

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

FRIENDS OF PIEDMONT PARK, INC., and )  
DOUGLAS L. ABRAMSON, )

Plaintiffs, )

v. )

THE ATLANTA BOTANICAL GARDEN, INC., )  
THE CITY OF ATLANTA, GEORGIA, and )  
PIEDMONT PARK CONSERVANCY, INC., )

Defendants. )

CIVIL ACTION FILE NO.:  
2007-CV-128242

**AFFIDAVIT OF MICHAEL V. COLEMAN**  
**IN SUPPORT OF REQUEST FOR ATTORNEYS' FEES**

STATE OF GEORGIA )  
COUNTY OF FULTON )

BEFORE ME, the undersigned authority, on this day personally appeared Michael V. Coleman, who having been duly sworn states under oath as follows:

1. I have personal knowledge of the following facts, except where my knowledge is based on information and belief, as indicated, and, if called as a witness, I could and would competently testify to these facts.

2. I am an attorney licensed to practice before all Georgia state courts, and am a partner with the law firm Locke Lord Bissell & Liddell, LLP, attorneys of record for Defendant The Atlanta Botanical Garden (the "ABG").

3. I submit this affidavit in support of the ABG's Motion for an Award of Attorneys' Fees and Expenses of Litigation Pursuant to O.C.G.A. §§ 9-15-14 & 50-18-73.

4. After reviewing Plaintiffs' Complaint in this matter, I, and my colleague J. David Hopkins, sent Plaintiffs and their attorneys, Susan Garrett and William Cobb, a letter dated February 21, 2007, in which we advised them that, as to the ABG, the Plaintiffs' claims lacked

substantial justification and suffered from a complete absence of any justiciable issue of law or fact. Accordingly, we advised them that the ABG would seek to recover against Plaintiffs and their attorneys all sums it incurred in defense of Plaintiffs' claims, if such claims were not withdrawn within thirty (30) days.

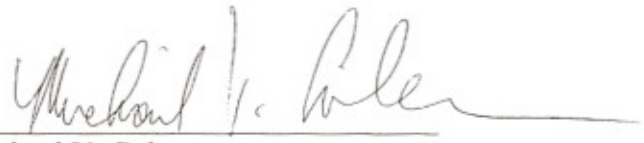
5. I am the supervising attorney for this matter. Below is a summary of some of the legal personnel who incurred time with respect to this matter between January 17, 2007 and October 23, 2007:

<b>Attorney:</b>	<b>Hrs. Billed:</b>	<b>Standard Hourly Rate:</b>
Michael V. Coleman	204.7	\$ 480.00
J. David Hopkins	387.7	\$ 360.00
John F. Kane	244.9	\$ 280.00
Anne L. Shaddinger	32.1	\$ 150.00

6. In light of the non-profit nature of the ABG, we substantially discounted our standard rates, so that the sum total of legal fees billed to the ABG for this matter totaled **\$268,978.66**. In addition, we billed the ABG **\$4,044.56** in costs in connection with this matter.

7. The amounts billed to the ABG are reasonable in light of the time and labor required, the likelihood that the acceptance of this engagement precluded other employment by the legal personnel who worked on this matter, and the fees customarily charged in Atlanta, Georgia by attorneys and paralegals with similar experience and expertise for comparable legal services. The reasonableness of the amounts billed to the ABG for this matter are further substantiated by the importance to the ABG of prevailing in this matter, and the results obtained.

*Signature on following page.*



Michael V. Coleman

Sworn to and subscribed  
before me this 7th day of December, 2007.

NOTARY PUBLIC

My Commission Expires: