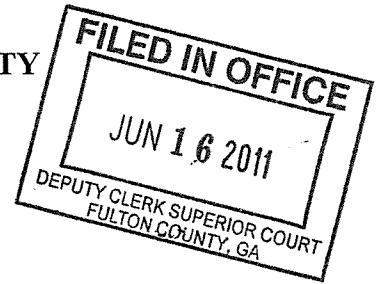


IN THE SUPERIOR COURT OF FULTON COUNTY
STAT OF GEORGIA



Ryan Van Meter, Anna Cuthrell, Joseph Kidd,)
Josiah Neff and Tsvetelin Tsonevski,)
)
Plaintiffs,)
)
v.)
)
)
George N. Turner, Chief of the Atlanta Police)
Department, Cassandra A. Jones, Chief of the)
Fulton County Police Department, and)
Theodore "Ted" Jackson, Fulton County Sheriff,)
in their official capacities,)
)
Defendants.)

CIVIL ACTION NO.:
2011CV198536

HON. T. JACKSON BEDFORD, JR.

CONSENT JUDGMENT

COME NOW, Plaintiffs, Ryan Van Meter, Anna Cuthrell, Joseph Kidd, Josiah Neff, and Tsvetelin Tsonevski ("Plaintiffs"), and Cassandra A. Jones, Chief of the Fulton County Police Department and Theodore "Ted" Jackson," Fulton County Sheriff (collectively "County Officers"), Defendants, and for their stipulation for consent judgment state as follows:

The Parties

1. Chief Jones is the Chief of the Fulton County Police Department. She is sued in her official capacity and consents to this judgment on behalf of the Fulton County Police Department, including her successors in office.
2. Sheriff Jackson is the Fulton County Sheriff. He is sued in his official capacity and consents to this judgment on behalf of the Office of the Fulton County Sheriff, including his successors in office.

3. Plaintiffs are all residents and taxpayers of Fulton County, Georgia.

Jurisdiction and Venue

4. This Court has jurisdiction over this mandamus action pursuant to Georgia Constitution Article VI, § I, ¶ IV and Article VI, § IV, ¶ I, and O.C.G.A. §§ 9-6-20 and 9-6-24, as it concerns a question of public right with the object to procure the enforcement of a public duty.

5. Venue is proper pursuant to Georgia Constitution Article VI, § II, ¶ VI, because County Officers, in their official capacities, all reside in Fulton County, Georgia.

Relevant Statutes and Regulations

6. O.C.G.A. § 16-13-49(u) regulates the distribution of property acquired through forfeitures pursuant to Article 13 of Title 16 of the Georgia Code. O.C.G.A. § 16-13-49(u)(4)(D)(iii) requires that:

Any local law enforcement agency receiving property under this subsection shall submit an annual report to the local governing authority. The report shall be submitted with the agency's budget request and shall itemize the property received during the fiscal year and the utilization made thereof.

(The reports required by O.C.G.A. § 16-13-49(u)(4)(D)(iii) are hereinafter referred to as "forfeiture reports.")

7. Further, O.C.G.A. § 36-80-21 requires transmission of certain financial documents relating to local government to the Carl Vinson Institute of Government of the University

of Georgia. This law applies to fiscal years that begin on or after January 1, 2011.

O.C.G.A. § 36-80-21(e), specifically, requires that:

Concurrent with the submission of the annual report by local law enforcement agencies required by division (u)(4)(D)(iii) of Code Section 16-13-49, a copy of such report shall be electronically transmitted in a Portable Document Format (PDF) file to the Vinson Institute and posted on the website by the Vinson Institute as soon as practicable.

Admission of Past Non-Compliance, Stipulation of Current Compliance and Agreement to Prospectively Comply

8. County Defendants admit that as of the filing of this action on March 30, 2011, neither they nor their respective local law enforcement agencies had complied with O.C.G.A. § 16-13-49(u)(4)(D)(iii) for the years 2008, 2009, and 2010, in that they had failed to produce the required forfeiture reports and failed to submit them to their local governing authority, the Fulton County Board of Commissioners.

9. In order to come into compliance with O.C.G.A. § 16-13-49(u)(4)(D)(iii), County Officers have subsequently produced forfeiture reports for the years 2008, 2009, and 2010 and submitted them to the Fulton County Board of Commissioners. The Fulton County Police Department submitted its forfeiture reports on 6/14, 2011. The Fulton County Sheriff submitted its forfeiture reports on 6/13, 2011.

10. Plaintiffs and the County Officers agree that the forfeiture reports that County Officers submitted to the Fulton County Board of Commissioners, as referenced in paragraph 9, and their contents satisfy the requirements of O.C.G.A. § 16-13-49(u)(4)(D)(iii).

11. County Officers, on behalf of their respective local law enforcement agencies, recognize that O.C.G.A. § 16-13-49(u)(4)(D)(iii) imposes a continuing obligation on them and their respective local law enforcement agencies to produce and submit forfeiture reports for the year 2011 and for subsequent years. County Officers, on behalf of their respective local law enforcement agencies, hereby agree to continue to abide by O.C.G.A. § 16-13-49(u)(4)(D)(iii) and will produce forfeiture reports in all future years and submit them to the Fulton County Board of Commissioners on an annual basis and the reports will accompany each agency's annual budget request.

12. County Officers, on behalf of their respective local law enforcement agencies, also recognize that O.C.G.A. § 36-80-21(e) imposes a continuing obligation on them to submit electronic copies of their forfeiture reports, beginning for the year 2011 and for subsequent years, to the Carl Vinson Institute of Government of the University of Georgia.

13. County Officers, on behalf of their respective local law enforcement agencies, hereby agree to abide by O.C.G.A. § 36-80-21(e) and submit electronic copies of their forfeiture reports, beginning for the year 2011 and for subsequent years, to the Carl Vinson Institute of Government of the University of Georgia.

14. In recognition of the mutual promises and releases herein, the County Defendants hereby agree to forego any legal or factual defenses they may have to the Plaintiffs' claims and enter into this stipulated agreement.

Order

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that

1. This Court has jurisdiction over all Plaintiffs and Defendants Cassandra A. Jones, Chief of the Fulton County Police Department and Theodore “Ted” Jackson,” Fulton County Sheriff.
2. At the time this action was filed Defendants Cassandra A. Jones, Chief of the Fulton County Police Department and Theodore “Ted” Jackson,” Fulton County Sheriff, and their respective local law enforcement agencies were not in compliance with O.C.G.A. § 16-13-49(u)(4)(D)(iii), in that they failed to produce forfeiture reports for the years 2008, 2009, and 2010 and submit them to their local governing authority, the Fulton County Board of Commissioners.
3. Defendants Cassandra A. Jones, Chief of the Fulton County Police Department and Theodore “Ted” Jackson,” Fulton County Sheriff, and their respective local law enforcement agencies have now produced forfeiture reports for the years 2008, 2009, and 2010 and have submitted them to the Fulton County Board of Commissioners.
4. O.C.G.A. § 16-13-49(u)(4)(D)(iii) imposes a continuing obligation on Defendants Cassandra A. Jones, Chief of the Fulton County Police Department and Theodore “Ted” Jackson,” Fulton County Sheriff, and their respective local law enforcement agencies to produce and submit forfeiture reports for the year 2011 and for subsequent years.
5. O.C.G.A. § 36-80-21(e) imposes a continuing obligation on Defendants Cassandra A. Jones, Chief of the Fulton County Police Department and Theodore “Ted” Jackson,” Fulton County Sheriff, and their respective local law enforcement agencies to submit electronic copies of their forfeiture reports, beginning for the year 2011 and for

subsequent years, to the Carl Vinson Institute of Government of the University of Georgia.

6. Each party shall bear their own attorneys fees, costs, and expenses.

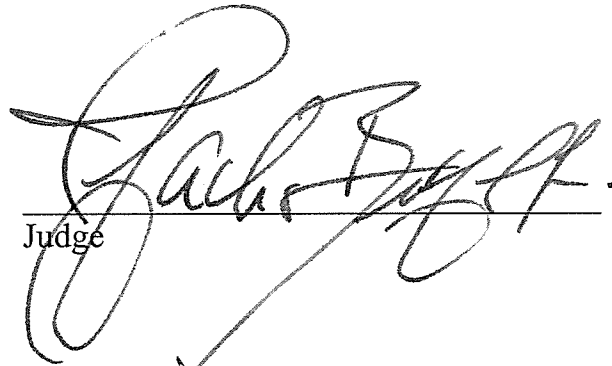
7. Plaintiffs waive any and all claims, real or imagined, against any County Officer for any failure to comply with O.C.G.A. § 16-13-49(u)(4)(D)(iii) or O.C.G.A. § 36-80-21(e). for all years through and inclusive 2010.

8. Defendants Cassandra A. Jones, Chief of the Fulton County Police Department and Theodore "Ted" Jackson," Fulton County Sheriff are dismissed.

9. The dismissals, and bearing of costs, pursuant to this Consent Judgment does not concern Plaintiffs' continuing action against Defendant George N. Turner, Chief of the Atlanta Police Department.

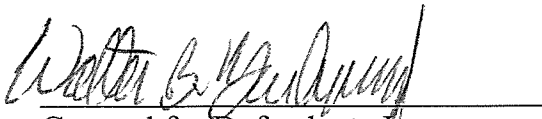
IT IS SO ORDERED.

Dated this 14th day of June, 2011.




Judge

Respectfully submitted,



Counsel for Defendants Jones
And Jackson

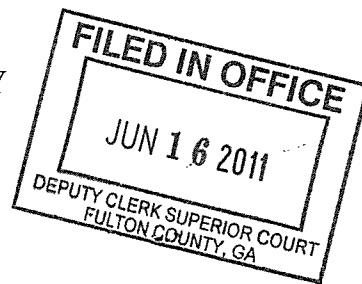


Counsel for Plaintiffs

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

JUDGE T. JACKSON BEDFORD, JR., PRESIDING



RYAN VAN METER, ANNA CUTHRELL,)
JOSEPH KIDD, JOSIAH NEFF, et al.)
Plaintiff(s),)

vs.)

GEORGE N. TURNER, Chief of the Atlanta)
Police Dep't, et al.)
Defendant(s),)

CIVIL ACTION
FILE NO. 2011CV198536

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the within and foregoing Consent Judgment via Email and/or via U.S. mail in envelope provided to:

For Plaintiffs:

Yasha Heidari, Esq. at yasha@heidariplank.com
Scott G. Bullock, Esq. at sbullock@ij.org
Anthony B. Sanders, Esq. at asanders@ij.org

For Defendants:

Walter B. Yarbrough, Esq. at walterbyarbrough@yahoo.com
Steven Rosenberg, Esq. at Steven.Rosenberg@co.fulton.ga.us

Plaintiff to serve any other necessary partiesⁱ and file a certificate of service.

This 16th day of June, 2011.

[Signature]
Loren D. Snow, Intern
T. JACKSON BEDFORD, JR.
Judge, Fulton County Superior Court

ⁱ If the order being issued is a Case Management Order, Plaintiff has the continuing burden to serve any and all late-entering parties with a copy of the Case Management Order.