



**SUPREME COURT OF GEORGIA**

Case No. S17C1788

Atlanta, December 11, 2017

The Honorable Supreme Court met pursuant to adjournment.  
The following order was passed.

**COLONIAL OIL INDUSTRIES, INC. v. LYNCHAR, INC. d/b/a T&W OIL  
COMPANY et al.**

Court of Appeals Case No. A17A0391

The Supreme Court today granted the writ of certiorari in this case. All the Justices concur, except Melton, P.J., Benham, Hunstein, and Peterson, JJ., who dissent.

This case will be assigned to the June 10 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. To what extent does a misnomer or other defect in the identification of the principal debtor render a contract of suretyship or guaranty unenforceable? See PlayNation Play Systems, Inc. v. Jackson, 312 Ga. App. 340 (718 SE2d 568) (2011).
2. Did the Court of Appeals err in holding that the guarantees sought to be enforced against appellees are unenforceable?

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  
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.

*Lee C. Bullock*, Chief Deputy Clerk