Summary Judgment on Liability of Non-Party	620
12-010	Brief in Support of Motion for Partial Summary Judgment on Liability of Non-Party	623
12-011	Consent Motion for Continuance from Trial Calendar	626
12-012	Brief in Response to Defendant's Motion for Summary Judgment	629
12-013	Response to Defendant's Statement of Material Facts	632
12-014	Plaintiff's Statement of Material Facts to Which There Exists a Genuine Issue to Be Tried	635
12-015	Theory of Recovery	638
12-016	Affidavit of Witness	641
12-017	Notice of Filing Original Discovery	642

12-018	Request to File Original Discovery	645
12-019	Notice of Hearing	648
12-020	Stipulation Extending Time to Respond to Motion	651
12-021	Withdrawal of Motion	654
12-022	Answer to Worker's Compensation Complaint	657
12-023	Brief in Response to Motion to Stay Case for Criminal Proceedings	659
12-024	Motion to Extinguish Worker's Compensation Lien	663
12-025	Brief in Support of Motion to Extinguish Worker's Compensation Lien	665
12-026	Motion to Add a Loss of Consortium Claim	670
12-027	Proposed Order to Add Loss of Consortium Claim	672
12-028	Brief in Opposition to Motion to Exclude Causation Opinions of Treating Physician	674
12-029	Motion for Leave to File Counterclaim	679
12-030	Brief in Support of Motion for Leave to File Counterclaim	682
12-031	Proposed Order Granting Leave to File Counterclaim	686
12-032	Counterclaim	688
12-033	Consent Motion to Transfer Venue	691
12-034	Consent Order Transferring Venue	695
12-035	Brief in Support of Contested Motion to Dismiss an Individual Defendant	697
12-036	Proposed Order on Contested Motion to Dismiss Individual Defendant	700
12-037	Motion for Severance of Third-Party Claims	702
12-038	Brief in Support of Motion for Severance of Third-Party Claims	705
12-039	Proposed Order on Motion for Severance of Third-Party Claims	708
12-040	Brief in Opposition of Motion for Continuance	710
12-041	Brief in Opposition of Motion to Dismiss for Failure to State Claim	713
12-042	Response to Motion for Partial Summary Judgment After Withdrawing Claim	717
12-043	Request for Oral Argument	720
12-044	Motion to Exclude Opinions of Expert Under Daubert	723
12-045	Brief in Support of Motion to Exclude Opinions of Expert Under Daubert	726
12-046	Brief in Support of Motion to Exclude Opinions of Police Officer Under Daubert	730
12-047	Checklist for Motions and Responses	734
CHAPTER	13—LITIGATION LETTERS	735
13-000	Litigation Letters	736
13-001	Letter to Client Enclosing Medical Authorization for Defendant	738
13-002	Letter to Opposing Counsel Enclosing Medical Authorization Executed by Client	739
13-003	Letter to Opposing Counsel Requesting Records Obtained from Non-Parties	740
13-004	Letter to Client Explaining Independent Medical Examination	741
13-005	Letter to Expert to Review Records	742

13-006	Letter to Witness Requesting a Recorded Statement	743
13-007	Letter to Judge Enclosing Proposed Order	744
13-008	Checklist for Litigation Letters	745
CHAPTER	14—TRIAL	747
14-000	Trial	748
14-001	Letter to Clerk Stipulating Case to Trial Calendar	750
14-002	Stipulation to Trial Filed with Court	751
14-003	Letter to Client Confirming Trial Date	754
14-004	Letter to Witness Enclosing Subpoena and Confirming Trial Date	755
14-005	Letter to Expert Confirming Trial Date	756
14-006	Consolidated Pre-Trial Order	757
14-007	Motions in Limine	763
14-008	Brief in Support of Motions in Limine	766
14-009	Letter to Opposing Counsel Enclosing Subpoena of Party	769
14-010	Order Allowing Video Equipment into Courtroom	770
14-011	Request to Charge	771
14-012	General Verdict Form	773
14-013	Apportionment Liability Verdict Form	774
14-014	Letter to Client Declining Offer of Settlement and Going to Trial	776
14-015	Entry of Judgment with Interest Calculated	777
14-016	Non-Pattern Jury Charges Used in Personal Injury Cases	779
14-017	Witness Trial Subpoena	786
14-018	Checklist for Trial	787
CHAPTER	15—SETTLEMENT AND RESOLUTION OF CLAIMS	789
15-000	Settlement and Resolution of Claims	790
15-001	Comprehensive Demand Letter	794
15-002	Unliquidated Damages Demand Introduction	796
15-003	Underinsured Motorist Coverage Demand Introduction	797
15-004	Policy Limits Demand Introduction	798
15-005	Request for Affidavit of No Additional Insurance Demand Introduction	799
15-006	Affidavit of No Additional Insurance	800
15-007	Offer of Settlement	801
15-008	Certificate of Service of Offer of Settlement	804
15-009	Consent Judgment	806
15-010	Assignment of Bad Faith Claim Against Insurer	808
15-011	Letter to Opposing Counsel Confirming Mediation	810

15-012	Letter to Client Explaining Mediation	811
15-013	Letter to Opposing Counsel Confirming Settlement	812
15-014	W-9 Tax Identification Form	813
15-015	Settlement Statement	817
15-016	Letter to Health Insurer About Possible Lien	819
15-017	Letter to Workers' Compensation Carrier Denying Lien	821
15-018	Letter to Medicare Inquiring About Lien	822
15-019	Medicare Proof of Representation Form	823
15-020	Letter to Medicaid Inquiring About Lien	824
15-021	Letter to Lienholder Enclosing Compromised Payment of Lien	825
15-022	Letter to Referring Attorney Enclosing Fee	826
15-023	Motion to Approve Minor Settlement in Trial Court	827
15-024	High/Low Agreement	835
15-025	Pre-Suit Policy Limits Auto Demand Introduction	837
15-026	Limited Liability Release	838
15-027	Letter of Protection to Medical Provider	840
15-028	Motion for Attorney's Fees Under Offer of Settlement Statute	841
15-029	Affidavit in Support of Motion for Attorney's Fees	847
15-030	Global Demand Agreement to Make Demand on Behalf of All Claimants	851
15-031	Introductory Language for Global Demand	852
15-032	Final Disposition Form	853
15-033	General Release of All Claims	854
15-034	Underinsured Motorist Release	859
15-035	Demand for Medpay Coverage	862
15-036	Demand for Unrepresented Client to Send	863
15-037	Satisfaction of Judgment	864
15-038	Dismissal with Prejudice	867
15-039	Checklist for Settlement and Resolution of Claims	870
CHAPTER	16—ADMINISTRATIVE FORMS	871
16-000	Administrative Forms	872
16-001	Change of Address	874
16-002	Leave of Absence	877
16-003	Conflict Letter	881
16-004	Letter to Client Explaining Potential Healthcare Claims	883
16-005	Letter to Client Asserting Attorney Lien	884
16-006	Notice to Defendant/Insurer of Attorney Lien	885

	16-007	Letter to Client Providing Notice of Withdrawal	886
	16-008	Notice of Withdrawal	887
	16-009	Motion to Withdraw as Counsel	891
	16-010	Order Granting Motion to Withdraw as Counsel	894
	16-011	Notice of Appearance of Counsel	896
	16-012	Substitution of Counsel	899
	16-013	Checklist for Administrative Forms	902
CHA	APTER	17—FILING A FEDERAL LAWSUIT	903
	17-000	Filling a Federal Lawsuit	904
	17-001	Introduction for Federal Diversity Complaint	905
	17-002	Civil Cover Sheet	907
	17-003	Federal Summons	909
	17-004	Certificate of Interested Persons	911
	17-005	Motion for Remand	913
	17-006	Brief in Support of Motion for Remand	916
	17-007	Checklist for Filing a Federal Lawsuit	920
CHA	APTER	18—FEDERAL LITIGATION DOCUMENTS	921
	18-000	Federal Litigation Documents	922
	18-001	Joint Preliminary Planning Report & Discovery Plan	923
	18-002	Initial Disclosures (NDGA)	930
	18-003	Supplement to Initial Disclosures	938
	18-004	Motion for Leave to Amend Complaint to Add Claims	941
	18-005	Brief in Support of Motion for Leave to Amend Complaint to Add Claim	944
	18-006	Certificate of Compliance	948
	18-007	Checklist for Federal Litigation Documents	949
CHA	APTER	19—DISCOVERY IN FEDERAL COURT	951
	19-000	Discovery in Federal Court	952
	19-001	Introduction to Written Discovery	953
	19-002	Introduction to Request to Admit	956
	19-003	Deposition Notice for Witness	959
	19-004	Deposition Notice for Corporate Representative	962
	19-005	Notice of Videotaped Deposition	965
	19-006	Motion to Compel Discovery Responses	968
	19-007	Brief in Support of Motion to Compel Discovery Responses	971
	19-008	Motion to Strike Answer for Failing to Respond to Discovery	975
	19-009	Brief in Support of Motion to Strike Answer for Failing to Respond to Discovery	978

19-010	Certificate of Service of Discovery	983
19-011	Notice of Intent to Serve Subpoena for Documents on Non-Party	985
19-012	Federal Subpoena	988
19-013	Checklist for Discovery in Federal Court	991
CHAPTER	20—EXPERTS IN FEDERAL COURT	993
20-000	Experts in Federal Court	994
20-001	Identification of Retained Expert with Rule 26 Report	995
20-002	Identification of Treating Physician as Expert	998
20-003	Daubert Motion to Exclude Expert Testimony	1001
20-004	Brief in Support of Daubert Motion to Exclude Expert Testimony	1004
20-005	Brief in Opposition to Defendant's Daubert Motion to Exclude Expert Testimony	1009
20-006	Motion to Exclude Expert Opinion for Untimely Disclosure	1013
20-007	Brief in Support of Motion to Exclude Expert Opinion for Untimely Disclosure	1016
20-008	Checklist for Experts in Federal Court	1020
CHAPTER	21—FEDERAL TRIAL AND JUDGMENT	1021
21-000	Federal Trial and Judgment	1022
21-001	Motion for Default Judgment	1023
21-002	Consolidated Pre-Trial Order	1025
21-003	Stipulation of Dismissal Without Prejudice	1042
21-004	Brief in Response to Defendant's Motion for Summary Judgment	1045
21-005	Checklist for Federal Trial and Judgment	1049