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Order on Motion to Quash the Southridge Defendant's Notice to S. Laird Ellis, III and Francoise Ellis to Produce Documents at the November 16, 2009 Hearing (ALAN B. THOMAS, JR.)

Alice D. Bonner
Superior Court of Fulton County

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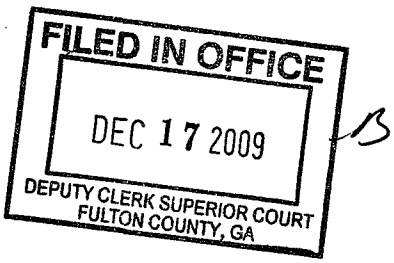
IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA



ALAN B. THOMAS, JR. (directly and derivatively in his capacity as a shareholder of LecStar Corporation) and HEATHER McFARLAND (directly and derivatively in her capacity as a shareholder of LecStar Corporation),	)(	
Plaintiffs,	)(	
v.	)(	
JOHN C. CANOUSE, STEPHEN M. HICKS, SOUTHRIDGE W. DALE SMITH, CACHE CAPITAL (USA), L.P., ATLANTIS CAPITAL FUND, LTD., and McCORMACK AVENUE, LTD.,	)(	**CIVIL ACTION NO. 2004-CV-88793**
Defendants,	)(	
v.	)(	
LECSTAR CORPORATION,	)(	
as a Nominal Defendant.	)(	

ORDER ON MOTION TO QUASH THE SOUTHRIDGE DEFENDANTS' NOTICE TO S. LAIRD ELLIS, III AND FRANCOISE ELLIS TO PRODUCE DOCUMENTS AT THE NOVEMBER 16, 2009 HEARING

On November 9, 2009, the Southridge Defendants served S. Laird Ellis, III and Francoise Ellis ("the Ellises") with a notice requiring them to bring certain documents to the November 16, 2009 hearing on Plaintiffs' motion to add the Ellises as plaintiffs. The Southridge Defendants argue, among other things, that when determining whether the Ellises should join this action as plaintiffs, the Court should be "given the opportunity to review all potentially relevant

information so that it can make an informed decisions regarding Plaintiffs' Motion to Add the Ellises as Plaintiffs." The Court finds that it has been sufficiently informed on this issue by the briefs, oral argument, and testimony given by Mr. Ellis at the hearing. Based on the record in the case, the Court has already ruled on Plaintiffs' motion to add the Ellises thus making this motion moot. Accordingly, the Ellises' motion to quash **DENIED** as moot.

SO ORDERED this 17 day of December, 2009.

Alice D. Bonner

ALICE D. BONNER, SENIOR JUDGE
Superior Court of Fulton County
Atlanta Judicial Circuit

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