

**IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA**

William M. Windsor,	)	
Plaintiff	)	
	)	CIVIL ACTION NO.
v.	)	
	)	2011cv206243
Fulton County, Office of the Fulton County	)	
District Attorney, Paul Howard, Jr., Cynthia	)	
Nwokocha, Naomi Fudge, Rebecca Keel,	)	
Waverly Settles, Lieutenant English, Deputy Betts,	)	
Deputy Roye, Steve Broadbent, and Unknown	)	
Does,	)	
Defendants	)	
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**EIGHTEENTH AFFIDAVIT OF WILLIAM M. WINDSOR**

I, William M. Windsor, the undersigned, hereby declare under penalty of perjury:

1. My name is William M. Windsor.
2. I am over the age of 21 and am competent to testify.
3. This Affidavit is based upon my personal knowledge.
4. Fulton County Attorneys are claiming that service of subpoenas on the Defendants' Counsel of Record (Fulton County Attorneys) is insufficient to require attendance at the October 7, 2011 hearing by Paul Howard, Jr., Cynthia Nwokocha, Naomi Fudge, Rebecca Keel, Waverly Settles, Lieutenant English, Deputy Betts, and Deputy Roye. But, the County Attorneys have confirmed in writing to ME that they are the Counsel of Record for these Defendants, and the County

Attorneys filed DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFF'S MOTION FOR RECORDING IN COURTROOM ON OCTOBER 7, 2011 in which the County Attorneys claim to represent all of the Defendants. O.C.G.A. § 24-10-23 states that service on the Counsel of Record is proper service of subpoenas. I ask this Court to enter an order compelling all defendants served with a subpoena either personally or through the County Attorney must attend the October 7, 2011 hearing or be found in contempt of court.

5. On September 29, 2011, I notified Defendant Steve Broadbent of the lawsuit and October 7 hearing by email. Exhibit 87 hereto is a true and correct copy of this email to Steve Broadbent. Exhibit 88 hereto is a true and correct copy of the Microsoft Outlook confirmation of delivery of this email to Steve Broadbent.

6. The Fulton County Defendants have been avoiding service. Exhibit 89 hereto is a true and correct copy of emails with MLQ Attorney Services about difficulty serving the Fulton County District Attorney's Office and staff. Someone is authorized to accept service of process for the Fulton County District Attorney's Office, but the process server has been turned away three times thus far.

7. The Fulton County Attorneys ignored many attempts from me by email and telephone to determine who in the Fulton County Attorney's Office would be representing the County in this Civil Action. Exhibit 90 hereto is a true

and correct copy of my September 30, 2011 email to County Attorney Lanna Hill. Exhibit 91 hereto is a true and correct copy of Lanna Hill's response to the September 30 email from me five days later on October 4, 2011 in which Ms. Hill says the County Attorney's Office is representing all of the county employees in this Civil Action.

8. The Fulton County Attorneys have refused to accept service of the Summons & Complaint for their clients, all of whom are employees of Fulton County. Exhibit 92 hereto is a true and correct copy of an email thread between Lanna Hill, County Attorney Kaye Burwell, and me about Summons and Complaints.

9. Fulton County has been served. Exhibit 93 hereto is a true and correct copy of the Affidavit of service on Fulton County. The Attorney General has been served. Exhibit 94 hereto is a true and correct copy of the Affidavit of service on the Attorney General.

10. Efforts are continuing to serve the other Defendants.

11. I obtained signed subpoenas from the Office of the Clerk of the Court. True and correct copies of these subpoenas are attached hereto as Exhibit 95.

12. On October 5, 2011, a process server with Attorneys' Personal Services picked up nine subpoenas from me and served the subpoenas on the Defendants' Attorneys. Subpoenas were served for Zachary Williams, Paul

Howard, Jr., Rebecca Keel, Waverly Settles, Cynthia Nwokocha, Naomi Fudge, Lieutenant English, Deputy Betts, and Deputy Roye.

13. On October 5, 2011 at 12:21 pm, I received an email and a filing from the County Attorneys claiming that I had not properly served Fulton County with the Summons and Complaint. Exhibit 96 hereto is a true and correct copy of the October 5, 2011 email to me from the County Attorneys. Exhibit 97 hereto is a true and correct copy of my response to the email from the County Attorneys citing the statute for service of the Summons and Complaint on the County. I called Fulton County to once again confirm the proper person for service of process. I was connected to Ms. Ardelia Hunter who confirmed that she was the correct person. Exhibit 98 hereto is a true and correct copy of my email to the County Attorneys confirming that Ardelia Hunter was the correct person to serve.

14. On October 5, 2011 at 2:35 pm, I received an email from County Attorney Kaye Burwell claiming the Office of the Fulton County Attorney did not have authority to accept the subpoenas. Exhibit 99 hereto is a true and correct copy of the October 5, 2011 email from County Attorney Kaye Burwell claiming the Office of the Fulton County Attorney did not have authority to accept the subpoenas.

15. On October 5, 2011 at 3:13 pm, I sent an email to Ms. Burwell and the other County Attorneys explaining O.C.G.A. 24-10-23, which states that

subpoenas may be served upon a party by serving his counsel of record. Exhibit 100 hereto is a true and correct copy of my response to the October 5, 2011 email from County Attorney Kaye Burwell claiming the Office of the Fulton County Attorney did not have authority to accept the subpoenas.

16. O.C.G.A. 24-10-23 provides that my service of subpoenas has been made properly, so the County Defendants are required to attend the October 7, 2011 hearing.

17. I ask this Court to enter an order compelling attendance at the October 7, 2011 hearing by all Defendants served with a subpoena either personally or through the County Attorney or be found in contempt of court.

**FURTHER SAITH AFFIANT NOT.**

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct based upon my personal knowledge.

Executed this 6th day of October 2011.

  
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William M. Windsor

**CERTIFICATE OF SERVICE**

I hereby certify that I have served the foregoing by electronic mail and by depositing a true and correct copy of the same in the United States mail, proper postage affixed thereto, addressed as follows:

Lanna Renee Hill  
R. David Ware  
Kaye Woodward Burrell  
Jerolyn Webb Ferrari  
Office of the Fulton County Attorney  
141 Pryor Street, Suite 4038 -- Atlanta, GA 30303  
404-612-0246 -- Fax: 404-730-6324  
Lanna.hill@fultoncountyga.gov

This 6th day of October, 2011.



**William M. Windsor**  
**Pro Se**

PO Box 681236  
Marietta, GA 30068  
Telephone: 770-578-1094  
Facsimile: 770-234-4106  
Email: williamwindsor@bellsouth.net