



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

SANSOME ROBERT,)	
HILLEY JOHN,)	
Plaintiffs,)	
)	
V.)	Case No.: CV-2026-902889.00
)	
HOAR CONSTRUCTION, LLC,)	
LAKESHORE DATA CENTER, LLC,)	
NEBIUS, INC.,)	
CITY OF BIRMINGHAM ET AL,)	
Defendants.)	

ORDER

This matter came on before the Court for hearing on Defendants’ Joint Brief Regarding Threshold Dispositive Issues Precluding Preliminary Injunctive Relief and Plaintiffs’ Combined Response and Objections. All parties were present and represented by well situated counsel. After due consideration of the pleadings and argument from counsel representing the parties, the Court finds the particular facts presented represent an exception to the exhaustion defense and Director Thomas’ zoning decision was an interpretation of the zoning ordinance and therefore a question of law. This matter will proceed by PRELIMINARY INJUNCTION HEARING set on **Tuesday, July 14, 2026, at 12:00 PM** and **Thursday, July 16, 2026, at 12:00 PM.**

DONE this 10th day of July, 2026.

/s/ JAVAN PATTON CRAYTON
CIRCUIT JUDGE