

In the Supreme Court of Georgia

Decided: October 20, 2014

S14G0599. PETRAKOPOULOS et al. v. VRANAS

BENHAM, Justice.

We granted appellant Alpha Soda Company's ("Alpha Soda") petition for a writ of certiorari for the parties to address the decision of the Court of Appeals to affirm the trial court's denial of Alpha Soda's motion for summary judgment in regard to a purported claim for unjust enrichment. On appeal, appellee Gus Vranas contends he never raised an unjust enrichment claim against Alpha Soda and that no such claim exists.¹ Therefore, that portion of the Court of Appeals's opinion concerning an unjust enrichment claim against appellant Alpha Soda is vacated.

Judgment affirmed in part and vacated in part. All the Justices concur.

¹At oral argument, appellee Vranas stated that inartful wording in his complaint concerning a claim for fraud led to the confusion now at issue. We note that Vranas never informed the Court of Appeals that he did not intend to raise an unjust enrichment claim.