

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

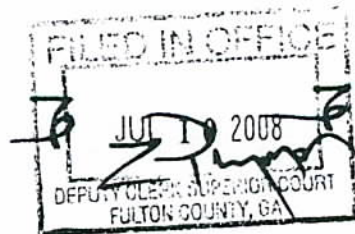
BERNICE A. KING, Individually
and as Administrator C.T.A. of the
Estate of Coretta Scott King and
MARTIN L. KING III,

Plaintiffs,

v.

DEXTER S. KING and ESTATE OF
MARTIN LUTHER KING, JR., INC.

Defendants



CIVIL ACTION

FILE NO. 2008CV153409

JURY TRIAL DEMANDED

COMPLAINT

COME NOW, BERNICE A. KING ("B.A. King") and MARTIN L. KING III
("M.L. King"), Plaintiffs in the above-entitled action, and for their Complaint show
the honorable Court as follows:

1.

The Defendant Estate of Martin Luther King, Jr., Inc. (the "Corporation") is
a Georgia corporation and may be served by service upon its registered agent for
service, who is Miles J. Alexander, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia
30309.

2.

The Defendant Dexter S. King ("D.S. King") is a California resident, who is subject to the jurisdiction of the Court by virtue of Georgia's long arm statute, O.C.G.A. § 9-10-91, and may be served at his residence in Malibu, California.

3.

The Plaintiffs and Defendant D.S. King are siblings.

4.

Plaintiffs and Defendant D.S. King are shareholders of the Corporation.

5.

Defendant D.S. King is the President of the Corporation and makes all decisions concerning the Corporation.

6.

Defendant D.S. King is presently refusing to provide Plaintiffs with information and documentation concerning the operations, actions and financial affairs of the Corporation to which they are entitled.

7.

Plaintiff B.A. King is the Administrator C.T.A. (with will annexed) of the Estate of Coretta Scott King ("the Estate"). The Estate maintains financial accounts at Bank of America.

8.

On Friday, June 20, 2008, the Defendants, without authorization and without notice to Plaintiff B.A. King as Administrator C.T.A. of the Estate, converted substantial funds from the Estate's financial account at Bank of America for their own use.

COUNT ONE

CONVERSION

9.

The Plaintiffs incorporate the allegations of Paragraphs 1 through 8 in this Paragraph 9 by reference as if fully set forth herein.

10.

At all times following B.A. King's appointment as Administrator C.T.A. of the Estate, legal title to the financial accounts at Bank of America belonged to and were an asset of the Estate.

11.

As Administrator C.T.A. of the Estate, B.A. King is entitled to immediate possession of the funds transferred from the financial accounts.

12.

By transferring the funds from the Estate's financial accounts at Bank of America to Defendants' accounts, the Defendants wrongfully assumed dominion over the Estate's property in denial of its rights of ownership and possession.

13.

The Defendants acted without permission or authority in transferring the Estate's funds held at Bank of America.

14.

The Defendants are therefore liable for conversion in an amount to be proven at trial.

15.

Defendants acted in bad faith in the transactions giving rise to the Plaintiffs' cause of action. Accordingly, the Plaintiffs are entitled to recover their expenses of litigation, including reasonable attorneys' fees, in an amount to be proven at trial.

COUNT TWO

MONEY HAD AND RECEIVED

16.

The Plaintiffs incorporate the allegations of Paragraphs 1 through 8 in this Paragraph 16 by reference as if fully set forth herein.

17.

The Defendants knowingly and intentionally received money belonging to the Estate which in equity and good conscience they should not be permitted to keep.

18.

The Defendants acted without permission or authority in transferring the Estate's funds and maintained actual or constructive possession of those funds.

19.

Accordingly, the Defendants are liable to the Estate in an amount to be proven at trial pursuant to the doctrine of money had and received.

20.

Defendants acted in bad faith in the transactions giving rise to the Plaintiffs' cause of action. Accordingly, the Plaintiffs are entitled to recover their expenses of litigation, including reasonable attorneys' fees, in an amount to be proven at trial.

COUNT THREE

CONSTRUCTIVE TRUST

21.

The Plaintiffs incorporate the allegations of Paragraphs 1 through 8 in this Paragraph 21 as if fully set forth herein.

22.

The Defendants wrongfully transferred funds belonging to the Estate and retained them for their own benefit at the expense of the Estate and its intended beneficiaries.

23.

The Defendants cannot enjoy the beneficial interest in the funds without violating established principles of equity. It is against equity that Defendants retain the funds transferred from the Estate's financial accounts.

24.

Accordingly, the Estate is entitled to a constructive trust with respect to the funds transferred from the Estate's financial accounts by the Defendants or any property or assets exchanged for them.

25.

Defendants acted in bad faith in the transactions giving rise to the Plaintiffs' cause of action. Accordingly, the Plaintiffs are entitled to recover their expenses of litigation, including reasonable attorneys' fees, in an amount to be proven at trial.

COUNT FOUR

BREACH OF FIDUCIARY DUTY

26.

The Plaintiffs incorporate the allegations of Paragraphs 1 through 8 in this Paragraph 26 by reference as if fully set forth herein.

27.

Defendant D.S. King controls the Corporation.

28.

Defendant D.S. King occupies a fiduciary relationship to the Corporation and to its shareholders, and is held to the standard of utmost good faith and loyalty.

29.

Defendant D.S. King has acted and continues to act in a manner that breaches his fiduciary duties to the Plaintiffs as shareholders of the Corporation.

30.

Defendant D.S. King has withheld information he has a duty to disclose and has otherwise acted to oppress the Plaintiffs.

31.

Defendant D.S. King has wrongfully appropriated assets belonging to the Corporation or its shareholders for his own benefit.

32.

As result of Defendant's actions, Plaintiffs have and will suffer financial loss.

33.

The Plaintiffs are entitled to bring this action against D.S. King directly because the reasons for requiring a derivative action do not apply. There is no danger of a multiplicity of actions, there are no creditors in need of protection, the rights of other shareholders will not be prejudiced by the Plaintiffs' recovery, and the Plaintiffs would not be adequately compensated by a corporate recovery.

34.

Defendant D.S. King is liable to the Plaintiffs for breach of fiduciary duty in an amount to be proven at trial.

35.

Defendant D.S. King acted in bad faith in the transactions giving rise to the Plaintiffs' cause of action. Accordingly, the Plaintiffs are entitled to recover their expenses of litigation, including reasonable attorneys' fees, in an amount to be proven at trial.

COUNT FIVE

RELIEF UNDER O.C.G.A. § 14-2-1430

36.

The Plaintiffs incorporate the allegations of Paragraphs 1 through 8 in this Paragraph 36 as if fully set forth herein.

37.

Defendant D.S. King has acted, is acting, or threatens to act in a manner that is illegal or fraudulent in connection with the operation or management of the business and affairs of the Corporation.

38.

The Plaintiffs hold at least 20 percent or more of all outstanding shares of the Corporation.

39.

Because of the way in which the Corporation's governing documents are written and due to the deaths of two shareholders and directors, the directors are deadlocked in the management of the Corporation. The shareholders are unable to break the deadlock, irreparable injury to the Corporation is being threatened or suffered, and the business and affairs of the Corporation can not be conducted to the advantage of the shareholders because of the deadlock.

40.

The Corporation's assets are being misapplied or wasted.

41.

For each of these reasons the Plaintiffs are entitled to relief under the provisions of O.C.G.A. § 14-2-1430.

42.

Pursuant to O.C.G.A. § 14-2-1432, the Court should appoint one or more custodians to manage the business and affairs of the Corporation.

DEMAND FOR JURY TRIAL

The Plaintiffs hereby demand a jury trial on all issues so triable.

WHEREFORE, Plaintiffs pray:

- (a) that the Complaint be filed and served according to law;
- (b) that all issues be tried before a jury;

- (c) that the Court enter judgment against the Defendants for actual damages for conversion and award Plaintiffs their expenses of litigation (including reasonable attorneys' fees) as set forth under Count One;
- (d) that the Court enter judgment against the Defendants for actual damages and award Plaintiffs their expenses of litigation (including reasonable attorneys' fees) as set forth in Count Two;
- (e) that the Court enter judgment imposing a constructive trust over all assets in the control of the Defendants and award Plaintiffs their expenses of litigation (including reasonable attorneys' fees) as set forth in Count Three;
- (f) that the Court enter judgment against D.S. King for actual damages for breach of fiduciary duty and award Plaintiffs their expenses of litigation (including reasonable attorneys' fees) as set forth in Count Four;
- (g) That the Court grant appropriate relief to the Plaintiffs under O.C.G.A. §§ 14-2-1430 and 14-2-1432 as set forth in Count Five;
- (h) that all costs be taxed against the Defendants; and
- (i) that the Court grant all such other and further relief as the Court deems just and proper.

This 10 day of July, 2008.

Respectfully submitted,

THE COCHRAN FIRM
COCHRAN, CHERRY, GIVENS & SMITH, P.C.

By: 

Jock M. Smith¹
Alabama Bar No. ASB-9100-T74J
Janay M. Smith²
Alabama Bar No. 1410Y88J

306 North Main Street
Post Office Box 830419
Tuskegee, Alabama 36083
(334) 727-0060

CALDWELL & WATSON, LLP

By: 

Harmon W. Caldwell, Jr.
Georgia Bar No. 102550
Wade H. Watson III
Georgia Bar No. 741808
Robert S. Carlson
Georgia Bar No. 110280


5825 Glenridge Drive, N.E.
Building Two, Suite 200
Atlanta, Georgia 30328
(404) 843-1956

¹ Subject to Admission *Pro Hac Vice*.

² Subject to Admission *Pro Hac Vice*.

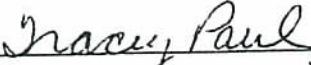
VERIFICATION

Appeared before me, the undersigned officer duly authorized to administer oaths, Bernice A. King, who after being duly sworn, states that all of the facts set forth in the foregoing COMPLAINT are true and correct.



Bernice A. King

Sworn to and subscribed before me
this 8th day of July, 2008.



Notary Public
My Commission Expires: _____



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STATE OF GEORGIA

BERNICE A. KING, Individually
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MARTIN L. KING III,

Plaintiffs,

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DEXTER S. KING and ESTATE OF
MARTIN LUTHER KING, JR., INC.

Defendants

CIVIL ACTION

FILE NO. _____

JURY TRIAL DEMANDED

**PLAINTIFFS' FIRST CONTINUING
INTERROGATORIES TO DEFENDANT DEXTER S. KING**

TO: Dexter S. King
[REDACTED]
Malibu, California 90265

COME NOW, BERNICE A. KING, individually and as Administrator C.T.A. of the Estate of Coretta Scott King, and MARTIN L. KING III, Plaintiffs in the above-entitled action, and hereby serve the within and foregoing Interrogatories upon you pursuant to O.C.G.A. § 9-11-33, and require that you answer under oath the following Interrogatories within the time provided by law, and that said answers be furnished to Caldwell & Watson, LLP, 5825 Glenridge Drive, NE, Building Two, Suite 200, Atlanta, Georgia 30328.

These Interrogatories shall be deemed continuing so as to require supplemental answers if you or your attorneys or agents obtain further information between the time the answers are served and the time of trial. Any supplemental answers are to be filed and served immediately upon receipt of such additional information, but not later than thirty-three (33) days prior to trial.

DEFINITIONS

1. The terms "document" and "documents" are intended in their broadest sense, and include, without limitation, any original, matrix, reproduction, or copy of any kind, typed, recorded, graphic, printed, photostatic, written or documentary matter, including, without limitation, correspondence, memoranda, notes, diaries, contracts, agreements, drawings, plans, photographs, movies, negatives, specifications, estimates, vouchers, minutes of meetings, invoices, billings, checks, reports, studies, telegrams, telexes, notes of telephonic conversations, computer data, and/or reproductions of any and all communications by all means of recording any tangible thing, including letters, words, pictures, sounds or symbols or combinations thereof, and all written, printed, typed, recorded or graphic matter of any kind or character, now or formerly in your actual or constructive possession, custody or control, however produced, recorded, stored or reproduced for access. Further, the term "document" or "documents" specifically includes all matter stored on magnetic or other disc, tape or film, in computer storage, or on network or non-network personal computers, or

accessed via a telecommunications link including all indices and keys that would assist in retrieving or interpreting the matter. With respect to a document covered by an Interrogatory, if a document was prepared in more than one copy, or if additional copies were subsequently made, and if any copies were not identical or are no longer identical by reason for subsequent notation or modification of any kind, including, without limitation, notations, on the front or back of any of the pages of the document, then each non-identical copy is a separate document and shall be identified.

2. When used with respect to a document, the terms "identify" and "identity" mean to state the date of the document; the type of document (e.g., letter, memorandum, telegram, chart, photograph, sound recording, videotape, computer printout, computer program, microfilm, catalog, etc.); the identity of the author(s); the identity of the addressee(s); the identity of each recipient of the document or a copy of the document; the present location and the identity of the custodian of the original and each copy of the document; and a description of the contents of the document.

3. The term "you" or any synonym thereof is intended to and shall embrace and include Dexter S. King, your attorneys, partners, employees, agents, representatives, accountants, financial analysts, advisers, or other persons acting on your behalf and include all individuals and entities who are no longer but were in one of these office(s), position(s), capacity(ies), status(es), or relationship(s) during the relevant time.

4. The terms "person" and "persons" refer to all individuals and entities, including corporations, divisions, partnerships, joint ventures, trusts, associations, organizations, and any other business, governmental or legal entity.

5. When used with respect to an individual, the terms "identify" and "identity" mean to state the full name, present or last known residence address and telephone number, present or last known business address and telephone number, present or last known employer and the employer's business address and telephone number, and office(s), position(s), status(es) or capacity(ies) during the relevant time.

6. The term "Complaint" refers to the Complaint filed by Plaintiffs in this action on July 10, 2008.

INTERROGATORIES

1.

Please identify each person who you know to have or believe to have personal knowledge of facts and circumstances regarding the claims, incidents, or transactions giving rise to the Complaint, and any of the contentions made by any party to this case, and provide a brief summary of the information that you know or believe that each such person has.

2.

With respect to each person that you expect to call as an expert witness at trial please state: the expert's name, address, and telephone number; the subject or matter

on which the expert is expected to testify; the substance of the facts and opinions to which the expert is expected to testify; and a summary of the grounds for each opinion.

3.

With respect to any statement received from any person possessing knowledge relevant to the subject matter or any issue raised by the Complaint, identify:

- (a) each person from whom the statement was received;
- (b) each person who received a statement and from whom the statement was received;
- (c) each person having custody, control, or possession of each statement received; and
- (d) the date of such statement.

4.

Identify all attorneys with whom you have consulted in connection with affairs or governance of the Corporation since the inception of the Corporation. Include in your answer the date when each such attorney was first consulted and whether the attorney was retained or employed to represent you.

5.

Identify each transfer of money or property of the Corporation to any of its shareholders since January 1, 2003. Include in your answer the date of each such

transfer, the amount or value of the money or property, the purpose for such transfer, and the recipient.

6.

Identify all accounts of any nature whatsoever since January 1, 2003 which was or is titled in or maintained by the Corporation or Intellectual Properties Management, including without limitation any bank accounts, brokerage accounts, stock certificates, real property, or any other property or accounts. With respect to the accounts identified in this interrogatory, state:

- (a) the name in which the account is titled;
- (b) the nature and location of the property or account;
- (c) the account number and institution;
- (d) the date when such account was established; and
- (e) the date when any such account was closed.

7.

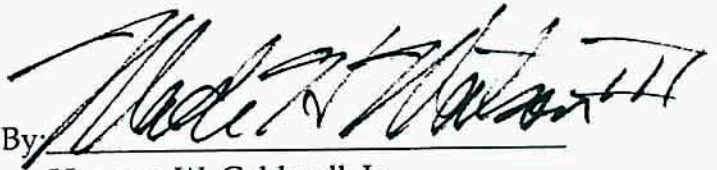
Identify all individuals or entities employed, engaged or authorized by you to negotiate for the sale or assignment of any intellectual property rights belonging to the Corporation since the inception of the Corporation.

8.

Please identify the location and the custodian of each document you were requested to produce in paragraphs 1-30 of Plaintiffs' First Request For Production of Documents served contemporaneously herewith.

This 10 day of July, 2008.

CALDWELL & WATSON, LLP

By: 

Harmon W. Caldwell, Jr.
Georgia Bar No. 102550
Wade H. Watson, III
Georgia Bar No. 741808
Robert S. Carlson
Georgia Bar No. 110280

5825 Glenridge Drive, NE
Building Two, Suite 200
Atlanta, Georgia 30328
(404) 843-1956

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JURY TRIAL DEMANDED

**PLAINTIFFS' FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS TO DEFENDANT DEXTER S. KING**

TO: Dexter S. King
[REDACTED]
Malibu, California 90265

You are requested to produce, pursuant to O.C.G.A. § 9-11-34, the documents and records set forth below for inspection and copying by the attorneys for the Plaintiffs at the offices of Caldwell & Watson, LLP, 5825 Glenridge Drive, N.E., Building Two, Suite 200, Atlanta, Georgia 30328, within the time allowed by law, or at such earlier time and place as agreed by counsel, where adequate facilities are available for copying.

These Requests for Production of Documents shall be deemed continuing, and supplemental answers shall be required if you, directly or indirectly, obtain further information of the nature sought herein between the time answers are served and the time of trial.

DEFINITIONS

1. As used in these Requests for Production, the term "you" or any synonym thereof is intended to and shall embrace and include, in addition to the Defendants, counsel for the Defendants, and all agents, servants, employees, representatives, private investigators and others who are in possession of or may have obtained information for or on behalf of the Defendant Dexter S. King.
2. As used herein, the word "Defendant" refers to Dexter S. King.
3. As used herein, the word "Corporation" refers to the Estate of Martin Luther King, Jr., Inc.
4. As used herein, the term "Shareholders' Agreement" refers to the undated agreement provided to Michael Gold by Rick Miller on or about June 20, 2008.
5. As used herein, the singular shall include the plural and the past and present and shall include any natural person or organization.
6. As used herein, the word "and" includes the word "or" and vice versa.
7. As used herein, the word "any" includes "all" and vice versa.

8. As used herein, the word "entity" shall mean the plural as well as the singular and shall include any banking institution, firm, corporation, association, partnership, joint venture, proprietorship, group, trust, organization or other type of firm or entity.

9. "Document" as used herein shall be understood to encompass any written, printed, typed, recorded, filmed or other graphic matter of any kind or nature however written or produced by hand or reproduced by any process, including any record of communication or mental impressions in any form, whether or not claimed to be privileged against discovery by any ground, and whether an original, master or copy, including: agreements, correspondence, telexes, faxes, cablegrams, radiograms and telegrams; tape recordings and/or transcripts of the same, notes and memoranda (including internal memoranda), summaries and recordings; records, ledgers, contracts, bills, invoices, bills of lading, inventories, financial data, wills, other writings, formal or informal in nature, accounting and financial records, diaries, statements, work papers and account work papers, paper and magnetic tapes, charts, printouts, electronically or magnetically stored information or data, minutes, publications, calendars, telephone pads, bulletins, directives, logs and listings, real estate valuations or appraisals, and any other information containing paper, writing or physical things, in possession, in your custody and/or control, your agents or attorney's, and all drafts, notes or preparatory

material concerned with said documents where such copy contains any commentary, notation or other change whatsoever that does not appear in the original or another copy of the document. The term "document" shall also include any summary of a document or documents contained in any computer program, directory, file, database or software application.

INSTRUCTIONS

1. Where a request contains separately numbered or lettered paragraphs, each such paragraph should be treated separately and a separate response should be furnished.
2. In answering the requests the Defendant shall furnish all documents in the possession of your employees, agents, representatives, investigators, lawyers, accountants, bankers, financial advisors or other parties acting on its behalf.
3. To the extent that a request is objected to, set forth all reasons therefore and produce the documents, or parts thereof, which the Defendant is able to provide.
4. If privilege is asserted as a ground for not providing a document in whole or in part, provide in the form of a "Privilege Log": (a) the author of the document; (b) all persons to whom the document was addressed; (c) all persons who were recipients of the document; (d) the date the document was created; (e) the current custodians of the original document and all copies of the document; (f) the title of the document; (g) the subject matter of the document; (h) a description

summarizing the contents of the document; and (i) the factual basis for your claim of privilege in sufficient detail so as to permit the court to adjudicate the validity of the claim.

5. These requests shall be deemed continuing, pursuant to O.C.G.A. § 9-11-26(e), so as to require additional answers if further information is obtained between the time the answers are served and the time of the trial.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1.

The Articles of Incorporation of the Corporation and any amendments currently in effect.

2.

The Bylaws of the Corporation and all amendments to them currently in effect.

3.

All resolutions adopted by the Corporation's shareholders or board of directors.

4.

The minutes of all shareholders meetings, executed waivers of notice of meetings, and executed written consents evidencing all action taken by shareholders without a meeting.

5.

All written communications with shareholders, including the financial statements for the Corporation that are required to be furnished to shareholders pursuant to the provisions of O.C.G.A. § 14-2-1620.

6.

A list of the names and business addresses of the Corporation's current directors and officers.

7.

The Corporation's most recent annual registration delivered to the Secretary of State pursuant to O.C.G.A. § 14-2-1622.

8.

The minutes of all meetings of the board of directors or any committee of directors acting in place of the board of directors, and all records of actions of the board of directors or shareholders taken without a meeting.

9.

Accounting records of the Corporation, including but not limited to, balance sheets of assets and liabilities, annual income and expense statements, profit and loss statements, general ledgers, accounts payable, accounts receivable, depreciation schedules, bank account statements, bank account registers, federal income tax returns, and Georgia income tax returns from the inception of the Corporation

through the date of this demand, including but not limited to the information requested by Ingwersen & Taylor in their correspondence dated January 11, 2008 and June 2, 2008 respectively.

10.

All financial statements required by Section 4 of the draft Bylaws.

11.

The record of shareholders, including but not limited to the stock transfer register.

12.

The executed Shareholder's Agreement, and any amendments regarding the Corporation.

13.

Any and all agreements and contracts by and among the shareholders and/or the Corporation.

14.

Any and all contracts between the Corporation, including IPM, and Phillip Madison Jones or his affiliates.

15.

The contract, closing statement, and other documents describing or reflecting the Corporation's sale of Dr. King's papers in 2006.

16.

Any and all contracts between the Corporation, including IPM, and *any third party* that concerns or relates in any way to the intellectual property rights of the Corporation, including rights of publicity, and any tangible property associated with Dr. King that is owned by the Corporation.

17.

Any correspondence with third parties, including proposals, letters of intent, and the like concerning the possible sale of any of the property of the Corporation.

18.

All correspondence, memoranda, or other writings containing or relating to any legal advice provided to the Corporation within the last five years.

19.

All correspondence, memoranda, or other writings containing or relating to any accounting advice provided to the Corporation within the last five years.

20.

All documents that the Corporation is required to maintain pursuant to Georgia law, the Corporation's Bylaws, or by any agreement among the shareholders.

21.

All documents which constitute, reflect, refer or relate to any communications between you and any other person whom you contend has knowledge of facts relevant to the claims and contentions set forth in the Complaint.

22.

All written communications including emails, correspondence, letters, notes or drafts between you and the following persons since the formation of the Corporation on May 21, 1993, that in any way relate to the Corporation or its subsidiary IPM, Inc., and any of the business and affairs of the Corporation or IPM, Inc.:

- (a) Coretta Scott King;
- (b) Yolanda King;
- (c) Martin Luther King III;
- (d) Bernice A. King; and
- (e) Phillip Madison Jones

23.

Any and all documents you relied upon in determining a redemption price for the stock of the Corporation at any time, and including any documents used in determining a redemption price for the stock of the Corporation held by the Estate of Coretta Scott King and Yolanda King.

24.

Any and all documents you relied upon in removing money from the accounts of the Estate of Coretta Scott King at Bank of America on or about June 20, 2008.

25.

Each and every document consulted by, referred to or relied upon by any expert witness retained by you in connection with the Complaint.

26.

All documents relating to or evidencing statements or affidavits from anyone with knowledge of relevant facts or discoverable matters relating to the allegations contained in the Complaint.

27.

All account statements and copies of cancelled checks for any bank, brokerage or other financial accounts, including without limitation, bank accounts, CDs, stocks, and bonds, titled in the name of the Corporation or IPM, Inc. since January 1, 2002.

28.

Any and all financial and/or net worth statements prepared by you or for you since January 1, 2002.

29.

Any and all tax returns filed for the Corporation since January 1, 2002.

30.

All documents referred to or identified by you in your response to Plaintiffs'

First Continuing Interrogatories.

This 10th day of July, 2008.

CALDWELL & WATSON, LLP

By: 

Harmon W. Caldwell, Jr.

Georgia Bar No. 102550

Wade H. Watson III

Georgia Bar No. 741808

Robert S. Carlson

Georgia Bar No. 110280

5825 Glenridge Drive, N.E.
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PLAINTIFFS

CIVIL ACTION

FILE NO. 2008CV1534/09

vs.

DEXTER S. KING and ESTATE OF
MARTIN LUTHER KING, JR., INC.

DEFENDANTS

SUMMONS

TO THE ABOVE NAMED DEFENDANTS:

You are hereby summoned and required to file with the Clerk of said Court and serve upon the Plaintiffs' attorneys, whose names and address are:

Harmon W. Caldwell, Jr.
Wade H. Watson III
Robert S. Carlson
CALDWELL & WATSON, LLP
5825 Glenridge Drive, N.E.
Building Two, Suite 200
Atlanta, Georgia 30328

an answer to the Complaint which is herewith served upon you, within 30 days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 10 day of July, 2008.

Clerk of Superior Court

By: [Signature]
Deputy Clerk