

**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,)
)
Plaintiff,)
)
vs.) **No. 14-102-II(III)**
)
GALILEE MEMORIAL GARDENS,)
JM&M SERVICES, INC., LAMBERT)
MEMORIAL CO., aka LAMBERT &)
SONS, INC., LAMBERT & SONS, INC.,)
JEMAR LAMBERT, MARJE)
LAMBERT, and MARY H. LAMBERT,)
and ALL PERSONS ACTING IN)
CONCERT WITH THEM,)
)
Defendants.)

NOTICE FOR MS. CHURCHWELL-DAVIS

At the hearing conducted in this case on March 10, 2020, Mary Williams Churchwell-Davis asked the Court if there are protections in the law to maintain cemeteries as cemeteries and assure the use of the land as a burial ground is left intact. In response, cited to the Court by the Office of the Attorney General was Tennessee Code Annotated sections 46-4-101 through 104. The Court then stated to Ms. Churchwell-Davis that the Court would provide this law to her, and that is done as follows.

Under Tennessee law it is very difficult to change the use of property from a cemetery to some other use. Before land can be terminated as a cemetery and changed to another use the following, among other conditions, must occur.

- Notice must be given to the surviving spouse or children or nearest relative by consanguinity of deceased persons whose remains are buried in the cemetery.
- In addition, before the use of land is changed from a cemetery, a court would have to find that there is a suitable place for reinternment of all remains.

TENN. CODE ANN. §§ 46-4-102; 46-4-104 (West 2020).

From the foregoing, Ms. Churchwell-Davis can extrapolate that the difficulty of finding another location for remains makes it highly unlikely in this case that Galilee Memorial Gardens would ever be used for any other purpose than a cemetery.

s/ Ellen Hobbs Lyle
ELLEN HOBBS LYLE
CHANCELLOR

cc by U.S. Mail, fax, or efile as applicable to:

Robert E. Moore, Jr.

Sarah Hiestand

C. Scott Jackson

Tim Simonds

Jef Feibelman

Mary Williams Churchwell-Davis