



Connie Taylor, Clerk of Superior Court
 Cobb County, Georgia

**IN THE SUPERIOR COURT OF COBB COUNTY
 STATE OF GEORGIA**

COLIN BRADY,)	
Petitioner,)	
v.)	
)	
COBB COUNTY, GEORGIA, a political)	
subdivision of the State of Georgia,)	Civil Action
JANINE EVELER, in her individual and)	File No. 22-10-2751
official capacities as Director of the Cobb)	
County Board of Elections and Registration,)	
the COBB COUNTY BOARD OF)	
ELECTIONS AND REGISTRATION, ET.AL.)	
)	
Respondents,)	
)	
v.)	
)	
CRAIG CHAPIN,)	
)	
Proposed Intervenor.)	

**PROPOSED INTERVENOR CRAIG CHAPIN'S MOTION TO INTERVENE AND
 BRIEF IN SUPPORT AND MOTION FOR CONSOLIDATION**

COMES NOW Craig Chapin (“Intervenor”) and moves, pursuant to O.C.G.A. § 9-11-24(a), to intervene in this Action as a party Defendant based on the grounds that Intervenor has a direct interest in the claims asserted in this Action. Intervenor is so situated that the disposition of the Action will, if not allowed to intervene, impair or impede his ability to protect his interest, that his interest is not adequately represented by the Respondents, and that Intervenor’s intervention will not unduly delay or prejudice the adjudication of Petitioners’ or Respondents’ rights, all as more fully shown in the Brief in Support below.

INTRODUCTION

Petitioner brings this Action in a misguided, brazenly political attempt to prevent the citizens of the proposed City of East Cobb from exercising their sacred, Constitutional right to

vote and create more local, responsive governance. Petitioner seeks to use this Court as a tool in his efforts to suppress the right of East Cobb's citizens to vote for the creation and charter of a new city in unincorporated Cobb County – the City of East Cobb. The right to vote is a sacred Constitutional right that should be respected by all citizens and elected officials. Unfortunately, Petitioner is actively seeking to deny this fundamental right to vote without any basis in law or fact.

FACTUAL BACKGROUND

Petitioner alleges House Bill 841 (2022) (“HB 841”), a local law that provides for the creation and charter of the proposed City East Cobb within unincorporated Cobb County, was signed into law by Governor Brian Kemp on February 15, 2022 after passing the House and Senate with large majorities on a bi-partisan basis¹. HB 841 is a constitutional enactment of the Georgia General Assembly allowing for certain citizens within the geographical boundaries of the proposed City of East Cobb to exercise their fundamental right to vote in determining if more local, responsive government is beneficial for their community. Petitioner desires to suppress this exercise of East Cobb citizens' sacred, Constitutional right to vote through this Action.

Intervenor is one of the electors in Cobb County residing within the proposed geographical boundaries of the City of East Cobb desiring to have his voice heard through the ballot box. Respondent Cobb County, on the other hand, ostensibly a Defendant in this action, cannot be relied on to adequately defend Intervenor's rights in this action since Cobb County has engaged in a pattern and practice of conduct that is hostile to allowing an East Cobb referendum. The numerous times Cobb County has allowed its employees and elected officials to violate Georgia law's prohibition against a county using taxpayer funds to campaign against

¹ Intervenor does not agree that there is any creature of Georgia statute known as a “local law.” While the Georgia General Assembly uses convenient procedural mechanisms to identify and pass general laws which impact only local issues, any enactment of the General Assembly by the Governor is a “general law.”

referendums are detailed in the letter to Cobb County Chairwoman Lisa Cupid of April 9, 2022 attached hereto as Exhibit 1 (the “Cease and Desist Letter”). The Cease and Desist Letter enumerated for Chairwoman Cupid over a dozen violations of Georgia law by Cobb County officials and employees in this process. Some of the more egregious violations include:

1. Chairwoman Cupid engaged, without the approval of the Board of Commissioners, a lobbyist to assist in opposing HB 826. See, “Cobb Co. government to create cityhood ‘awareness campaign,’ retains Sam Olens, as Vinings, Lost Mountain move forward”, *Yahoo! Finance*, February 3, 2022 (<https://finance.yahoo.com/news/cobb-co-government-create-cityhood-050100372.html>, visited on April 18, 2022) (“Lobbyist registration information shows that both [Former Attorney General and Cobb County Chairman Sam] Olens and [Daniel] Baskerville are in the county’s employ, receiving fees in excess of \$10,000 each. The county has also retained former state Rep. Ed Lindsey, who is co-chair of a group opposing Buckhead’s secession from Atlanta into a separate city.”).
2. Cobb County has proceeded to share misleading, incomplete, and factually incorrect information such as the four Cityhood initiatives will impact the budget by \$41 Million per year and the County will only save \$4.3 Million per year in reduced costs. This is a blatant misrepresentation of the facts by Cobb County with the intent to dissuade voters from supporting cityhood referendums.

Clearly, Cobb County has a bias against allowing the city of East Cobb to exist and has made efforts to stop the passage of HB 841. It is highly unlikely that Cobb County will zealously advocate for the constitutionality of a referendum which will likely result in the formation of the City of East Cobb. Instead, Cobb County may take no position opposing Petitioner's suit as to the constitutionality of HB 841 or will simply agree with those contentions. In fact, the County’s

legal counsel in this lawsuit, Daniel White, stated as much in an interview for the *Marietta Daily Journal* – when asked about the two companion lawsuits against the City of Vinings and Lost Mountain, White stated that “I don’t know that we’ll have much comment on anything as to the merits of the litigation . . . on the appropriateness or not of the referendums.” *Marietta Daily Journal*, April 15, 2022 (https://www.mdjonline.com/news/local/attorneys-say-third-lawsuit-planned-taking-aim-at-city-of-east-cobb-referendum/article_be9c0126-bce6-11ec-99c9-d7e5e4e35697.html visited on April 18, 2022). Additionally, in a press release covered by the *Marietta Daily Journal* on April 23, 2022, Ross Cavit, Cobb County Communications Director, specifically stated that “Cobb County has no legal authority to represent the interests of private citizens, however it’s legal position . . . is that [the lawsuits] should be dismissed.” *Marietta Daily Journal*, April 23, 2022 (https://www.mdjonline.com/news/frontpage/cobb-county-attorneys-lawsuit-challenging-vinings-referendum-should-be-dismissed/article_ff80a766-c275-11ec-bd12-63b7b7873ed0.html, visited on April 24, 2022). Essentially, though the County admits this, and the companion lawsuits, have not merit, they refuse to defend the rights of citizens of Cobb County whose constitutional voting rights have been threatened herein, essentially acknowledging that the rights of the Intervenor are *in opposite* to the rights of the County and they have no interests in defending his rights.

Per those admissions, there is currently no Defendant in this lawsuit who is expected to actually defend this lawsuit or the constitutionality of HB 841 or even to notify this Court that an indispensable party, mainly the State of Georgia that adopted HB 841, is fatally missing as party Defendant. In political parlance, this is a “friendly lawsuit.” In order to protect the rights of the Intervenor, mainly his Constitutional right to vote, Intervenor must be allowed to intervene as party Defendant.

ARGUMENT AND CITATION OF AUTHORITY

A. Intervenor is Entitled to Intervene by Right Pursuant To O.C.G.A. § 9-11-24(a)(2).

As an initial matter, it is clear that intervention is permitted under Georgia law with respect to an action for injunctive relief. See City of Waycross v. Pierce County Board of Commissioners, 300 Ga. 109 (2016) (affirming grant of intervention to property owners in litigation between city and county).

Specifically with respect to intervention by right, O.C.G.A. § 9-11-24(a) provides, in relevant part, as follows:

Upon timely application anyone shall be permitted to intervene in an action:

....

(2) When the applicant claims an interest relating to the property or transaction which is the subject matter of the action and he is so situated that the disposition of the action may as a practical matter impair or impede his ability to protect that interest, unless the applicant's interest is adequately represented by existing parties.

A motion under this rule must meet three requirements: (1) interest, (2) impairment [of his interests] resulting from an unfavorable disposition, and (3) inadequate representation. See e.g., Bakel v. Lankford, 306 Ga. App. 327, 329 (2010); Kubler v. Georg, 197 Ga. App. 667, 668 (1990). Because Intervenor meets each of these three requirements, he should be permitted to intervene as a matter of right in the Action.

First, there can be no dispute that Intervenor's Motion is timely. Intervenor has filed this Motion barely a few days after this action was filed by Petitioner and certainly before, according to the public docket, any responsive pleadings/Answers have even been filed by any Respondent. Second, Intervenor has an interest in preserving his own constitutional voting rights as well as preserving the right to vote of all the proposed City of East Cobb qualified electors on the duly enacted local law at issue. See Dillard v. Chilton County Com'n, 495 F.3d 1324, 1330 (11th Cir.

2007) (“a voter’s assertion of his or her interest in a democratically selected form of government describes a concrete and particularized injury sufficient to confer standing” for intervention). The publicly expressed views of the Cobb County government demonstrate that it has engaged in public advocacy using tax funds to oppose the City of East Cobb referendum, and that Cobb County’s preferred disposition of this action will as a practical matter impair or impede Intervenor’s ability to protect his fundamental voting rights. The same argument applies to the Cobb Election Board respondents, as their attorney of record has not expressed any interest in supporting East Cobb electors’ voting rights here, but to take no position on that crucial issue.

Finally, Intervenor’s interests cannot be adequately represented by the existing parties. As stated, it is without doubt that Petitioner does not represent the interests of the citizens of the proposed City of East Cobb desiring to exercise their right to vote for more direct, responsive governance; and he is seeking an injunction commanding the suppression of this vote. Additionally, as detailed above, Cobb County, through the use of Cobb County employees during business hours using taxpayer funded salaries, have taken numerous positions in opposition to the right of East Cobb citizens to vote, or suggesting a no vote would be appropriate. The Cobb Elections Board is not expected to even take a position as to the merits of this suit. Intervenor has every reason to vigorously defend his interests in ensuring his voice is heard and honored.

Finally, Petitioner has failed to name a proper party Defendant, the State of Georgia, and serve the Attorney General as required by law. O.C.G.A. §9-4-7(c) requires that if state legislation is alleged to be unconstitutional, “the Attorney General of the state shall be served with a copy of the proceeding and shall be entitled to be heard.” Petitioners have failed to serve the Attorney General as required by the Statute and, therefore, the State of Georgia is not currently a party to these proceedings. “No declaration shall prejudice the rights of persons not

party to the proceedings.” O.C.G.A. §9-4-7(a). Because HB 841 is a State of Georgia legislative action, the State of Georgia and the Attorney General would be prejudiced if not properly a party before the Court. This Court cannot grant a Declaratory Judgment without such. As is clear from the Cobb County legal counsel, as well as the Cobb County Commission, they have no interest in making such proper defensive arguments and, therefore, protecting not just the rights of Intervenor, but the rights of the State of Georgia itself.

Intervenor satisfies all of the necessary conditions for intervention by right under O.C.G.A. § 9-11-24(a)(2), and the Court should permit Intervenor to do so accordingly.

B. Alternatively, Intervenor Should Be Permitted To Intervene Under O.C.G.A. § 9-11-24(b)(2).

Intervenor is also entitled to intervene under O.C.G.A. § 9-11-24(b)(2):

Upon timely application anyone may be permitted to intervene in an action:

....

(2) When an applicant’s claim or defense and the main action have a question of law or fact in common.

O.C.G.A. § 9-11-24(b) further provides that “the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.” A claim for permissive intervention is within the sound discretion of the Court, and the Court’s decision will not be reversed absent an abuse of discretion. Shoemake v. Woodland Equities, Inc., 252 Ga. 389, 394 (1984).

This motion to intervene is filed within days of the filing of the original Petition. As stated above in both the factual recitations and the argument on intervention as of right, Intervenor has interests that are best represented by his presence in this case.

C. Petitioner's Legal Analysis Is Fatally Flawed.

The argument of Petitioner, and possibly Defendant Cobb County, that HB 826 is unconstitutional, is fatally flawed. This is so because HB 841 does not permanently restrict the charter of the City of East Cobb, as the City of East Cobb would have all of the powers and duties of any other city, if the voters of East Cobb are given the opportunity to vote and approve the referendum. Furthermore, the provisions Petitioner challenges do not limit the City's powers but simply *how* the City exercises said powers. Those are not only different aspects of governance but, in the latter's case, is a power the Legislature has and certainly has used continuously in the Charters of ALL the cities in Georgia, one way or another, including the limitation on the millage rate Petitioner finds to be problematic here.

To the extent that the Court were to find that HB 841 somehow prevents the City of East Cobb from providing certain services, or exercising one or more powers, O.C.G.A. § 1-1-3 provides that any such unconstitutional or unlawful provision of the charter should be severed from the remaining provisions and "such declaration or adjudication shall not affect the remaining portions of this Code or of such Act or resolution, which shall remain of full force and effect as if such portion so declared or adjudged invalid or unconstitutional were not originally a part of this Code or of such Act or resolution." Petitioner presents no evidence or law to support the baseless assertion that the provisions he alleges to be unconstitutional are somehow inseparable from the remainder of the City of East Cobb Charter, an allegation that flies in the face of the realized reality that just about every other city in the State of Georgia has survived just fine without them. Therefore, even if that subsection did represent a violation of the Constitution as alleged, which is strongly disputed, the Court could just render it unenforceable *should* Cityhood be approved. Neither this provision nor its fate should prevent the referendum from moving forward.

Furthermore, in the future, if the city is established, a future city council would have the full power pursuant to O.C.G.A. § 36-35-3 to use its home rule powers to make adjustments, if it so wished. Legally, the City of East Cobb will have all the powers and duties as any other city. Consequently, Petitioner's request for relief should be denied. The fact that neither Defendant is interested in making *any* of these legal arguments in support of the Referendum and the constitutionality of HB 826 is a clear example of why this Intervention should not only be permitted but is indispensable to the proper resolution of all these interests.

D. This case and the identically-themed Petitions against the City of Lost Mountain and the City of Vinings should be consolidated in one action.

There are several city charters that the Legislature adopted in 2022 that are moving forward to a Referendum on May 24, 2022. Two such other proposed cities are the City of Lost Mountain, whose Charter was legislatively approved by House Bill 826 (2022) (“HB 826”), and the City of Vinings, whose Charter was legislatively approved by House Bill 840 (“HB 840”). As in this case, a nearly identical Petitions for Mandamus, Declaratory Judgment and Injunction were filed in this Court. See West Cobb Advocate, Inc. and Dora Locklear v. Cobb County, Georgia, et. al., Superior Court of Cobb County, Civil Action File No. 22-1-02557-53 (Lost Mountain) and Joseph Young v. Cobb County, Georgia, et. al., Superior Court of Cobb County, Civil Action File No. 22-10-2251 (Vinings). Near identical Motions to Intervention have also been filed in those matters and all three cases are pending in this Court. Though consolidation of cases usually requires consent of the parties, “when the rights of all concerned in a common subject matter may be adjudicated in a single proceeding without prejudice to any, equity may interfere to prevent a multiplicity of suits.” Beavers v. Mabry, 195 Ga. 169, 172 (1942).

There is no doubt that the rights of all concerned can be adjudicated in a single proceeding if for no other reason than the rights of Petitioners, Defendants and Intervenors are

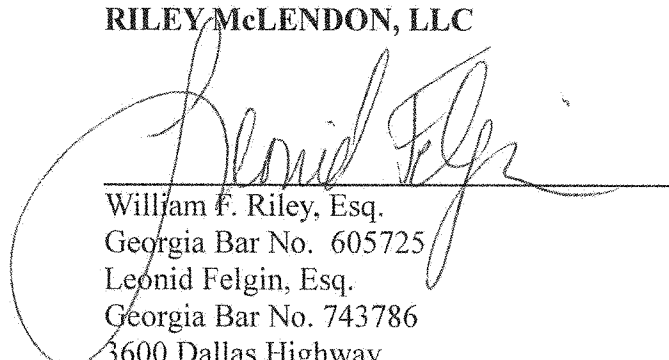
exactly the same in either case; what Petitioners are seeking are exactly the same in either case and based on exactly the same flawed argument concerning nearly identical charter provisions; and what Intervenors are seeking is the right to vote, which are exactly the same and based on exactly the same facts and legal arguments, and Defendants are expected to identically do absolutely nothing to defend either matter. For the convenience of this Court and to maximize the judicial resources, consolidation of all three cases would be the best avenue to adjudicate both matters. Intervenor, therefore, respectfully requests this Court consolidate this action with Civil Action File No. 22-1-02557-53 and Civil Action Fil No. 22-10-2251, in order to adjudicate all three matters simultaneously.

CONCLUSION

Intervenor is entitled to intervene in this Action to protect his rights and those of his fellow East Cobb citizens in seeking to exercise their right to vote for more localized and responsive governance. For the reasons stated above, Intervenor's Motion to Intervene should be granted, intervention allowed and this case consolidated with the West Cobb Advocate, Inc. and Dora Locklear v. Cobb County, et. al. and Joseph Young v. Cobb County, et. al. cases.

Respectfully submitted this 25th day of April 2022.

RILEY McLENDON, LLC



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CERTIFICATE OF SERVICE

This is to certify that **PROPOSED INTERVENOR CRAIG CHAPIN'S MOTION TO INTERVENE AND BRIEF IN SUPPORT AND MOTION FOR CONSOLIDATION** has served the Petitioner and the Respondents in this action with a copy of the foregoing by electronically filing via PeachCourt file and serve, which sends an electronic copy to all legal counsel in this action as follows:

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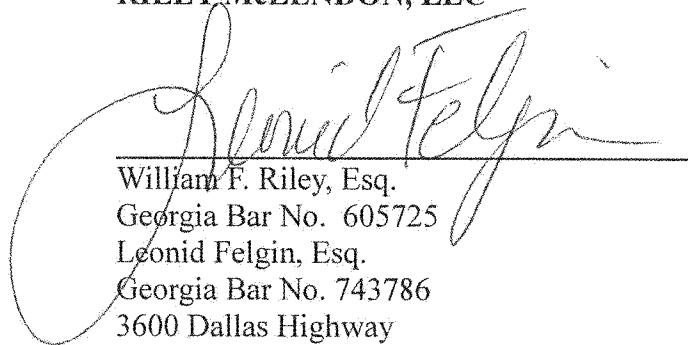
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This 25th day of April, 2022.

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April 9, 2022

VIA EMAIL

Cobb County Board of Commissioners
Attention: Chairwoman Lisa Cupid
100 Cherokee St NE
Marietta, Georgia 30090

Cobb County Board of Commissioners,

As you are aware, Georgia law prohibits a county from using taxpayer funds to campaign against referendums. As the Georgia Supreme Court has explained, the "[e]xpenditure of county funds" to influence the outcome of a referendum "is not authorized as a facet of administration of county government."¹ Accordingly, counties may not "use county money and county employees on county time" to influence the outcome of the Cityhood Referendums.²

Based on the available facts, it appears Cobb County has violated Georgia law in its efforts to defeat the four Cityhood initiatives in Cobb County's respective Referendums. Cobb County has, at the least, allowed county officials and employees to oppose Cityhood efforts, on County time and through official County channels. And they have done so by promoting baseless speculation in the guise of "education." Worse, the County's "education" consists of half-truths and even outright lies.

We demand that Cobb County cease all expenditures of County resources to oppose the Cityhood Referendums. We have previously expressed our concern on the implicit and explicit bias in Cobb County's awareness campaign and activities with the opposition ballot committee(s) to a group of Cobb executives. Not only has the unlawful behavior not been curtailed, but it also continues at an increasing velocity. Below is a non-exhaustive list of violations that we are aware of at the time of the letter:

County Official(s) Violations:

- County resources were used to attend a Government Affairs committee hearing where Cobb County staff and the Chairwoman Cupid and District 2 Commissioner lobbied the committee to not pass HB841³
- Commissioner Jerica Richardson released a video to the Governmental Affairs Committee Chairman that she additionally distributed via email⁴ where she states, "by fact, cities yield higher taxes and increased development. Given the economic makeup of the area I forecast such would be the inevitable outcome for the proposed city alongside a deluge of annexations just to balance the budget." Richardson continues, "there are a multitude of questions that remain unanswered as to whether such rendered services would even be adequate for the area. For example, the tax base will likely require the use of part-time employees like firefighters or special public safety teams... I can only say that the city services may be feasible but inadequate without increasing the tax rate."
- Chairwoman Cupid unlawfully engaged, without the approval of the BOC, a lobbyist including to assist with HB841⁵. As stated in the MDJ, "among those sitting in on Tuesday's hearing was Sam Olens, former state attorney general and former Cobb County chairman, wearing an orange lobbyist badge. Olens declined to comment, but his partner, Daniel Baskerville, said he and Olens were at the Capitol on the county's behalf." Additionally, the County engaged Ed Lindsey as reported in the news⁵, "The county has also retained former state Rep. Ed Lindsey, who is co-chair of a group opposing Buckhead's secession from Atlanta into a separate city."

- Deputy County Manager James “Jimmy” Gisi said⁷, “Considering the issue of proposed cityhood, we believe that every registered voter should have the opportunity to cast their ballot on whether they approve of incorporating into a new city. We also believe that these registered voters should be equipped with as much factual data as possible so they can make the most informed decision when it comes time to go to the polls.”
 - While this statement sounds innocuous, Cobb County has proceeded to share misleading, incomplete, and factually incorrect information such as the four Cityhood initiatives will impact the budget by \$41m / year and the County will only save \$4.3m in reduced costs. This is a blatant misrepresentation of the facts by the county with the intent to dissuade voters. The county has disclosed it intends to redeploy these funds for other roles not currently filled having nothing to do with the Cityhood efforts.
- Cobb County Fire Chief Bill Johnson claims⁷ without knowing any to be fact: a “rumor” that the proposed city will be engaging part-time firefighters. That additionally, “They absolutely will see an increase in their response time,”
- Cobb County Communications Director Ross Cavitt and Commissioner Jerica Richardson attended and publicly addressed the audience at the East Cobb Alliance (anti-city group) launch event⁸ that was broadcast to the public on March 5, 2022. Neither made any attempt to attend or participate in the four Information Sessions nor Town Hall event hosted by the East Cobb Cityhood Committee. This demonstrates a clear bias and is evidence of supporting the anti-city campaign.
- Cobb Director/Comptroller William Volekmann inaccurately states at Cobb County’s Townhall⁷ against cityhood that: “they will be repurposing [the fire fund] for their general operations” while at the same time claiming that Cobb’s expense for firefighting is underestimated in the Feasibility study. Volekmann additionally misrepresents the impact of the four proposed cityhood on the Cobb operation budget. The overall reduction communicated by the county is not anywhere near the reduction available based on personnel cost alone.
- Director of Public Safety Randy Crider’s repeated assertions that residents’ homeowner insurance rates will go up with a City of East Cobb Fire Department without any 3rd party corroboration to support this claim. By consciously spreading this unverified and unsubstantiated claim, the sole purpose of the comment is to dissuade voters.
- Director of Public Safety Randy Crider makes a public comment at the Governmental Affairs Committee Hearing that the proposed City of East Cobb will be engaging part-time firefighters without any data or proof of this false assertion.¹⁰ By consciously spreading falsehoods and innuendo, the sole purpose of the comment is to dissuade voters.
- Director of Public Safety Randy Crider publicly stated that a typical response to a significant structure fire requires 11 people to initially respond. In subsequent town hall meetings, Fire Chief Bill Johnson shared a much higher number that was required to respond to the same fire. These contradictory numbers are very misleading to the public and meant to imply the proposed City of East Cobb will have diminished Fire services.^{7/9/10}
- Interim Cobb Police Chief Scott Hamilton stated in the recent town hall regarding police response that response times vary, depending on what kind of call is dispatched, but that a “city would probably have fewer officers for major calls.”^{7/11} The City of East Cobb Feasibility Study shows that 71 officers would cover 25 square miles compared to 49 officers that currently cover over 77 square miles out of Police Precinct 4. Yet, Chief Hamilton refers to none of the actual data.
- Cobb County posted videos⁷ where department leaders each present a list of questions that they have for the proposed city, implying that no one on the cityhood side can even answer simple questions. Cobb County’s “questions” conceal the truth that only the future elected officials of the City of East Cobb will be able to answer those questions. Nor has the County ever posed these questions directly to the Cityhood committees or offered to post the Committee’s responses.

County Employee Violations:

- Cobb County has, at County expense, produced and distributed misleading and inflammatory literature at Town Hall events to campaign against cityhood (Cobb County Cityhood Information handout). A couple of examples that improperly create fear, uncertainty and doubt are:
 - “Why is this process moving so quick?” The response implies a bias to the speed it is moving.
 - “What other fees could come with a new city?” The county responds in closing “This could result in higher costs to residents of the new city of those services”. This baseless speculation has only one purpose: to dissuade voters from supporting the Referendum.
- On a site visit to a senior living facility within the proposed city boundaries, fire personnel shared that the proposed city cuts the venue out of fire services and that the “facts” are on the Cobb government site that say how the venue will lose services.
- On www.cobbcounty.org – Cobb shares that the county’s government is not involved in the efforts to form new cities and did not conceive, formulate, or approve of any of the legislation. This statement of the County’s non-approval is inappropriate.

This letter is a demand for Cobb County, its employees, and agents to immediately cease and desist its campaign against Cityhood. As such, we demand the following:

1. Immediately direct all Cobb County staff and agents to cease speaking to the public in an official capacity about the cityhood efforts. As the above examples demonstrate, the potential for inappropriate advocacy, speculation, and untruth means that the County will continue to violate the law until this direction is given. All questions concerning cityhood shall be funneled through a named and appropriate resource at the director level or higher.
 - This shall be implemented with two business days of receipt of this letter.
2. Provide a section in the Cobb County Awareness Campaign website for the Cityhood Committees to respond and share data and responses to the County’s questions or information.
 - Access should be formalized and shared with the respective Committees by April 14, 2022.
3. This letter serves as an Open Records Request for Cobb County to produce the work product supporting Director/Comptroller Volckmann’s financials prepared and disseminated to the public as part of the Awareness Campaign including all email(s), handwritten notes, documents, spreadsheets, and any form of communication on the topic of Cityhood.
 - For example, the operating budgets for Fire Stations 15 & 21 and Police precinct 4.
 - Additionally, the work product justifying the loss of Revenue for all the proposed cities and the details of cost savings to include the reallocated resources.
 - These shall be provided to the East Cobb Cityhood Committee by April 15, 2022.
4. Prior to any future townhalls, The County shall submit in writing all questions it intends to ask regarding Cityhood to the respective Committees, at least five business days beforehand, and must share the responses as provided.
5. Have Cobb County engage a State of Georgia approved University to conduct an Impact Study to be shared with Cobb County residents. This third party, neutral study is to be the sole reference to describe the financial impact to Cobb County should the cityhood ballot measures succeed.

Cobb County is knowingly presenting biased, incomplete, and inaccurate information to the public. Meanwhile, the County has stated that it has no official position on the cityhood initiatives. While this disclaimer implies neutrality, Cobb County’s behavior has been anything but neutral. As far as we are aware, no County official has ever said anything positive about the cityhood proposals. In fact, Cobb’s desire to thwart the Cityhood efforts are clear as highlighted above and designed to create fear, uncertainty, and doubt in citizens’ minds—illegally influencing their vote.

We expect an immediate response and remedy from Cobb County on this unlawful campaign against the cityhood ballot initiatives currently scheduled for the May 24, 2022 vote and execution of the demands shared above.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Chapin', with a stylized flourish at the end.

Craig Chapin, President
East Cobb Cityhood Committee

CC: JoAnn Birrell
Keli Gambrell
Jerica Richardson
Monique Sheffield
H. William Rowling, Jr.
Dr. Jackie McMorris

References:

¹ **McKinney v. Brown**, 242 Ga. 456, 456 (1978).

² **Harrison v. Rainey**, 227 Ga. 240, 241 (1971).

³ **HB-841 -- a bill to incorporate the City of East Cobb**.
<https://www.legis.ga.gov/legislation/60811>

⁴ **Jerica Richardson video. January 13, 2022 (3m 49 sec)**
<https://www.wvvideo.com/view/2521965443?foclid=IwAR0d2in1zP21BFzIX7MwI3ong-xtYdXg8GvGfDzXY-M9h8bIkwgnJ8SWvCj>

⁵ **Cobb Co. government to create cityhood 'awareness campaign,' retains Sam Olen, as Vinings, Lost Mountain move forward - 02/03/22**
<https://finance.yahoo.com/news/cobb-co-government-create-cityhood-050100372.html>

⁷ **Cobb County Cityhood "Townhalls", March 9, 2022, and March 24, 2022**
https://www.youtube.com/watch?v=W3H_EyThLoo
<https://www.youtube.com/watch?v=bhCjMvFYic>

⁸ **East Cobb Alliance was live. March 5 at 9:46 AM (49m 06 sec)**
<https://fb.watch/bXyhu-exsB/>

⁹ **Cobb County Cityhood Referendum Town Hall, Cobb County Fire Chief Bill Johnson - 03/09/22 (23m 50 sec)**
https://www.youtube.com/watch?v=W3H_EyThLoo

¹⁰ **Governmental Affairs 01.13.22, Cobb County, Director of Public Safety, Randy Crider - 01/13/22 (1hr 6 mins)**
<https://vimeo.com/showcase/8972626?video=664964990>

¹¹ **County officials take Cityhood town hall to East Cobb (East Cobb News article), Cobb County, Interim Cobb Police Chief Scott Hamilton**
<http://eastcobbnews.com/county-officials-take-cityhood-town-hall-to-east-cobb/>