

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

[REDACTED]

Plaintiff,

v.

MARTIN-ROBBINS FENCE COMPANY,
ARCADIS U.S., INC., GEORGIA
DEPARTMENT OF TRANSPORTATION,
and JOHN DOES 1-10,

Defendants.

Civil Action No.: [REDACTED]

[REDACTED]

Plaintiffs,

v.

MARTIN-ROBBINS FENCE COMPANY,
ARCADIS U.S., INC., and GEORGIA
DEPARTMENT OF TRANSPORTATION,

Defendants.

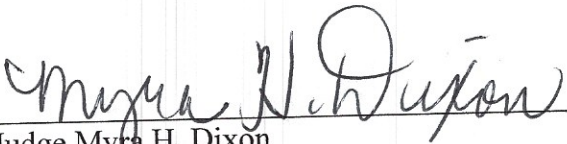
Civil Action No.: [REDACTED]

ORDER

The above-styled case came regularly before the Court on Defendant Arcadis U.S., Inc.'s ("Arcadis") Motion to Dismiss Plaintiff's First Amended Complaint for Failure to State a Claim. After considering the motions, oral arguments, and the record as a whole, the Court finds

that the inspection, maintenance, repair and/or maintenance of guardrails would not necessarily require professional skill and judgment. *Adams v. Coweta County*, 208 Ga. App. 334, 336 (1993). Moreover, based on pleadings in this case, the Court cannot say that the claims against Arcadis “involve professional malpractice and that an expert’s affidavit [is], therefore, required to establish these claims.” *Id.* Accordingly, IT IS HEREBY ORDERED that 1) since Plaintiff’s claims against Arcadis sound in ordinary negligence, Plaintiff will not be permitted to covert its ordinary negligence claims against Arcadis into professional malpractice claims, and 2) Defendant Arcadis U.S., Inc.’s Motion is DENIED.

SO ORDERED, this 30th ^{November} day of ~~December~~ 2020.



Judge Myra H. Dixon
State Court of Fulton County

Distribution to the Parties via e-file