

NOTICE OF HEARING REGARDING GALILEE MEMORIAL GARDENS

A hearing regarding burial rights, disinterment rights, visitation rights, and future maintenance and upkeep of Galilee Memorial Gardens cemetery in Bartlett, TN will be heard on April 23, 2019, from 1:00 p.m. to 3:00 p.m. in the Shelby County Environmental Court, located in the Criminal Justice Center on the 10th Floor, 201 Poplar Avenue, Memphis, Tennessee. This hearing will be held by Chancellor Ellen Hobbs Lyle, presiding over the cemetery receivership in Davidson County Chancery Court Case No. 14-0102-III, pursuant to Tennessee law, Tenn. Code Ann. § 46-1-312, and other cemetery law.

The cemetery receivership is winding up. The corporations and businesses that owned and operated Galilee Memorial Gardens are being dissolved, and they have no money to distribute.

You are receiving this Notice because you are either listed as an owner of a burial plot, or have filed a claim for burial rights, in Galilee Memorial Gardens (Galilee). At the two-hour hearing, these claims and future operational issues will be presented, so that the receivership Court later will issue appropriate orders. You are being given this opportunity to respond or comment about the plans for Galilee so that the Court may consider it.

These are some typical rights concerning cemeteries and graves directly impacted by Galilee's poor condition:

- (1) The right to bury persons in plots that were purchased from Galilee;
- (2) The rights to visit a cemetery that is opened for the purpose of honoring kin;
- (3) The right to seek legal permission to "disinter" or move a body elsewhere;

The state receiver has reported facts that are IMPORTANT and recommended plans for Galilee's future that may directly affect your rights:

- * Galilee is full and lacks suitable plots to bury persons anymore.
- * Almost 580 valid claims of rights to burial plots were submitted to the receiver. People holding burial contracts or rights cannot be buried at Galilee.
- * Galilee has no money and cannot give refunds for any claims.
- * Galilee's records of burial locations and of sales are unreliable.
- * Grave spaces might be claimed by more than one person.
- * Cemetery conditions prevent knowing exactly where specific individuals were buried.
- * Galilee's gravesites can overlap or be crowded. Disturbing any grave for burying or removing a body may affect the graves of other persons.
- * At the end of the receivership, the cemetery can be placed under the care of responsible caretakers or local governments.
- * To preserve the sanctity of graves, to preserve funds for future maintenance, and prevent future harm, Galilee should be limited in this way:
 - * Burials should be prohibited.
 - * Disinterment of remains should be prohibited because who is buried where is not certain and proper notice cannot be given to relatives of those buried.
 - * Galilee has been closed to the public. Future opening of the cemetery to allow visitation depends on having conditions on use and restrictions that preserve it from harm.

How the Hearing Will Be Conducted and How You May Tell the Court Your Views:

On April 23, 2019, from 1:00 to 2:00 p.m., the receiver will present evidence and explain the findings and recommendations. In the 2nd hour, the Court will hear from affected persons who file a written Notice to Participate in response to these matters on or before April 15, 2019.

INSTRUCTIONS: To have an opportunity to speak at the hearing, you must clearly request this by filing a written **Notice to Participate**, identifying yourself and how you may be contacted, and explain why you are affected by these matters, no later than April 15, 2019. Participation by claimants or affected persons will be limited to five (5) minutes' speaking time each, as approved by the court on that day. The Court may group persons who have similar positions and hear from just some of those who ask to participate in person. _____

You can also file a **Written Comment or Objection** to the plans for the cemetery even without requesting to speak at the hearing.

DEADLINE AND WHERE TO SEND: Any Notice to Participate, and any Written Comment or Objection that you want the receivership Court to consider before the hearing, should identify this case: **State ex rel. McPeak v. Galilee Memorial Gardens, et al.; Case No. 14-0102-III**, and be delivered to Clerk & Master, Davidson County Chancery Court, Metro Courthouse, One Public Square, Suite 308, Nashville, TN 37201, no later than April 15, 2019. Please identify your name, address and a way to contact you somewhere on the document.

You will also have the opportunity to send in written comment or objections, and respond to matters discussed at the hearing for up to 30 days following the hearing.

Questions regarding this Notice, [and the recommendations of the Receiver of the cemetery], may be made to Receivership Management, Inc., Special Deputy Receiver for Galilee Memorial Gardens, at phone number **615-370-0051**. -Please: Leave a specific message, and reference the Galilee case.

Or: You may email questions to the Receiver at rmoore@receivermgmt.com

-- Place GALILEE in the Subject line.

Information on these Recommendations of the Receiver, can be found at the link provided on the website of the Tennessee Attorney General for filings in the Galilee Receivership: **LINK HERE to SOURCES:**

<https://www.tn.gov/attorneygeneral/working-for-tennessee/filings-of-interest/galilee-memorial-gardens.html>

(Prior materials will be gathered under Matters for Memphis Hearing April 23, 2019).