



SUPREME COURT OF GEORGIA

November 18, 2019

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

The Court having considered the 2019-4, 2019-5 and 2019-6 Motions to Amend the Rules and Regulations for the Organization and Government of the State Bar of Georgia, it is ordered that Part IV – Georgia Rules of Professional Conduct, Chapter 1, Rule 4-102 (Disciplinary Action; Levels of Discipline; Georgia Rules of Professional Conduct), Rule 1.0 (Terminology and Definitions); Rule 1.4 (Communication); Rule 1.17 (Sale of Law Practice); Rule 5.3 (Responsibilities Regarding Nonlawyer Assistants); Rule 5.4 (Professional Independence of a Lawyer); Rule 7.1 (Communications Concerning a Lawyer’s Services); Rule 9.4 (Jurisdiction and Reciprocal Discipline); Chapter 2, Rule 4-220 (Notice of Punishment or Acquittal; Administration of Reprimands); Part XIV – Rules Governing the Investigation and Prosecution of the Unlicensed Practice of Law; 14-3, Standing Committee; Rule 14-3.1 (Generally); 14-4, District Committees, Rule 14-4.1 (Generally); Part XVI. Institute of Continuing Legal Education of the State Bar of Georgia, Rule 16-101 (Preamble and Establishment of the Institute of Continuing Legal Education); Rule 16-103 (Powers and Duties of the ICLE Board); and Rule 16-105 (Finances); be amended effective November 14, 2019, to read as follows:

PART IV GEORGIA RULES OF PROFESSIONAL CONDUCT

CHAPTER 1 GEORGIA RULES OF PROFESSIONAL CONDUCT AND ENFORCEMENT THEREOF

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Rule 4-102. Disciplinary Action; Levels of Discipline; Georgia Rules of Professional Conduct

RULE 1.0. TERMINOLOGY AND DEFINITIONS

(a) “Belief” or “believes” denotes that the person involved actually thought the fact in question to be true. A person’s belief may be inferred from the circumstances.

(b) “Confidential Proceedings” denotes any proceeding under these Rules which occurs prior to a filing in the Supreme Court of Georgia.

(c) “Confirmed in writing” when used in reference to the informed consent of a person, denotes informed consent that is given in writing by the person, or a writing that a lawyer promptly transmits to the person confirming an oral informed consent. See paragraph (l) for the definition of “informed consent.” If it is not feasible to obtain or transmit the writing at the time the person gives informed consent, then the lawyer must obtain or transmit it within a reasonable time thereafter.

(d) “Consult” or “consultation” denotes communication of information reasonably sufficient to permit the client to appreciate the significance of the matter in question.

(e) “Conviction” or “convicted” denotes any of the following accepted by a court, whether or not a sentence has been imposed:

- (1) a guilty plea;
- (2) a plea of nolo contendere;
- (3) a verdict of guilty;

(4) a verdict of guilty but mentally ill; or

(5) A plea entered under the Georgia First Offender Act, OCGA § 42-8-60 et seq., or a substantially similar statute in Georgia or another jurisdiction.

(f) “Domestic Lawyer” denotes a person authorized to practice law by the duly constituted and authorized governmental body of any State or Territory of the United States or the District of Columbia but not authorized by the Supreme Court of Georgia or its Rules to practice law in the State of Georgia.

(g) “Firm” or “law firm” denotes a lawyer or lawyers in a private firm, law partnership, professional corporation, sole proprietorship or other association authorized to practice law pursuant to Rule 1-203 (d); or lawyers employed in a legal services organization or the legal department of a corporation or other organization.

(h) “Foreign Lawyer” denotes a person authorized to practice law by the duly constituted and authorized governmental body of any foreign nation but not authorized by the Supreme Court of Georgia or its Rules to practice law in the State of Georgia.

(i) “Fraud” or “fraudulent” denotes conduct that is fraudulent under the substantive or procedural law of the applicable jurisdiction and has a purpose to deceive; not merely negligent misrepresentation or failure to apprise another of relevant information.

(j) “Grievance/Memorandum of Grievance” denotes an allegation of unethical conduct filed against a lawyer.

(k) “He,” “Him” or “His” denotes generic pronouns including both male and female.

(l) “Informed consent” denotes the agreement by a person to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct.

(m) “Knowingly,” “known,” or “knows” denotes actual knowledge of the fact in question. A person's knowledge may be inferred from the circumstances.

(n) “Lawyer” denotes a person authorized by the Supreme Court of Georgia or its Rules to practice law in the State of Georgia including persons admitted to practice in this state pro hac vice.

(o) “Nonlawyer” denotes a person not authorized to practice law by either the:

(1) Supreme Court of Georgia or its Rules (including pro hac vice admission), or

(2) duly constituted and authorized governmental body of any other State or Territory of the United States, or the District of Columbia, or

(3) duly constituted and authorized governmental body of any foreign nation.

(p) “Notice of Discipline” denotes a Notice by the State Disciplinary Board that the respondent will be subject to a disciplinary sanction for violation of one or more Georgia Rules of Professional Conduct unless the respondent affirmatively rejects the notice.

(q) “Partner” denotes a member of a partnership, a shareholder in a law firm organized pursuant to Rule 1-203 (d), or a member of an association authorized to practice law.

(r) “Petition for Voluntary Surrender of License” denotes a Petition for Voluntary Discipline in which the respondent voluntarily surrenders his license to practice law in this State. A voluntary surrender of license is tantamount to disbarment.

(s) “Probable Cause” denotes a finding by the State Disciplinary Board that there is sufficient evidence to believe that the respondent has violated one or more of the provisions of Part IV, Chapter 1 of the Bar Rules.

(t) “Prospective Client” denotes a person who consults with a lawyer about the possibility of forming a client-lawyer relationship with respect to a matter.

(u) “Public Proceedings” denotes any proceeding under these Rules that has been filed with the Supreme Court of Georgia.

(v) “Reasonable” or “reasonably” when used in relation to conduct by a lawyer denotes the conduct of a reasonably prudent and competent lawyer.

(w) “Reasonable belief” or “reasonably believes” when used in reference to a lawyer denotes that the lawyer believes the matter in question and that the circumstances are such that the belief is reasonable.

(x) “Reasonably should know” when used in reference to a lawyer denotes that a lawyer of reasonable prudence and competence would ascertain the matter in question.

(y) “Respondent” denotes a person whose conduct is the subject of any disciplinary investigation or proceeding.

(z) “Screened” denotes the isolation of a lawyer from any participation in a matter through the timely imposition of procedures within a firm that are reasonably adequate under the circumstances to protect information that the isolated lawyer is obligated to protect under these Rules or other law.

(aa) “Substantial” when used in reference to degree or extent denotes a material matter of clear and weighty importance.

(bb) “Tribunal” denotes a court, an arbitrator in an arbitration proceeding or a legislative body, administrative agency or other body acting in an adjudicative capacity. A legislative body, administrative agency or other body acts in an adjudicative capacity when a neutral official, after the presentation of evidence or legal argument by a party or parties, will render a legal judgment directly affecting a party’s interests in a particular matter.

(cc) “Writing” or “written” denotes a tangible or electronic record of a communication or representation, including but not limited to handwriting, typewriting, printing, photostating, photography, audio or video recording and electronic communications. A “signed” writing includes an electronic sound, symbol or process attached to or logically associated with a writing and executed or adopted by a person with the intent to sign the writing.

RULE 1.4. COMMUNICATION

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Comment

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[4] A lawyer’s regular communication with clients will minimize the occasions on which a client will need to request information

concerning the representation. When a client makes a reasonable request for information, however, paragraph (a)(4) requires prompt compliance with the request, or if a prompt response is not feasible, that the lawyer, or a member of the lawyer's staff, acknowledge receipt of the request and advise the client when a response may be expected. A lawyer should promptly respond to or acknowledge client communications. The timeliness of a lawyer's communication must be judged by all the controlling factors. "Prompt" communication with the client does not equate to "instant" communication with the client and is sufficient if reasonable under the relevant circumstances.

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RULE 1.17. SALE OF LAW PRACTICE

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Comment

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Client Confidences, Consent and Notice

[6] Negotiations between seller and prospective purchaser prior to disclosure of information relating to a specific representation of an identifiable client no more violate the confidentiality provisions of Rule 1.6: Confidentiality of Information than do preliminary discussions concerning the possible association of another lawyer or mergers between firms, with respect to which client consent is not required. Providing the purchaser access to detailed information relating to the representation, such as the client's file, however, requires client consent. The Rule provides that before such information can be disclosed by the seller to the purchaser the client must be given actual written notice of the contemplated sale, including the identity of the purchaser and any proposed change in the terms of future representation, and must be told that the decision to consent or make other arrangements must be made within 90 days. If nothing is heard from the client within that time, consent to the sale is presumed.

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RULE 5.3. RESPONSIBILITIES REGARDING NONLAWYER ASSISTANTS

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Comment

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Nonlawyers Outside the Firm

[4] A lawyer may use nonlawyers outside the firm to assist the lawyer in rendering legal services to the client. When using such assistance outside the firm, a lawyer must make reasonable efforts to ensure that the assistance is provided in a manner that is compatible with the lawyer's professional obligations. The extent of this obligation will depend upon the circumstances, including the education, experience and reputation of the nonlawyer; the nature of the assistance involved; the terms of any arrangements concerning the protection of client information; and the legal and ethical environments of the jurisdictions in which the services will be performed, particularly with regard to confidentiality. See also Rules 1.1 (Competence), 1.2 (Allocation of authority), 1.4 (Communication with client), 1.6 (Confidentiality of information), 5.4 (a) (Professional independence of a lawyer), and 5.5 (a) (Unauthorized practice of law). When retaining or directing a nonlawyer outside the firm, a lawyer should communicate directions appropriate under the circumstances to give reasonable assurance that the nonlawyer's conduct is compatible with the professional obligations of the lawyer.

[5] Where the client directs the selection of a particular nonlawyer service provider outside the firm, the lawyer ordinarily should agree with the client concerning the allocation of responsibility for monitoring as between the client and the lawyer. See Rule 1.2. When making such an allocation in a matter pending before a tribunal,

lawyers and parties may have additional obligations that are a matter of law beyond the scope of these Rules.

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RULE 5.4. PROFESSIONAL INDEPENDENCE OF A LAWYER

(a) A lawyer or law firm shall not share legal fees with a nonlawyer, except that:

(1) an agreement by a lawyer with the lawyer's firm, partner, or associate may provide for the payment of money, over a reasonable period of time after the lawyer's death, to the lawyer's estate or to one or more specified persons;

(2) a lawyer or law firm who purchases the practice of a deceased, disabled, or disappeared lawyer may, pursuant to the provisions of Rule 1.17, pay to the estate or other representative of that lawyer the agreed-upon purchase price;

(3) a lawyer or law firm may include nonlawyer employees in a compensation or retirement plan, even though the plan is based in whole or in part on a profit-sharing arrangement;

(4) a lawyer may share court-awarded legal fees with a nonprofit organization that employed, retained or recommended employment of the lawyer in the matter;

(5) a lawyer who undertakes to complete unfinished business of a deceased lawyer may pay to the estate of the deceased lawyer that proportion of the total compensation which fairly represents the services rendered by the deceased lawyer; and

(6) a lawyer may pay a referral fee to a bar-operated nonprofit lawyer referral service where such fee is calculated as a percentage of legal fees earned by the lawyer to whom the service has referred a matter pursuant to Rule 7.3: Direct Contact with Prospective Clients.

(b) A lawyer shall not form a partnership with a nonlawyer if any of the activities of the partnership consist of the practice of law.

(c) A lawyer shall not permit a person who recommends, employs, or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment in rendering such legal services.

(d) A lawyer shall not practice with or in the form of a professional corporation or association authorized to practice law for a profit, if:

(1) a nonlawyer owns any interest therein, except that a fiduciary representative of the estate of a lawyer may hold the stock or interest of the lawyer for a reasonable time during administration;

(2) a nonlawyer is a corporate director or officer thereof;
or

(3) a nonlawyer has the right to direct or control the professional judgment of a lawyer.

(e) A lawyer may:

(1) provide legal services to clients while working with other lawyers or law firms practicing in, and organized under the rules of, other jurisdictions, whether domestic or foreign,

that permit nonlawyers to participate in the management of such firms, have equity ownership in such firms, or share in legal fees generated by such firms; and

(2) share legal fees arising from such legal services with such other lawyers or law firms to the same extent as the sharing of legal fees is permitted under applicable Georgia Rules of Professional Conduct.

(f) The activities permitted under paragraph (e) are subject to the following:

(1) The association shall not compromise or interfere with the lawyer's independence of professional judgment, the client-lawyer relationship between the client and the lawyer, or the lawyer's compliance with these Rules; and

(2) Nothing in paragraph (e) is intended to affect the lawyer's obligation to comply with other applicable Rules of Professional Conduct, or to alter the forms in which a lawyer is permitted to practice, including but not limited to the creation of an alternative business structure in Georgia.

The maximum penalty for a violation of this Rule is disbarment.

Comment

[1] The provisions of this Rule express traditional limitations on sharing fees. These limitations are to protect the lawyer's professional independence of judgment. Where someone other than the client pays the lawyer's fee or salary, or recommends employment of the lawyer, that arrangement does not modify the lawyer's obligation to the client. As stated in paragraph (c), such arrangements should not interfere with the lawyer's professional judgment.

[2] The provisions of paragraphs (e) and (f) of this Rule are not intended to allow a Georgia lawyer or law firm to create or participate in alternative business structures (ABS) in Georgia. An alternative business structure is a law firm where a nonlawyer is a manager of the firm, or has an ownership-type interest in the firm. A law firm may also be an ABS where another body is a manager of the firm, or has an ownership-type interest in the firm. This Rule only allows a Georgia lawyer to work with an ABS outside of the State of Georgia and to share fees for that work.

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RULE 7.1. COMMUNICATIONS CONCERNING A LAWYER'S SERVICES

(a) A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. By way of illustration, but not limitation, a communication is false or misleading if it:

(1) contains a material misrepresentation of fact or law or omits a fact necessary to make the statement considered as a whole not materially misleading;

(2) is likely to create an unjustified expectation about results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate the Georgia Rules of Professional Conduct or other law;

(3) compares the lawyer's services with other lawyers' services unless the comparison can be factually substantiated;

(4) fails to include the name of at least one lawyer responsible for its content; or

(5) contains any information regarding contingent fees, and fails to conspicuously present the following disclaimer:

“Contingent attorneys’ fees refers only to those fees charged by attorneys for their legal services. Such fees are not permitted in all types of cases. Court costs and other additional expenses of legal action usually must be paid by the client.”

(6) contains the language “no fee unless you win or collect” or any similar phrase and fails to conspicuously present the following disclaimer:

“No fee unless you win or collect” [or insert the similar language used in the communication] refers only to fees charged by the attorney. Court costs and other additional expenses of legal action usually must be paid by the client. Contingent fees are not permitted in all types of cases.

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RULE 9.4. JURISDICTION AND RECIPROCAL DISCIPLINE

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Comment

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[3] The imposition of discipline in one jurisdiction does not mean that Georgia and every other jurisdiction in which the lawyer is admitted must necessarily impose discipline. The State Disciplinary Review Board has jurisdiction to recommend reciprocal discipline when a lawyer is suspended or disbarred in a jurisdiction in which the lawyer is licensed or otherwise admitted.

[4] A judicial determination of misconduct by the respondent in another jurisdiction is conclusive, and not subject to re-litigation in the forum jurisdiction. The State Disciplinary Review Board should recommend substantially similar discipline unless it determines, after review limited to the record of the proceedings in the foreign

jurisdiction, that one of the grounds specified in paragraph (b) (3) exists.

CHAPTER 2 DISCIPLINARY PROCEEDINGS

Rule 4-220. Notice of Punishment or Acquittal; Administration of Reprimands

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(c) Public Reprimands shall be prepared by the Office of the General Counsel based upon the record in the case. They shall be read in open court in the presence of the respondent by the judge of a Superior Court in the county of the respondent's address as shown on the Membership Records of the State Bar of Georgia or as otherwise ordered by the Supreme Court of Georgia. Notice of issuance of the reprimand shall be published in advance in the legal organ of the county of the respondent's address as shown on the Membership Records of the State Bar of Georgia, and provided to the complainant in the underlying case.

PART XIV RULES GOVERNING THE INVESTIGATION AND PROSECUTION OF THE UNLICENSED PRACTICE OF LAW

14-3. STANDING COMMITTEE

Rule 14-3.1. Generally

(a) Appointment and Terms. The Standing Committee shall be appointed by the Supreme Court of Georgia, and shall consist of 23 members, 12 of whom shall be nonlawyers and 11 of whom shall be lawyers and members in good standing of the State Bar of Georgia. The nonlawyer members should be geographically representative of the State. The lawyer members shall be appointed by the Supreme Court of Georgia and shall include at least one

member from each judicial district. The Supreme Court of Georgia shall appoint a chair and at least one vice-chair of the Standing Committee. Eight of the members of the Standing Committee shall constitute a quorum. All appointments to the Standing Committee shall be for a term of three years, except that it shall be the goal of the initial appointments that one-third of the terms of the members appointed will expire annually. The members who initially serve terms of less than three years shall be eligible for immediate reappointment. No member shall be appointed to more than two full consecutive terms.

(b) Duties. It shall be the duty of the Standing Committee to receive and evaluate District Committee reports and to determine whether litigation should be instituted in Superior Court against any alleged offender. The Standing Committee may approve civil injunctive proceedings, civil or criminal contempt proceedings, a combination of injunctive and contempt proceedings, or such other action as may be appropriate. In addition, the duties of the Standing Committee shall include, but not be limited to:

(1) consideration and investigation of activities that may, or do, constitute the unlicensed practice of law;

(2) supervision of the District Committees, which shall include, but not be limited to:

(A) prescribing rules of procedure for District Committees;

(B) assigning reports of unlicensed practice of law for investigation;

(C) reassigning or withdrawing matters previously assigned, exercising final authority to close cases not deemed by the Standing Committee to then warrant further action by

the State Bar of Georgia for unlicensed practice of law, and closing cases proposed to be resolved by a cease and desist affidavit where staff counsel objects to the closing of the case or the acceptance of a cease and desist affidavit by the District Committee;

(D) joining with a District Committee in a particular investigation;

(E) requesting staff investigators, staff counsel, and voluntary bar counsel to conduct investigations on behalf of or in concert with the District Committees; and

(F) suspending District Committee members and chairs for cause and appointing a temporary District Committee chair where there has been a suspension, resignation, or removal, pending the appointment of a replacement chair by the Supreme Court of Georgia;

(3) initiation and supervision of litigation, including the delegation of responsibility to staff, or counsel for the State Bar of Georgia to prosecute such litigation;

(4) giving advice regarding the unlicensed practice of law policy to the officers, Board of Governors, staff, sections, or committees of the State Bar of Georgia as requested; and

(5) furnishing any and all information, confidential records, and files regarding pending or closed investigations of unlicensed practice of law to any state or federal law enforcement or regulatory agency, United States Attorney, District Attorney, Solicitor, the Georgia Office of Bar Admissions and equivalent entities in other jurisdictions, the State Disciplinary Board of the State Bar of Georgia and equivalent entities in other jurisdictions where there is or may be a violation of state or federal law or the Rules of

Professional Conduct of the State Bar of Georgia, or when required by law or court order.

14-4. DISTRICT COMMITTEES

Rule 14-4.1. Generally

(a) **Appointment and Terms.** Each District Committee shall be appointed by the Supreme Court of Georgia and shall consist of not fewer than three members, no more than 49 percent of whom shall be lawyers and members in good standing of the State Bar of Georgia. All appointees shall be residents of the judicial district or have their principal office in the district. The terms of the members of District Committees shall be for three years from the date of appointment by the Supreme Court of Georgia or until such time as their successors are appointed, except that it shall be the goal of the initial appointments that one-third of the terms of the members appointed will expire annually. The members who initially serve terms of less than two years shall be eligible for immediate reappointment. Continuous service of a member shall not exceed six years. The expiration of the term of any member shall not disqualify that member from concluding any investigations pending before that member. Any member of a District Committee may be removed from office by the Supreme Court of Georgia.

(b) **Committee Chair.** The Supreme Court of Georgia shall designate a chair for each District Committee. The chair of each District Committee may designate a vice-chair and secretary. The chair shall be a nonlawyer member or a lawyer member in good standing with the State Bar of Georgia.

(c) **Quorum.** Three members of the District Committee or a majority of the members, whichever is less, shall constitute a quorum.

(d) Panels. The chair of a District Committee may divide that committee into panels of not fewer than three members, one of whom must be a lawyer member in good standing with the State Bar of Georgia. The three-member panel shall elect one of its members to preside over the panel's actions. If the chair or vice-chair of the District Committee is a member of a three-member panel, the chair or vice-chair shall be the presiding officer.

(e) Duties. It shall be the duty of each District Committee to investigate, with dispatch, all reports of unlicensed practice of law and to make prompt written report of its investigation and findings to staff counsel. In addition, the duties of the District Committee shall include, but not be limited to:

(1) closing cases not deemed by the District Committee to warrant further action by the State Bar of Georgia;

(2) closing cases proposed to be resolved by a cease and desist affidavit; and

(3) forwarding to staff counsel recommendations for litigation to be reviewed by the Standing Committee.

(f) District Committee Meetings. District Committees should meet at regularly scheduled times. Either the chair or vice-chair may call special meetings. District Committees should meet as often as necessary during any period when the committee has one or more pending cases assigned for investigation and report. The time, date and place of scheduled meetings should be set in advance by agreement between each committee and staff counsel. Meetings may be conducted by telephone conference or by any other technology available and agreed upon by the committee. Any participant, including staff counsel, may participate in the meeting by telephone conference or any other technology agreed upon by the committee.

PART XVI
INSTITUTE OF CONTINUING LEGAL EDUCATION OF
THE STATE BAR OF GEORGIA

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Rule 16-101. Preamble and Establishment of the Institute of Continuing Education

Pursuant to an asset agreement executed on December 30, 2016, between the Institute of Continuing Legal Education in Georgia, an unincorporated Georgia nonprofit association, and the State Bar of Georgia Foundation, Inc. a Georgia nonprofit corporation¹, the Institute of Continuing Legal Education of the State Bar of Georgia (“ICLE”) is hereby established as a program of the State Bar of Georgia. The purpose of ICLE is to promote a well-organized, properly planned, and adequately supported program of continuing legal education by which members of the legal profession may enhance their skills, keep abreast of developments in the law, ethics, and professionalism, engage in the study and research of the law, and disseminate the knowledge thus obtained.

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Rule 16-103. Powers and Duties of the ICLE Board

The ICLE Board shall have the following powers and duties:

- (a) to prepare a proposed budget for the annual operation of ICLE;

¹These assets were subsequently transferred to the Institute for Continuing Legal Education of the State Bar of Georgia, LLC on December 31, 2018. The Institute for Continuing Legal Education of the State Bar of Georgia, LLC is a not for profit limited liability company owned solely by the State Bar of Georgia and managed by a Board of Managers composed of the members of the Executive Committee of the State Bar of Georgia.

(b) to develop policies and Internal Operating Procedures for the operation of the Board;

(c) to recommend topics and speakers to the Director for continuing legal education (CLE) programs to be sponsored by the State Bar of Georgia or its Sections;

(d) to review qualifications requirements for proposed speakers and provide recommendations for any proposed changes;

(e) to encourage CLE programming by the Sections of the State Bar of Georgia;

(f) to review evaluations from CLE programs and to make recommendations for improvements; and

(g) to submit an annual informational report to the State Bar of Georgia Board of Governors describing ICLE's activity for the year, including programs presented, attendance, and income generated from each program.

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Rule 16-105. Finances

(a) ICLE shall fund its operations from the fees that it charges for CLE programs and may use any of the surplus funds held by the Institute of Continuing Education of the State Bar of Georgia, LLC to fund the purpose of ICLE. Its funds and accounts shall be maintained by the State Bar of Georgia separately from other funds or accounts of the State Bar of Georgia. The State Bar of Georgia, after consultation with the ICLE Board, may charge ICLE for its costs in housing and administering ICLE as determined by the State Bar of Georgia Board of Governors.

(b) The Board shall provide a financial report to the State Bar of Georgia Board of Governors at each of its meetings and shall provide an audit report to the State Bar of Georgia Board of Governors at the Annual Meeting each year.

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.

 , Clerk