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Order Compelling Mediation (KENNESAW STATE UNIVERSITY FOUNDATION, INC.)

Alice D. Bonner
Superior Court of Fulton County

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

FILED IN OFFICE
OCT 22 2010
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

KENNESAW STATE UNIVERSITY FOUNDATION, INC.,

Plaintiff,

v.

PLACE COLLEGIATE DEVELOPMENT, LLC, CECIL M. PHILLIPS, and MANHATTAN CONSTRUCTION COMPANY,

Defendants,

MANHATTAN CONSTRUCTION COMPANY,

Counter/Cross and Third Party-Plaintiff,

v.

KENNESAW STATE UNIVERSITY FOUNDATION, INC., PLACE COLLEGIATE DEVELOPMENT, LLC, and CECIL M. PHILLIPS,

Counter/Cross-Defendants,

and

CPD PLASTERING, INC., ST. PAUL FIRE AND MARINE INS. CO., TC DRYWALL AND PLASTER, INC., THE GUARANTEE CO. OF NORTH AMERICA USA, ATLANTA DRYWALL AND ACOUSTICS, INC., AMERICAN SOUTHERN INS. CO., METRO WATERPROOFING, INC. and WESTERN SURETY CO.,

Third-Party Defendants.

Civil Action File No. 2008-CV-156905

ORDER COMPELLING MEDIATION

Several parties having proposed that a second mediation be held in an attempt to resolve all claims in this case, **ALL PARTIES ARE ORDERED** to participate in a comprehensive mediation with Senior Judge Stefanie B. Manis on either November 3,

2010 or November 4, 2010. A representative with full settlement authority from each party must attend. If any party is insured for any claims asserted in this case, a representative from such party's insurer must also attend.

Counsel for Place Collegiate Development, LLC and Cecil M. Phillips is ORDRED to coordinate the mediation with Judge Manis and communicate the details of the mediation to all parties. Judge Manis may be reached for purposes of her mediation calendar through Nancy Grossman at (404) 357-8888 or flmatters@bellsouth.net.

In light of this mediation, the pre-trial conference and hearing on all pending motions previously set for November 1, 2010 is hereby reset to Friday, November 5, 2010 at 10:00 a.m. in Courtroom 9J of the Fulton County Courthouse, 136 Pryor Street, 9th Floor, Atlanta, Georgia, 30303, and will be cancelled if the mediation is successful.

The parties must report to the Court the status of mediation at the close of the mediation.

SO ORDERED this 22nd day of October, 2010.

Alice D. Bonner

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

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