Georgia State University
Digital Archive @ GSU

Georgia Business Court Opinions | College of Law

8-10-2010

Order on Defendant Katten Muchin Rosenman LLP's Motion to Compel (CURTIS LEE MAYFIELD, III)

Elizabeth E. Long
Superior Court of Fulton County

Follow this and additional works at: http://digitalarchive.gsu.edu/col_businesscourt

Recommended Citation
Long, Elizabeth E., "Order on Defendant Katten Muchin Rosenman LLP's Motion to Compel (CURTIS LEE MAYFIELD, III)" (2010). *Georgia Business Court Opinions.* Paper 149.
http://digitalarchive.gsu.edu/col_businesscourt/149

This Court Order is brought to you for free and open access by the College of Law at Digital Archive @ GSU. It has been accepted for inclusion in Georgia Business Court Opinions by an authorized administrator of Digital Archive @ GSU. For more information, please contact digitalarchive@gsu.edu.

COPY

FILED IN OFFICE
AUG 10 2010
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

CURTIS LEE MAYFIELD, III et al., *Plaintiffs,* v. MARVIN HEIMAN, et al., Defendants,	**Civil Action File No. 2009CV166043**
ALTHEIDA MAYFIELD, as an Individual; and as Trustee of the TRUST; et al., Plaintiffs, v. SUSSEX FINANCIAL GROUP, INC. et al., Defendants,	**Civil Action File No. 2009CV166048**

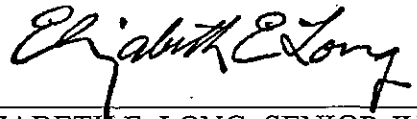
ORDER ON DEFENDANT KATTEN MUCHIN ROSENMAN LLP'S MOTION TO COMPEL

This case is before the Court on a motion to compel filed by Defendant Katten Muchin Rosenman LLP ("Katten") against Plaintiffs. In that motion, Katten argues that Plaintiffs' responses to interrogatory number one of Katten's first set of interrogatories and interrogatory number eight of Katten's second set of interrogatories are deficient because they lack specificity. After reviewing the briefs submitted on the motion and the disputed interrogatory responses, the Court finds that Plaintiffs' responses to the disputed interrogatories are sufficient. However, the Court makes no judgment as to whether those discovery responses adequately support Plaintiffs' allegations in these cases.

Katten also argues that Plaintiffs are improperly withholding responsive documents under a claim of attorney-client privilege when such privilege was expressly waived by Plaintiffs in a letter dated July 31, 2007. After reviewing that letter, the Court finds that it is unclear as to what was waived. Katten has not specified which documents are in dispute concerning attorney-client privilege. The Court, therefore cannot rule on this disagreement.

Katten's Motion to Compel is hereby **DENIED**.

SO ORDERED this 10th day of August, 2010.



ELIZABETH E. LONG, SENIOR JUDGE
Superior Court of Fulton County
Atlanta Judicial Circuit

Copies to:

Attorneys for Plaintiffs:

James Voyles, Esq.
Mark F. Milhollin, Esq.
The Voyles Milhollin Law Firm
3745 Cherokee Street, Suite 702
Kennesaw, GA 30144
(770) 421-8883
(770)421-8884 fax

Patrick B. Moore, Esq.
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC
950 East Paces Ferry Road, Suite 3000
Atlanta, GA 30326
(404) 876-2700
pmoore@wwhgd.com

Attorneys for Defendants:

Counsel for Arnold Harrison, Katten, Muchin, Zavis and Katten Muchin Rosenman LLP
C.B. Rogers, Esq.
Dan F. Laney, Esq.
Kimberly L. Myers, Esq.
Julie M. Reed, Esq.
Rogers & Hardin
2700 International Tower, Peachtree Center
229 Peachtree Street N.E.
Atlanta, GA 30303

Counsel for Sussex Financial Group, Inc. and Counsel for Marvin Heiman
Anthony L. Cochran, Esq.
Todd P. Swanson, Esq.
Chilivis, Cochran, Larkins & Bever, LLP
3127 Maple Drive, NE
Atlanta, GA 30305