

IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE  
20<sup>TH</sup> JUDICIAL DISTRICT  
AT NASHVILLE  
PART II

STATE OF TENNESSEE, )  
*ex rel.* JULIE MIX MCPEAK, solely in her )  
official capacity as 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. )

FILED  
2018 APR - 6 AM 10: 15  
CLERK & MASTER  
DAVIDSON CO. CHANCERY CT.  
N.F.  
No. 14-102-II

---

~~PROPOSED~~ ORDER ON RECEIVER'S MOTION TO DISPOSE OF STONE MARKERS AND EQUIPMENT ON THE CEMETERY PREMISES, AND TO APPROVE RECEIVER'S PROCEDURE TO ADDRESS OTHER REMAINING CARVED MARKERS

---

WEY  
4/6/18

Julie Mix McPeak, Commissioner of the Department of Commerce & Insurance, as statutory Receiver of Galilee Memorial Gardens (and the related entities through which it does business, JM&M Services, Inc., Lambert Memorial Co., Lambert Memorials, Inc., and Lambert & Sons, Inc.) (hereinafter "Cemetery") through her appointed Special Deputy Receiver, Receivership Management, Inc., through counsel filed a Motion for an Order approving the Special Deputy Receiver's request to dispose of stone markers and equipment on the Cemetery premises, as set forth in that motion filed March 21, 2018, (the "Property Motion"). The Property Motion was duly

noticed and served to the Individual Lambert defendants and the address for one vehicle's prior owner, and set for hearing on April 6, 2018. No response or opposition was timely filed to the Property Motion, and the Court having considered the Property Motion and found good cause from the premises therein for the relief requested by it with respect to the properties and equipment of the Cemetery, being appropriate for disposition by the Receiver and her Special Deputy Receiver, under the order of receivership and Tenn. Code Ann § 46-1-312(a)(7), the Court GRANTS the Property Motion in its entirety, as follows:

A. The Cemetery entities included within the receivership all represented facets of the Cemetery's financial business such that the physical materials on the premises of the Cemetery should be disposed of by the Receiver for the Cemetery. Accordingly this Court FINDS that any granite bases, and any other granite without personal identifiers, items on the premises of the Cemetery, the stone-setting truck, and the abandoned Nissan, are deemed property within this Receivership, and under the sole authority of the receiver to liquidate for the benefit of or to reduce further expenses to the receivership, and authorizes their use and disposition as set out in the Property Motion. The granite inventory items and equipment listed in **Exhibit A** to the Property Motion are property of the cemetery, or otherwise part of the operations of the cemetery business and shall be disposed of as stated in the Property Motion for the benefit of the Cemetery, only.

1. GRANITE BASES: The Court ORDERS that the granite bases are the property of this Receivership so that the Receiver may use them to reset the bronze markers that are suitable for placement in the Cemetery and, if any bases are left after that point, that the granite markers, granite dies, granite bases *not marked with the name of any individual*, markers, or any other similar merchandise may be sold at such price as the Special Deputy Receiver may negotiate. These items are listed in the inventory in **Exhibit A**, as GMG Granite.

pursuant  
to  
Local  
Rule  
§26.03  
(g)  
of  
this  
Court  
  
WEY  
4/6/18

2. VEHICLES: The truck on **Exhibit A** remaining on the premises of the Cemetery that is equipped for the setting of stones, a white Dodge Ram truck, VIN number 1B6MC36C0RS681357, is hereby ORDERED and deemed the property of the Receivership, such that the truck may be used in the setting of stones and sold by the Special Deputy Receiver at such price as may be negotiated. The second vehicle, a burgundy Nissan VIN number JN1HJ01F6PT098403 owned by Arecko Gipson, also listed on Exhibit A (the Nissan) has been abandoned by the owner, and is deemed the property of the Receivership wherefore this Court ORDERS and GRANTS the Special Deputy Receiver sole authority to sell and dispose of the Nissan..

3. This Court authorizes the Special Deputy Receiver to hold the funds from the disposition of the **Exhibit A** property as set out above and to expend such funds on matters related to this Receivership, as the Receiver deems fit. The Receiver will notify this Court of the proceeds generated by such sales, if any, in its regular reports.

B. **STONE MARKERS WITH NAMES:** The stones on the premises of the Cemetery that have names or identification on them, but *do not belong in the Cemetery* as they are not of the physical type and pattern that was used in the Cemetery, as set forth in Part II of the Property Motion, inventoried on **Exhibit B** to that Property Motion shall be returned if possible to the family of those for whom the stone is marked, or such other person as may reasonably make good use of such marker for the memorialization of the individual named thereon. WHEREFORE, the Court ORDERS AND APPROVES the following procedure for the disposition of such markers:

1. The Special Deputy Receiver will cause the inventory of stones to be posted on the website of Receivership Management, Inc., and the Department of Commerce and Insurance will cause the list to be posted on the Department's website.
2. That Department will issue a press release to media outlets, concentrating on those in the Memphis area, and through social media notifying the public that the list has been

posted to the websites and that interested persons are encouraged to review the list and to contact Receivership Management, Inc., regarding making a claim to one or more stones. The Department will issue a second press release at least ten (10) calendar days following the issuance of the initial press release. The premise of this approach approved in this instance by the Court is that it is at least as likely to bring notice to the public as publication in a periodical of general circulation at a much lower cost.

3. If the Special Deputy Receiver receives a single claim to a stone after thirty (30) calendar days have elapsed from the issuance of the initial press release and believes that the claim is well-founded based on the totality of the information provided, the Special Deputy Receiver is authorized to allow such claimant to take possession of the stone.
4. If no claim is made to a stone after thirty (30) calendar days have elapsed from the issuance of the initial press release, the Special Deputy Receiver is authorized to have the stone removed from the premises of the Cemetery and disposed of as the Special Deputy Receiver sees fit, provided that the Special Deputy Receiver will make reasonable attempts to find a place where a person may claim the stone in the future.
5. If two (2) or more claims to a single stone are made within thirty (30) calendar days from the issuance of the initial press release, the Special Deputy Receiver shall attempt to resolve the dispute informally. If no agreement can be made regarding the disposition of the stone within fourteen (14) calendar days of the expiration of the initial thirty (30) day period then the Special Deputy Receiver shall bring the matter before this Court.

The Receiver may apply to this Court for such additional relief in furtherance of the Property Motion as necessary. All other orders of this Court in this matter remain in effect.

IT IS SO ORDERED.

  
HON. WILLIAM E. YOUNG  
CHANCELLOR, PART II

Approved for entry by:

*Robert E. Moore, Jr. by Sarah Hiestand  
with express permission*

Robert E. Moore, Jr. (BPR #013600)  
Chief Operations Officer  
Receivership Management Inc.  
Special Deputy Receiver  
Galilee Memorial Gardens  
1101 Kermit Drive, Suite 735  
Nashville, TN 37217  
(615) 370-0051 (phone); (615) 373-4336 (fax)

*Sarah A. Hiestand*  
Sarah Ann Hiestand (BPR #014217)  
Senior Counsel, Financial Division  
Tennessee Attorney General's Office  
P.O. Box 20207  
Nashville, TN 37202  
(615) 741-6035; fax (615) 532-8223  
Counsel to the Commissioner /Receiver

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Proposed Order on Motion to Dispose of Stone Markers and Equipment on the Cemetery Premises has been mailed First Class Postage prepaid to the following interested parties and attorneys requesting notice this 3rd day of April 2018:

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

Regarding Nissan Vehicle:  
Arecko Gipson  
2848 Nathan Ave  
Memphis, TN 38112

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



---

Sarah A. Hiestand

# GMG GRANITE

FILED

2016 MAR 21 PM 1:08

CLEARING MASTER  
DAVIDSON CO. CHANCERY CT

*ES* D.C. & M.

QUANTITY	SIZE	DESCRIPTION
1	10X0X6	PINK GRANITE SQUARE TAPER VASES
2	12"X12"	GRANITE INSERTS
1	16X4X19	DAKOTA GRANITE MARKER BASE
1	18"X18"	GRANITE TABLET
1	18"X18"	GRANITE BLACK BASE
2	18"X6"X18"	GRANITE IMPERIAL PINK TABLET
1	18X6X9	GRAY GRANITE PINCH
2	23"X12"	GRANITE BELVES- BLACK- 8" BACK 6" FRONT
1	23"X12"	GRANITE BELVES-GRAY-8" BACK 6"FRONT
1	24"X10"X21"	GRAY GRANITE TABLET
1	24"X12"	GRANITE MARKER BASE
1	24X10X16	GRANITE SLANT
1	24X12X6	GRAY GRANITE MARKER BASE
1	24X6X36	GRANITE TABLET
1	25X12X6	PINK GRANITE MARKER BASE
2	28 1/2" X 12"	FLAT GRANITE FOR BRONZE ATTACHMENT
1	28"X12"	GRANITE MARKER BASE
1	28"X14"	BLACK GRANITE MARKER BASE
2	28"X16"	GRANITE BASE HOLDS FOR BRONZE
3	28"X16"X4"	GRAY GRANITE MARKER BASE
1	28X4X16	GRAY MARKER BASE W/VASE HOLD GRANITE
2	31"X16"X4"	GRANITE MOON LIGHT GRAY 1 W/VASE HOLD
1	31"X16"X4"	PINK PEARL GRANITE MARKER BASE WITHOUT VASE HOLD
1	31"X6"X36	GRANITE GRAY TABLET
1	32"X17"X6"	GRANITE GRAY TABLET
1	36"X10"X15"	GRANITE TABLET
1	36"X10"X36"	BLACK GRANITE TABLET
1	36"X12"	GRANITE PINK MARKER BASE
6	36"X12"	GRAY MARKER GRANITE BASE
1	36"X12"	DAKOTA GRANITE MARKER BASE
2	36"X16"	GRANITE BASE HOLDS FOR BRONZE
1	36"X16"X6"	GRANITE TABLET BASE
1	36"X17"	GRANITE MARKER BASE
1	36X10X16	GRAY GRANITE SLANT
1	36X20X6	BLACK GRANITE TABLET WITH MOUNTAIN CHURCH ETCHING
1	37"x16"X8"	GRAY GRANITE BASE
1	37X6X12	BROKE GRAY GRANITE MARKER BASE
1	42"X12"X8"	GRAY GRANITE BASE
1	42X8X22	CHINA PINK GRANITE P3 TABLET
1	43"X18"	GRANITE MARKER BASE
1	46"X28"	GRANITE TABLET
1	47X12X6	BLACK GRANITE TABLET BASE

Exhibit  
A

to Property Motion  
Order

1	48"X16"	GRANITE MARKER BASE
2	48X16X4	GRAY GRANITE MARKER BASE
1	49"X6"X30"	GRANITE TABLET
1	49X6X22	CHINA PINK GRANITE TABLET
1	4x2x10	NODCO CARNELAN VASE GRANITE
1	53X14X8	CHINA PINK GRANITE TABLET BASE
1	54"X14"X8"	GRAY GRANITE BASE
1	54"X16"X8"	INDIAN RED GRANITE BASE
14	5X0X9	GRAY GRANITE VASES
4	6"X6"X6"	GRANITE L-CORNER STONES
1	60"X16"X8"	INDIAN RED GRANITE BASE
1	60"X8"X32"	INDIAN RED GRANITE TABLET
1	60X14X6	CHINA PINK GRANITE TABLET BASE
1	62"X16"	GRANITE DOUBLE BASE W/ VASE IN CENTER
1	63"X12"	GRANITE TABLET BASE
1	68"X16"X8"	GRAY GRANITE BASE
2	6X0X10	BLACK GRANITE VASES
1	72"X36"	GRANITE GRAY TABLET
1	78"X12"	GRANITE TABLET BASE
4	8 1/2" X 4'	GRANITE COPEN- USED TO OUTLINE EDGES OF GRAVE
2	8.5"X96"	GRANITE COPEN- USED TO OUTLINE EDGES OF GRAVE
1	84"X12"	GRANITE TABLET BASE
1	85"X37"	PINK GRANITE TABLET BROKE
4		BRONZE VASES-DAMAGED
1		BRONZE VASE RING

# GMG

YEAR	TYPE	VIN OR TAG
1992	NISSAN MAXIMA	JN1HJ01F6PT098403
1194	DODGE RAM 3500	72422
1	16FT TRAILER	NO VIN
1	BACKHOE BUCKET	
1	CONCRETE VAULT	
	MISC TENT SUPPLIES	DAMAGED
1	TOW DOLLY	DAMAGED
2	METAL TABLE	DAMAGED

NOTES:  
BELONGS TO ARECKO GIPSO  
BOOM USED TO SET MARKERS ATTACHED

FIRST	LAST	DOB	DOD	TYPE
CHARLES	DAVIS JR		6/9/1943	12/17/1999 FLAT GRANITE
IRENE	BOYLAND ELLIS		8/15/2019	12/31/2006 FLAT GRANITE
ELIZABETH	WASHINGTON		1/31/1947	1/30/2011 BRONZE
LUCILLE	LAMAR		3/11/1936	1/19/2011 GRANITE TABLET (STAND UP)
PAMELA	GATEWOOD		7/3/1963	7/17/2012 FLAT GRANITE
KATHERINE	TAYLOR		7/25/1934	10/15/1977 FLAT GRANITE
GEORGIA	HOPKINS ADKINS	X/X/1914	N/A	FLAT GRANITE
DAVID BRO	G			11/5/2004 FLAT GRANITE-Broke in half
FELICIA	RATCLIFF		10/23/1958	6/8/2010 GRANITE TABLET (STAND UP)
FREDERICK	MARLOW SR		5/15/1963	6/15/1999 GRANITE TABLET (STAND UP)
JERRY LEE	HATHAWAY		10/24/2000	10/24/2000 FLAT GRANITE
LYDIA PURPLETTA	NELSON		10/9/2011	10/9/2011 FLAT GRANITE
JAMES	MCCOY		7/29/1909	3/29/1997 FLAT GRANITE
ROBERT & ELIZABETH	PARISH	1894 & 1909	?	BRONZE
LEON & BERTHA	THOMAS	1912&1911		BRONZE
WOODROE & MARY	DALE	1915 & 1922		BRONZE
LINDA ROSE	TELFORD		11/28/1937	10/1/1997 FLAT GRANITE
A. FLETCHER	FERGUSON			1/29/1949 FLAT GRANITE
DOROTHY	GUNNER		1/31/1951	10/14/2003 FLAT GRANITE
HELEN	PHELIX TEAL		12/7/1932	8/21/1998 FLAT GRANITE
SHAROLYN R.	VOWELL		7/26/1950	12/19/1996 FLAT GRANITE
STEVEN	TAYLOR		3/19/1967	4/1/2002 FLAT GRANITE
LAURA A.	SCOTT		7/31/1946	3/12/2012 FLAT GRANITE
JOE LOUIS	JONES		4/5/1940	4/25/1996 GRANITE TABLET (STAND UP)
ROOSEVELT	PITLLE SR		9/13/1934	12/17/1997 GRANITE TABLET (STAND UP)
LULA FINNIE	WILLIAMS		2/12/1941	GRANITE TABLET (STAND UP)
LYDIA	PURPLETTA NELSON		10/9/2011	10/9/2011 FLAT GRANITE
JONATHAN D.	HALLIBURTON		1/1/2003	12/28/2004 FLAT GRANITE
JIMMIE L.	TOWNER		1946	1996 FLAT GRANITE
MICHELE DENESE	FACISON		1/18/1991	4/1/1992 FLAT GRANITE
CHARLES E.	DAVIS		6/9/1943	12/17/1999 FLAT GRANITE
TOMMIE EARL	EDWARDS		1/16/1952	7/17/1998 FLAT GRANITE
JUANITA	TAYLOR		9/9/1935	10/20/1997 FLAT GRANITE
ELLA J.	JONES		9/10/1908	9/28/1998 FLAT GRANITE
BESSIE	BENMAN SMITH		9/8/1912	1/2/1984 FLAT GRANITE
WILBERT JACK			2/23/1943	5/26/2005 FLAT GRANITE
EMMA	GILLESPIE			9/14/1974 GRANITE TABLET (STAND UP)
SAVON N.	KINNEY		10/20/1993	10/23/2011 GRANITE TABLET (STAND UP)
ROXIE T.	HUGHES		2/22/1922	9/20/2013 GRANITE TABLET (STAND UP)
MARY L.	THOMPSON		12/25/1916	9/20/1999 FLAT GRANITE
GEORGIA	HOOPKINS ADKINS		3/8/1914	4/17/1973 GRANITE TABLET (STAND UP)
WILLIAM (BILL)	HALL		9/15/1902	5/28/1999 GRANITE TABLET (STAND UP)
HESTER KERLIN	WHERRY		2/9/1907	6/2/2000 BRONZE
MINISTER AMBER R.	HUNTER		5/28/1969	11/10/1995 BRONZE
BRENDA	MITCHELL	X/XX/1944		BLACK GRANITE
ROBBIE	WILKES	X/XX/1925		FLAT GRANITE
PAUL DARNELL	JOHNSON		4/7/1961	1/20/1999 FLAT GRANITE
MICHAEL	SEA		7/5/1951	10/8/1995 FLAT GRANITE
ROSIE	KIRKWOOD FERGUSON		12/25/1908	4/18/2012 FLAT GRANITE
JOHN HENRY	HAMMER SR		6/20/1923	3/25/1997 FLAT GRANITE
LOU ELLA	PAXTON		6/7/1925	4/8/2000 FLAT GRANITE
JAMES EARL	SMITH		9/24/1956	4/21/1995 FLAT GRANITE
AUBREY L. & SAM E.	WILLIAMS	3-24-1942 & 1-5-1942	9-19-2012 & 11-4-2012	GRANITE TABLET (STAND UP)
WILLIE CORINA	CAREY		10/4/1938	2/24/2012 FLAT GRANITE
CALVIN	JEFFERSON			3/30/2012 FLAT GRANITE
WILLIAM	EDWARDS		8/23/1923	10/24/1990 BRONZE
DANIEL M.	MILAM		10/29/1988	4/6/2013 FLAT GRANITE
SAMUEL EARL	THOMSON		10/13/1946	5/14/2001 FLAT GRANITE
"DEE DEE" DIVA DARIA	BARBEE		10/10/1960	5/4/2012 FLAT GRANITE
WILLE D.	POWELL		7/1/1951	1/16/2012 FLAT GRANITE
"TYRONE" MELVIN	STRONG		10/27/1970	1/22/2001 FLAT GRANITE
CORIS L.	HINES		6/4/1937	10/1/2011 FLAT GRANITE
DELOISE F.	WILLIAMS		10/4/1952	5/13/2010 FLAT GRANITE
JASON KENNETH	ROBERSON		10/15/1974	1/28/2011 FLAT GRANITE
A.D.	WASHINGTON JR			GRANITE TABLET (STAND UP)
ODESSA	WILLIAMS	2-10-1899		11/14/1996 BRONZE
HEBERT	WILLIAMS		7/15/1965	11/16/1999 GRANITE TABLET (STAND UP)
NELLIE JANE	JONES		4/17/1940	6/9/1999 GRANITE TABLET (STAND UP)
ROONEY GLENN	ROBINSON			4/17/1995 GRANITE TABLET (STAND UP)
REV. JAMES E. & CALDONIA	WILLIAMS	9-10-1925 & 12-6-1927	8-3-1982 & 6-8-1998	GRANITE TABLET (STAND UP)
KENNETH DEREK	BATES		10/9/1975	9/2/2008 FLAT GRANITE
TARRANCE "DUJEC"	BOWMAN II		4/30/2012	4/30/2012

FILED

2018 MAR 21 PM 1:08

CLERK OF SUPERIOR COURT  
DAVIDSON CO. CHANCERY CT

*Handwritten initials*

D.C. & M.

Exhibit  
B

to Property  
Motion  
Order