

IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA

GEORGIA TRUST FOR LOCAL
NEWS, LLC d/b/a THE MACON
MELODY,

Plaintiff,

v.

THE BIBB COUNTY SCHOOL
DISTRICT,

Defendant.

Civil Action No: 2025-CV-083495

DEFENDANT’S MOTION TO EXTEND DISCOVERY PERIOD

Defendant Bibb County School District (“District”) respectfully moves the Court to extend the discovery period in this matter through and including July 13, 2026 pursuant to Uniform Superior Court Rule 5.1, to permit Defendants to conduct all necessary discovery. The District submits the following in support of its motion:

1.

The deadline for discovery in this matter is April 13, 2026.¹

2.

The District anticipates the need for a brief extension of the discovery period to conduct additional discovery of three of its critical defenses: that the sought information constitutes personally identifying information (1) under the Family Educational Rights and Privacy Act (“FERPA”) because it is information that, in combination with other information is linkable to a

¹ The District filed its answer on October 13, 2025. At the time, Plaintiff’s Rule Nisi Motion was pending, which raised the question of the District’s entitlement to discovery in this matter. When the Court did not rule on Plaintiff’s Rule Nisi Motion, the District issued its initial written discovery to Plaintiff.

specific student that would likely allow a reasonable person in the community without personal knowledge of the relevant circumstances to identify the student with reasonable certainty, 34 C.F.R. § 99.3; (2) under FERPA because it is information that was requested by a person whom the District reasonably believed knew the identity of the student to whom the education record relates, *id.*; and (3) under the Individuals with Disabilities Education Act (“IDEA”) because it is information that would make it possible to identify a student with reasonable certainty, 34 C.F.R. § 300.32.

3.

To support these defenses, the District seeks discovery on what information Macon Melody, its employees and agents, or its sources have in order to determine whether the information Macon Melody seeks meets the definitions of PII under FERPA and IDEA.

4.

To date, the District’s discovery efforts on these facts that are critical to its defenses have been frustrated by a discovery dispute.

5.

On December 29, 2025, the District served Requests for Admission and Requests for Production of Documents to Macon Melody.

6.

On January 28, 2026, Macon Melody served its responses to the District’s Requests for Admission and Requests for Production of Documents, but Macon Melody refused to answer most of the requests on its belief that such discovery is not permitted in an Open Records Act case.

7.

After thoroughly reviewing Macon Melody's responses and objections, and researching its asserted objections, the District sent Macon Melody's counsel a letter pursuant to Uniform Superior Court Rule 6.4 on March 16, 2026 to address the deficiencies in its responses.

8.

On March 19, 2026, Macon Melody served amended responses to the District's Requests for Admission and Request for Production of Documents.

9.

The amended responses still contain several deficiencies.

10.

Beyond the remaining deficiencies in the amended responses, the answers Macon Melody provided prompted the need for additional discovery into facts concerning several admissions and denials that were made and into documents that were produced.

11.

For example, in one Macon Melody publication, reporter Laura Corley stated, "Now, nearly eight months later, the school board settlement has apparently bubbled back up with the firings of principals at Alexander II."

REQUEST FOR ADMISSION NO. 8: Admit that Macon Melody published an

issue of "The Weekly Beat," which reported,

I won't take up space in a news story telling you about how I have been trying since July to get a copy of a settlement approved by the Bibb County Board of Education. I will spare you from the play-by-play of being stonewalled by the district then being at the mercy of the attorney general's open records mediation program, a once-helpful tool that has dulled with turnover and now moves at a glacial pace if at all.

Now, nearly eight months later, the school board settlement has apparently bubbled back up with the firings of principals at Alexander II. Of course, the settlement has drawn plenty of interest at this point, and parents are asking for the same records I was denied.

Response: Admitted.

When asked to admit that Macon Melody, Laura Corley, or Casey Choung have taken the position that the JH settlement and the employment decisions about the administrators at Alexander II Magnet school were related, Macon Melody denied the requests.

REQUEST FOR ADMISSION NO. 9: Admit that Macon Melody has taken the position that the JH settlement and the Bibb County Board of Education's February 2025 decision to nonrenew the contracts for the Principal and Assistant Principal at Alexander II Magnet School are related.

Response: Denied.

REQUEST FOR PRODUCTION NO. 10: Admit that Laura Corley has taken the position that the JH settlement and the Bibb County Board of Education's February 2025 decision to nonrenew the contracts for the Principal and Assistant Principal at Alexander II Magnet School are related.

Response: Denied.

12.

The denial of the request prompts the need for additional discovery into how and why Macon Melody made some connection between the JH settlement and employment decisions for administrators at Alexander II Magnet School. This question is relevant to the District's defense that the information sought falls under FERPA and IDEA's definitions of PII: that it is linked or linkable to a specific student that would likely allow a reasonable person in the community without personal knowledge of the relevant circumstances to identify the student with reasonable certainty, that Macon Melody knew the identity of the student, or whether the information would make it possible to identify the student with reasonable certainty.

13.

Based on the need for additional discovery, the District served interrogatories to Macon Melody on April 3, 2026.

14.

Additionally, the District intends to depose Macon Melody reporters Laura Corley and Casey Choung, but it prefers to have the benefit of all of Macon Melody's responses to written discovery before doing so.

15.

Depending on the responses to Macon Melody's interrogatories and facts uncovered in the reporters' depositions, the District may need to depose non-parties.

16.

It also makes sense to extend discovery because there is an open question of whether all interest holders to the litigation are involved in this matter; a student's records are at issue in this litigation, but the student whose privacy rights are at-issue has not been made a party.

17.

Because outstanding discovery is needed on the District's three main defenses, good cause exists for an extension of the discovery period.

18.

There have been no prior requests to extend discovery deadlines in this matter.

19.

Extending discovery will not prejudice any party.

20.

This request for an extension is not intended for the purposes of delay but is necessary to give the District time to complete necessary discovery.

WHEREFORE, the District respectfully requests that this Court extend the discovery period through and including July 13, 2026. A proposed Order will be submitted for consideration.

Respectfully submitted, this 13th day of April, 2026.

/s/ Caroline L. Scalf

Bennett D. Bryan
Georgia Bar No. 157009
Caroline L. Scalf
Georgia Bar No. 413024
Counsel for Defendant

PARKER POE ADAMS & BERNSTEIN LLP
1075 Peachtree Street, Suite 1500
Atlanta, Georgia 30309
Phone: (678) 690-5750
Fax: (404) 869-6972
bennettbryan@parkerpoe.com
carolinescalf@parkerpoe.com

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of April, 2026, I electronically filed the DEFENDANT’S MOTION TO EXTEND DISCOVERY PERIOD with the Clerk of the Court using the Odyssey eFileGA filing system, which will automatically send e-mail notification of such filing to the attorneys of record:

Lucas W. Andrews, Esq.
STANTON LAW, LLC
410 Plasters Avenue NE
Suite 200
Atlanta, GA 30324
luke.andrews@stantonlawllc.com

/s/ Caroline L. Scalf _____
Bennett D. Bryan
Georgia Bar No. 157009
Caroline L. Scalf
Georgia Bar No. 413024
Counsel for Defendant

PARKER POE ADAMS & BERNSTEIN LLP
1075 Peachtree Street, Suite 1500
Atlanta, Georgia 30309
Phone: (678) 690-5750
Fax: (404) 869-6972
bennettbryan@parkerpoe.com
carolinescalf@parkerpoe.com