

Lenlyn Limited d/b/a International Currency Exchange (“Lenlyn”).

In this Court’s December 15, 2011 Order, the Court weighed the equities of ensuring the integrity of the competitive bidding process and the necessity of protecting records that could otherwise impede this process as well as providing transparency in the selection process at an appropriate point in time for a frustrated bidder to review the bases for selection.

The case now stands in this posture. Per representations of counsel, the City Council adopted legislation yesterday (January 3, 2012) authorizing the execution of the contract. Today, the Mayor signed the legislation approving the award of the contract at issue to Lenlyn in Ga. Resolution 11-R-1648. As the Mayor has now signed the contract, the contract is no longer in negotiation stage, and the last stage is final delivery of the contract to Lenlyn.

This Court sees no harm to the integrity of the sealed bidding procedure at this point which would result from the City providing the documents repeatedly requested by Travelex pursuant to the Open Records Request and in its motion for expedited discovery at this stage. Further, this Court finds no harm to the public by the entry of a temporary restraining order, limited in scope and time, by delaying delivery of the contract to Lenlyn to enable Travelex to review documents related to the procurement process to ensure that the City did not violate the City’s Procurement Code which requires the award of contracts to the most “responsive and responsible bidder”. On the other hand, failure to temporarily restrain delivery of the contract to Lenlyn would render any potential administrative or judicial avenue of review meaningless.

Therefore, IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff Travelex Currency Services, Inc.’s Motion for Temporary Restraining Order is GRANTED, and this Court temporarily enjoins the Mayor and or any of his agents from delivering the contract denominated FC-5236 to Lenlyn for a period of no greater than 30 days.

SO ORDERED this 4th day of January, 2012 at 4:10 p.m.



CYNTHIA D. WRIGHT, CHIEF JUDGE
Fulton County Superior Court
Atlanta Judicial Circuit

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