

In the Superior Court
of Forsyth County
State of Georgia

FORSYTH COUNTY GEORGIA
FILED IN THIS OFFICE

FEB 25 2008

Rouglas Bonelle
CLERK SUPERIOR COURT

Michael D. Peck on Behalf of)
Himself and All Homeowners) Civil Action
Adjacent to Lanier Golf Club) File Number 07CV-2147
f/k/a Canongate on Lanier)
Golf Club,)
 Plaintiffs,)
v.)
Lanier Golf Club, Inc.,)
 Defendant.)

Affidavit of Jeffrey Ross Hays
in Support of Plaintiff's
Proposed Class Certification

State of Georgia
County of Forsyth

Personally appeared before the undersigned attesting officer
comes Jeffrey Ross Hays who states under oath as follows:

1.

My present legal name is Jeffrey Ross Hays and my address is 2130
Habersham Trace, Cumming, Georgia 30041.

2.

I am an homeowner of real property adjacent to Lanier Golf Club
("Golf Course").

3.

The purpose of this affidavit is to support the motion of Michael D. Peck ("Mr. Peck") to certify the class of other similarly situated homeowners around the Golf Course.

4.

I believe that the other similarly situated homeowners around the Golf Course would be so numerous as to make it impracticable to bring all these persons before the court except in this one pending case.

5.

I also believe that any contested issues of fact in Mr. Peck's case would be the same contested issue of fact for my other neighbors on the Golf Course.

6.

I believe any claims that my neighbors on the Golf Course may have would be similar to the claims of Mr. Peck.

7.

I believe that Mr. Peck will adequately represent the interest of this class.

8.

I believe we all have a common interest in the Golf Course. Most of us bought the property we bought because we either like to golf, and/or we like having green space in our backyards. I know this is true of my immediate neighbors.

9.

Any claims that my neighbors on the Golf Course may have would be similar to the claims of Mr. Peck. As an example, the persons that live around the Golf Course will all suffer similar losses if the Golf Course is developed for high density housing. I feel the value of a Golf Course home or a home adjacent to Parkland property would have considerably higher value than if it changes to a housing development. This has been documented by the lowering of prices and empty lots since the action by the owners to rezone the property for development--totally distinct from, and irrespective of, any valuation due to current market and economic conditions.

10.

I know that we all paid a premium for living on the Golf Course.

11.

I believe that Mr. Peck will adequately represent the interest of this class. I believe that Mr. Peck will provide information to us as to his position on pending matters and I have confidence in him that he will support the objectives of the class. Specifically, I believe that he will work to make sure that no action to rezone the Golf Course property to a status that would permit development of residential or commercial housing would be allowed. In the alternative, I believe that Mr. Peck would make every effort to ensure that we receive a fair and proper compensation for the negative impact and long-term financial harm such a development might cause.

12.

I know that Michael has lived on the Course for many years, bought his home for a similar reason as to the rest of us, and has an interest in preserving his investment and his lifestyle.

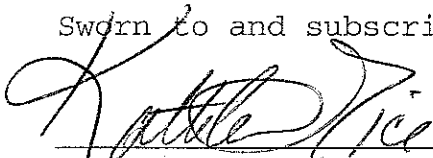
13.

My attention has been directed to the fact that this Affidavit will be relied upon as testimony in this matter by this Honorable Court.

Further Affiant Sayeth Not.


Jeffrey Ross Hays

Sworn to and subscribed before me this 14 day of February, 2008.


Notary Public

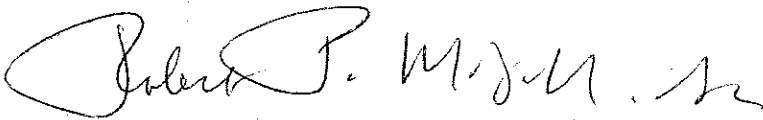


Certificate of Service

This is to certify that I have this day duly served opposing counsel with a true and accurate copy of the attached affidavit in a manner prescribed by law by depositing a copy of same in the United States Mail, postage prepaid, addressed as follows:

Andrea Cantrell Jones
Dillard & Galloway, LLC
Suite 760
3500 Lenox Road
Atlanta, Georgia 30326

This 25 day of February, 2008.



Robert P. McFarland, Sr.