

IN THE SUPERIOR COURT OF CHATHAM COUNTY

STATE OF GEORGIA

<p>BROTHERLY LOVE, INC., d/b/a THE WEEPING TIME COALITION,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>MAYOR AND ALDERMAN OF CITY OF SAVANNAH, GEORGIA, et al.,</p> <p style="text-align: center;">Respondents.</p>	<p>]</p> <p>]</p> <p>]</p> <p>]</p> <p>]</p> <p>]</p> <p>]</p> <p>]</p> <p>]</p> <p>]</p> <p>]</p>	<p>Civil Action # SPCV21-01042-CO</p>
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**THE SALVATION ARMY’S RESPONSE TO
 PLAINTIFF’S MOTION FOR CONTINUANCE**

The Salvation Army (“TSA”) responds to the motion by Brotherly Love, Inc., d/b/a The Weeping Time Coalition (“WTC”), filed on August 19, 2024, seeking to continue the hearing on pending motions to dismiss/for summary judgment, scheduled for Friday, August 23, as follows:

In the first numbered paragraph of its motion for a continuance, WTC states that Reverend Leonard Small is unable to attend the scheduled hearing of oral argument for medical reasons. However, in doing so, WTC gives no reason whatsoever why Reverend Small’s absence would prejudice or disadvantage WTC in any way. Nor has WTC given any indication why another officer of Brotherly Love, Inc., could not attend as WTC’s representative. Per the attached printouts from the Georgia Secretary of State, Pastor Larry Gordon is the CEO and Henrietta Hills is the Secretary of the corporation. Both have been active in WTC, and certainly either could adequately represent it in Court. Finally, WTC’s request for a continuance of “no less than Forty-five days” belies its reliance on Reverend Small’s medical appointments. If those appointments were truly the basis to continue the hearing, then an extended continuance would be unnecessary.

The remaining five paragraphs of WTC's motion point to the purely speculative possibility that The Weeping Time Cultural Heritage Corridor Authority might become a party to this case or otherwise address TSA's property. (TSA incorporates herein its Response to Second Motion to Add Party, Etc., and its Supplemental Response to Second Motion to Add Party, Etc.) WTC's motion to add the Authority was filed on April 12, 2024, and the Court's Order scheduling the upcoming hearing was entered over two months ago, on June 13. Obviously, the Court was aware of the pending motion to add when it scheduled the hearing on pending motions to dismiss/for summary judgment. The potential addition of the Authority will simply be rendered moot by a judgment terminating WTC's claims herein as a matter of law.

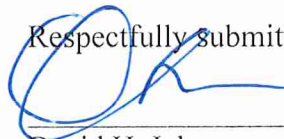
WTC acknowledges in its motion that the Authority has not been fully constituted, but states without support of any kind that the appointment of its members is imminent. Again, this is conjecture, as is any suggestion that the Authority might seek to become a party to this case. Moreover, there is no reason that the Court should withhold from determining the invalidity of WTC's claims. Addition of the Authority as a participant in WTC's claims could not alter the deficient nature of those claims, and to the extent that the Authority might, once its members are appointed, want to bring other claims against the defendants herein, then it would of course be at liberty to do so in a separate suit.

WTC further speculates that the Authority might purchase TSA's property or that the State of Georgia or Chatham County might take it via eminent domain. These purely hypothetical prospects provide no basis to continue the upcoming hearing. First, obviously, there is no reason to think these things will ever happen. In addition, the disposal of WTC's suit via dismissal and/or summary judgment would have no prohibitive effect on the Authority's ability to purchase the property, were TSA willing to sell, or on the State's or County's eminent domain powers. WTC's arguments in this regard are unsupported and insupportable.

In a last, ditch effort to support a continuance, WTC states its supposed concerns that TSA might, by beginning site work on the property, cause “damage to what architectural elements of historic significance remain.” The only evidence before the Court in this regard is the Brockington Survey attached as an exhibit to WTC’s complaint herein, which documents a Phase I archaeological resources survey. The survey found one archaeological site, which consists of remnants of Francis Bartow Homes housing project, unrelated to the Weeping Time. Survey, Page 59. WTC’s ostensible concerns in this regard are false.

This action has been pending since October of 2021, and it has delayed and interfered with TSA’s salutary efforts to create a shelter for people in need for far too long. There is no substance to WTC’s latest effort to delay the disposition of this case even further, since it relies on rank speculation and incomplete, unsupported arguments. For all the foregoing reasons, WTC’s dilatory motion for a continuance should be denied.

Respectfully submitted,



David H. Johnson
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Attorney for The Salvation Army

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**GEORGIA
CORPORATIONS DIVISION**

GEORGIA SECRETARY OF STATE
BRAD RAFFENSPERGER

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name: **BROTHERLY LOVE, INC.** Control Number: **K612518**
 Business Type: **Domestic Nonprofit Corporation** Business Status: **Active/Compliance**
 Business Purpose: **NONE**
 Principal Office Address: **114 OGLESBY AVE,
GARDEN CITY, GA,
31408-1612, USA** Date of Formation /
Registration Date: **4/9/1996**
 State of Formation: **Georgia** Last Annual Registration
Year: **2026**

REGISTERED AGENT INFORMATION

Registered Agent Name: **LARRY J. GORDON**
 Physical Address: **114 OGLESBY AVENUE, GARDEN CITY, GA, 31408, USA**
 County: **Chatham**

OFFICER INFORMATION

Name	Title	Business Address
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Henrietta Hills Hills	Secretary	141 West 51st, Savannah Ga. 31405, GA, 31405, USA
Leonard Small Small Small	CFO	17 West 54th Street, Savannah Ga., GA, 31405, USA

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STATE OF GEORGIA

Secretary of State

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ANNUAL REGISTRATION

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Secretary of State

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BUSINESS INFORMATION

CONTROL NUMBER	K612518
BUSINESS NAME	BROTHERLY LOVE, INC.
BUSINESS TYPE	Domestic Nonprofit Corporation
EFFECTIVE DATE	03/06/2024
ANNUAL REGISTRATION PERIOD	2024, 2025, 2026

PRINCIPAL OFFICE ADDRESS

ADDRESS	114 OGLESBY AVE, GARDEN CITY, GA, 31408-1612, USA
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REGISTERED AGENT

NAME	ADDRESS	COUNTY
LARRY J. GORDON	114 OGLESBY AVENUE, GARDEN CITY, GA, 31408, USA	Chatham

OFFICERS INFORMATION

NAME	TITLE	ADDRESS
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Leonard Small Small Small	CFO	17 West 54th Street, Savannah Ga., GA, 31405, USA

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	LEONARD SMALL
AUTHORIZER TITLE	Authorized Person

CERTIFICATE OF SERVICE

This is to certify that I have this date served Counsel for all parties with a copy of the foregoing by placing a copy of same in a properly addressed envelope with sufficient postage thereon and depositing same in the United States Mail.

This 20th day of August, 2024.


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