



CHAMBERS OF THE SUPERIOR COURTS

MACON JUDICIAL CIRCUIT
601 MULBERRY STREET
SUITE 310
MACON, GEORGIA 31201

EDGAR W. ENNIS, JR.
JUDGE

(478) 621-6575
FAX (478) 621-6582

March 11, 2013

Lindsay D. Holliday
360 Spring St.
Macon, GA 31201

Re: Holliday v. GDOT and Project Engineer Clinton Ford, P.E.
Civil Action No. 12-CV58472

Dear Dr. Holliday:

Following our "hearing" this morning on your request for a temporary restraining order in this matter, I was able to review more fully the letter sent to the Court via fax by the Attorney General's Office calling to the Court's attention a Georgia statute which may be interpreted to mean it was improvident for us to conduct a hearing this morning. Thus, the Court will not issue a ruling at this time on your request for a temporary restraining order, but will take the matter up in accordance with the enclosed Rule Nisi.

Sincerely,

EDGAR W. ENNIS, JR.
Judge, Superior Court of Bibb County
Macon Judicial Circuit

cc: Samuel S. Olens
Attorney General
Mary Jo Volkert
Senior Assistant Attorney General
Georgia Department of Law
40 Capitol Square SW
Atlanta, GA 30334

EWE/lrd

COPY

**IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA**

LINDSAY D. HOLLIDAY,

Plaintiff,

v.

**GEORGIA DEPARTMENT OF
TRANSPORTATION and PROJECT
ENGINEER CLINTON FORD, P.E.,**

Defendant.

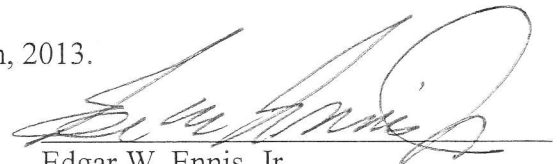
CIVIL ACTION NO.

12-CV-58472

RULE NISI

Plaintiff's request for a temporary restraining order in the above-captioned case having come before the Court for a Hearing on March 11, 2013, and counsel for Defendant Georgia Department of Transportation having objected on the grounds that it was improperly notified of the Hearing pursuant to the provisions of O.C.G.A. § 9-10-2, it is hereby **ORDERED** that the Hearing on Plaintiff's request for a temporary restraining order be rescheduled and consolidated with a Hearing on Plaintiff's request for interlocutory injunctive relief. It is **FURTHER ORDERED** that the Court will also take up the issue of Defendant's Motion to Dismiss at the Hearing set herein. The parties in the above-captioned case are hereby directed to show cause before this Court on Thursday, March 21, 2013, at 10:00 a.m., Third Floor, Bibb County Courthouse, as to why these motions should or should not be granted.

SO ORDERED, this 11 day of March, 2013.



Edgar W. Ennis, Jr.
Judge, Superior Courts of Georgia
Macon Judicial Circuit

IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA

LINDSAY D. HOLLIDAY,

Plaintiff,

v.

GEORGIA DEPARTMENT OF
TRANSPORTATION and PROJECT
ENGINEER CLINTON FORD, P.E.,

Defendant.

CIVIL ACTION NO.

12-CV-58472

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the within and foregoing **RULE NISI** in the above-referenced case was furnished via U. S. Mail with sufficient postage affixed thereto to ensure delivery to counsel and parties:

Lindsay D. Holliday
360 Spring St.
Macon, GA 31201

Samuel S. Olens
Attorney General
Mary Jo Volkert
Senior Assistant Attorney General
Georgia Department of Law
40 Capitol Square SW
Atlanta, GA 30334

This 11th day of March, 2013.

310 Bibb County Courthouse
Macon, GA 31201
(478) 621-5805



Diana Watkins
Judicial Assistant to
Judge Edgar W. Ennis, Jr.