

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 1

95-G IN THE MATTER OF THE) CINDY S. DEERE
076 ESTATE OF:) MOTION TO SURRENDER
) INSURANCE POLICIES
BILLY E. DAVIS) JAN LEVAN
) MICHAEL G. LUHOWIAK
)

DISPOSITION:

01-P IN THE MATTER OF THE) DIETZEN & ATCHLEY
296 ESTATE OF:) MOTION FOR INSTRUCTIONS
)
ERVIN R. KIRBY) PAT TAINTOR
)

DISPOSITION:

03-P IN THE MATTER OF THE) GRANT KONVALINKA & HARRISON
544 ESTATE OF:) MOTION TO CLOSE ESTATE
) WITHOUT FORMAL ACCOUNTING
VICTORIA A. SHARP)
)

DISPOSITION:

03-P IN THE MATTER OF THE) SCOTT D. BERGTHOLD
634 ESTATE OF:) MOTION FOR EXTENSION OF
) TIME TO CLOSE ESTATE
BILLY JOE BOOKER)
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 2

04-P IN THE MATTER OF THE) SPEARS, MOORE, REBMAN &
171 ESTATE OF:) WILLIAMS
) **MOTION TO CLOSE ESTATE**
DOLLIE MAE GORE) **WITHOUT DETAILED**
) **ACCOUNTING AND FOR**
) **APPROVAL OF FEES**
) MARY NEIL SOUTHERLAND
)

DISPOSITION:

04-P IN THE MATTER OF THE) SCOTT D. BERGTHOLD
260 ESTATE OF:) **MOTION FOR EXTENSION OF**
) **TIME TO CLOSE ESTATE**
ULYSSES Z. WILLIAMS)
)

DISPOSITION:

04-P IN THE MATTER OF THE) LLOYD STANLEY
310 ESTATE OF:) **MOTION TO APPROVE**
) **INTERIM FEES AND EXPENSES**
CHARLES C. BARNES)
)

DISPOSITION:

04-P IN THE MATTER OF THE) DIETZEN & ATCHLEY
338 ESTATE OF:) **MOTION TO EXTEND TIME**
) **TO SUBMIT ACCOUNTING**
SAMMIE S. SAIN) G. MICHAEL LUHOWIAK
) DANA PERRY and AMY J. L. MASON
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 3

04-P IN THE MATTER OF THE) HUSCH BLACKWELL SANDERS
603 ESTATE OF:) MOTION TO EXTEND
) SETTLEMENT
CARLISLE ALRY JORDAN,)
JR.)
)

DISPOSITION:

05-P IN THE MATTER OF THE) BURNETTE DOBSON & PINCHAK
231 ESTATE OF:) (1) MOTION TO EXTEND TIME FOR
) SETTLEMENT
MILTON CLARENCE) (2) MOTION FOR ATTORNEY FEES
VINCENT)
)

DISPOSITION: (1) Order.

06-P IN THE MATTER OF THE) M. SUSIE STARNES
621 ESTATE OF:) MOTION TO DISBURSE MONIES
)
VERNA JORDAN SNEED)
)

DISPOSITION:

07-P IN THE MATTER OF THE) STULCE & YANTIS
477 ESTATE OF:) MOTION TO CLOSE ESTATE
) AND CONCLUDE
NORMA GRACE WELLER) ADMINISTRATION
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 4

07-P IN THE MATTER OF THE) HUSCH BLACKWELL SANDERS
679 ESTATE OF:) MOTION TO EXTEND
) SETTLEMENT
GERTRUDE C. PAPA)
)

DISPOSITION: Order.

08-P IN THE MATTER OF THE) LLOYD STANLEY
261 ESTATE OF:) MOTION TO APPROVE FEES
) AND EXPENSES
PEARL WHITT CITY, JR.)
)

DISPOSITION:

09-P IN THE MATTER OF THE) SAMPLES, JENNINGS, RAY & CLEM
220 ESTATE OF:) STITES & HARBISON
) (1) MOTION TO APPROVE
WILLIAM FRANK) COMPROMISE, TO DETERMINE
HUTCHESON) SECURED STATUS AND TO
) AUTHORIZE PAYMENT OF CLAIM
) (2) MOTION FOR INSTRUCTIONS
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 5

09-P IN THE MATTER OF THE) SUMMERS & WYATT
643 ESTATE OF:) MOTION TO ENCROACH UPON
) FUNDS HELD BY THE ESTATE
BETTY K. SMITH)
)

DISPOSITION: Order.

09-P IN THE MATTER OF THE) SPEARS, MOORE, REBMAN &
712 ESTATE OF:) WILLIAMS
) MOTION TO SET ASIDE ORDER
FRED F. CRUMLEY, SR.)
)

DISPOSITION:

10-P IN THE MATTER OF THE) STULCE & YANTIS
057 ESTATE OF:) MOTION TO APPROVE BROKER/
) AGENCY LISTING AGREEMENT
FRANCES HELEN FULLER)
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 6

05- 0984	JAMES STEVEN HAMBY)	CHAMBLISS, BAHNER & STOPHEL
)	<u>MOTION TO INCREASE</u>
)	<u>COMPENSATION</u>
)	
)	
	VS.)	
)	
)	
	PLES HAMBY, JR., and)	FRED T. HANZELIK
	P & S READY MIX, LLC)	RICHARD P. JAHN
)	

DISPOSITION:

07- 0980	BEVERLY S. ROGERS)	WEILL & LONG
)	<u>MOTION TO SET</u>
)	
)	
	VS.)	
)	
)	
	AIG LIFE INSURANCE)	LEWIS, KING, KRIEG & WALDROP
	COMPANY)	
)	

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 9

09- JOHN R. AND) CHAMBLISS, BAHNER & STOPHEL
0230 SHARON L. HAYES)
)
)
)
VS.)
)
)
SPARTA HOMES, LLC,) SCARBOROUGH, FULTON & GLASS
SPARTA HOMES, DAVID) MOTION TO WITHDRAW
VANDERHOOF, and)
KOSTAS IANNIOS)
)

DISPOSITION:

09- TANIKA BARROW) MARKEL & MAJOR
0306) MOTION TO COMPEL
)
)
)
VS.)
)
)
TIMOTHY W. MILLER,) NO COUNSEL OF RECORD
Individually and d/b/a)
INDEPENDENCE HOMES,)
LLC a/k/a INDEPENDENT)
BUILDERS)
)

DISPOSITION: Judge Hollingsworth Hearing Case.

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 10

09- JAMES DERRICK) LEITNER WILLIAMS, DOOLEY &
0326 PENDERGRASS) NAPOLITAN
) MOTION TO SET
)
)
)
)
VS.)
)
)
)
CITY OF CHATTANOOGA) NELSON MCMAHAN & NOBLETT
and CHATTANOOGA)
POLICE DEPARTMENT)
)
)

DISPOSITION: Set for 12-7-10 @ 9:30(A).

09- RIDERS, LLC) GEORGE M. DERRYBERRY
0428)
)
)
)
VS.)
)
)
)
SCOTTIE D. WILSON) CINDY P. BICE
) MOTION TO SET
)
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 12

SAID NAMED DEFENDANTS,)
and ANY AND ALL CLAIMANTS))
OF ANY RIGHT, TITLE AND/OR))
INTEREST IN AND TO THE)
PROPERTIES DESCRIBED)
HEREIN,)
)
)
)
)
)

CLERK & MASTER
MOTION FOR PROTECTION

DISPOSITION:

09- N & K CONSTRUCTION)
0786 COMPANY, INC.)
)
)
)
VS.)
)
)
)

GRANT, KONVALINKA & HARRISON

VISION TIFTONIA, LLC)
)

McKOOON, WILLIAMS & GOLD
MOTION TO COMPEL

DISPOSITION:

JURY DEMAND

09- JARED PRIVETT)
0844)
)
)
VS.)
)
)
)
)

BOWE & ASSOCIATES

BKA CONSTRUCTION, LLC)
d/b/a RESTORAMERICA) (1)
AND JOHN HAUSTEIN,)
Individually and jointly and) (2)
Severally)
)
)
)

JOHN T. RICE
MOTION TO SET-ASIDE
DEFAULT JUDGMENT
MOTION FOR TEMPORARY
RESTRAINING ORDER
AND/OR INJUNCTION

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 13

09- MILDRED HOLLOWAY) BERKE, BERKE & BERKE
0900)
)
)
)
VS.)
)
)
)
FLEXIBLE FOAM PRODUCTS) LEITNER, WILLIAMS, DOOLEY &
and LIBERTY MUTUAL) NAPOLITAN
) **MOTION TO COMPEL DISCOVERY**
) **RESPONSES**
)

DISPOSITION: Order.

09- G. MICHAEL LUHOWIAK,) SPEARS, MOORE, REBMAN &
0937 Administrator of the Estate of) WILLIAMS
DAVID HERBERT ESCHMAN) **MOTION TO APPOINT CO-**
and BEVERLY BLACKWELL,) **TRUSTEE**
as Guardian and next friend) CAMERON & GOUGER
of GRAHAM ESCHMANN)
AND REILLY ESCHMANN)
)
)
VS.)
)
)
)
AMY SITTON AND LOUISE) PATRICK, BEARD, SCHULMAN &
OSMUNDSON) JACOWAY
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 15

09- CHARLES L. ELLIOTT) STULCE & YANTIS
1025) MOTION TO SET
)
)
)
)
VS.)
)
)
LLEWELLYN H. BOYD) GRANT, KONVALINKA & HARRISON
)
)

DISPOSITION:

10- CHARISE HUGHEY) WARREN & GRIFFIN
0020) MOTION TO CORRECT
) MISNOMER
)
)
)
VS.)
)
)
COMCAST CABLEVISION) HUSCH BLACKWELL SANDERS
CORP d/b/a COMCAST) FISHER & PHILLIPS
CABLE COMMUNICATIONS)
)

DISPOSITION: Order 3-5-10.

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 17

10- LARRY C. ROOKS and)
0100 MARY ANN ROOKS) **DEGAETANO LAW FIRM**
) **MOTION FOR DEFAULT**
) **JUDGMENT**
)
)

VS.)
)
)

MARK A. LAFFERRE and) **NO COUNSEL OF RECORD**
YVONNE "KIT" LAFFERE)
)
)

DISPOSITION:

10- VALERIE DAWN)
0119 THOMPSON) **SUMMERS & WYATT**
) **MOTION FOR ADVANCEMENT**
) **OF PERMANENT DISABILITY**
)
)

VS.)
)
)

U.S. XPRESS, INC.) **FLEISSNER, DAVIS & JOHNSON**
)
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 18

04- BRENDA FRUMIN MALLEEN,) McKOON, WILLIAMS & HAUN
0031 MICHAEL CRAIG MALLEEN,) (1) MOTION FOR SUMMARY JUDGMENT
 DAVID ERIC MALLEEN,) ON BEHALF OF LINDSAY ELIZABETH
 LINDSAY ELIZABETH) MALLEEN, STEVEN LAWRENCE MALLEEN,
 MALLEEN, a minor by Next) II, AND SUSAN LYNN MALLEEN
 friend MICHAEL CRAIG) *(filed 2-19-10)*
 MALLEEN and STEVE)
 LAWRENCE MALLEEN, II a)
 minor, by next friend DAVID)
 ERIC MALLEEN)
)
 VS.)
)
 SAUL T. MALLEEN and R.) SHERRARD & ROE
 WAYNE PETERS Trustees of)
 the MALLEEN TRUST FUND; R.)
 WAYNE PETERS, PETER) LEITNER WILLIAMS DOOLEY &
 JAMES MALLEEN, and TED) (2) NAPOLITAN
 AUSTIN MALLEEN, Trustees of) MOTION FOR ENLARGEMENT OF
 the MALLEEN FAMILY TRUST;) TIME TO RESPOND TO MOTION FOR
 BARTON L. GOLDBERG and) SUMMARY JUDGMENT
 NATHAN J. WALDMAN) GEARHISER PETERS LOCKABY
 Trustees of THE GOLDBERG) CAVETT & ELLIOTT
 TRUST FUND; JOHN DOE #1)
 and JOHN DOE #2, Trustees of)
 the GOLDBERG FAMILY)
 TRUST; SAUL T. MALLEEN and)
 R. WAYNE PETERS, Co-)
 Executors and Personal)
 Representatives for the)
 the ESTATE OF MURIEL G.)
 MALLEEN, DECEASED; and)
 SAUL T. MALLEEN and R.)
 WAYNE PETERS, Trustees of)
 The MURIEL G. MALLEEN)
 REVOCABLE TRUST)
)
)

DISPOSITION: (1) Set for 3-23-10. (2) Heard on 3-8-10.

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 19

08- REGINALD I. VACHON) PATRICK, BEARD, SCHULMAN &
0021) JACOWAY
) (2) MOTION TO AMEND
)
VS.)
)
)
DIVERSIFIED) LEITNER, WILLIAMS, DOOLEY &
MAINTENANCE CONTRACT) NAPOLITAN
LLC) (1) MOTION TO SET ASIDE DEFAULT
) JUDGMENT AND SUPPLEMENTAL
) BRIEF
)

DISPOSITION:

09- THE NORTHWESTERN) MADDOX & ANDERSON
0028 MUTUAL LIFE INSURANCE) (1) MOTION TO QUASH SUBPOENA
COMPANY) DUCES TECUM
) (2) MOTION FOR PARTIAL
) SUMMARY JUDGMENT (filed 3-8-10)
)
VS.)
)
)
)
CYNTHIA J. PAINTER) WILLIAM HORTON
TIMOTHY L. FRANKLIN)
JOE D. FRANKLIN) PATRICK, BEARD, SCHULMAN &
) JACOWAY
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 20

09- COX INTERIOR, INC.) GRANT, KONVALINKA & HARRISON
0994)
)
)
)
)
VS.)
)
)
STEVE HULEN) JONATHAN WARDLE
CONSTRUCTION, LLC, and) **MOTION TO DISMISS** (*file 3-4-10*)
STEVE HULEN)
)

DISPOSITION:

05- NANCY GEARHISER) NO COUNSEL OF RECORD
0391)
)
)
VS.)
)
)
)
CHARLES J. GEARHISER,) GEARHISER, PETERS. CAVETT,
III) ELLIOTT & CANNON
) **MOTION TO SET**
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 21

08- SAMUEL RICHARD) LUTHER – ANDERSON
0038 ANDERSON, II) (1) MOTION TO SET
)
)
VS.)
)
)
MICAELA DAWN) JENNIFER PECK
ANDERSON) (2) MOTION TO WITHDRAW
)

DISPOSITION:

08- TARA LEIGH NEELEY) PATY, RYMER & ULIN
0654) MOTION TO ENFORCE JUDGMENT
)
)
VS.)
)
)
DAVID EUGENE NEELEY) THORNBURY, MORGAN &
) RICHARDSON
)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET MARCH 22, 2010 P. 22

09- LINDA M. PETTIGREW) GEARHISER, PETERS, CAVETT,
0622) ELLIOTT & CANNON
) **MOTION FOR MEDIATION**
)
)
)
VS.)
)
)
DENNIS A. PETTIGREW) NO COUNSEL OF RECORD
)

DISPOSITION:

09- CARMAN MARANDA) HANZELIK & ASSOCIATES
0854 O'REAR) (1) **MOTION FOR CHILD AND**
) **SPOUSAL SUPPORT**
) (2) **MOTION FOR DEFAULT**
) (3) **MOTION FOR ADOPTION OF**
) **TEMPORARY PARENTING PLAN**
)
)
VS.)
)
)
)
PAUL JEREMY O'REAR) PATY, RYMER & ULIN
)

DISPOSITION:

MOTIONS PASSED FROM PREVIOUS DOCKETS

07-P IN THE MATTER OF THE) LYNNE DECHMAN
032 ESTATE OF:) MOTION TO COMPEL
) ARNOLD STULCE
HARVEY SHEATS)
)

DISPOSITION:

07-P IN THE MATTER OF THE) WOLFE, McCLANE, BRIGHT,
401 ESTATE OF:) ALLEN & CARPENTER
) (1) MOTION FOR CERTIFICATION
MARCELLE BAUM WEILL) OF WILL CONTEST
) (2) MOTION TO COMPEL ESTATE
) ASSETS INFORMATION
) ALAN CATES
)

DISPOSITION: Pass to 4-26-10.

03- ADRIAN LYNN) SCHEMEL, LeCROY-SCHEMEL
0219 McWILLIAMS and CASH) CAVETT & ABBOTT
MART, LLC) MOTION TO COMPEL
)
)
)
)
)
)
)
)
VS.)
)
)
)
OSCAR H. VAUGHN) BELL & HOBBS
)

DISPOSITION:

MOTIONS PASSED FROM PREVIOUS DOCKETS

07- NEWTON GRAY) THORNBURY, MORGAN &
0155) RICHARDSON
) (1) **MOTION FOR MEDICAL BENEFITS**
) *(filed 8-10-08)*
) (2) **AMENDMENT TO MOTION FOR**
) **MEDICAL BENEFITS** *(filed 8-5-09)*
) (3) **SECOND AMENDMENT TO**
) **MOTION FOR MEDICAL BENEFITS**
) *(filed 8-10-09)*
)
VS.)
)
)
)
TROTTER BUICK, INC., and) CAMPBELL & CAMPBELL
BRENTWOOD SERVICES) (4) **MOTION TO COMPEL MEDICAL**
) **EXAMINATION**
)
)

DISPOSITION:

JURY DEMAND

08- DENNIS J. BOSS and) SPICER RUDSTROM
0814 NINA S. BOSS) (2) **MOTION TO COMPEL Δ TO**
) **ANSWER DISCOVERY**
)
)
)
VS.)
)
)
)
LONDON CENTER, LLC;) SAMPLES, JENNINGS, RAY & CLEM
DANIEL S. PROCTOR,) (1) **MOTION TO SET**
Individually and/or d/b/a)
LONDON CENTER OWNER'S)
ASSOCIATION, INC., and/or)
LONDON CENTER II)

MOTIONS PASSED FROM PREVIOUS DOCKETS

OWNER'S ASSOCIATION,)
INC.; KENNETH J. DEFOOR,))
Individually and/or d/b/a)
LONDON CENTER OWNER'S)
ASSOCIATION, INC., and/or)
LONDON CENTER II)
OWNER'S ASSOCIATION,)
INC.; LONDON CENTER)
OWNER'S ASSOCIATION,)
INC., and LONDON CENTER)
II OWNER'S ASSOCIATION,)
INC.)
)

DISPOSITION:

09- GERALD SEALS) WARREN & GRIFFIN
0123) (2) **MOTION TO COMPEL DISCOVERY**
) (3) **PLAINTIFF'S MOTION TO HOLD**
) **IN ABEYANCE PENDING**
) **COMPLETION OF DISCOVERY**
)
)
)
)
VS.)
)
)
)
LEAR CORPORATION and) WIMBERLY, LAWSON, SEALE
ZURICH AMERICAN) WRIGHT & DAVES, PLLC
INSURANCE COMPANY) (1) **MOTION FOR SUMMARY**
) **JUDGMENT** *(filed 2-19-10)*
)

DISPOSITION:

MOTIONS PASSED FROM PREVIOUS DOCKETS

09- OLD REPUBLIC NATIONAL) LISA FOX HEATH
0542 TITLE INSURANCE)
COMPANY)
)
)
)
VS.)
)
)
VICKEY L. NEAL) CURTIS BOWE, III
CRANMORE) **MOTION TO WITHDRAW**
)
)

DISPOSITION:

09- SUSAN FAST) OFFICE OF DONALD ZUCCARELLO
0806) (1) **MOTION TO STRIKE**
)
)
)
VS.)
)
)
)
US EXPRESS, INC., LIBERTY) FLEISSNER, DAVIS & JOHNSON
INSURANCE) (2) **MOTION TO COMPEL**
CORPORATION and SUE) CHANCE DEACON
ANN HEAD, Administrator of)
the TENNESSEE SECOND)
INJURY FUND)
)
)

DISPOSITION:

MOTIONS PASSED FROM PREVIOUS DOCKETS

09- INVACARE CORPORATION) MAYFIELD & LESTER
0488 and wholly owned subsidiaries) **MOTION FOR SUMMARY**
) **JUDGMENT** *(filed 2-12-10)*
)
)
)
VS.)
)
)
OUTREACH MEDICAL) JOHN BEN IWU
SUPPLIES, INC., and)
EMMANUEL EKON)
)

DISPOSITION: Hearing Continued.

07- CATHERINE P. GULAS) CAMPBELL & CAMPBELL
0247) **MOTION TO COMPEL**
) LUTHER ANDERSON
)
)
)
VS.)
)
)
THOMAS M. GULAS) PATRICK, BEARD, SCHULMAN &
) JACOWAY
)
)

DISPOSITION:

MOTIONS PASSED FROM PREVIOUS DOCKETS

09- JAMES WILFORD) PATRICK, BEARD, SCHULMAN &
0934 WHITLOW) JACOWAY
) (1) **MOTION TO AMEND**
) (5) **MOTION FOR CHILD SUPPORT and**
) **ALIMONY PENDENTE LITE**
)
)
VS.)
)
)
)
)
TAMARA GAIL LAURITSEN-) LISA BOWMAN
WHITLOW) (2) **MOTION TO ENFORCE SALE**
) **OF MARITAL RESIDENCE**
) (3) **MOTION TO FILE JOINT INCOME**
) **TAXES AND DEPOSIT INCOME**
) **TAX REFUND WITH CLERK**
) (4) **MOTION FOR ADDITIONAL TIME**
)

DISPOSITION: (1) (2) (3) (4) Agreed order.