



SUPREME COURT OF GEORGIA
Case No. S17C0433

Atlanta, May 01, 2017

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

SUNTRUST BANK v. JEDON M. LILLISTON et al.

Court of Appeals Case No. A16A1318

The Supreme Court today granted the writ of certiorari in this case. All the Justices concur.

This case will be assigned to the August 2017 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:

Did the Court of Appeals err in holding that a defendant may be deemed to have waived its right to assert an agreement to arbitrate as an affirmative defense in a renewal action filed under OCGA § 9-2-61 based on that party's conduct in the original action? See *Hobbs v. Arthur*, 264 Ga. 359, 360 (444 SE2d 322) (1994).

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 that reads "Thrice A Barnes". The signature is written in a cursive style.

, Clerk