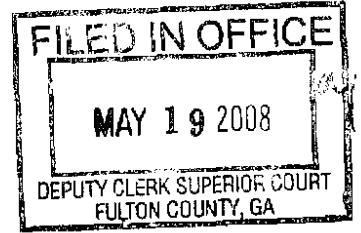


IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA



GEORGIACARRY.ORG, INC.,)
TAI TOSON, EDWARD WARREN,)
JEFFREY HUONG, JOHN LYNCH,)
MICHAEL NYDEN, AND)
JAMES CHRENCIK,)

Plaintiffs)

v.)

FULTON COUNTY, GEORGIA,)
CITY OF ATLANTA, GEORGIA,)
CITY OF EAST POINT, GEORGIA,)
CITY OF ROSWELL, GEORGIA,)
CITY OF SANDY SPRINGS, GEORGIA,)
and CITY OF UNION CITY, GEORGIA,)

Defendants)

Civil Action File No.
2007CV138552


ORDER GRANTING MOTION FOR SUMMARY JUDGMENT IN FAVOR OF
THE CITY OF ROSWELL AGAINST PLAINTIFFS AND DENYING
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AGAINST THE CITY
OF ROSWELL

On May 9, 2008, the Court conducted a hearing on cross Motions For Summary
Judgment filed by Plaintiffs and by the City of Roswell in the above-referenced case.
Having heard the argument of counsel for Plaintiffs and for the City of Roswell, and after
having considering the briefs filed with the Court in support and in opposition to each
Motion, and having considered all matters filed of record, IT IS HEREBY ORDERED
AND ADJUDGED that the City of Roswell's Motion For Summary Judgment is
GRANTED and Plaintiffs' Motion For Summary Judgment is DENIED.

The Court notes that counsel for Roswell specifically stated for the record that Roswell had waived any issue regarding standing, and that counsel for Roswell specifically stated ~~that Roswell had waived the requirement that Plaintiffs prove the original ordinance in question by filing a certified copy thereof with the Court.~~ Counsel for Roswell ~~stated~~ that the original ordinance had been sufficiently proved by admissions in judicio.

Each party shall bear its own costs. Pursuant to O.C.G.A. § 9-11-54 (b), the Court hereby makes the express determination that there is no just reason for delay of entry of final judgment in favor of the City of Roswell, Georgia and hereby expressly directs that final judgment be entered in favor of the City of Roswell, Georgia.

This 19 day of May, 2008.


Doris L. Downs
Chief Judge, Fulton Superior Court

Order prepared by:

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