

**THIRD DIVISION
DILLARD, P. J.,
GOBEIL and PIPKIN, JJ.**

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October 14, 2026

In the Court of Appeals of Georgia

A26A1288. OSAIC WEALTH, INC. et al v. PRIMERICA
FINANCIAL SERVICES, LLC.

DILLARD, Presiding Judge.

Primerica Financial Services, LLC sued Osaic Wealth, Inc. and Legacy Investment Advisors and Wealth Management, LLC,¹ alleging the Defendants engaged in illegal corporate raiding and theft of its confidential information and trade secrets. PFS also filed an emergency motion, seeking an interlocutory injunction to stop the Defendants’ use of the confidential information and seeking expedited discovery. The trial court granted the motion, and the Defendants appeal. More

¹ For ease of reference, we will refer to Primerica Financial Services, LLC as “PFS,” Osaic Wealth, Inc. as “Osaic,” and Legacy Investment Advisors and Wealth Management, LLC as “Legacy”; and we will refer to Osaic and Legacy collectively as “Defendants.”

precisely, the Defendants argue the court erred by (1) issuing an injunction before determining whether it had personal jurisdiction over Legacy or if the dispute was subject to mandatory arbitration; (2) issuing an injunction when PFS had an adequate remedy at law; and (3) ordering expedited discovery. For the following reasons, we vacate the ruling below and remand with direction.

The reason for granting an interlocutory injunction is to preserve the status quo and balance the parties' conveniences, "pending a final adjudication of the case."² And the decision of whether to grant equitable relief—such as an interlocutory injunction—is "generally a matter within the sound discretion of the trial court, and [its] decision should be sustained on appeal when there has been no abuse of that discretion."³ So, we will not reverse the decision to grant or deny an interlocutory

² *Lightfoot v. Wellstar Health Sys.*, 374 Ga. App. 216, 223 (912 SE2d 107) (2025) (quotation marks omitted). Accord *Kinard v. Ryman Farm Homeowners' Ass'n, Inc.*, 278 Ga. 149, 149 (598 SE2d 479) (2004).

³ *Lightfoot*, 374 Ga. App. at 223 (punctuation marks omitted). See *SRB Inv. Servs., LLP v. Branch Banking & Tr. Co.*, 289 Ga. 1, 5(3) (709 SE2d 267) (2011) ("We will not reverse the trial court's decision to grant or deny an interlocutory injunction unless the trial court made an error of law that contributed to the decision, there was no evidence on an element essential to relief, or the court manifestly abused its discretion." (punctuation omitted)); *Kinard*, 278 Ga. at 149 ("The trial court has broad discretion under OCGA § 9-5-8 in deciding whether to grant a request for an interlocutory injunction.").

injunction “unless the trial court made an error of law that contributed to the decision, there was no evidence on an element essential to relief, or the court manifestly abused its discretion.”⁴ Similarly, a trial court has broad discretion to control discovery, and we “will not reverse a trial court’s decision on discovery matters absent a clear abuse of discretion.”⁵

Here, the record shows that PFS is part of a group of affiliated financial services and investment companies. On October 17, 2025, six registered PFS independent-contractor representatives resigned from a branch office in Hurricane, West Virginia, subsequently associated as independent contractors with Osaic, and immediately began selling financial services and products for Osaic.

Later, on November 3, 2025, PFS filed suit in the Superior Court of Gwinnett County, based on what it believed was evidence that the resignations were part of a raid by the Defendants on its Hurricane, West Virginia office. Specifically, PFS

⁴ *Lightfoot*, 374 Ga. App. at 223 (punctuation marks omitted). Accord *SRB Inv. Servs.*, Ga. at 5(3).

⁵ *Resurgens, P.C. v. Elliott*, 301 Ga. 589, 597(2)(b) (800 SE2d 580) (2017) (citation and punctuation omitted). See *Woelper v. Piedmont Cotton Mills, Inc.*, 266 Ga. 472, 473(1) (467 SE2d 517) (1996) (“A trial court has wide discretion to shorten, extend, or reopen the time for discovery, and its decision will not be reversed unless a clear abuse of that discretion is shown.”).

believed the Defendants induced its now-former representatives with cash payments to transfer its customers' investments to Osaic and join the two Defendants. Indeed, PFS alleged their former representatives accessed and downloaded large amounts of confidential customer account data from its IT systems, which constituted a breach of both their contractual and legal duties.

A little over two weeks later, on November 20, 2025, PFS filed an emergency motion, seeking an interlocutory injunction prohibiting the Defendants' use of the confidential information it claimed had been obtained from its IT systems and also seeking expedited discovery. On December 5, 2025, Legacy moved to dismiss the suit, arguing it was a West Virginia entity with no contacts to Georgia, and so the trial court had no personal jurisdiction over it. And on the same day, both Defendants jointly moved to compel arbitration, arguing that because PFS and Osaic were broker-dealers registered with the Financial Industry Regulatory Authority, Inc.,⁶ they had to

⁶ For ease of reference, we will refer to the Financial Industry Regulatory Authority, Inc. as "FINRA." FINRA is "a self-regulatory organization established under the Securities Exchange Act of 1934, 15 USC § 78o-3, with the authority to exercise comprehensive oversight over all securities firms that do business with the public." *Pictet Overseas, Inc. v. Helvetia Trust*, 905 F3d 1183, 1187(III) (11th Cir. 2018) (citation modified).

arbitrate all disputes in a FINRA dispute-resolution forum. The Defendants also filed a response that day to PFS's motion for interlocutory injunction.

On December 11, 2025, the trial court held a hearing on PFS's motion, during which the parties argued their respective positions. At the end of the hearing, the court granted PFS's motion, issuing the interlocutory injunction and ordering the Defendants to respond to PFS's discovery requests on an expedited basis. This appeal follows.

In their first two enumerations of error, the Defendants contend the trial court erred by issuing the interlocutory injunction before determining whether it had personal jurisdiction over Legacy or if the dispute was subject to mandatory arbitration. And given that the court granted PFS's motion for interlocutory injunction, there is—at the very least—an implication it denied Legacy's motion to dismiss for lack of personal jurisdiction and the Defendants' joint motion to compel arbitration. Even so, we cannot discern the grounds on which the court did so.

Although detailed in its analysis of the factors supporting a grant of the interlocutory injunction, the trial court's order only makes a single brief reference to

Legacy’s challenge to its personal jurisdiction—ordinarily a threshold issue⁷—and the joint motion to compel arbitration—a public policy favored in this State.⁸ And while

⁷ See *Crispin v. State of Ga.*, 360 Ga. App. 485, 489–90(1) (861 SE2d 444) (2021) (“It is well established that jurisdiction over a party must be established before the court can enter any ruling binding the party or the ruling is declared null and void.” (quotation marks omitted)). See also *Posner v. Essex Ins. Co.*, 178 F3d 1209, 1214(I) n.6 (11th Cir. 1999) (noting that “[a] court without personal jurisdiction is powerless to take further action.”); *Weitzman v. Stein*, 897 F2d 653, 659(II)(B) (2nd Cir. 1990) (explaining “a prima facie showing of jurisdiction will not suffice ... where a plaintiff seeks preliminary injunctive relief” and “[a] court must have in personam jurisdiction over a party before it can validly enter even an interlocutory injunction against him” (quotation marks omitted)). Cf. *Fuld v. Palestine Liberation Org.*, 606 U.S. 1, 11(II) (145 SCt 2090, 222 LE2d 296) (2025) (Roberts, C.J.) (noting that the Supreme Court of the United States has “long held that a court must have power over the parties before it (personal jurisdiction) before it can resolve a case,” that “this requirement flows from the Due Process Clause,” that “our modern personal jurisdiction cases have grappled only with the limitations imposed by the Fourteenth Amendment on state courts,” and that the Court has “expressly reserved the question whether the Fifth Amendment imposes the same restrictions on the exercise of personal jurisdiction by a federal court.”); *Cascade Aircraft Mgmt., LLC v. Velazco*, 374 Ga. App. 397, 399–400 (913 SE2d 4) (2025), cert. denied (July 1, 2025) (noting that “[t]he Due Process Clause of the Fourteenth Amendment to the Constitution of the United States limits a state court’s power to exercise jurisdiction over a defendant.”) (citation modified).

⁸ See *Innovative Images, LLC v. Summerville*, 309 Ga. 675, 682(3)(a) (848 SE2d 75) (2020) (Nahmias, J.) (noting that “in enacting the Georgia Arbitration Code, the General Assembly established a clear public policy in favor of arbitration.”) (citation modified); *Epps v. Rockmo Ent., LLC*, 357 Ga. App. 774, 778(3) (849 SE2d 510) (2020) (noting that “Georgia has a clear public policy in favor of arbitration” (punctuation omitted)).

the court also briefly noted toward the end of the hearing on PFS’s motion that it believed it had jurisdiction under the Georgia Long Arm Statute,⁹ we can only speculate as to how it applied that statute because it is not mentioned in the actual order.¹⁰

Under such circumstances, the Supreme Court of Georgia has instructed that we may remand when the trial court’s order “lacks sufficient detail to enable meaningful appellate review.”¹¹ We vacate the court’s order granting PFS’s emergency motion, then, and remand for it to clarify the basis for its decision denying

⁹ See OCGA § 9-10-91.

¹⁰ See *MAB Monroe, LLC v. Mayfield Self Storage, LLC*, 374 Ga. App. 98, 112(5) (911 SE2d 467) (2025) (noting that “personal jurisdiction requires a consideration of evidence”); see also *Carter v. Heritage Corner*, 320 Ga. App. 828, 830(2)(b) (741 SE2d 182) (2013) (noting that “during a hearing on the determination of jurisdiction, in personam jurisdiction must be proven by a preponderance of the evidence.”) (citation modified).

¹¹ *Xie Law Offices, LLC v. Luo*, 369 Ga. App. 509, 517(3) (894 SE2d 51) (2023) (quotation marks omitted). See *Williams v. State*, 301 Ga. 60, 62 (799 SE2d 779) (2017) (“Given the uncertainty in the trial court’s order regarding the basis for its ruling, this [c]ourt must vacate the opinion ... to remand this case to the trial court for further clarification on the specific findings that form the basis for its legal conclusions”); *McQueen v. Long*, 372 Ga. App. 840, 844 (906 SE2d 909) (2024) (“[W]e are ‘a court of review, not of first view.’ As a result, we may remand a case for ‘further factual findings when the trial court’s order lacks sufficient detail to enable meaningful appellate review.’” (footnote omitted)).

Legacy's motion to dismiss for lack of personal jurisdiction and the Defendants' joint motion to compel arbitration. As a result, we decline to address any of the enumerations of error for purposes of judicial economy.¹² And this opinion does not preclude any further appeal of the issues raised or any other issues that might arise on remand; nor should anything in this opinion be construed as reaching the merits of the issues raised in this appeal.

Judgment vacated and case remanded with direction. Gobeil and Pipkin, JJ., concur.

¹² See *McRae v. Hogan*, 317 Ga. App. 813, 820(4)(b) n.11 (732 SE2d 853) (2012) (declining to address, for purposes of judicial economy, enumeration dependent upon interrelated matters in light of remand for further proceedings).