

IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE
20TH JUDICIAL DISTRICT
AT NASHVILLE
PART III

FILED

2019 AUG 16 PM 1:32

CLIFF H. MASTER
DAVIDSON CO. CHANCERY CT.

STATE OF TENNESSEE,)
ex rel. CARTER LAWRENCE, solely in his)
official capacity as Interim Commissioner of)
Commerce & Insurance,)
)
Plaintiff,)
)
v.)
)
GALILEE MEMORIAL GARDENS,)
JM&M SERVICES, INC.,)
LAMBERT MEMORIAL CO., aka)
LAMBERT MEMORIALS, INC.)
LAMBERT & SONS, INC.)
JEMAR LAMBERT, MARJE LAMBERT,)
and MARY H. LAMBERT, and ALL)
PERSONS ACTING IN CONCERT)
WITH THEM,)
)
Defendants.)

No. 14-102-III

RECEIVER'S FOURTEENTH INTERIM REPORT ON THE RECEIVERSHIP OF
GALILEE MEMORIAL GARDENS

Carter Lawrence, Interim Commissioner of the Department of Commerce & Insurance, as Receiver in his official capacity for Galilee Memorial Gardens (the "Cemetery"), through his appointed Special Deputy Receiver, Receivership Management, Inc., ("RMI") hereby files this Fourteenth Interim Report, in furtherance of the wind-up of the receivership as previously ordered by this Court.

On June 14, 2019, Deputy Commissioner Carter Lawrence was named by Governor Bill Lee as the Interim Commissioner of the Department of Commerce and Insurance replacing

Commissioner Julie Mix McPeak. Pursuant to Tenn. R. Civ. Pro. 25.04, when an officer of the State in the officer's official capacity ceases to hold office, the officer's successor is automatically substituted as a party, and proceedings following the substitution shall be in the name of the substituted party. Accordingly, the caption has been amended. Further, as Interim Commissioner, Carter Lawrence now holds the position of statutory Receiver of the Cemetery under Tenn. Code Ann. § 46-1-312 pursuant to this Court's prior order of February 21, 2014.

Ongoing Activities at Galilee Memorial Gardens

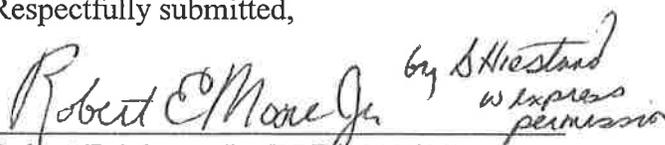
1. Pursuant to this Court's orders for an interim limited visitation schedule, the Cemetery has been opened on weekends and certain designated holidays, starting on Saturday May 25, 2019. Since then, it has been open every Saturday and Sunday, and also on Memorial Day and Independence Day. Memorial Day weekend was very heavily attended with the heaviest days being Sunday and Monday, with Monday alone having hundreds of visitors. Regular weekend traffic has been light but steady. The Fourth of July was very lightly attended with only 7 cars of visitors stopping at Galilee. To better secure the safety of the visitors, signs have been placed at Galilee warning of the uneven condition of the grounds and that people enter at their own risk. The signs also provide a RMI contact person to call for help finding grave locations. RMI has completed several hundred location requests and RMI staff have supplied maps in response to those requests. RMI has been advised of three gravestone settings which the monument companies have stated will be ready in October, 2019.
2. Total fees and expenses of the receivership paid as of July 31, 2019, since the inception of this case, are:

- a. Fees paid to RMI for Special Deputy Receiver Fees and Administration Expenses not within 2.b. and 2.c. categories below: \$211,814.33;
 - b. Fees and expenses paid for outside labor, improvement, maintenance, and insurance: \$227,550.91;
 - c. Fees and expenses paid for survey and fencing installation: \$103,495.00;
 - d. Legal Fees paid to Burch, Porter and Johnson: \$149,191.16; and
 - e. Fees paid to David Kustoff for (former) Special Deputy Receiver Fees and Administration Expenses: \$186,123.70. [no change]
3. Of the above total expenses of approximately \$878,175.10, the amount of \$21,450 was paid through the Improvement Care Trust Account, and the balance has been paid by the Cemetery Consumer Protection Account. As of July 31, 2019, the Cemetery Consumer Protection Fund had a balance of \$185,989.
 4. The trust accounts for Galilee have been reported by the trustee at year-end 2018 as follows: Galilee Improvement Care Trust Fund \$521,930; Galilee Preneed Merchandise and Services Trust \$3019.75.

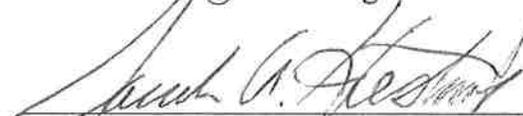
Actions Concerning Wind-down

1. **Corporate Judicial Dissolutions Filed.** The status of the four corporations that were terminated and dissolved by this Court's order of June 12, 2019, were updated with the Secretary of State on July 30, 2019, and are now reflected as Judicially Dissolved. (See attached sheets). The Receiver will next proceed with the filings in the Shelby County Register of Deeds to reflect the Receiver's title of the entire Cemetery real estate as ordered by the Court.

Respectfully submitted,



Robert E. Moore, Jr. (BPR# 013600)
President
Receivership Management, Inc.
Special Deputy Receiver
Galilee Memorial Gardens
510 Hospital Drive, Suite 490
Madison, TN 37115
(615) 370-0051 (phone); (615) 373-4336 (fax)
email: rmoore@receivermgmt.com



Sarah Ann Hiestand (BPR #014217)
Senior Assistant Attorney General, Financial
Division
C. Scott Jackson, (BPR #011005)
Deputy Attorney General, Financial Division
P.O. Box 20207
Nashville, TN 37202
(615) 741-6035; fax (615) 532-8223
email: sarah.hiestand@ag.tn.gov

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Receiver's Fourteenth Interim Report on the Receivership of Galilee Memorial Gardens has been mailed First Class Postage prepaid to the following interested persons and attorneys requesting notice and transmitted via email if indicated this 16 day of AUGUST, 2019:

Jemar Lambert
3174 Ruby Cove
Memphis, TN 38111

Marje Lambert
3174 Ruby Cove
Memphis, TN 38111

Mary H. Lambert
3174 Ruby Cove
Memphis, TN 38111

Individual Defendants in Receivership case, pro se

Jef Feibelman
Burch, Porter, and Johnson
130 North Court Avenue
Memphis, TN 38103(901) 524-5109; fax 901-524-5024
Special Counsel to the Receiver

Courtesy Copy to:

Emily Walker, CTFA, VP & Trust Officer
Commercial Bank & Trust Company
Trust Division
P.O. Box 1090
Paris, TN 38242
Via email to EWalker@cbtcnet.com
Trustee of Trusts for Galilee Memorial Gardens

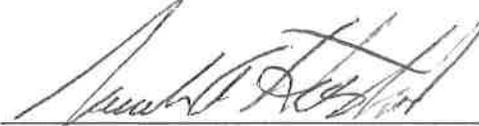
Kathryn E. Barnett
MORGAN & MORGAN-NASHVILLE, PLLC
810 Broadway Suite 105
Nashville, TN 37203
Phone: (615) 490-0943
Via email to kbarnett@forthepeople.com

Howard B. Manis
THE COCHRAN FIRM
One Commerce Square
40 South Main Ste. 1700
Memphis, TN 38103
Phone: (901) 523-1222
Via email to hmanis@cochranfirm-midsouth.com

Class Counsel (Plaintiffs *Wofford* case-Shelby County)

John R. Branson
Jacob A. Dickerson
Baker, Donelson, Bearman, Caldwell & Berkowitz
First Tennessee Building
165 Madison Avenue, Suite 2000
Memphis, TN 38103
(901) 526-2000
Via email to jbranson@bakerdonelson.com
Defense Liaison for Funeral Homes in Shelby County Class cases

Brent M. Hays, Esq.
MerrittWebb
315 Centerview Drive, Suite 263,
Brentwood, TN 37027
Person requesting notice of proceedings.


SARAH ANN HIESTAND



Tre Hargett
Secretary of State

Division of Business Services
Department of State
State of Tennessee
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

Filing Information

Name: **JM&M Services, Inc.**

General Information

SOS Control # 000634691 Formation Locale: TENNESSEE
Filing Type: For-profit Corporation - Domestic Date Formed: 07/01/2010
 07/01/2010 1:00 PM Fiscal Year Close 12
Status: Inactive - Dissolved (Judicial)
Duration Term: Perpetual

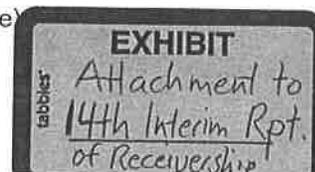
Registered Agent Address
JEMAR LAMBERT
8283 ELLIS RD
MEMPHIS, TN 38133-2807

Principal Address
8283 ELLIS RD
MEMPHIS, TN 38133-2807

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
07/30/2019	Dissolution/Revocation - Judicial	B0740-0087
	Filing Status Changed From: Inactive - Revoked (Revenue) To: Inactive - Dissolved (Judicial)	
	Inactive Date Changed From: 08/09/2014 To: 07/30/2019	
01/20/2015	Dissolution/Revocation - Revenue	*B0034-8278
	Filing Status Changed From: Inactive - Dissolved (Administrative) To: Inactive - Revoked (Revenue)	
08/09/2014	Dissolution/Revocation - Administrative	A0262-0788
	Filing Status Changed From: Active To: Inactive - Dissolved (Administrative)	
	Inactive Date Changed From: No Value To: 08/09/2014	
06/03/2014	Notice of Determination	A0249-2881
08/22/2013	Application for Reinstatement	7233-2164
	Filing Status Changed From: Inactive - Dissolved (Administrative) To: Active	
	Inactive Date Changed From: 08/09/2012 To: No Value	
08/21/2013	2012 Annual Report	A0200-1073
08/22/2012	2011 Annual Report	A0143-1957
	Principal Address 1 Changed From: 8283 ELLIS ROAD To: 8283 ELLIS RD	
	Principal Postal Code Changed From: 38133 To: 38133-2807	
08/09/2012	Dissolution/Revocation - Administrative	A0140-1264
	Filing Status Changed From: Active To: Inactive - Dissolved (Administrative)	

7/31/2019 10:39:25 AM



Filing Information

Name: **JM&M Services, Inc.**

Inactive Date Changed From: No Value To: 08/09/2012

06/02/2012 Notice of Determination

A0128-2231

09/30/2011 Application for Reinstatement

6944-2368

Filing Status Changed From: Inactive - Dissolved (Administrative) To: Active

Inactive Date Changed From: 08/09/2011 To: No Value

09/21/2011 2010 Annual Report

A0094-1442

08/09/2011 Dissolution/Revocation - Administrative

A0091-2785

Filing Status Changed From: Active To: Inactive - Dissolved (Administrative)

Inactive Date Changed From: No Value To: 08/09/2011

06/02/2011 Notice of Determination

A0081-3227

12/13/2010 Articles of Amendment

6802-1063

Filing Name Changed From: Lambert & Son, Inc. To: JM&M Services, Inc.

07/01/2010 Initial Filing

6739-2904

Active Assumed Names (if any)

Date

Expires



Tre Hargett
Secretary of State

Division of Business Services
Department of State
State of Tennessee
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

Filing Information

Name: **LAMBERT MEMORIAL GARDENS, INCORPORATED**

General Information

SOS Control # 000263346 Formation Locale: TENNESSEE
Filing Type: For-profit Corporation - Domestic Date Formed: 03/05/1993
03/05/1993 11:35 AM Fiscal Year Close 3
Status: Inactive - Dissolved (Judicial)
Duration Term: Perpetual

Registered Agent Address

JESSE LAMBERT
3069 PARK AVE
MEMPHIS, TN 38111

Principal Address

3069 PARK AVENUE
MEMPHIS, TN 38111

The following document(s) was/were filed in this office on the date(s) indicated below:

<u>Date Filed</u>	<u>Filing Description</u>	<u>Image #</u>
07/30/2019	Dissolution/Revocation - Judicial	B0740-0173
Filing Status Changed From: Inactive - Dissolved (Administrative) To: Inactive - Dissolved (Judicial)		
Inactive Date Changed From: 12/21/2001 To: 07/30/2019		
12/21/2001	Dissolution/Revocation - Administrative	ROLL 4376
09/21/2001	Notice of Determination	ROLL 4304
10/04/2000	Application for Reinstatement	4008-2307
10/04/2000	1995 Annual Report	4008-2301
10/04/2000	1996 Annual Report	4008-2302
10/04/2000	1997 Annual Report	4008-2303
10/04/2000	1998 Annual Report	4008-2304
10/04/2000	1999 Annual Report	4008-2305
10/04/2000	2000 Annual Report	4008-2306
01/19/1995	1994 Annual Report	2941-3302
12/16/1994	Dissolution/Revocation - Administrative	ROLL 2927
09/16/1994	Notice of Determination	ROLL 2892
03/05/1993	Initial Filing	2655-1346

Active Assumed Names (if any)

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Date Expires

Page 1 of 1



Tre Hargett
Secretary of State

Division of Business Services
Department of State
State of Tennessee
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

Filing Information

Name: **LAMBERT AND SON INCORPORATED**

General Information

SOS Control #	000270985	Formation Locale: TENNESSEE
Filing Type:	For-profit Corporation - Domestic	Date Formed: 10/05/1993
	10/05/1993 10:55 AM	Fiscal Year Close 10
Status:	Inactive - Dissolved (Judicial)	
Duration Term:	Perpetual	

Registered Agent Address

JESSE LAMBERT
3069 PARK AVE
MEMPHIS, TN 38111

Principal Address

3069 PARK AVENUE
MEMPHIS, TN 38111

The following document(s) was/were filed in this office on the date(s) indicated below:

<u>Date Filed</u>	<u>Filing Description</u>	<u>Image #</u>
07/30/2019	Dissolution/Revocation - Judicial	B0740-0259
Filing Status Changed From: Inactive - Revoked (Revenue) To: Inactive - Dissolved (Judicial)		
Inactive Date Changed From: 04/02/1996 To: 07/30/2019		
11/20/1996	1995 Annual Report	3244-2192
04/02/1996	Dissolution/Revocation - Revenue	3160-0137
01/13/1995	1994 Annual Report	2939-2434
Principal Address Changed		
10/05/1993	Initial Filing	2742-0997

<u>Active Assumed Names (if any)</u>	<u>Date</u>	<u>Expires</u>
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Tre Hargett
Secretary of State

Division of Business Services
Department of State
State of Tennessee
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

Filing Information

Name: **LAMBERT & SON INC. OF MEMPHIS**

General Information

SOS Control #	000395938	Formation Locale: TENNESSEE
Filing Type:	For-profit Corporation - Domestic	Date Formed: 09/20/2000
	09/20/2000 2:01 PM	Fiscal Year Close 9
Status:	Inactive - Dissolved (Judicial)	
Duration Term:	Perpetual	

Registered Agent Address	Principal Address
LAMBERT & SON INC OF MEMPHIS	8283 ELLIS RD
8283 ELLIS ROAD	MEMPHIS, TN 38133
MEMPHIS, TN 38133	

The following document(s) was/were filed in this office on the date(s) indicated below:

<u>Date Filed</u>	<u>Filing Description</u>	<u>Image #</u>
07/30/2019	Dissolution/Revocation - Judicial	B0740-0345
Filing Status Changed From: Inactive - Dissolved (Administrative) To: Inactive - Dissolved (Judicial)		
Inactive Date Changed From: 06/21/2002 To: 07/30/2019		
04/03/2006	2004 Annual Report	5751-1022
04/03/2006	2005 Annual Report	5751-1024
07/12/2004	2001 Annual Report	5181-0735
07/12/2004	2002 Annual Report	5181-0736
07/12/2004	2003 Annual Report	5181-0737
Principal Address Changed		
Registered Agent Physical Address Changed		
06/21/2002	Dissolution/Revocation - Administrative	ROLL 4538
03/15/2002	Notice of Determination	ROLL 4448
09/20/2000	Initial Filing	4008-0300

<u>Active Assumed Names (if any)</u>	<u>Date</u>	<u>Expires</u>
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