

IN THE SUPERIOR COURT OF BIBB COUNTY  
STATE OF GEORGIA

LINDSAY D. HOLLIDAY, )  
)  
PLAINTIFF, )  
)  
V. ) CIVIL ACTION FILE NO.  
) 12-CV-58472  
)  
GEORGIA DEPARTMENT OF )  
TRANSPORTATION and PROJECT )  
ENGINEER CLINTON FORD, P.E. )  
)  
DEFENDANTS. )


DEFENDANTS' NOTICE OF FILING ORIGINAL VERIFICATION OF SPECIAL  
APPEARANCE VERIFIED ANSWER BY THOMAS HOWELL

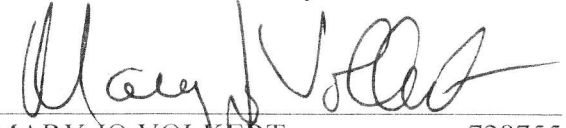
COMES NOW Defendant Georgia Department of Transportation, by and through  
counsel, Samuel S. Olen, Attorney General for the State of Georgia, and files with the  
Clerk of the Court its Original Verification of Special Appearance Verified Answer by  
Thomas Howell.

This the 18<sup>th</sup> day of January, 2013.

SAMUEL S. OLENS 551540  
Attorney General

W. WRIGHT BANKS, JR. 036156  
Deputy Attorney General

  
DENISE E. WHITING-PACK 558559  
Senior Assistant Attorney General

  
MARY JO VOLKERT 728755  
Senior Assistant Attorney General

PLEASE ADDRESS ALL  
COMMUNICATIONS TO:

MARY JO VOLKERT  
Senior Assistant Attorney General  
40 Capitol Square, SW  
Atlanta, Georgia 30334  
(404) 656-3343  
Fax : (404) 657-3239  
mjvolkert@law.ga.gov

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the within and foregoing

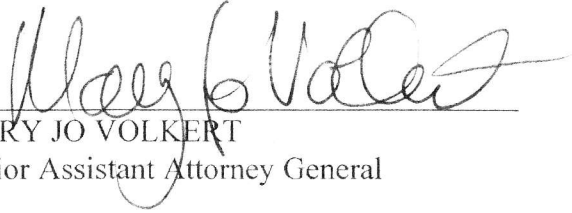
DEFENDANTS' NOTICE OF FILING ORIGINAL VERIFICATION OF SPECIAL  
APPEARANCE VERIFIED ANSWER BY THOMAS HOWELL

prior to filing the same, by depositing a copy thereof, postage prepaid, in the United

States Mail, properly addressed upon:

Lindsay D. Holliday  
3091 Ridge Avenue  
Macon, GA 31204

*18th*  
*was*  
This the 17<sup>th</sup> day of January, 2013.

  
\_\_\_\_\_  
MARY JO VOLKERT  
Senior Assistant Attorney General

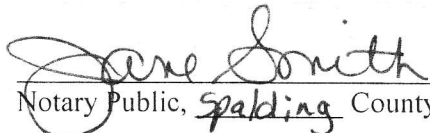
VERIFICATION

Personally appeared before the undersigned officer duly authorized to administer oaths, came THOMAS HOWELL, District Engineer, Georgia Department of Transportation's District Three, on behalf of the Defendants, who, after being duly sworn, deposes and states that he is authorized to sign this Verification on behalf of the Defendants, and hereby verifies that the facts contained in the within and foregoing VERIFIED ANSWER are true and correct to the best of his knowledge and belief.



Thomas Howell

Sworn to and subscribed before me  
This 17<sup>th</sup> day of January, 2013.

  
Notary Public, Spalding County, Georgia.

My Commission expires 2/20/15.



IN THE SUPERIOR COURT OF BIBB COUNTY  
STATE OF GEORGIA

LINDSAY D. HOLLIDAY, )  
 )  
 PLAINTIFF, )  
 )  
 V. ) CIVIL ACTION FILE NO.  
 ) 12-CV-58472  
 GEORGIA DEPARTMENT OF )  
 TRANSPORTATION and PROJECT )  
 ENGINEER CLINTON FORD, )  
 )  
 DEFENDANTS. )

**AFFIDAVIT OF THOMAS HOWELL**

COMES NOW THOMAS HOWELL, who after being duly sworn, appeared before the undersigned and deposes and states under oath as follows:

1.

My name is Thomas Howell. I am over the age of eighteen (18) and am competent to testify to the matters stated herein. I give this Affidavit for use in connection with the above-styled case. I have personal knowledge of the facts stated herein and know them to be true.

2.

I am the District Engineer for District Three of the Georgia Department of Transportation (“GDOT”) and have served in that capacity since January 1, 2013. I have been employed by the GDOT since June 1987. Prior to becoming District Engineer, I held various job titles including Director of Construction, District Engineer and Assistant District Engineer.

3.

The District office for District Three of GDOT is located in Thomaston, Georgia. District Three includes a total of 31 counties. Bibb County, where the above case is pending and

where the road construction project at issue in this case, is located is one of the 31 counties that comprise District Three.

4.

The construction project at issue in this case is known as “Forest Hill Road from Forsyth Road to Northside Drive” STP00-3213-00 (003) Bibb County – P.I. No. 351130; BRMLB-3213-00 (005) Bibb County – P.I. No. 351135, and STP00-3213-00 (001) Bibb County – P.I. No. 350520. (the “Project”).

5.

Defendant Clinton Ford is an Assistant Project Manager and is acting Project Manager for the Project at issue in this lawsuit.

6.


Mr. Ford has no authority over a decision to begin or to continue a construction project.

7.

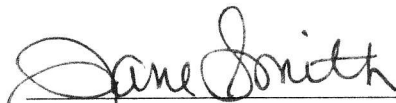
His job duties include, but are not limited to, learning to manage, and to a certain degree managing, “the scope, budget, and schedule of assigned projects; creating the project work plan; identifying risks to the project’s schedule, scope and budget; participating in project development and delivery with GDOT management, offices and work teams, external project development partners, local and federal government entities, and other project stakeholders; monitoring payments to consultants and contractors; and supporting the construction phase by monitoring the overall schedule, scope and budget and ensuring that commitments made in the developmental phases of a project are implemented at the proper time.

Further affiant sayeth not.

This the 17<sup>th</sup> day of January, 2013.

  
\_\_\_\_\_  
Thomas Howell

Sworn to and subscribed before me,  
this the 17<sup>th</sup> day of January, 2013.

  
\_\_\_\_\_  
Notary Public  
My commission expires: 2/20/15



(SEAL)

**CERTIFICATE OF SERVICE**

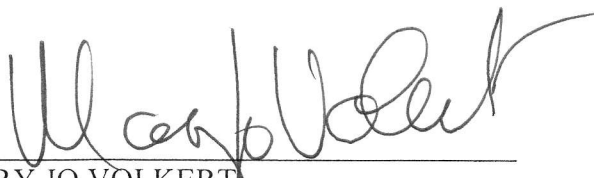
This is to certify that I have this day served a copy of the within and foregoing:

**AFFIDAVIT OF THOMAS HOWELL**

by U.S. Postal Service upon the following:

Lindsay D Holliday, pro se  
3091 Ridge Avenue  
Macon, GA 31204

This 17<sup>th</sup> day of January, 2013.



---

MARY JO VOLKERT  
Senior Assistant Attorney General