



SUPREME COURT OF GEORGIA
Case No. S16C0744

Atlanta, May 09, 2016

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

GOLDSTEIN GARBER & SALAMA, LLC v. J.B.

Court of Appeals Case No. A15A1491

The Supreme Court today granted the writ of certiorari in this case. All the Justices concur, except Benham, J., who dissents. Hunstein, J., not participating.

This case will be assigned to the September 2016 oral argument calendar automatically under Supreme Court Rule 50 (2), as amended September 13, 1996. Oral argument is mandatory in granted certiorari cases.

This Court is particularly concerned with the following issue or issues:

- (1) Did the Court of Appeals err in concluding that a reasonable jury could find that Serdula's sexual molestation of J.B. was an act that was foreseeable by Goldstein, Garber & Salama ("GGS")?
- (2) Did the Court of Appeals err in upholding the trial court's decision to deny GGS's motion for a directed verdict on the issue of negligence per se? See OCGA § 43-11-21.1
- (3) Did the Court of Appeals err in concluding that GGS waived its challenge to the failure of the jury to apportion any fault to Serdula, and, if so, must a jury apportion at least some fault to an intentional tortfeasor when the evidence is undisputed that the tortfeasor directly caused the plaintiff's injuries?

Briefs should be submitted only on these points. See Supreme Court Rule 45.

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.

A handwritten signature in black ink, reading "Thrice A Barnes". The signature is written in a cursive style with a large initial "T" and "B".

, Clerk