

Court of Appeals of the State of Georgia

ATLANTA, FEBRUARY 6, 2003

The Court of Appeals hereby passes the following order:

- A03A0590. PIEDMONT HOSPITAL, INC. v. MARY CAMILLE
DAVIS REDDICK**
- A03A0591. MARY CAMILLE DAVIS REDDICK, ET AL. v.
BEERS CONSTRUCTION COMPANY**
- A03A0592. MARY CAMILLE DAVIS REDDICK v. HOWELL
RUSK DODSON - ARCHITECTS**
- A03A0723. HOWELL RUSK DODSON - ARCHITECTS v. MARY
CAMILLE DAVIS REDDICK, ET AL.**

Three of the above appeals, A03A0590. Piedmont Hospital, Inc. v. Mary Camille Davis Reddick.; A03A0591. Mary Camille Davis Reddick, et al. v. Beers Construction Company.; A03A0592. Mary Camille Davis Reddick v. Howell Rusk Dodson - Architects. were docketed with this Court on November 12, 2002. The fourth appeal, A03A0723. Howell Rusk Dodson - Architects v. Mary Camille Davis Reddick, et al. was docketed with the Court on December 2, 2002. All of these appeals are related and come to the Court from the Superior Court of Fulton County.

The appeals were docketed in this Court and the records arrived in a sealed condition, the records having been sealed pursuant to an order of the trial court.

The records for the individual appeals were received in the clerk's office from the trial court, with each appeal having one or more sealed envelopes. Upon an inspection of the record in these envelopes, this Court notices that none of the records have the required pagination of R- Page Number to enable the Court and the attorneys

to accurately reference those parts of the record discussed in the briefs. Records submitted in this fashion also make it difficult for this Court to do the work necessary to arrive at the appropriate decision regarding issues raised in these appeals.

This Court also notices that counsel for parties in these appeals have filed all of their pleadings with this Court in a sealed condition. This is contrary to Court of Appeals Rule 27(c)(3)(iv) which provides no briefs or motions shall be filed under seal unless counsel has moved the Court for permission to file under seal and the Court has granted such motion.

Upon inspection and consideration of the records submitted in the above appeals, it is hereby ordered that the appeals be remanded to the trial court. The clerk of the trial court is directed to paginate each page in the record for each respective appeal with a R-Page Number designation, and include a corresponding index.

After a revision of the record has been completed, the clerk of the trial court is directed to remit each of these records to the Court of Appeals of Georgia, and the appeals will be docketed anew with new Docketing Notices sent.

If counsel wish to file briefs and motions under seal after the matters are re-docketed, they are directed to Rule 27(c)(3)(iv). Also, if counsel wish to request oral argument upon re-docketing of these appeals, counsel may wish to inform the Court that oral argument was previously requested and granted in A03A0591, A03A0592 and A03A0723. All pending motions in the appeals are hereby dismissed as MOOT.

The clerk of this Court is directed to return these records to the clerk of the Superior Court of Fulton County.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB - 6 2003

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Mart. JR

Court of Appeals of the State of Georgia

PROPOSED ORDER (A04A1399.93) May 4, 2004	
AGREE	DISAGREE

ATLANTA,

The Court of Appeals hereby passes the following order:

**A04A1399. MARVEL ENTERPRISES, INC. v. WORLD WRESTLING
FEDERATION ENTERTAINMENT, INC. et al.**

**A04A1400. MARVEL ENTERPRISES, INC. v. UNIVERSAL WRESTLING
CORPORATION.**

**A04A1401. UNIVERSAL WRESTLING CORPORATION v. MARVEL
ENTERPRISES, INC.**

These three appeals were docketed with this Court of March 17, 2004. All are related and come to the Court from the Superior Court of Fulton County.

When the appeals were docketed in this Court, a large portion of the records arrived in a sealed condition, those records having been sealed pursuant to an order of the trial court.

The records for the appeals were received in the clerk's office from the trial court, with numerous documents, pleadings, and appendixes contained in one or more sealed envelopes. Upon an inspection of the record in these envelopes, this Court notes that none of the records have the required pagination of R-Page Number to enable the Court and the attorneys to accurately reference those parts of the record that will be discussed in the briefs. Records submitted in this fashion also make it difficult for this Court to do the work necessary to arrive at the appropriate decision regarding issues raised in these appeals.

Upon inspection and consideration of the records submitted in the above appeals, it is hereby ordered that the appeals be remanded to the trial court. The clerk of the trial court is directed to paginate each page in the record with an R-Page Number designation, and include a corresponding index.

After a revision of the record has been completed, the clerk of the trial court is directed to remit these records to the Court of Appeals of Georgia, and the appeals will be docketed anew with new Docketing Notices sent.

This Court notes that counsel for the parties in these appeals have jointly moved pursuant to Court of Appeals Rule 27 (c)(3)(iv) to be allowed to file their pleadings with this Court under seal. After the matters are redocketed, counsel is directed to refile this motion. Also, if counsel wishes to request oral argument upon re-docketing of these appeals, counsel may wish to inform the Court that oral argument was previously requested and granted in all three appeals. All pending motions in the appeals are hereby dismissed as MOOT.

The clerk of this Court is directed to return these records to the clerk of the Superior Court of Fulton County.

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

....., Clerk.