

IN THE SUPERIOR COURT OF FORSYTH COUNTY
STATE OF GEORGIA

HIGH GABLES HOMEOWNERS
ASSOCIATION, INC.

Plaintiff,

v.

LARRY C. OLDHAM,

Defendant.

CIVIL ACTION FILE
NO. 05 CV 2005

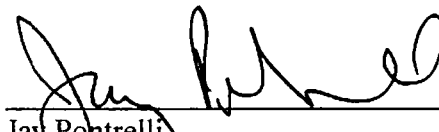
**PLAINTIFF'S RESPONSE IN
OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

Plaintiff High Gables Homeowners Association, Inc. ("High Gables") hereby responds to Defendant Larry C. Oldham's Motion to Dismiss and shows the Court the following:

Plaintiff objects to Defendant's Motion to Dismiss and attaches hereto a copy of an amended verification.

For the reasons set forth herein Plaintiffs respectfully request that this Court deny Defendant's Motion to Dismiss.

Respectfully submitted,



Jay Pontrelli
Georgia Bar No. 583513

STITES & HARBISON, PLLC
303 Peachtree Street, N.E.
2800 SunTrust Plaza
Atlanta, GA 30308
Telephone: (404) 739-8800
Facsimile: (404) 739-8870

COUNSEL FOR PLAINTIFF, HIGH GABLES
HOMEOWNERS ASSOCIATION, INC.

EXHIBIT "1"

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SECOND AMENDED VERIFICATION

Personally appeared before the undersigned officer, duly authorized to administer oaths, ROBERT CLARK, who, upon being duly sworn, deposes and states that I am the President of High Gables Homeowners Association, Inc., and that based upon my own personal knowledge the facts contained within the VERIFIED COMPLAINT FOR MONEY DAMAGES AND INJUNCTIVE RELIEF are true and correct.



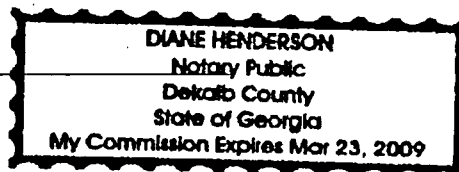
Robert Clark

Sworn to and subscribed before me
this the 30th day of December 2005.



Notary Public

My Commission Expires:



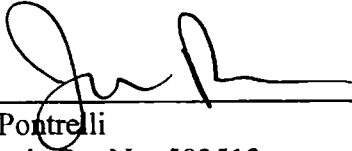
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS** was served by first class mail, postage prepaid, upon:

Larry C. Oldham, Esq.
416 Pirkle Ferry Road
Suite K-500
Cumming, GA 30040

This 30th day of December 2005.

STITES & HARBISON, PLLC
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Jay Pontrelli
Georgia Bar No. 583513

**COUNSEL FOR PLAINTIFF, HIGH GABLES
HOMEOWNERS ASSOCIATION, INC.**