COPY

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

FILED IN OFFICE
NOV 24 2014
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

STEPHEN BORDERS, DON COLE, JAMES SCERENSCKO, SANDRA GRIFFIN, WILLIAM CLARK, QUINTON MITCHELL, and CAROLINE TANKSLEY, individually and on behalf of classes of all others similarly situated,

Plaintiffs,

v.

CITY OF ATLANTA, KASIM REED, in his capacity as Mayor of the City of Atlanta; CEASAR MITCHELL, in his capacity as President of the City Council; and CARLA SMITH, KWANZA HALL, IVORY LEE YOUNG, JR., CLETA WINSLOW, NATALYN MOSBY ARCHIBONG, ALEX WAN, HOWARD SHOOK, YOLANDA ADREAN, FELICIA MOORE, C.T. MARTIN, KEISHA LANCE BOTTOMS, JOYCE SHEPHERD, MICHAEL BOND, AARON WATSON, H. LAMAR WILLIS, in their capacities as members of the Atlanta City Council,

Defendants.

CIVIL ACTION FILE

No. 2013-CV-239021

NOTICE OF APPEAL

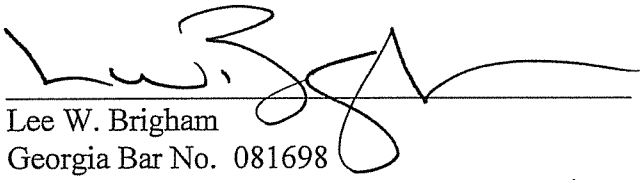
Notice is hereby given that plaintiffs Stephen Borders, Don Cole, James Scerenscko, Sandra Griffin, William Clark, Quinton Mitchell and Caroline Tanksley, individually and on behalf of the certified class they represent, hereby appeal to the Georgia Supreme Court from the Order entered in this action on November 10, 2014, granting Defendants' motion for summary judgment and denying Plaintiffs' cross-motion for partial summary judgment.

The Clerk shall please omit nothing from the record.

Transcripts of evidence and proceedings will be filed for inclusion in the record on appeal.

The Georgia Supreme Court, rather than the Georgia Court of Appeals, has exclusive jurisdiction over this appeal pursuant to Article VI, Section VI, Paragraph II(1) of the Georgia Constitution, because the appeal concerns whether an ordinance that was passed by the Defendants increasing the amounts that Plaintiffs and members of the Plaintiff Class must contribute toward their pensions violates the portion of Article I, Section I, Paragraph X of the Georgia Constitution, which provides that "No ... laws impairing the obligation of contract ... shall be passed."

This 21st day of November, 2014.



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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing **NOTICE OF APPEAL** upon opposing counsel by depositing same in the United States mail, postage prepaid and addressed as follows:

Cathy Hampton
Robin Joy Shahar
Seth R. Eisenberg
City of Atlanta Law Department
68 Mitchell Street, SW, Suite 4100
Atlanta, GA 30303

This the 21st day of November, 2014.

Lee W. Brigham
Counsel for Plaintiffs