

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 1

03-P IN THE MATTER OF THE) EARL S. HOWELL, III
625 ESTATE OF:) MOTION FOR ANTI-DUST
) PROCEDURE OR INSTRUCTIONS
) TO PROCEED OTHERWISE
)
SCOTTIE JEFFERSON)
HEDDEN)

DISPOSITION:

07-P IN THE MATTER OF THE) BRUCE HANKINSON
418 ESTATE OF:) MOTION FOR APPLICATION OF
) ANTI-DUST PROCEDURE OR
) INSTRUCTIONS TO PROCEED
) OTHERWISE
DOROTHY C. POSEY)

DISPOSITION:

07-P IN THE MATTER OF THE) BRIAN P. MICKLES
432 ESTATE OF:) MOTION FOR ADDITIONAL TIME
)
)
)
) Arnold Stulce
MILDRED POWELL BUNCH) R. Dee Hobbs

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 2

09-P IN RE: THE ESTATE OF) SHERRY L. PARK
352) **MOTION TO REMOVE PERSONAL**
) **REPRESENTATIVE AND TO**
) **APPOINT JENNIFER SHAHAN**
DENNIS WAYNE SHAHAN) **ROBINSON PERSONAL**
) **REPRESENTATIVE**
)
) James Purple

DISPOSITION:

11-P IN THE MATTER OF THE) SPEARS MOORE REBMAN &
120 ESTATE OF:) WILLIAMS (Mike Luhowiak)
) **MOTION FOR ADDITIONAL TIME**
) **TO FILE CLOSING DOCUMENTS**
DONALD LOUIS WAMP, SR.)
) Mark Kinsman
) Paul Cross

DISPOSITION:

12-P IN RE:) STULCE & YANTIS
768) (Arnold Stulce/John Yantis)
BETTY R. LYNCH) (1) **MOTION TO EXTEND TIME FOR**
) **FILING**
) (2) **MOTION TO APPROVE LEASE**
) **AGREEMENT WITH OPTION TO**
) **PURCHASE**

DISPOSITION:

13-P	IN THE MATTER OF THE	)	KENNEDY & ASSOCIATES
055	ESTATE OF:	)	(Darren Kennedy)
		)	<u>MOTION FOR IMMEDIATE</u>
		)	<u>HEARING FOR SANCTIONS</u>
	MARY MARIE BARBEE	)	<u>AND CONTEMPT FOR FAILURE</u>
		)	<u>TO COMPLY WITH TEMPORARY</u>
		)	<u>RESTRAINING ORDER</u>
	Debbie Bonner)	
	<i>Petitioner</i>	)	VALERIE EPSTEIN
)	
	v.)	
)	
	Billy Barbee, Linda Darlene	)	BRUCE HANKINSON
	Fraday, Gayle Hendrixson, and)	
	Kathy Moses)	
	<i>Respondents</i>)	

DISPOSITION: Motion and S/C set for 12-22-14 at 11:00 am

13-P	IN THE MATTER OF THE	)	BAKER DONELSON BEARMAN
086	ESTATE OF:	)	CALDWELL & BERKOWITZ
		)	(Philip Whitaker)
		)	<u>MOTION TO APPROVE ATTORNEY</u>
	HELEN BURFORD BELL	)	<u>FEES & EXPENSES</u>
)	

DISPOSITION:

13-P IN THE MATTER OF THE) YOLANDA MITCHELL
150 ESTATE OF:) **MOTION FOR INTERIM**
) **ATTORNEY FEES**
)
)
SHARLOTTE BOONE POLK)

DISPOSITION:

13-P IN THE MATTER OF THE) COPELAND WHITTENBURG &
168 ESTATE OF:) MEEKS (Mark Whittenburg)
)
)
CARROLL YOUNG HENRY) LINDA NORWOOD
) **MOTION FOR APPROVAL OF**
) **GUARDIAN FEE**
)
) Robin Flores

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 5

14-P IN THE MATTER OF THE) SPEARS MOORE REBMAN
092 ESTATE OF) & WILLIAMS
 CONSERVATORSHIP OF) (Anna Marie Davenport/Terry Cavett)
))
 JAMES EDWARD))
 ANDERSON, III))
))
))
))
 MICHAEL M. THOMAS) MICHAEL M. THOMAS
 GUARDIAN AD LITEM FOR) **MOTION FOR TEMPORARY**
 MINOR CHILD) **RESTRAINING ORDER AND**
)) **TEMPORARY INJUNCTION**
))
 vs.))
))
 JAMES ANDERSON,) GRANT KONVALINKA & HARRISON
 NANCY ANDERSON,) (John Konvalinka/Cody Roebuck/
 and) Harry Cash)
 HARRY CASH, Successor))
 Trustee of the Deed of Trust))

DISPOSITION: Motion heard 12-10-14 at 1:00 pm

14-P IN RE:) STULCE & YANTIS
100) (Arnold Stulce)
)) **MOTION TO APPROVE CONTRACT**
 WILLIAM KENNETH) **FOR SALE OF REAL PROPERTY**
 PENNEY))

DISPOSITION:

14-P IN THE MATTER OF THE) LYNNE DECHMAN
142 ESTATE OF:) MOTION FOR ATTORNEY FEES
)
)
JOHNNIE S. LAWLEY, JR.)

DISPOSITION:

14-P IN THE PROBATE MATTER) LINDA NORWOOD
297 OF:) MOTION TO APPROVE VERIFIED
) CLAIM AND ATTORNEY'S FEE
)
RAMONA DARLENE) STULCE & YANTIS
GIBSON) (Arnold Stulce)
)
) SPEARS MOORE REBMAN &
) WILLIAMS
) (Mike Luhowiak/Jennifer Exum)

DISPOSITION:

14-P IN THE MATTER OF THE) LYNNE DECHMAN
327 ESTATE OF:) MOTION FOR ATTORNEY FEES
)
)
VIRGINIA H. REEDY)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 7

14-P IN THE MATTER OF THE) LYNNE DECHMAN
649 ESTATE OF:) **MOTION TO CLOSE ESTATE**
) **WITHOUT TENNCARE RELEASE**
)
)
 AMANDA ELIZABETH)
 TORRENCE)

DISPOSITION: Pass to next call per Dechman on 12-16-14

14-P IN THE MATTER OF THE) THE KENDALL LAW FIRM
711 ESTATE OF:) (Hugh Kendall)
) (1) **MOTION FOR INSTRUCTIONS**
 FRED HANZELIK) (2) **MOTION FOR RESTRAINING**
) **ORDER**

DISPOSITION: (2) Order entered 12-5-14

01-	ESTATE OF B.G. NAIK on	)	MARKEL vonKESSLER & COX
0140	behalf of the shareholders of	)	(Chris Markel/Wilson vonKessler)
	NITA ENTERPRISES, INC.	)	<u>MOTION TO STAY ENFORCEMENT</u>
	d/b/a SUPREME PRODUCTS	)	<u>OF FEE CLAIMS OF SPECIAL</u>
		)	<u>LITIGATION COMMITTEE</u>
		)	<u>PENDING APPEAL</u>
)	
)	
)	
)	
	vs.)	
		)	BERKE BERKE & BERKE
		)	(Megan England)
	AJIT C. DESAI, CHETAN C.)	
	DESAI, VIJAY B. DESAI, and	)	GRANT KONVALINKA & HARRISON
	NITA ENTERPRISES, INC.	)	(John Konvalinka)
	d/b/a SUPREME PRODUCTS)	
		)	Mark D. Hackett

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 9

07- MARK D. WINESBURGH AND)
1071 WIFE, JILL WINESBURGH, and)
NICKIE SCHWARTZKOPF)

vs.)

IRENE SMOLIK, ET AL)

and)

TICOR TITLE INSURANCE CO.)

vs.)

ENSIGN TITLE AND ESCROW,)
INC.)

and)

TICOR TITLE INSURANCE CO.,)

vs.)

PETER C. ENSIGN)

TIDWELL & IZELL
(Gerald Tidwell)

MILLER & MARTIN
(James T. Williams)

STEPHEN GOLDSTEIN

LOEB & LOEB
(Brittany Schaffer)

LOWE YEAGER & BROWN
(Darryl Lowe/Christopher Field)
MOTION TO AMEND ANSWER OF
ENSIGN TITLE AND ESCROW

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 10

09- 0468	AVI SUD	)	BERKE BERKE & BERKE
		)	(Ronald Berke)
)	
	VS.)	
)	
)	
	BRENTWOOD BUILDERS, LLC	)	KRAMER & BARTLETT
		)	(Beecher A. Bartlett)
)	
		)	GEARHISER PETERS ELLIOTT & CANNON
		)	(Wade Cannon/Justin Faith)
	vs.	)	<u>BRENTWOOD BUILDERS MOTION IN</u>
		)	<u>LIMINE TO EXCLUDE UNTIMELY &</u>
		)	<u>IMPROPER WITNESS TESTIMONY AND</u>
		)	<u>REPORTS OF OTHER HOMEOWNERS</u>
		)	<u>AT TRIAL</u>
)	
)	
	STAR ROOFING, INC., PAUL	)	BAKER DONELSON BEARMAN CALDWELL
	WILLIAMS d/b/a TRUEWALL	)	& BERKOWITZ (Cameron Hill)
	CONTRACTING, JOHN THOMAS	)	TIDWELL & IZELL
	GOODGAME, JR. d/b/a CONCRETE)	)	(Gerald Tidwell/Adam Izell)
	UNLIMITED and TURNCRAFT)	
	ARCHITECTURAL, INC. d/b/a)	
	CASCADE WOOD PRODUCTS, INC)	)	BURNETTE DOBSON & PINCHAK
		)	(H. Eric Burnette)
		)	FRANKLIN COOPER & MARCUS
		)	(Gary Cooper)
)	

DISPOSITION: Heard on 12-5-14

09- REGIONS FINANCIAL) GARNER & CONNER
0624 CORPORATION) (Christopher Conner)
) **MOTION AND ORDER TO**
) **SHOW CAUSE**
)
vs.)
)
GLENN PAT WEBB) NO COUNSEL OF RECORD

DISPOSITION:

11- WELLS FARGO BANK, N.A.) TOLSON & ASSOCIATES
0053) (Peggy Tolson)
) **MOTION FOR RELIEF FROM**
) **ORDER GRANTING DEF'S**
) **MOTION TO COMPEL**
)
vs.)
)
)
FORREST F. CATE, III) CATHERINE WHITE
d/b/a FORREST CATE FORD/)
MERCURY, LLC)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 12

12- CAVALRY SPV I, LLC) GARNER & CONNER
0062) (Chris Conner)
) **MOTION TO COMPEL**
vs.)
)
) DAVID FULTON
GRADY O. COPPAGE)

DISPOSITION:

13- ALMA JANE COOK) SHALLOWFORD LAW CENTER
0161 (A.K.A ALMA COOK KING)) (Russell King)
)
)
vs.)
)
)
PVH CORP. (A.K.A.) FLEISSNER DAVIS & JOHNSON
PHILLIPS-VAN HEUSEN) (Scott Davis)
CORPORATION), and) **FIRST MOTION TO CONTINUE**
LIBERTY MUTUAL) **TRIAL DATE**
INSURANCE COMPANY)

DISPOSITION: Motion heard by phone 12-3-14; trial date set 3-10-15

13- TURNBERRY VILLA) KNIGHT & HOOPER
0270 CONDOMINIUM ASSOC.) (James Hooper)

vs.)

RANDOLPH L. FINNELL) RAMER & HEDRICK
and CATHY P. FINNELL) (Glenna Ramer)
[now Barclay]) **MOTION TO PAY IN**
) **INSTALLMENTS**

DISPOSITION:

13- JEQUETTA L. STALLINGS) WEILL & LONG
0419) (Flossie Weill)
vs.) **MOTION FOR DISCRETIONARY**
) **COSTS**

INTEGRITY STAFFING) LEITNER WILLIAMS DOOLEY &
SOLUTIONS, INC. and) NAPOLITAN (Charles Poss)
ZURICH AMERICAN)
INSURANCE CO.)

DISPOSITION:

13- O. KAREN POOLE) LEITNER WILLIAMS DOOLEY
0489) & NAPOLITAN
) (Bruce Gill/Andrew Godbold)
)
vs.)
)
) SAMUEL QUATTROCHI
PAMELA A. HARPER) **MOTION TO SET**

DISPOSITION:

13- MARGIE Y. ELLIOT) TIDWELL & IZELL
0496) (Gerald Tidwell)
)
)
vs.)
)
)
)
COMMUNITY NATIONAL) SPEARS MOORE REBMAN &
BANK and NORTH) WILLIAMS (Dan Stefaniuk/ Scott Brown/
AMERICAN CO. FOR LIFE) Joseph Jackson)
AND HEALTH INSURANCE)
) WALLER LANSDEN DORTCH &
) DAVIS (Robert Boston/Tera Murdock)
) **MOTION FOR ADMISSION**
) **PRO HAC VICE OF PAUL HEATON**
)
) GODFREY & KAHN
) (Paul Heaton)

DISPOSITION:

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 15

13- WALNUT RUN HOME-) MILLER & MARTIN
0552 OWNERS' ASSOCIATION) (Neil Brunetz/Ellis Lord/Lynzi Archibald)
)
)
vs.)
)
)
) BUDDY PRESLEY
JERRY WAYNE WILKERSON) (1) **MOTION TO AMEND ANSWER**
) (2) **MOTION TO ALTER OR AMEND**

DISPOSITION:

Jury Demand

13- GOLDEN STATE PISTACHIO) KENNEDY & ASSOCIATES
0608 FARMS, INC. and) (Darren Kennedy)
KERRY L. SHEARER) **MOTION FOR SANCTIONS FOR**
) **FAILURE TO ATTEND DEPOSITION**
)
vs.)
)
)
)
FERMAR QUALITY CORP.) Kevin Wilson
and MARGO VELA)

DISPOSITION:

13- NAZARETH SAMUELIAN) MARKEL vonKESSLER & COX
0782) (Chris Markel)
) **MOTION TO CONTINUE**
)
vs.)
)
)
COVENANT TRANSPORT) CHARLES POSS

DISPOSITION:

13- HUBERT M. McNABB, JR.) DUNCAN HATCHER HIXSON &
0924 and SRONDRA S. McNABB) FLEENOR (Everett Hixson, Jr./
) Adam Holland/Everett Hixson III)
) **MOTION FOR SCHEDULING**
vs.) **ORDER AND TO SET**
)
)
)
) HUNTER SMITH & DAVIS
ERIE INSURANCE) (S. Morris Hadden)
COMPANY and ROOF)
RESCUE 911, LLC) EVANS HARRISON HACKETT
) (Timothy Mickel)
)
) BREWER KRAUSE BROOKS
) CHASTAIN & BURROW
) (Gordon Aulgur)

DISPOSITION:

14- M.T.C.1, INC d/b/a) GARNER & CONNER
0056 MIDWESTERN TRAIN,) (Christopher Conner)
) **MOTION TO COMPEL**
)
)
vs.)
)
)
WAYNE McLAUREN) NO COUNSEL OF RECORD

DISPOSITION:

Jury Demand

14- JOSHUA A. PENLAND and) DUNCAN HATCHER HIXSON
0184 JACK E. PENLAND) & FLEENOR
) (Everett Hixson/Adam Holland)
) **MOTION TO AMEND COMPLAINT**
)
)
vs.)
)
)
)
) SHAPIRO & KIRSCH
) (Sharon Fewell)
)
)
EVERBANK COMMERCIAL) GRANT KONVALINKA & HARRISON
FINANCE, INC.; EVERHOME) (Harry Cash)
MORTGAGE COMPANY;)
SHAPIRO & KIRSCH LLP;) CAVETT & ABBOTT
and H&H HOLDINGS, LLC) (Barry Abbott/Sam Quattrochi)
)
)
) BROCK & SCOTT
) (Nicholas Adler)

DISPOSITION:

14- ARGIE SUE YOTHER and)
0262 ANNA BELLE HATFIELD)

STULCE & YANTIS
(Arnold Stulce)

MOTION TO APPROVE CONTRACT
FOR SALE OF REAL PROPERTY

vs.)

HOMER HARRIS, VELMA)
RUTH HARRIS YOTHER,)
RHONDA HARRIS IVEY,)
SALINA HARRIS LEMONS,)
BRENDA GAIL HARRIS)
HENDERSON, RANDY)
HARRIS, LATASHA)
MCGUIRE JOHNSON,)
TERRY HARRIS, DEBRA)
HARRIS JOPLING, KATHY)
HARRIS WALTON, BRENDA)
HARRIS GILES, SCOTT)
HARRIS, JAMES D. HARRIS,)
MARVIN TIMOTHY FRADY,)
JANICE PENNEY SOTER,)
JUDY PENNEY SHANNON,)
MARGIE JOHNSON, KIM)
PALMER GOWER, and)
GIVAVONNA FRADY)
RODRIGUEZ and the)
Unknown Heirs of Irene H.)
Harris, Deceased)

WILLIAM M. FOSTER

DISPOSITION:

14- REGIONS BANK) GARNER & CONNER
0317) (Christopher Conner)
) **MOTION FOR MORE DEFINITE**
vs.) **STATEMENT OR CLARIFICATION**
) **OR REPLY TO COUNTERCLAIM**
)
)
)
WALTER DAVIS LUNDY) PETER ENSIGN

DISPOSITION:

14- THE CHATTANOOGA) GRANT KONVALINKA & HARRISON
0620 SYMPHONY AND OPERA) (John Konvalinka/Cody Roebuck)
ASSOCIATION)
)
)
)
vs.)
)
)
) HUSCH BLACKWELL
) (Alan Cates/Caroline Stefaniak)
SUNTRUST BANK and)
THE LILLIAN L. COLBY) MILLER & MARTIN
CHARITABLE FOUNDATION) (Roger Dickson/James Haley/
) Scott Parrish/Kyle Wilson)
) **DEFENDANT'S MOTION FOR**
) **PROTECTIVE ORDER**
)
)
) KENNERLY MONTGOMERY & FINLEY
) (Michael Kelley)

DISPOSITION: Set for hearing 12-19-14 @ 3:00 pm

CHANCERY COURT PART 2 MOTION DOCKET DECEMBER 22, 2014 P. 20

14- RICHARD CONNOLLY) HELTON LAW FIRM
0637) (Cris Helton)
) **MOTION TO SET**
vs.)
)
)
MARK A. DUGGER) NO COUNSEL OF RECORD

DISPOSITION: Strike; mistakenly filed under Part 2 but is Part 1 case

14- JOHN GORDON) ROBERT SAUSER
0693)
)
vs.)
)
)
CITY OF CHATTANOOGA) CITY ATTORNEYS OFFICE
) (Ken Fritz)
) **MOTION TO DISMISS AND**
) **DISSOLVE INJUNCTION**

DISPOSITION: TRO heard 12-11-14; Motion set for
oral argument 2-2-15 @ 3:00 pm

14- RAINES BROTHERS, INC.) CAVETT & ABBOTT
0696) (Barry Abbott)
) **MOTION FOR DEFAULT**
vs.) **JUDGMENT**
)
)
JOHN A. LIMERICK and) NO COUNSEL OF RECORD
SHARRON H. LIMERICK)
a/k/a SHARON H. LIMERICK)

DISPOSITION: Strike per movant; Notice of Appearance for defendants received by plaintiff counsel on 12-9-14.

13- JANEL MARIE VARNER) GRANT KONVALINKA & HARRISON
0822) (Katherine Lentz)
) **MOTION TO WITHDRAW**
vs.)
)
)
KEVIN LAMAR VARNER) Curtis Bowe

DISPOSITION:

13-
0900

JULIE STANDEFER

)

GRANT KONVALINKA & HARRISON

)

(John P. Konvalinka)

)

MOTION TO ENFORCE

vs.

)

AGREEMENT

)

)

CHARLES ALAN
STANDEFER

)

LAWRENCE & LAWRENCE

)

(Jennifer Lawrence)

)

DISPOSITION:

MOTIONS PASSED FROM PREVIOUS DOCKETS

12-P IN THE MATTER OF THE) LISA Z. BOWMAN
524 ESTATE OF:) (1) **MOTION FOR ADDITIONAL TIME**
)
)
)
) LINDA B. HALL
GREGORY GRAHAM) (2) **MOTION FOR SANCTIONS AND**
) **INSTRUCTIONS**

DISPOSITION:

12-P IN THE MATTER OF THE) BELL & HOBBS
690 ESTATE OF:) (Dee Hobbs)
) **MOTION FOR EXTENSION OF**
) **TIME**
)
STELLA B. PAULHAMUS)

DISPOSITION: Strike per Mr. Hobbs on 12-16-14;
filed his Sworn Statement

13-P IN THE MATTER OF THE) SPEARS MOORE REBMAN &
061 ESTATE OF:) WILLIAMS (Michael Luhowiak)
) **MOTION FOR INSTRUCTIONS**
)
)
)
MARY LOUISE HEAD)
SOTTONG) Barbara Sims Arthur
)

DISPOSITION:

MOTIONS PASSED FROM PREVIOUS DOCKETS

JURY DEMAND

13- BRANDON CARTER) LAW OFFICE OF STEPHEN DUGGINS
0722) (Stephen Duggins)
)
)
)
vs.)
)
)
FRED E. HOLDER,) DUNCAN HATCHER HIXSON
CHRISTOPHER CAMPBELL) & FLEENOR (Adam Holland)
HOLDER, DAVID H. SHELTON,) (1) **MOTION FOR STATUS CONFERENCE**
GREEN FORM CONSTRUCTION,) **AND FOR MODIFICATION OF**
INC. and GREEN FORM SOLAR) **SCHEDULING ORDER**
LLC) (2) **MOTION TO COMPEL**
)
Defendants/Counter-Plaintiffs)
)
and)
)
GREENFORM CONSTRUCTION,)
INC. and GREENFORM SOLAR)
LLC)
)
Third-Party Plaintiffs,)
)
vs.)
)
SOLAR TECH, LLC,) LAW OFFICE OF STEPHEN DUGGINS
) (Stephen Duggins)
Third-Party Defendant) John Beard/Carter Lynch
)

DISPOSITION:

MOTIONS PASSED FROM PREVIOUS DOCKETS

14- WILLIAM MICHAEL) OFFICE OF JENNIFER PECK
0501 RUDER, II) **(Jennifer Peck)**
) (1) **MOTION FOR EXCLUSIVE**
) **POSSESSION OF MARITAL RESIDENCE**
) (2) **MOTION TO APPOINT GUARDIAN**
) **AD LITEM**
VS.) (4) **MOTION FOR SUPERVISED**
) **VISITATION**
) (5) **MOTION FOR CHILD SUPPORT**
) **PENDENTE LITE**
)
)
SAMANTHA L. RUDER) NO COUNSEL OF RECORD
)
) ANGELA LARKINS
) (withdrawn counsel for defendant)
) (3) **MOTION FOR LIEN**

DISPOSITION: