

**COPY**

IN THE STATE COURT OF CLAYTON COUNTY

STATE OF GEORGIA

MIDLAND FUNDING, LLC,	)	
	)	
<i>Plaintiff,</i>	)	CIVIL ACTION FILE
	)	
v.	)	NO.: 2013-CV-02162-FF
	)	
MAQBOOL QURESHI,	)	
	)	
<i>Defendant.</i>	)	

**ORDER DENYING PLAINTIFF’S MOTION TO WITHDRAW ADMISSIONS;**

**ORDER GRANTING SUMMARY JUDGMENT IN FAVOR OF DEFENDANT ON ALL CLAIMS AND COUNTERCLAIMS;**

**RULE NISI AS TO STATUTORY DAMAGES AND ATTORNEY’S FEES PURSUANT TO DEFENDANT’S COUNTERCLAIM; AND**

**RULE NISI AS TO DEFENDANT’S MOTION TO COMPEL AND FOR SANCTIONS**

First, having read and considered Plaintiff Midland Funding’s (hereafter “Plaintiff”) Motion to Withdraw Admissions and Defendant Qureshi’s (hereafter “Defendant”) Motion in Opposition, and this Court finding that Defendant has shown that he properly filed and served on Plaintiff a copy of Defendant’s Request for Admissions on September 26, 2014, and that Plaintiff did not seek to withdraw Plaintiff’s admissions until April 21, 2015, after motions for summary judgment had been filed by both sides, and that Defendant has shown the withdrawal of Plaintiff’s admissions will prejudice him in maintaining his action and defense on the merits, this Court HEREBY DENIES Plaintiff’s Motion to Withdraw Admissions.

Second, Plaintiff having moved this Court for Partial Summary Judgment as to Defendant’s Counterclaim and Defendant having likewise moved for Summary Judgment in Favor of Defendant as to Plaintiff’s Claims and Defendant’s Counterclaim, and this Court having

read all the briefs in support and opposition, including Plaintiff's Reply in Opposition, and it appearing to this Court that on the basis of Plaintiff's Admissions there is no genuine issue of material fact on any of Plaintiff's claims or Defendant's counterclaims, and that Defendant is entitled to Judgment as a matter of law, it is HEREBY ORDERED AND ADJUDGED, that summary judgment is hereby GRANTED IN FAVOR OF DEFENDANT and against Plaintiff as to all claims and counterclaims.

Third, this Court FURTHER ORDERS the Parties to appear on Monday, August 3<sup>rd</sup>, 2015, at 8:30 a.m., for an oral argument hearing on the issue of the amount of statutory attorney's fees and damages sought by Defendant pursuant to 15 U.S.C. § 1962 (e - f) and (k).

Fourth, and finally, this Court ALSO ORDERS the Parties to appear on Monday, August 3<sup>rd</sup>, 2015, at 8:30 a.m., for a second and separate oral argument hearing on Defendant's Motion to Compel Discovery and for Sanctions to show why the relief sought should not be granted.

SO ORDERED this 16 day of June, 2015.

  
AARON B. MASON  
Judge, State Court of Clayton County

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served all counsel and interested parties in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly-addressed envelope with the adequate postage thereon to ensure delivery or by hand-delivery as follows:

Jamal K. Williams  
Frederick J. Hanna & Associates, PC  
2253 Northwest Parkway  
Marietta, GA 30067

John William Nelson  
The Nelson Law Chambers, LC  
P. O. Box 922873  
Norcross, GA 30010

This 16th day of June, 2015.



---

Cindy Barber, Administrative Assistant and  
Calendar Clerk to Judge Aaron B. Mason  
State Court of Clayton County

AARON B. MASON, JUDGE PRESIDING  
COURTROOM # 305 - 08:30 AM  
THIRD FLOOR

FOR ATTORNEY AT LAW  
JOHN WILLIAM NELSON  
P.O.BOX 922873  
NORCROSS, GA 30010

PARTIES	ATTORNEYS	STIPULATION DATE	ANSWER DATE
POSITION 001 OF 001 MIDLAND FUNDING LLC AAO (PLA)	JAMAL K WILLIAMS (770) 840-3000 WENDY R WEBB (770) 988-9055 LOUIS R FEINGOLD (770) 988-9055		
CHASE BANK USA NA (PLA)	JAMAL K WILLIAMS (770) 840-3000 WENDY R WEBB (770) 988-9055 LOUIS R FEINGOLD (770) 988-9055		
DISNEY (PLA)	JAMAL K WILLIAMS (770) 840-3000 WENDY R WEBB (770) 988-9055 LOUIS R FEINGOLD (770) 988-9055		
vs.			
QURESHI, MAQBOOL (DEF)	JOHN WILLIAM NELSON (404) 348-4462	Ans 09/29/2014	
CASE #2013 CV 02162 FF FILED 04/27/2015	Motion to Compel	0 CONTINUANCES	

**NOTICE:** Clayton County State Court  
is now located at the new  
HAROLD R. BANKE JUSTICE CENTER  
9151 Tara Boulevard (Highway 19/41)  
Jonesboro, Georgia 30236-4912

For directions please call 678-479-5333.