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Hand Delivery

October 20, 2009

Clerk of Superior Court
Forsyth County Courthouse
100 Courthouse Square, Room 010
Cumming, Georgia 30040-2687
(770) 781-2120 Fax (770) 886-2858

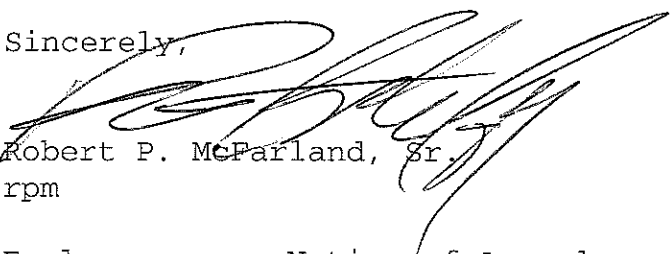
Re: Michael D. Peck on Behalf of Himself and All Homeowners
Adjacent to Lanier Golf Club f/k/a Canongate on Lanier Golf
Club v. Lanier Golf Club, Inc. Civil Action File Number
07CV-2147

Clerk of Court:

Enclosed please find a Notice of Appeal to be filed in the above-referenced matter.

I assume you will forward to this office a new appeal index and a bill for the cost. I want to ensure that this appeal is not delayed, so please let me know if there is anything that we can do to assist you. Thank you very much for your attention in this matter.

Sincerely,


Robert P. McFarland, Sr.
rpm

Enclosures: Notice of Appeal
Copy to: Michael D. Peck
Andrea Cantrell Jones, Esq.
Marion T. Pope, Jr., Esq.

In the Superior Court
of Forsyth County
State of Georgia

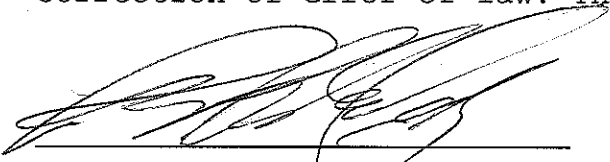
Michael D. Peck on Behalf of)
Himself and All Homeowners) Civil Action
Adjacent to Lanier Golf Club) File Number 07CV-2147
f/k/a Canongate on Lanier)
Golf Club,)
 Appellant,)
v.)
Lanier Golf Club, Inc.,)
 Appellee.)

Notice of Appeal

Notice is hereby given that Michael D. Peck on Behalf of Himself and All Homeowners Adjacent to Lanier Golf Club f/k/a Canongate on Lanier Golf Club ("Appellant") appeal to the Court of Appeals of the State of Georgia from an Order of the Superior Court of Forsyth County of the State of Georgia entered in the Clerk's Office on October 6, 2009. This order denied Class Certification and dismissed the complaint. The Appellant appeals from each and every part of said Order.

The clerk is to omit nothing from the record. A transcript of evidence and proceedings was filed on June 6, 2008 and an appeal index is already in the record. Therefore, the clerk should include all documents in the record after the remand from the Court of Appeals on June 25, 2009.

The Court of Appeals has jurisdiction of this appeal as it involves a subject upon which jurisdiction is not reserved to the Supreme Court of Georgia by the Constitution of Georgia (Ga. Const. 1983, Art VI, § VI, ¶¶ II or III) and involves the correction of error of law. This October 19, 2009.



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Attorney for Appellant
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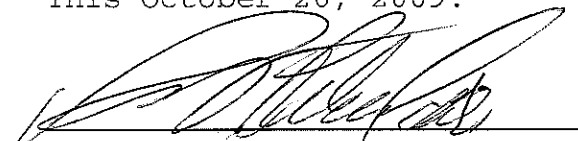
Certificate of Service

This is to certify that Robert P. McFarland, Sr. has this day duly served opposing counsel with a true and accurate copy of the Notice of Appeal in a manner prescribed by depositing a copy of same in the United States Mail, postage prepaid, addressed as follows:

Ms. Andrea Cantrell Jones
Law Offices of Dillard & Galloway, LLC
Suite 760
3500 Lenox Road
Atlanta, Georgia 30326
404-965-3680; Fax 404-965-3670

Marion T. Pope Jr.
Hasty Pope & Ball
211 East Main Street
Canton, Georgia 30114
770-479-0366; Fax: 770-479-0139

This October 20, 2009.



Robert P. McFarland, Sr.