



Blue Ridge Judicial Circuit

FRANK C. MILLS, III
CHIEF JUDGE

July 22, 2009

SUPERIOR COURT OF
CHEROKEE COUNTY

Robert P. McFarland, Sr., Esq.
McFarland & McFarland, P.C.
309 Pirkle Ferry Road, Suite B-400
Cumming, Georgia 30040

Re: Michael D. Peck on Behalf of Himself and All Homeowners Adjacent to
Lanier Golf Club f/k/a Canongate on Lanier Golf Club vs.
Lanier Golf Club, Inc., Case # 07CV-2147

Dear Mr. McFarland:

I am aware of the assignment of the above-styled case; however, as you are aware, the case was remanded by the Court of Appeals for the previous judge to make a finding of fact and render order in keeping with that opinion. The previous judge who conducted the above hearing and is familiar with the case is apparently not available due to the lack of funding. It makes no sense for a new judge to conduct an additional hearing if it can be avoided. Therefore, I have requested the Ninth District to see whether emergency funding might be available to facilitate with the additional hearing. I have not yet heard their response. If that is approved and there are additional matters to be heard after that judge has ruled, I assume the case will be assigned to me. If that is not approved, the matter will have to be re-scheduled for hearing other matters as counsel shall suggest.

So you will know, it will be a considerable amount of time before I can schedule a hearing on this matter due to case load in this circuit and additional assigned cases in the Appalachian Circuit which take precedence.

Yours truly,

Frank C. Mills, III, Chief Judge
Superior Court of Cherokee County
Blue Ridge Judicial Circuit

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Copies to: Andrea Cantrell Jones, Esq.
Mr. Steve Ferrell, District Court Administrator