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Order (RONALD W. PEEVY)

Alice D. Bonner
Superior Court of Fulton County

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DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA
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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

RONALD W. PEEVY, individually and on behalf of all others similarly situated. Plaintiff, v. STEWART BROWN, DANIEL ELLIS, ALEX LIEBLONG, MARK OEI, W. BLAIR ALLEN, PAUL GARITY, MICHAEL GRONDAHL, JOHN ALLISON, LODGIAN, INC., LSREF LODGING INVEST., LLC and LSREF LODGING MERGER CO., INC. Defendants.	)	Civil Action No. 2010-CV-180583

ORDER

This case is a putative class action brought on behalf of the shareholders of Lodgian, Inc. Before the Court is current non-party and putative class member United Capital Corp.'s Motion to Intervene to Take Limited and Focused Discovery. After hearing the arguments made by counsel and reviewing the briefs submitted on the motion, the Court finds that United Capital's motion is premature. However, the Court also finds that the discovery requested by United Capital may be permissible pursuant to O.C.G.A. 9-11-23 and invites United Capital to renew its motion once Plaintiffs file for approval of class action settlement as they have announced they plan to do.

SO ORDERED this 12th day of July 2010.

Alice D. Bonner

ALICE D. BONNER, SENIOR JUDGE
Superior Court of Fulton County
Atlanta Judicial Circuit

Copies via email to:

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