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APR 18 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAMES N. HATTEN, Clerk

By: *J Reed* Deputy Clerk

CITY OF COLLEGE PARK and
CHARLES E. PHILLIPS, SR.,

Plaintiffs,

v.

CIVIL ACTION NO.

1:08-CV-1464-JEC

CITY OF ATLANTA, SHIRLEY
FRANKLIN, in her official
capacity as Mayor of the City
of Atlanta, and the STATE OF
GEORGIA,

Defendants.

ORDER

This matter came before the Court on plaintiff's Motion for a Temporary Restraining Order [3] filed on April 18, 2008. The Court granted a temporary restraining order and enjoined the defendants from acquiring the property in question, or any other property within the City of College Park, until further briefing on the matter of injunctive relief and on the propriety of a three-judge court.

Since issuance of the Order, counsel for the City of Atlanta has indicated his belief that the closing on the property in question occurred on this date, prior to the issuance of this Court's Order. Accordingly, the Court **VACATES** as moot that part

of its Order enjoining the defendants from acquiring the Wynterbrook Apartments. It maintains that part of the Order enjoining the defendants from acquiring future property in College Park.

Counsel shall appear for a status conference at 3:30 p.m., Monday, April 21, 2008.

SO ORDERED, this 18th day of April, 2008.



JULIE E. CARNES
UNITED STATES DISTRICT JUDGE