



SUPREME COURT OF GEORGIA
Case No. S16D0759

Atlanta, February 19, 2016

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed.

PURVIN VAKHARWALA v. ARPITA PURVIN VAKHARWALA

Upon consideration of the application for discretionary appeal filed in the above-styled case, the application is hereby determined to have possible merit and is, therefore, granted pursuant to this Court's Rule 34 (4) regulating applications to appeal in certain divorce and alimony cases.

The Court is particularly concerned with the following issue(s):

1. Does the parties' prenuptial agreement prohibit the recovery of attorney fees under OCGA § 19-6-2, such that the trial court erred in granting Wife's request for such fees? See Langley v. Langley, 279 Ga. 374 (1) (613 SE2d 614) (2005). But see McClain v. McClain, 237 Ga. 80 (2) (227 SE2d 5) (1976).

2. Did the trial court err in failing to offset Wife's attorney fee award with amounts Husband had previously paid as temporary attorney fees?

The appellant's notice of appeal must be filed in the trial court within ten days of the date shown above. Once the record is received from the trial court and docketed in this Court, notices will be mailed to all counsel showing the date of docketing and the case number assigned. The appellant's enumeration of errors and briefs will be due in this Court within 20 days of

docketing; the appellee's briefs will be due within 40 days of docketing, or within 20 days of the filing of appellant's briefs, whichever is later. See Rule 12.

All the Justices concur.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk 's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Lee C. Bullock , Chief Deputy Clerk