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APR 26 2010

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION

JAMES N. HATTEN, Clerk  
By:  Deputy Clerk

Ingles Markets Incorporated, )

Plaintiff, )

v. )

Hall County, a political subdivision of )  
Georgia, Mark Lewallen in his capacity as )  
Inspector for Hall County, and Tom Oliver )  
In his capacity as Hall County Commission )  
Chairman )

Defendants. )  
\_\_\_\_\_ )

Civil Action No. \_\_\_\_\_

**2:10-CV-0074**

**ORDER**

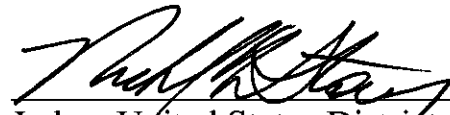
Upon motion of Plaintiff Ingles Markets Incorporated ("Ingles") and the pleadings, all evidence of record and the arguments of counsel, Plaintiff's Motion for Immediate Injunctive Relief is hereby GRANTED.

IT IS HEREBY ORDERED that Plaintiff's Motion for Immediate Injunctive Relief is GRANTED;

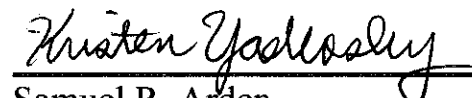
IT IS FURTHER ORDERED that, until further order of the Court, Defendant Hall County, its departments, agents, inspectors, servants, and employees, Defendant Mark Lewallen, County Inspector, and Tom Oliver, County

Commission Chairman, are hereby immediately enjoined from directing, instructing, or requiring Ingles to do anything inconsistent with the plans for the storm water detention facility approved by Hall County, including but not limited to leaving the Gate Valve open or instructing anyone to leave the Gate Valve open, which the plans approved by Hall County require to be closed other than for maintenance.

SO ORDERED, this 26<sup>th</sup> day of April, 2010.

  
\_\_\_\_\_  
Judge, United States District Court  
For the Northern District of Georgia,  
Gainesville Division


Prepared and Presented by:

  
\_\_\_\_\_  
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**Counsel for Plaintiff**

**LOCAL RULE 7.1D CERTIFICATE**

I hereby certify that the foregoing complies with the font size and point requirements of Local Rule 5.1B.

  
Kristen Yadlosky