



SUPREME COURT OF GEORGIA
Case No. S20M1044

March 31, 2020

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

TIM SUNDY v. FRIENDSHIP PAVILION ACQUISITION CO.
LLC et al.

Upon consideration of Petitioner's "Emergency Motion For a Supersedeas Pursuant to Rule 9 of the Supreme Court of Georgia" filed in this case, it is ordered that it be denied.

Melton, C. J., Nahmias, P. J., and Blackwell, Boggs, Peterson, Warren, and Bethel, JJ., concur. Ellington, J., disqualified.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Theresa S. Bane, Clerk

IN THE SUPERIOR COURT FOR THE COUNTY OF HALL

STATE OF GEORGIA

TIM SUNDY,

PLAINTIFF,


VS.

**FRIENDSHIP PAVILION
ACQUISITION COMPANY,
LLC., ET AL.**

DEFENDANTS.

**CIVIL ACTION FILE NUMBER:
2016CV-982B**

ORDER

FILED
HALL CO., GA
2018 JUL 10 PM 3:05
CHARLES BAKER, CLERK
SUPERIOR-STATE COURT
BY 

On Friday, the 6th day of July, 2018, the Plaintiff in the above-captioned and numbered case presented for filing with the Clerk of Court a pleading entitled Notice Of Dismissal By Plaintiff Tim Sundy Pursuant To 9-11-41(a)(1)(A). This pleading was presented for filing with the Clerk of Court by an individual identifying himself as Oliver Endsley.

Prior to stamp filing this pleading or any other pleading presented for filing in the above-captioned and numbered case by Tim Sundy, the judges of the Northeastern Judicial Circuit determined that the undersigned would review any pleading presented for filing by Tim Sundy in the above-captioned and numbered case or any other case pending in the Superior Court of Hall County wherein Tim Sundy is a party.¹

Upon review of the pleading entitled Notice Of Dismissal By Plaintiff Tim Sundy Pursuant to 9-11-41(a)(1)(A), IT IS ORDERED that the Clerk of Court file the same in Hall County Superior Court Case Number 2016CV-982B with a stamp file date of July 6, 2018 at 10:52 a.m. Plaintiff Tim Sundy is ORDERED to provide a copy of this document to any party or former party and those parties' attorneys with an appropriate certificate of service.

By allowing this pleading to be filed, the undersigned makes no ruling concerning the merits of the pleading. Any issues of any party concerning the merits of that pleading entitled

¹This judicial review prior to the filing of any pleading presented for filing by Tim Sundy is primarily for the purpose of allowing the court to determine whether a pleading presented for filing is a new case or properly filed in an existing case.

Notice Of Dismissal By Plaintiff Tim Sundy Pursuant To 9-11-41(a)(1)(A) will be heard at **1:00 p.m. on July 30, 2018 at the Hall County Courthouse by the Honorable Martha C. Christian, Judge of the Hall County Superior Court. Plaintiff Tim Sundy is ordered to appear before Judge Christian on July 30, 2018 at 1:00 p.m. at the Hall County Courthouse.**

SO ORDERED, this the 10th day of July, 2018.



C. ANDREW FULLER, JUDGE
SUPERIOR COURT FOR THE
NORTHEASTERN JUDICIAL CIRCUIT

cc: Honorable Martha C. Christian
Tim Sundy, 227 Sandy Springs Place, Suite D-465, Sandy Springs, GA 30328
Robert C. Khayat, Jr., 75 Fourteenth Street, Suite 2750, Atlanta, GA 30309
Michael B. Weinstein, 3050 Amwiler Road, Suite 200-C, Atlanta, GA 30360
David R. Dolinsky, 2870 Pharr Court South, Unit 2801, Atlanta, GA 30305
Deirdre M. Stephens-Johnson, 1230 Peachtree Street, Suite 3750, Atlanta, GA 30309
Christian A. Fuller, State of Georgia Law Department, 40 Capitol Square, SW, Atlanta, GA 30334

Superior Court of Hall County
State of Georgia
Friendship Pavilion
Acquisition Co. LLC
v. Plaintiff

Motion Sent
to Judge by:
XL Clerk
Attny

Mediterranean Dining
Group Inc, David Sundry
and Tim Sundry
Defendants

Cue No.
2015 CV 1366

Michael Weinstein,
Arsenal Real Estate
Fund II, Thomas Long
and Gary Picone

FILED
HALL CO. GA
2018 NOV 26 AM 11:38
CHARLES BAKER, CLERK
SUPERIOR STATE COURT

Defendants in
Counterclaim

Order To File Pleading

The Clerk of the Superior Court of Hall County is hereby Ordered to file of record in this case the Document titled "Intervenor's Standing Objections To All Void Orders And Proceedings, and Notice To The Court of Pending Matters in Federal Court". Said document shall be stamped as filed on the date received by the Clerk.

So Ordered This 26 day of
November, 2018

Martha C Christian
Judge Superior Court of Hall County
(By assignment) A004

**In The Superior Court of Hall County
State of Georgia**

03/02/2020 08:46

Civil Docket

Docket: 2015CV001366B

Page: 1

Plaintiff: FRIENDSHIP PAVILION ACQUISITION COMPANY LLC
949 IMAGE AVE SUITE B ATLANTA, GA 30318

Attorney(s): DAVID R DOLINSKY; LAW OFFICES OF DAVID R DOLINSKY
2870 PHARR COURT SOUTH
UNIT 2801
ATLANTA, GA 30305
ROBERT C KHAYAT, JR; THE KHAYAT LAW FIRM
75 14TH STREET, N.E.
SUITE 2750
ATLANTA, GA 30309

Defendant: ARSENAL REAL ESTATE FUND II DEFENDANT IN COUNTERCLAIM

Attorney(s): ROBERT C KHAYAT, JR; THE KHAYAT LAW FIRM
75 14TH STREET, N.E.
SUITE 2750
ATLANTA, GA 30309

LING THOMAS DEFENDANT IN COUNTERCLAIM

Attorney(s): ROBERT C KHAYAT, JR; THE KHAYAT LAW FIRM
75 14TH STREET, N.E.
SUITE 2750
ATLANTA, GA 30309

MEDITERRANEAN DINING GROUP INC
227 SANDY SPRINGS CIRCLE SUITE D-465 SANDY SPRINGS, GA 30328

Attorney(s): DEIRDRE M STEPHENS JOHNSON; LAW OFFICE OF DEIRDRE M. STEPHENS-JOHNSON
6141 COURSE SIDE WAY
LITHONIA, GA 30058

PICONE GARY DEFENDANT IN COUNTERCLAIM

Attorney(s): ROBERT C KHAYAT, JR; THE KHAYAT LAW FIRM
75 14TH STREET, N.E.
SUITE 2750
ATLANTA, GA 30309

SUNDY DAVID
321 BLACKSMITH ARCH YORKTOWN, VA 23693

Attorney(s):
SUNDY TIM
227 SANDY SPRINGS PLACE SUITE D-465 SANDY SPRINGS, GA 30328

In The Superior Court of Hall County
State of Georgia

03/02/2020 08:46

Civil Docket

(CONTINUED)

Docket: 2015CV001366B

Page: 11

File: 737986

Date: 07/08/2015

Cause: MAGISTRATE TRANSFER

Disp: J3

<u>Activity</u>	<u>Date Filed</u>	<u>Comments</u>
PLEADING	04/08/2019	EVIDENCE LIST
REMITTUR	04/08/2019	FROM SUPREME COURT - APPLICATION IS TRANSFERRED TO THE COURT OF APPEALS
ORDER	01/28/2020	NOTICE OF SHOW CASE HEARING REGARDING ITEMIZED APPEAL COSTS - MARCH 2, 2020 AT 9:30 A.M. IN COURTROOM 401.

* * * End of Docket * * *



ONLINE DOCKET ↑(HTTPS://DOCKET.HALLCOURTS.COM)

HALL COURTS (HTTP://WWW.HALLCOURTS.COM)

Case Information

Case Number:
2015CV001366

Filing Date:
July 8, 2015

CASE CLOSED

Case Type:
General

Judge:
Kathlene F. Gosselin

Disposition:
Judgment

Category:
Magistrate Transfer

Closed:
December 3, 2018

Court:
Superior Court


Parties

Arsenal Real Estate Fund II Defendant In Counterclaim (Defendant)

David R Dolinsky (Attorney Plaintiff)



A007

Documents may be obtained in the Hall County Clerk of Courts Office located at the  Hall County Courthouse (<https://maps.apple.com/?address=225+Green+St+SE,+Gainesville,+GA+30501>).

Our office is open between the hours of 8 AM to 5 PM except holidays and weekends.

Event	Description	Filing Date	Details
PLEADING	ALL OTHER PLEADINGS	February 21, 2020	STANDING OBJECTION TO INCONSISTENT DUE PROCESS &
ORDER	ORDER FILED	January 28, 2020	NOTICE OF SHOW CASE HEARING REGARDING ITEMIZED
REMITTUR	REMITTITUR FILED	April 8, 2019	FROM SUPREME COURT - APPLICATION IS TRANSFERRED
PLEADING	ALL OTHER PLEADINGS	April 8, 2019	EVIDENCE LIST
ORDER	ORDER FILED	March 15, 2019	FROM COURT OF APPEAL - APPLICATION FOR
PLEADING	ALL OTHER PLEADINGS	March 13, 2019	CERTIFICATE OF SERVICE
ORDER	ORDER FILED	March 13, 2019	ORDER ON MOTION FOR LEAVE TO PROCEED IN FORMA
PLEADING	ALL OTHER PLEADINGS	March 7, 2019	NOTICE OF FILING DISCRETIONARY APPLICATION
ANSWER	ANSWER	February 25, 2019	RESPONSE TO DEF. & COUNTERCLAIM PLTF. TIM SUNDY'S
REMITTUR	REMITTITUR FILED	February 15, 2019	FROM SUPREME COURT OF GEORGIA - APPLICATION IS
PLEADING	ALL OTHER PLEADINGS	February 11, 2019	CERT. OF SERVICE OF ORDER STAYING CASE
RULENISI	RULE NISI	February 11, 2019	ON MOTION TO LEAVE TO PROCEED IN FORMA PAUPERIS -
ORDER	ORDER FILED	February 11, 2019	ORDER STAYING CASE UNTIL DETERMINATION OF NOTICE
PLEADING	ALL OTHER PLEADINGS	February 11, 2019	CERT. OF SERVICE OF RULE NISI
MOTION	MOTION FILED	February 8, 2019	MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS
ANSWER	ANSWER	January 15, 2019	PLTF'S RESPONSE TO DEFS' MOTION TO SET ASIDE THE
APPEAL	NOTICE OF APPEAL FILED	January 2, 2019	TIM SUNDY TO SUPREME COURT; APPEALS BOX 3 LOCATED

A008