

IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA

ROBERT DAVIDSON, INDIVIDUALLY )  
AND AS ADMINISTRATOR OF THE )  
ESTATE OF KIMBERLY MARIE )  
WEATHERSBEE DAVIDSON, )  
DECEASED, )

Plaintiffs, )

v. )

GEORGIA POWER COMPANY, )  
MILLIKEN & COMPANY, SKY'S THE )  
LIMIT INC. d/b/a EXECUTIVE )  
SHUTTLE, RICHARD ZACHERY )  
TRAMMELL, JEREMY BRUCE )  
HAYDEN, PAVILION GROUP, LLC, )  
MARY ANNE ROTH, as Executor of the )  
Estate of STEVEN MARK ROTH, )  
Deceased, THE CITY OF THOMSON, )  
GEORGIA, KENNETH USRY, ALTON )  
BELTON, SADIE MAE BROOKS, )  
CLIFFORD G. "BUD" LUNCEFORD, )  
JAYE JONES, JOHN SMALLEY, )  
DONALD S. POWERS, MCDUFFIE )  
COUNTY, GEORGIA, CHARLES G. )  
NEWTON, FRED FAVORS, WILLIAM M. )  
JOPLING, PAUL W. McCORKLE, )  
SAMMIE WILSON, SR., DONALD W. )  
NORTON, W. K. DICKSON & CO., INC., )  
PHIL EBERLY, REGINAL WEAVER, )  
SPIRIT AVIATION, INC. d/b/a SPIRIT )  
MANAGEMENT SERVICES, LLC, and )  
KEITH A. BOUNDS, )

Defendants. )

CIVIL ACTION NO. 15EV000170F

## NOTICE OF RELATED CASES

Defendant Georgia Power Company hereby files this Notice of Related Cases pursuant to Uniform Superior Court Rules 3.2 and 4.8.<sup>1</sup> This case involves substantially the same subject matter, factual issues, and parties as the following three previously filed cases in Fulton County State Court, which are pending before Judge Jay Roth:

- *MARY ANNE ROTH, Individually and as Executrix of the Estate of STEVEN M. ROTH, M.D., Deceased v. GEORGIA POWER COMPANY; MILLIKEN & COMPANY; CITY OF THOMSON; W.K. DICKSON & CO., INC.; DONALD STEVEN POWERS, Individually and in his Official Capacity; PHIL EBERLY and REG WEAVER, Fulton County State Court Civil Action File No. 13EV018199A;*
- *RICHARD TRAMMELL, CYNTHIA TRAMMELL, and JEREMY HAYDEN v. GEORGIA POWER COMPANY; MILLIKEN & COMPANY; MCDUFFIE COUNTY, GEORGIA; CITY OF THOMSON, GEORGIA; DONALD S. POWERS; W.K. DICKSON & CO., INC.; PHIL EBERLY; REG WEAVER; BEECHCRAFT CORPORATION, A Kansas Corporation for Profit; HAWKER BEECHCRAFT GLOBAL SUPPORT, LLC, d/b/a HAWKER BEECHCRAFT SERVICES, A Kansas Corporation for Profit; and MOOG, INC., A Corporation for Profit, Fulton County State Court Civil Action File No. 13EV018429Y; and*
- *TERRY LEE McCORKLE And STEPHEN CROCKER, As Temporary Administrators Of the Estate of Heidi Lyn McCorkle Deceased; STEPHEN CROCKER, As Next Friend of SHAWN ADAM CROCKER, A Minor; and HOLLY LEIGH BARNES And TREBOR BARNES, As Next Friends of JOSHUA McCORKLE, A Minor, As Wrongful Death Plaintiffs On Behalf Of Their Decedent, Heidi Lyn McCorkle, Deceased v. GEORGIA POWER COMPANY; MILLIKEN & COMPANY, a Corporation; THE SKY'S THE LIMIT, INC. d/b/a EXECUTIVE SHUTTLE; PAVILION GROUP, LLC; RICHARD Z. TRAMMELL; JEREMY HAYDEN; MARY ANNE ROTH, as Executor of the ESTATE OF STEVEN MARK ROTH, Deceased; THE CITY OF THOMSON, a Municipal Corporation of the State of Georgia; MCDUFFIE COUNTY, GEORGIA, a Political Subdivision of the State of Georgia; DONALD STEVEN POWERS; W.K. DICKSON & COMPANY, INC.; SPIRIT AVIATION, INC. d/b/a SPIRIT MANAGEMENT SERVICES, LLC; PHIL EBERLY; and REG WEAVER, Fulton County State Court Civil Action No. 15EV000163A.<sup>2</sup>*

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<sup>1</sup> Georgia's Uniform Superior Court shall be applicable in State Courts with the exception of certain rules not applicable here. *See* Uniform State Court Rules A. through E.

<sup>2</sup> The Davidson Plaintiffs filed a notice of related case with the Complaint identifying *McCorkle et al. v. Georgia Power Company, et al.*, Fulton County State Court Civil Action No.

This case also involves substantially the same subject matter, factual issues, and parties as the following two cases recently filed in Fulton County State Court pending in front of Judge Eric Richardson and Judge Jane Morrison, respectively:

- *TAMMY PORTER and TOMMY PORTER, the surviving parents, heirs at law, and Wrongful Death Plaintiffs on behalf of their Decedent, TIFFANY DENISE PORTER, a Georgia resident; and TAMMY PORTER, as Administrator of the ESTATE OF TIFFANY DENISE PORTER, a Georgia Resident, Deceased v. GEORGIA POWER COMPANY; MILLIKEN & COMPANY, a Corporation; THE SKY'S THE LIMIT, INC. d/b/a EXECUTIVE SHUTTLE; PAVILION GROUP, LLC; RICHARD Z. TRAMMELL; JEREMY BRUCE HAYDEN; MARY ANNE ROTH, as Executor of the ESTATE OF STEVEN MARK ROTH, Deceased; THE CITY OF THOMSON, A Municipal Corporation of the State of Georgia; MCDUFFIE COUNTY, GEORGIA, A Political Subdivision of the State of Georgia; DONALD STEVEN POWERS; W.K. DICKSON & COMPANY, INC.; SPIRIT AVIATION, INC. d/b/a SPIRIT MANAGEMENT SERVICES, LLC; PHIL EBERLY; and REG WEAVER, Fulton County State Court Civil Action No. 15EV000170F; and*
- *G. DAVID VOLPITTO, M.D., as Administrator of the Estate of Lisa Ann Volpitto, Deceased; and as surviving spouse, next friend, father, and natural guardian of TESSA NICOLE VOLPITTO, a minor, v. GEORGIA POWER COMPANY; MILLIKEN & COMPANY; THE SKY'S THE LIMIT INC. d/b/a EXECUTIVE SHUTTLE; THE CITY OF THOMSON, a Municipal Corporation of the State of Georgia; MCDUFFIE COUNTY, GEORGIA, a Political Subdivision of the State of Georgia; DONALD STEVEN POWERS; SPIRIT AVIATION, INC., doing business as SPIRIT MANAGEMENT SERVICES, LLC; PAVILION GROUP, LLC; RICHARD Z. TRAMMELL; JEREMY BRUCE HAYDEN; MARY ANNE ROTH, as Personal Representative of the Estate of Steven Mark Roth, M.D., Deceased; VCP NASHVILLE, LLC, doing business as VEIN GUYS; VCP ATLANTA, doing business as VEIN GUYS; VEIN GUYS SOUTH, LLC, doing business as VEIN GUYS; and VCP RALEIGH, LLC, doing business as VEIN GUYS; W.K. DICKSON & COMPANY, INC.; PHIL EBERLY; and REG WEAVER, Fulton County State Court Civil Action No. 15EV000172E.*

Georgia Power filed similar Notices of Related in these two cases.

All six of the cases listed herein involve injuries arising out of one incident – a February 20, 2013 plane crash in Thomson, McDuffie County, Georgia. In light of the similarities

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15EV000163A as a related case and noting that it was pending in front of Judge Susan Edlein. Since the filing of the Davidson Plaintiffs' Notice of Related Cases, the *McCorkle* case was transferred from Judge Edlein to Judge Roth.

between these cases, to proceed as assigned to multiple judges would result in a waste of judicial and private resources, increase the risk of inconsistent discovery and dispositive rulings, and could disrupt or interfere with the orderly and expeditious handling of these cases through this Court.

Respectfully submitted this 20<sup>th</sup> day of February, 2015.

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon the following by first class United States Mail, properly addressed and postage prepaid, on this the 20<sup>th</sup> day of February, 2015.

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