

**IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
 TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY, PART III**

**STATE OF TENNESSEE, *ex rel.*,)
 JULIE MIX MCPEAK, Solely in her)
 official capacity as Commissioner of)
 Commerce & Insurance,)**

Petitioner.)

VS.)

**VICKIE L. RINGLEY, individually)
 and d/b/a Hawkins County)
 Memorial Gardens,)**

Defendant.)

NO. 14-1642-III

CLERK & MASTER
 DAVIDSON CO. CHANCERY CT.
 D.C.&M.

2017 MAR 23 AM 10:18

FILED

MEMORANDUM AND ORDER FROM 3/22/17 STATUS CONFERENCE

On March 22, 2017, a telephone status conference was conducted in this case. Participating in the Conference were Special Deputy Receiver Moore, the Tennessee Attorney General’s Office, and Deputy General Counsel for the Department. Defendant Ringley was notified in a January 12, 2017 Order of the Conference and instructed to file a notice by February 3, 2017 to participate in the Conference. No notice was filed. Defendant Ringley did not participate.

After conducting the Conference, the Court concludes and orders the following.

1. The Court concludes that no claims process is necessary. This conclusion is based upon the accounting and Affidavit filed March 21, 2017, by Special Deputy Receiver Moore and his past reports. These establish double sold lots have been resolved.

2. Unresolved is the in excess of \$640,000 in Pre-need Services Trusts, Tennessee Code Annotated section 46-1-207(b), not funded by Defendant Ringley. The Receiver is analyzing several options to recommend to the Court.

One option is to sell the Cemetery, lien free, and use the proceeds to pay the Pre-need Services Trusts on a pro rata basis.

Another alternative being examined is to sell the Cemetery with the buyer assuming performance of the Pre-need Services Trusts and providing security for that performance.

To proceed with disposition of this issue, it is ORDERED that by April 28, 2017, Special Deputy Receiver Moore shall file his recommendation with the Court on how to recover proceeds to fund the Pre-need Services Trusts. Any matters which the Deputy Receiver considers to be confidential or proprietary; work product; or deliberative privilege materials shall be filed under seal for an *in camera* inspection by the Court.


3. Another matter covered in the Conference is the status of disputed burials. All but one have been resolved, and the Special Deputy Receiver is proceeding with disposition of that dispute.

4. It is ORDERED that the Special Deputy Receiver is authorized by the Court to sell the 1996 Ford F350 VIN: 2FDKF38F4TCA57585, titled to Hawkins County Memorial Gardens, and presently being stored by the Special Deputy Receiver. The sale documents shall be filed with the Court, and the sale shall be reported in the Receiver's monthly reports. The authority for the sale is that the Truck is titled to, and therefore, an asset of Hawkins

County Memorial Gardens. Sale of this asset is needed to fund the obligations of the Cemetery and the Receivership.

5. As to the items, attached as Exhibit 3 (inventory of the cemetery office), to the January 31, 2017 filing of the Special Deputy Receiver, their disposition shall be held in abeyance as per the recommendation of the Special Deputy Receiver to sell along with the Cemetery premises itself.

6. Lastly, the most current address for Defendant Ringley is incomplete. As soon as the Deputy Receiver has the complete address information from the District Attorney, Mr. Moore shall file a Notice of the address with the Court. This filing by the Special Deputy Receiver, however, does not relieve Defendant Ringley of her obligation. By law, it is the responsibility of Defendant Ringley to file change of address notices with the Court and to maintain with the Court a current address.



ELLEN HOBBS LYLE
CHANCELLOR

cc: Timothy Simonds
Sarah Hiestand
Michael Driver
Robert E. Moore, Jr.
Vickie Ringley

COPIES TO ATTORNEYS AND PRO SE LITIGANTS
AT THE ABOVE ADDRESSES

DATE 3/23/17 CLERK CS