



Greater Atlanta Malayalee Association, Inc. (GAMA)
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Attn: Sherin Bai, Secretary
secretary@gamaatl.org

Greater Atlanta Malayalee Association, Inc (GAMA)
C/O John Mathai, CEO and Registered Agent
3375 Maple Terrace Drive
Suwanee, GA 30024

Dear CEO Mathai, Secretary Bai, and to Whom it May Concern:

This letter is in response to your request for a legal opinion as to whether Ms. Sathi Nagarajan, the 2025 Greater Atlanta Malayalee Association, Inc. (hereinafter GAMA), Board President is eligible to serve as a member of the current Board of Trustees (hereinafter GAMA BOT) as established by the GAMA Constitution and By-Laws. It is my legal opinion that the answer is yes, and in fact it is at least required that the position be offered to her (though she may decline to serve).

Section 8.2(3) of the GAMA Constitution as written mandates that the GAMA President become a member of the GAMA BOT at the conclusion of their term as President. There are no exceptions to this. The additional question as to whether the recent litigation involving Ms. Nagarajan, GAMA and several recent (or former) members of the GAMA Executive Committee (Greater Atlanta Malayalee Association, Inc., and Sathi Nagarajan v Mini Nair et al, in the Fulton County Superior Court, CAF: 25CV016312) would change or qualify anything regarding this. It does not. While Ms. Nagarajan was not allowed to file action on behalf of GAMA it was also noted that she was in fact the President of GAMA and that the GAMA Executive Committee lacked a quorum to remove her as President just as it lacked a quorum to approve the litigation. In the absence of her removal for cause (which did not happen) there is no colorable claim that she is not eligible to serve on the GAMA BOT and GAMA is in fact required to offer her the position,

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It should be noted as a side matter that the GAMA Constitution does not in fact even allow for such a disqualification from service if a President WERE REMOVED FOR CAUSE. That means that technically whether someone removed for cause would not prevent them from serving on the GAMA BOT and would not allow the GAMA Executive Committee or General Body to refuse to offer such a position. That might depend on the actual cause and whether it rose to the level of a violation of Georgia law. Based on that probable oversight I would recommend that GAMA consider updating and modifying its Constitution and By-Laws to clarify what if any grounds would require or allow GAMA to not offer an Immediate Past President a position on the GAMA BOT.

I hope this answers your question. Feel free to reach out for any clarification or additional questions you may have and as always –

Thanks for all you do for all of us,


Curt

Curt Thompson
Attorney at Law
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