

FILED
IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
TWENTIETH JUDICIAL DISTRICT AT NASHVILLE
2009 SEP -9 PM 3:00

RICHARD R. ROONEY, CLERK

STATE OF TENNESSEE, *ex rel.*
ROBERT E. COOPER, JR., ATTORNEY
GENERAL and REPORTER,

Plaintiff,

v.

MARCUS DONNELL JONES, individually
and d/b/a JONES MEMORIALS, d/b/a
www.jonesmemorials.com, a website owned
and operated by MARCUS DONNELL JONES,
and HALF OFF STONES, a sole proprietorship
owned and operated by MARCUS DONNELL
JONES, and d/b/a www.halfoffstones.com,
a website owned and operated by MARCUS
DONNELL JONES,

Defendant Jones,

and

HENRY WAYNE MONK, individually and
d/b/a MONK MEMORIALS, a sole
proprietorship owned and operated by
HENRY WAYNE MONK, and d/b/a
www.monkmemorials.com, a website owned
and operated by HENRY WAYNE MONK,

Defendant Monk.

D.C.

No. 08-C-3494

Judge Barbara Haynes

MOTION FOR EXPEDITED STATUTORY TEMPORARY INJUNCTION HEARING

The State of Tennessee, by and through its Attorney General and Reporter, Robert E. Cooper, Jr., moves this Honorable Court to set an expedited hearing on the State's Motion for

Statutory Temporary Injunction in this matter given Defendants' continued sales of grave markers, headstones and other cemetery products and services, continued failure to deliver coupled with continued failure to refund consumers.

The State is simultaneously filing its Motion for Statutory Temporary Injunction and Exhibits, and the Memorandum in Support, which are incorporated by reference to this Motion.

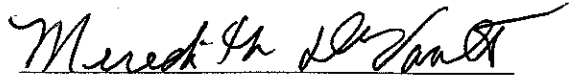
The State has attached hereto a proposed Order setting the hearing on its Motion for Statutory Temporary Injunction.

The State submits that exigent circumstances exist because of Defendants' on-going unlawful conduct and that a hearing needs to be set as soon as possible.

The State further moves, that given the exigent circumstances, the Order setting the motion for hearing be entered immediately, that any applicable local rules or rules of civil procedure should be waived for good cause, permitting this hearing to be handled in an expedited manner and permitting this pleading and the Order setting the hearing and other orders relating to the State's Motion for Statutory Temporary Injunction to be served via U.S. mail, postage prepaid, on Defendants or, if Defendants obtain counsel, to their counsel, though the State will provide an original sent via United States Mail.

Respectfully submitted,

ROBERT E. COOPER, JR.
Attorney General and Reporter
B.P.R. No. 010934


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CERTIFICATE OF SERVICE

I, Meredith DeVault, do hereby certify that the foregoing document was served on Defendants first-class postage pre-paid, to Marcus Donnell Jones, 3311 Hawkwood Lane, Nashville, TN 37207 and to Wayne Monk, 1005-B Delmas Ave., Nashville, TN 37216, on this the 9th day of September, 2009.


MEREDITH DEVAULT
Senior Counsel