

IN THE SUPERIOR COURT OF CHATHAM COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. SPCV25-01392-MI
)	
SAVANNAH ECONOMIC)	
DEVELOPMENT AUTHORITY)	
and MAYOR AND ALDERMAN OF)	
THE CITY OF SAVANNAH,)	
)	
Defendant.)	

ORDER ON MOTION TO INTERVENE

Now before the Court is the Motion to Intervene filed on November 3, 2025 by Clara Greig and Tana Fileccia-Flagg, wherein they seek to intervene in this bond validation action pursuant to O.C.G.A. § 36-82-77(a).¹ The Defendants objected to the motion at the November 4, 2025 bond validation hearing on the grounds that the motion as filed was insufficient under O.C.G.A. § 9-11-24(c).

In Sherman v. Development Authority of Fulton County, 321 Ga. App. 550, 739 S.E.2d 457 (2013), the Georgia Court of Appeals held that citizens² desiring to become a party to bond validation proceedings must comply with the Civil Practice Act and move to intervene as set forth in O.C.G.A. § 9-11-24. In relevant part, O.C.G.A. § 9-11-24(c) requires that a motion to intervene “shall state the grounds therefor and shall be accompanied by a pleading setting forth the claim or defense for which intervention is sought.” “The motion itself does not constitute the pleading that must accompany the motion to intervene.” West v. Miller, 366 Ga. App. 192, 194, 879 S.E.2d 830, 832 (2022).

In their motion, Ms. Greig and Ms. Fileccia-Flagg assert that this bond validation proceeding involves the same underlying facts as and is dependent upon the outcome in pending litigation in which

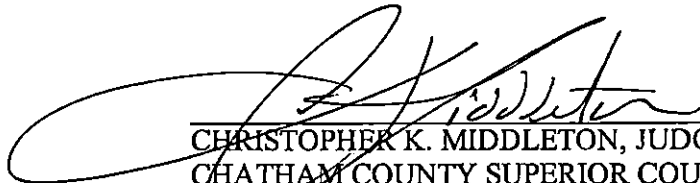
¹ Counsel for the parties appeared at the November 4, 2025 bond validation hearing and the Court allowed him to state his objections to the bond validation, but the Court did not rule on the motion to intervene at that time.

² There was no objection to the assertion in their motion that Ms. Greig and Ms. Fileccia-Flagg are citizens of the State of Georgia and residents of Chatham County, as required to become a party under O.C.G.A. § 36-82-77(a).

they are the petitioners.³ They further state that “[t]he petition and all associated pleadings in the case referenced *supra* set forth [their] claims against the City in this matter, and [they] adopt and incorporate[] all of those pleadings as if fully set forth herein.” However, their motion was not accompanied by a pleading setting forth the claim or defense for which intervention is sought, as required by the O.C.G.A. § 9-11-24(c). While they did incorporate the petition and the pleadings in the other action before this Court, those pleadings relate to a zoning dispute and are not particularized to the specific issues relating to the bond validation proceeding.⁴ In addition, the pleadings in the other action are voluminous, and it is unreasonable to expect the other parties to this suit to wade through them to discern the specific objections Ms. Greig and Ms. Fileccia-Flagg seek to raise with respect to the bond validation, particularly given that the motion was filed at 10:42 p.m. the evening prior to the 9:00 a.m. bond validation hearing, which had been scheduled since October 15, 2025.

Thus, while Ms. Greig and Ms. Fileccia-Flagg had the right to intervene in this action pursuant to O.C.G.A. § 36-82-77(a), they “had to do so in the proper way, following the basic procedures . . . that are required to become a party.” Sherman v. Development Authority of Fulton County, 324 Ga.App. 23, 26, 749 S.E.2d 29, 32 (2013). Accordingly, the Court hereby DENIES the Motion to Intervene.

SO ORDERED, this 10 day of November, 2025.


CHRISTOPHER K. MIDDLETON, JUDGE,
CHATHAM COUNTY SUPERIOR COURT
EASTERN JUDICIAL CIRCUIT OF GEORGIA

cc: All counsel and parties of record

³ Clara Greig and Tana Fileccia-Flagg v. Mayor and Aldermen of the City of Savannah, Seacrest Seven, LLC, 1015 Whitaker, LLC, and Portfolio Holdings, LLC, Case No. SPCV25-00195-MI, Superior Court of Chatham County.

⁴ The Court notes that Ms. Greig and Ms. Fileccia-Flagg, through counsel, filed a letter detailing some of their objections to the bond validation proceeding, but that did not accompany the motion to intervene and was not styled as a pleading, nor does it appear to have been served upon the parties as provided in O.C.G.A. § 9-11-5.