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October 5, 2004

By Hand Delivery

Sherie M. Welch
Clerk
Supreme Court of Georgia
244 Washington Street
Room 572, State Office Annex Building
Atlanta, Georgia 30334

Re: **Oral Argument Request:**

Judith R.T. O'Kelley, et al. v. Cathy Cox, in her official capacity as Secretary of State of Georgia, on appeal from the Superior Court of Fulton County, Superior Court Case No. 2004CV91122,
Supreme Court Case No. (to be assigned)

Dear Ms. Welch:

I am counsel for Appellants Judith R.T. O'Kelley, Charles R.T. O'Kelley, St. John's Missionary Baptist Church, Rabbi Scott Saulson, Reverend Timothy McDonald III, Senator David Adelman, and Representative Tyronne Brooks, appellants in the above-styled matter. I am writing pursuant to Supreme Court Rule 50.3 to request oral argument in this appeal.

Pursuant to Supreme Court Rule 51, I certify that I have contacted Stefan Ritter, counsel for Appellee Cathy Cox, to notify him that Appellants intend to argue orally. I further certify that I have inquired whether Mr. Ritter intends to argue orally and that he has advised that he intends to argue orally in the event that this court hears oral argument in this matter.

This case concerns a matter of great public importance, specifically whether the constitutional rights of appellants and other Georgians will be compromised if a vote is permitted to take place on November 2, 2004 on a proposed amendment to the Georgia Constitution. Accordingly, appellants request that the Court hear oral argument in this case and that such oral argument be heard as expeditiously as practicable. As noted in the Brief of Appellants, the Supreme Court, rather than the Court of Appeals, has

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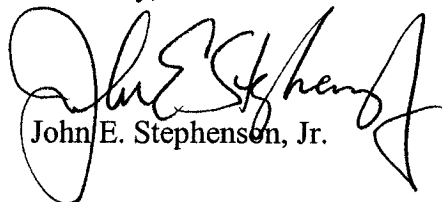
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jurisdiction of this case because the constitutionality of a law or constitutional provision is drawn into question. *See* Ga. Const. Art. VI, § 6, ¶ 2.

We appreciate the Court's attention to and consideration of this matter.

Sincerely,



John E. Stephenson, Jr.

JES:sbd

cc: Stefan Ritter, Esq.
Counsel for Appellee
John E. Stephenson, Jr., Esq.
Jack H. Senterfitt, Esq.
Gerald Weber, Esq.
Beth Littrell, Esq.
Counsel for Appellants

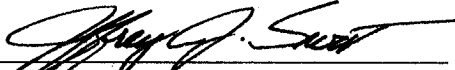
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CERTIFICATE OF SERVICE

This is to certify that the foregoing letter to the Clerk of the Supreme Court regarding "Oral Argument Request" has been served this day by facsimile transmission and by electronic mail to the following counsel of record for Defendant via the facsimile number and electronic mail address indicated below:

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This 5th day of October, 2004.



JEFFREY J. SWART
Georgia Bar No. 697310