

# HATFIELD & HATFIELD, P.C.

ATTORNEYS AT LAW  
201 ALBANY AVENUE  
P.O. BOX 1361  
WAYCROSS, GEORGIA 31502

J. MARK HATFIELD  
THOMAS E. HATFIELD

TELEPHONE (912) 283-3820  
FACSIMILE (912) 283-3819

February 17, 2012

VIA FACSIMILE & U.S. MAIL

Honorable Henry M. Newkirk  
Judge  
Superior Court of Fulton County  
Justice Center Tower  
185 Central Avenue SW  
Atlanta, Georgia 30303

Honorable Christopher S. Brasher  
Judge  
Superior Court of Fulton County  
Justice Center Tower  
185 Central Avenue SW  
Atlanta, Georgia 30303

RE: Carl Swensson v. Barack Obama  
Superior Court of Fulton County (Newkirk)  
Civil Action File No. 2012CV211527

Kevin Richard Powell v. Barack Obama  
Superior Court of Fulton County (Brasher)  
Civil Action File No. 2012CV211528

Dear Judges Newkirk and Brasher:

Pursuant to Uniform Superior Court Rule 4.8, I am writing to notify Your Honors that the two (2) above-captioned cases are related and involve the same subject matter. I represent the Plaintiff in each case. Both of these cases are Petitions For Judicial Review of a Final Decision of the Georgia Secretary of State denying the Plaintiffs' respective challenges to the qualifications of the Defendant to be listed as a presidential candidate on the Georgia voting ballot.

Additionally, there are two (2) other cases pending in Fulton Superior Court that are also appeals from the same Final Decision of the Secretary of State regarding Defendant Obama's eligibility for presidential office. The first is Farrar, et. al. v. Obama, et. al., Civil Action File Number 2012CV211398, assigned to Chief Judge Cynthia D. Wright. The second is Welden v. Obama, Civil

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Action File Number 2012CV211537, assigned to Judge Craig L. Schwall, Sr. I am copying each of those judges with this letter.

While I concede that the Farrar case and the Welden case involve much of the same subject matter, these two (2) cases consist of separate evidence and testimony from that presented in the Swensson and Powell cases I am handling. Further, the Farrar case, in particular, involves not only the eligibility issue, but also claims of Social Security and elections fraud, identity theft, and other matters.

My clients' position is that their two (2) cases, involving the same testimony and evidence, should be consolidated for hearing before a single judge. However, we do not believe that our cases should be consolidated with either the Welden case or the Farrar case due to the differing testimony and evidence submitted in those matters. In any event, we would *specifically object* to having our cases consolidated with the Farrar case due to the very different nature of that case, the possibility of confusion of the issues between the cases, and the likelihood of prejudice to my clients' cases as a result of the anticipated style of presentation of the Farrar case.

In any event, I am notifying all affected judges and parties in order that the Court may make a determination of the appropriate assignment of each of these matters.

I appreciate the Court's attention to these issues. Please let me know if any further information or action is required on the part of myself or my clients. I may be reached by email at [mhatfield@wayxcable.com](mailto:mhatfield@wayxcable.com).

Respectfully submitted,



Mark Hatfield

JMH:jmh

cc: Honorable Cathelene Robinson, Clerk (via fax & U.S. Mail)  
Honorable Cynthia D. Wright (via fax & U.S. Mail)  
Honorable Craig L. Schwall, Sr. (via fax & U.S. Mail)  
Honorable Brian P. Kemp (via email & U.S. Mail)  
Mr. Michael K. Jablonski (via email & U.S. Mail)  
Mr. Van Irion (via email & U.S. Mail)  
Ms. Orly Taitz (via email & U.S. Mail)