

**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

**ANSWER AND AFFIRMATIVE DEFENSES OF
DEFENDANT BIBB COUNTY SCHOOL DISTRICT**

Defendant Bibb County School District (“District”) files this Answer and Defenses to Plaintiff’s Complaint, showing the Court as follows:

FIRST DEFENSE

Plaintiff fails to state a claim upon which relief may be granted.

SECOND DEFENSE

Plaintiff’s complaint should be dismissed because, at all times, the District complied with all applicable laws and policies, acted reasonably and in good faith, and exercised due care and diligence toward Plaintiff.

THIRD DEFENSE

Plaintiff’s Complaint may be barred by the affirmative defenses as stated in O.C.G.A. § 9-11-8(c).

FOURTH DEFENSE

Plaintiff's claims are barred by laches, waiver, estoppel, and the applicable statutes of limitation.

FIFTH DEFENSE

At all times relevant to the June 2, 2025 Open Records Act request, the District complied with the Georgia Open Records Act.

SIXTH DEFENSE

The document at issue is protected from disclosure by the Family Educational Rights and Privacy Act ("FERPA") and its implementing regulations in addition to the Individuals with Disabilities Education Act ("IDEA") and its implementing regulations.

SEVENTH DEFENSE

The District acted with substantial justification in its response to the June 2, 2025 Open Records Act request.

EIGHTH DEFENSE

The District reserves the right to assert additional affirmative defenses.

The District responds to the contents and specific numbered lines, treated as paragraphs of Plaintiff's Complaint as follows:

INTRODUCTION

As to Plaintiff's preamble to its Complaint, the District states that O.C.G.A. § 50-18-70(a) speaks for itself. The District denies that "Plaintiff requested garden variety public information-- the amount of money that the District spent in litigation settlements in the year 2024." The District admits it responded to Plaintiff's June 2, 2025 Open Records Act request, but the District denies

Plaintiff's characterization of its response as presented in the preamble to Plaintiff's Complaint. The District denies all remaining allegations contained in Plaintiff's preamble to its Complaint.

1.

The District lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1 of the Complaint.

2.

The District admits the allegations in Paragraph 2 of the Complaint.

3.

The District lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the Complaint.

4.

The District lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 of the Complaint.

5.

The District admits it received an Open Records Act request on June 2, 2025 from Laura Corley at the Macon Melody. The District further admits that Exhibit A is the June 2, 2025 Open Records Act request it received. The District lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 5 of the Complaint.

6.

The District admits that Corley requested “[r]ecords that reflect the dollar amounts of settlements the school board approved in 2024. I am not seeking access to any other information within any settlement agreements, only the dollar amounts.” The District lacks knowledge or

information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 6 of the Complaint.

7.

The District admits the request stated “[p]lease provide these records in a digital format via email and inform us of any costs before charges are incurred.” The District denies any remaining allegations in Paragraph 7 of the Complaint.

8.

The District admits the allegations in Paragraph 8 of the Complaint

9.

The District admits that Stephanie Hartley responded on behalf of the District on June 5, 2025 and that the response Ms. Hartley sent is reflected in Exhibit B to the Complaint.

10.

The District admits the allegations in Paragraph 10 of the Complaint.

11.

The District admits that Exhibit B contains a copy of the response the District sent to Corley on June 5, 2025 along with a subsequent reply from Corley. Exhibit B speaks for itself. The District denies any remaining allegations contained in Paragraph 11 of the Complaint.

12.

The District admits the allegations in Paragraph 12 of the Complaint.

13.

The District admits the allegations in Paragraph 13 of the Complaint.

14.

The District admits that some settlement amounts have been disclosed on Bibb County Board of Education’s meeting minutes. The District denies any remaining allegations in Paragraph 14 of the Complaint.

15.

The District admits that the allegations in Paragraph 15 of the Complaint reflect a portion of the Bibb County Board of Education’s minutes from the February 28, 2019 meeting. Any remaining allegations in Paragraph 15 of the Complaint are denied.

16.

The District admits the allegations in Paragraph 16 of the Complaint.

17.

The District admits that the allegations in Paragraph 17 of the Complaint reflect a portion of the Bibb County Board of Education’s minutes from the October 19, 2017 meeting. Any remaining allegations in Paragraph 17 of the Complaint are denied.

18.

The District admits that the Bibb County Board of Education’s minutes from the July 18, 2024 meeting state “Settlement for Student JH (ACTION). The Board voted unanimously to approve this action item.” The District denies any remaining allegations in Paragraph 18 of the Complaint.

19.

The District denies the allegations in Paragraph 19 of the Complaint.

20.

The District denies the allegations in Paragraph 20 of the Complaint.

21.

The District denies the allegations in Paragraph 21 of the Complaint.

22.

The District admits that it stated, “The dollar amounts contemplated by the JH settlement include confidential, personally-identifiable, education-related information about a particular BCSD student. The District denies the remaining allegations in Paragraph 22 of the Complaint.

23.

The District admits that Corley submitted a previous request for information pertaining to the settlement approved by the Bibb County Board of Education on July 18, 2024. The District denies all remaining allegations in Paragraph 23 of the Complaint.

24.

The District denies the allegations in Paragraph 24 of the Complaint.

25.

The District admits that Corley sent a complaint to the Georgia Attorney General’s Office regarding the District’s response to a previous Open Records Act request. The District lacks knowledge or information sufficient to form a belief as to the truth of any remaining allegations in Paragraph 25 of the Complaint.

26.

The District admits that, when the Georgia Attorney General’s Office closed Corely’s complaint, the Assistant Attorney General commented that “it does not appear the *Mullins v. City of Griffin*, 866 F. Supp. 21 (N.D. Ga. 1995) supports the school district’s position on the non-

release of the settlement agreement, should a financial settlement have been reached.” The District denies all remaining allegations in Paragraph 26 of the Complaint.

27.

The District admits that Exhibit F is a true and accurate copy of the April 24, 2025 correspondence from the Georgia Attorney General’s Office to Corley and counsel for the District. The District denies all remaining allegations in Paragraph 27 of the Complaint.

28.

The District denies the allegations in Paragraph 28 of the Complaint.

29.

The District admits it denied Corley’s June 2, 2025 Open Records Act request. The District denies all remaining allegations in Paragraph 29 of the Complaint.

COUNT I: DENIAL OF ACCESS TO PUBLIC RECORDS

30.

The District incorporates its responses to Paragraphs 1-29 above, as if fully set forth herein.

31.

The District states that O.C.G.A. § 50-18-70 *et seq.* speaks for itself. The District denies any remaining allegations in Paragraph 31 of the Complaint.

32.

The District states that O.C.G.A. § 50-18-71(b)(1)(A) speaks for itself. The District denies Plaintiff’s characterization of the Open Records Act and any remaining allegations in Paragraph 32 of the Complaint.

33.

The District states that O.C.G.A. § 50-18-71(b)(1)(A) speaks for itself. The District denies Plaintiff's characterization of the Open Records Act and any remaining allegations in Paragraph 33 of the Complaint.

34.

The District states that O.C.G.A. § 50-18-71(d) speaks for itself and denies any allegations in Paragraph 34 that are inconsistent therewith.

35.

The District states that O.C.G.A. § 50-18-71(d) speaks for itself and denies any remaining allegations inconsistent therewith.

36.

The District states that FERPA speaks for itself.

37.

The District states that FERPA speaks for itself.

38.

The District denies the Plaintiff's characterization of FERPA and otherwise denies the allegations in Paragraph 38 of the Complaint.

39.

The District denies the Plaintiff's characterization of FERPA and otherwise denies the allegations in Paragraph 39 of the Complaint.

40.

The District lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 40 of the Complaint.

41.

The District denies the allegations in Paragraph 41 to the extent Plaintiff alleges that the settlement agreement is subject to disclosure under the Open Records Act. By way of further response, the District states that the authorities cited in Paragraph 41 speak for themselves and the District denies any allegations inconsistent therewith.

42.

The District denies the allegations in Paragraph 42 of the Complaint.

43.

The District denies the allegations in Paragraph 43 of the Complaint.

COMPREHENSIVE DENIAL

The District denies each and every allegation contained in Plaintiff's Complaint not specifically admitted or denied above.

WHEREFORE, the District respectfully requests that this Court:

- a) Dismiss with prejudice Plaintiff's Complaint;
- b) Deny all relief requested by Plaintiff;
- c) Award the District reasonable attorney's fees, costs and expenses associated with defending this lawsuit; and
- d) Grant such other and further relief as this Court deems just and appropriate.

Respectfully submitted, this 13th day of October, 2025.

/s/ Caroline L. Scalf

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of October, 2025, I electronically filed the ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANT BIBB COUNTY SCHOOL DISTRICT 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:

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