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Transmitted VIA Fax  
and First Class Mail

June 30, 2009

Honorable Jeffrey S. Bagley  
Chief Judge, Bell-Forsyth Circuit  
100 Courthouse Square, Suite 160  
Forsyth County Courthouse  
Cumming, Georgia 30040  
770-205-4660 FAX 770-205-4661

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., File Number 07CV-2147

Dear Judge Bagley:

Please thank Cathy English for faxing me Ms. Jones' letter this morning. Mr. Peck and the class of persons that he is attempting to represent are opposed to any efforts to somehow get Judge Pickett back on this case. As we all know too well, the Senior Judge Program in Georgia is suspended.

We also disagree with the position of Lanier Golf Club, Inc. that it would be "... in the interest of fairness and judicial economy to allow him to address the requirements of the Court of Appeals." After the hearing in April of last year, both sides briefed and re-briefed the issues. All these documents and the complete transcript of the hearing are in the record. We are confident that any current Superior Judge that the Ninth District

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appoints in this case can comply with the requirements of  
O.C.G.A. § 9-11-23.

Respectfully,



Robert P. McFarland, Sr.  
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Enclosures: In Mailing only

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