

IN THE SUPERIOR COURT OF CHATHAM COUNTY

STATE OF GEORGIA

e-Filed in Office
Tammie Mosley
Clerk of Superior Court
Chatham County
Date: 8/19/2024 11:14 AM
Reviewer: KW

BROTHERLY LOVE, INC., d/b/a)	
THE WEEPING TIME COALITION,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION NO. SPCV21-01042-CO
)	
MAYOR AND ALDERMAN OF THE CITY)	
OF SAVANNAH, GEORGIA, to wit: VAN)	
JOHNSON, MAYOR; KEISHA GIBSON-CARTER,)	
ALICIA MILLER-BLAKELY, BERNETTA)	
BRYANT-LANIER, DETRIC LEGGETT, LINDA)	
WILDER-BRYAN, NICK PALUMBO, ESTELLA)	
EDWARDS SHABAZZ, and KURTIS PURTEE,)	
ALDERMEN; all in their official capacities;)	
)	
HOUSING AUTHORITY OF SAVANNAH; and)	
)	
THE SALVATION ARMY, INC.)	
)	
Respondents.)	

MOTION FOR CONTINUANCE

COMES NOW Petitioner Brotherly Love, Inc. d/b/a The Weeping Time Coalition, by and through undersigned counsel in the above-styled action, and files this “Motion for Continuance.”

Petitioners seek to continue the hearing presently set for Friday, August 23, 2024. In support thereof, Petitioners show as follows:

1. Rev. Leonard Small, spokesperson for Petitioners, who has attended every hearing in this case on behalf of the Weeping Time Coalition, is unable to attend court on Friday for medical reasons. Rev. Small has a CT chest scan, scheduled by Emory University Hospital Midtown, on Friday, August 23, 2024, to be followed by an MRI on Saturday morning. Rev. Small, who is battling cancer, must take the appointment dates that Emory provides. Rescheduling these appointments would result in considerable delay and endanger his health.

2. A motion to add The Weeping Time Cultural Heritage Corridor Authority, filed in April, 2024, remains before this Court.

3. As of this date, only one member has been appointed to the board, to wit: Lisa Runstrom. She is without authority to act alone on behalf of the Authority. The remaining appointments are believed to be imminent.

4. The Weeping Time Cultural Heritage Corridor Authority has the legal authority to directly purchase the subject property that is the subject of this litigation, along with adjacent properties. Although the Authority itself lacks the power of eminent domain, and cannot itself compel a sale, other entities such as the State of Georgia, and Chatham County, do have that authority.

5. If this litigation was to conclude adversely before the Weeping Time Cultural Heritage Authority has the opportunity to intervene in this case, or to be added as a party, then it could potentially cost the taxpayers of Chatham County, and/or the State of Georgia, millions of dollars as the fair market value of the property that the City of Savannah essentially (and illegally) gave away to the The Salvation Army has appreciated substantially in recent years due to its proximity to the Port of Savannah.

6. Moreover, were The Salvation Army to begin site work on the subject property prior to acquisition by The Weeping Time Cultural Heritage Authority, there remains the grave risk of irreparable damage to what architectural elements of historic significance remain.

WHEREFORE, Petitioner prays that this Court continue the hearing scheduled for August 23, 2024, for no less than forty-five days.

So moved, this 19th day of August, 2024.

/s/ Kevin Gough
Kevin Gough
ATTORNEY FOR PETITIONER
Georgia Bar No. 303210

Kevin Gough Firm, LLC
501 Gloucester Street, Suite 121
Post Office Box 898
Brunswick, GA 31521
(912) 242-5114
kevingough.firm@gmail.com

CERTIFICATE OF SERVICE

COMES NOW Kevin Gough, counsel for the Petitioner, and hereby certifies that a copy of foregoing document has been served upon R. Bates Lovett, Esq., Attorney for the City Respondents, by email to: blovett@savannahga.gov , Dana F. Braun, Esq., Ellis Painter, Attorney for HAS, by email to: dbraun@ellispainter.com , and David Johnson, Esq., Attorney for the Salvation Army, by email to dhj@mccorklejohnson.com .

This 19th day of August, 2024.

/s/ Kevin Gough
Kevin Gough