



AlaFile E-Notice

01-CV-2026-902889.00

Judge: JAVAN PATTON CRAYTON

To: PARNELL KENNETH MARK
parnell@ptlawllc.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT SANSOME ET AL V. HOAR CONSTRUCTION, LLC ET AL
01-CV-2026-902889.00

The following matter was FILED on 9/4/2026 11:52:04 AM

ZO THE GREATER BIRMINGHAM HUMANE SOCIETY, INC.

MOTION FOR CONSOLIDATION

[Filer: CASH BRIAN VERBON]

Notice Date: 9/4/2026 11:52:04 AM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
716 RICHARD ARRINGTON, JR BLVD
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



ELECTRONICALLY FILED

9/4/2026 11:52 AM

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CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

JACQUELINE ANDERSON SMITH, CLERK

STATE OF ALABAMA

Revised 3/5/08

Cas

Unified Judicial System

01-JEFFERSON

☐ District Court ☒ Circuit Court

CV20

ROBERT SANSOME ET AL V. HOAR
CONSTRUCTION, LLC ET AL**CIVIL MOTION COVER SHEET**Name of Filing Party: ZO - The Greater Birmingham Humane Society,
Inc.

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

BRIAN VERBON CASH
505 20th Street North, Suite 1200
BIRMINGHAM, AL 35203

Attorney Bar No.: CAS027

☐ Oral Arguments Requested**TYPE OF MOTION****Motions Requiring Fee**

- ☐ Default Judgment (\$50.00)
Joinder in Other Party's Dispositive Motion
(i.e. Summary Judgment, Judgment on the Pleadings,
or other Dispositive Motion not pursuant to Rule 12(b))
(\$50.00)
- ☐ Judgment on the Pleadings (\$50.00)
- ☐ Motion to Dismiss, or in the Alternative
Summary Judgment (\$50.00)
- Renewed Dispositive Motion (Summary
Judgment, Judgment on the Pleadings, or other
Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- ☐ Summary Judgment pursuant to Rule 56 (\$50.00)
- ☐ Motion to Intervene (\$297.00)
- ☐ Other _____
pursuant to Rule _____ (\$50.00)

*Motion fees are enumerated in §12-19-71(a). Fees
pursuant to Local Act are not included. Please contact the
Clerk of the Court regarding applicable local fees.

☐ Local Court Costs \$ 0 _____

Motions Not Requiring Fee

- ☐ Add Party
- ☐ Amend
- ☐ Change of Venue/Transfer
- ☐ Compel
- ☒ Consolidation
- ☐ Continue
- ☐ Deposition
- ☐ Designate a Mediator
- ☐ Judgment as a Matter of Law (during Trial)
- ☐ Disburse Funds
- ☐ Extension of Time
- ☐ In Limine
- ☐ Joinder
- ☐ More Definite Statement
- ☐ Motion to Dismiss pursuant to Rule 12(b)
- ☐ New Trial
- ☐ Objection of Exemptions Claimed
- ☐ Pendente Lite
- ☐ Plaintiff's Motion to Dismiss
- ☐ Preliminary Injunction
- ☐ Protective Order
- ☐ Quash
- ☐ Release from Stay of Execution
- ☐ Sanctions
- ☐ Sever
- ☐ Special Practice in Alabama
- ☐ Stay
- ☐ Strike
- ☐ Supplement to Pending Motion
- ☐ Vacate or Modify
- ☐ Withdraw
- ☐ Other _____
pursuant to Rule _____ (Subject to Filing Fee)

Check here if you have filed or are filing contemporaneously
with this motion an Affidavit of Substantial Hardship or if you
are filing on behalf of an agency or department of the State,
county, or municipal government. (Pursuant to §6-5-1 Code
of Alabama (1975), governmental entities are exempt from
prepayment of filing fees) ☐

Date:
9/4/2026 11:50:27 AM

Signature of Attorney or Party
/s/ BRIAN VERBON CASH

*This Cover Sheet must be completed and submitted to the Clerk of Court upon the filing of any motion. Each motion should contain a separate Cover Sheet.

**Motions titled 'Motion to Dismiss' that are not pursuant to Rule 12(b) and are in fact Motions for Summary Judgments are subject to filing fee.



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
 BIRMINGHAM DIVISION**

**THE GREATER BIRMINGHAM
 HUMANE SOCIETY, INC.,**

Plaintiff,

v.

**CITY OF BIRMINGHAM, ALABAMA;
 ALABAMA ADC HOLDINGS, LLC;
 201 MILAN BIRMINGHAM, LLC;**

Defendants.

**CIVIL ACTION NO.
 01-CV-2026-903074**

ROBERT B. SANSOME;

Plaintiff,

v.

**HOAR CONSTRUCTION, LLC;
 LAKESHORE DATA CENTER, LLC;
 NEBIUS, INC.; NEBIUS GROUP N.V.;
 ALABAMA ADC HOLDINGS, LLC;
 THE CITY OF BIRMINGHAM; and
 THE ZONING BOARD OF
 ADJUSTMENT OF THE CITY OF
 BIRMINGHAM,**

Defendants.

**CIVIL ACTION NO.
 01-CV-2026-902889**

**MADELYN GREENE and DAVID
 BUTLER, individually and on behalf
 of all others similarly situated,**

Plaintiffs,

v.

**NEBIUS, INC.; NEBIUS GROUP, N. V.;
 ALABAMA ADC HOLDINGS LLC;
 HOAR CONSTRUCTION LLC;**

**CIVIL ACTION NO.
 01-CV-2026-902109**

THE CITY OF BIRMINGHAM;)
THE ZONING BOARD OF)
ADJUSTMENT OF THE CITY OF)
BIRMINGHAM;)
RAEDEN RE, LLC;)
201 MILAN BIRMINGHAM LLC,)
LAKESHORE DATA CENTER LLC;)
and Fictitious Defendants A through Z,)
Defendants.)

MOTION TO TRANSFER AND CONSOLIDATE

COMES NOW The Greater Birmingham Humane Society, Inc. (“GBHS”), Plaintiff in Civil Action 01-CV-2026-903074, and pursuant to Ala. R. Civ. P. 42(a), hereby moves this Honorable Court to consolidate the above styled actions. As grounds therefor, GBHS provides as follows:

1. The *GBHS* action, #01-CV-2026-903074, was randomly assigned to the Honorable Brendette Brown Green. Both the *Sansome* action (#01-CV-2026-902889) and the *Greene* action (#01-CV-2026-902109) are currently assigned to the Honorable Javan Patton Crayton. On July 7, 2026, Judge Crayton issued an order that consolidated #902889 with #902109.
2. The actions involve many of the same defendants.
3. All actions involve the same witnesses.
4. All actions involve common questions of law or facts.
5. A trial on the merits for a permanent injunction has been set for March 8, 2027, in civil action 01-CV-2026-902889 (*Sansome v Hoar Construction, LLC, et al*) where certain legal issues raised in the present case may be adjudicated and the rights of GBHS may be prejudiced without transfer, consolidation, and participation at that trial.

6. A transfer and consolidation of these three actions will avoid unnecessary costs and delay in the proceedings and eventual trial of these suits, will be in the interest of efficiency of time and resources, and will prompt judicial economy.
7. Granting of this motion will not delay the prior pending cases.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests this Honorable Court to enter an Order that the above-styled actions be transferred and consolidated for all future proceedings.

Respectfully submitted,

/s/ Brian V. Cash

BRIAN V. CASH (CAS027)
Attorney for Plaintiff,
The Greater Birmingham Humane
Society, Inc.

OF COUNSEL:

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/s/ D. Leon Ashford

D. LEON ASHFORD (ASH001)
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The Greater Birmingham Humane
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CERTIFICATE OF SERVICE

I hereby certify that on September 4th, 2026, a copy of the foregoing pleading was electronically filed with the Clerk of the Court using AlaFile, which sends notification of such filing to counsel of record and those not registered with AlaFile have been served by U. S. Mail, First Class.

/s/ Brian V. Cash
Of Counsel