

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

GEORGIACARRY.ORG, INC.,)
TAI TOSON,)
EDAWARD WARREN,)
JEFFREY HUONG,)
JOHN LYNCH,)
MICHAEL NYDEN, and)
JAMES CHRENCIK,)
Plaintiffs,)

Civil Action No. 2007cv138552

v.)

FULTON COUNTY, GEORGIA,)
CITY OF ATLANTA, GEORGIA,)
CITY OF EAST POINT, GEORGIA,)
CITY OF MILTON, GEORGIA,)
CITY OF ROSWELL, GEORGIA,)
CITY OF SANDY SPRINGS, GEORGIA,)
and CITY OF UNION CITY, GEORGIA,)
Defendants.)

CITY OF ATLANTA'S MOTION TO STAY PROCEEDINGS

COMES NOW the City of Atlanta ("City"), Defendant in the above-styled case, and moves this Court to stay discovery and all other proceedings. Good grounds exist to support this motion, accordingly it should be granted. In support of its motion, the City shows as follows:

1.

Plaintiffs filed their suit with the Superior Court of Fulton County on August 16, 2007.

2.

Plaintiffs allege that the various ordinances and statutes governing the carrying of firearms in municipal parks are ultra vires and preempted by the Georgia Constitution.

3.

Plaintiff GeorgiaCarry.org previously filed a substantially similar lawsuit with the Superior Court of Coweta County, case number 2007-V-215.

4.

Coweta County Superior Court Judge Jack Kirby granted summary judgment to Coweta County on June 4, 2007.

5.

Plaintiff GeorgiaCarry.org appealed the Coweta court's ruling to the Georgia Court of Appeals.

6.

The Georgia Court of Appeals has yet to issue a ruling on the appeal, case number A07A2036.

7.

This Court has wide discretion over how it manages its caseload and civil calendars.

8.

A delay in proceeding with Plaintiffs' lawsuit will neither harm nor unduly burden Plaintiff as the nearly identical case is now before the Georgia Court of Appeals. WHEREFORE, City Defendants move this court to stay further proceedings on this matter until such time as the Georgia Court of Appeals issues a ruling in case number A07A2036.

Respectfully submitted this 5th day of November, 2007.

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Defendants.)	

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2007, I served a true and correct copy of the foregoing **THE CITY OF ATLANTA'S MOTION TO STAY PROCEEDINGS** by depositing the same with the United States Postal Service, adequate postage affixed thereto and addressed to the following:

John R. Monroe, Esq.
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Attorney for Plaintiffs

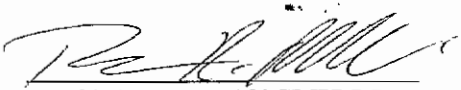
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