

IN THE STATE COURT OF DEKALB COUNTY

STATE OF GEORGIA

JASON A. GERVAIS,

)

Plaintiff,

)

vs.

)

CIVIL ACTION

MICHAEL MORRISON,

)

FILE NO.: 17A63701-1

Defendant.

)

ORDER

Defendant Michael Morrison's Motion for Contempt and Imposition of Sanctions, filed October 13, 2022, came before the Court for a hearing on May 4, 2023. Morrison appeared through counsel. Morrison had obtained a judgment for attorney's fees against the Plaintiff after the litigation ended. This motion for contempt was brought to enforce post-judgment discovery efforts. While Morrison was unable to personally serve the motion and rule nisi, as ordered by the Court, Jason Gervais appeared via Zoom, and thus had notice despite the lack of personal service.

Gervais has never answered the interrogatories under oath as ordered. In addition, in response to Interrogatory 17's inquiry about assets he had disposed of, Gervais initially answered "Several outside of USA." The Court ordered Gervais to identify the specific assets. While Gervais subsequently disclosed two properties in Atlanta, he has never identified any of the assets he allegedly owned outside of the country. Although Gervais filed additional discovery responses after the motion was filed, these responses remain deficient.


Gervais initially claimed to have no documents responsive to the request for production of documents. On January 3, 2023, Gervais produced select statements from a Wells Fargo checking account dated March 23, 2022, April 25, 2022, May 24, 2022, September 26, 2022, and October 26, 2022. This limited production does not fully respond to the request for 24 months of statements for this account. Nor has Gervais produced statements from the newly identified Mizhou Bank, any other Wells Fargo accounts or from any other banks in Japan, Vietnam, or Cambodia. Gervais' claim that he cannot produce any statements from banks in

foreign countries is not credible.

Gervais made false responses regarding his business interests in response to Interrogatory 5. His initial response was "None." He did not disclose an interest in Gervais Group Properties (or Gervais Group and Reputation Management) or any interest in 1934B North Druid Hills Road until after the property was sold by Gervais Group Properties and Gervais Group Properties was terminated with the Georgia Secretary of State. In sum, Gervais pretends to comply with his obligations and he knows it.

It is hereby ordered that Jason A. Gervais is held in contempt of Court for his willful failure to provide truthful and complete responses to discovery. When taken into custody in DeKalb County, Georgia, he shall be held in custody until he purges himself from the contempt by fully answering all discovery propounded to him in accordance with Georgia law. Jason A. Gervais is further ordered to pay attorney's fees in the amount of \$3,871.00.

SO ORDERED, this 16th day of June, 2023.



ALVIN T. WONG, Chief Judge
State Court of DeKalb County

Copy To:

G. Frank Nason, IV, Esq. (by Odyssey e-file)

Jason A. Gervais (by Odyssey e-file and mail)
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