

LAW OFFICES
THE WADE LAW FIRM, PLLC
5050 Poplar Avenue, Suite 1028
Memphis, Tennessee 38157
Telephone (901) 322-8005



Allan J. Wade
Brandy S. Parrish

awade@thewadefirm.com

September 26, 2024

Via Federal Express #7788 5208 3311

Mr. Patrick McIntyre
Executive Director
Tennessee Historical Commission
2941 Lebanon Pike
Nashville, TN 37214

RE: ALSAC-Petition to Terminate Burial Ground

Dear Mr. McIntyre :

Our firm represents the American Lebanese Syrian Associated Charities, Inc., ("ALSAC") with regard to a petition filed in the Chancery Court of Shelby County seeking a decree to terminate the use of the property, therein described, as a burial ground and remove and reinter all human remains located thereon to a lawfully approved and operating Tennessee cemetery, pursuant to Tenn. Code Ann. §§ 46-4-101 *et seq.* and §§ 46-8-1-101 *et seq.*

In accordance with Tennessee Code Annotated § 46-4-103 (c)(1) I have enclosed an exact copy of the complaint filed in the chancery court, which contains the name of the complainant, the age and location of the burial ground and the circumstances that reflect why the names of any persons interred at the burial ground are not discernable. For the purposes of publication of the required notice of the action pending in Chancery Court on your website, I have attached a simplified map of the site and surrounding area, which includes references that may have been used more than 130 years ago.

Please let me know if you or any member of your staff have any questions concerning this notice. We would also request notice from your office when

September 26, 2024

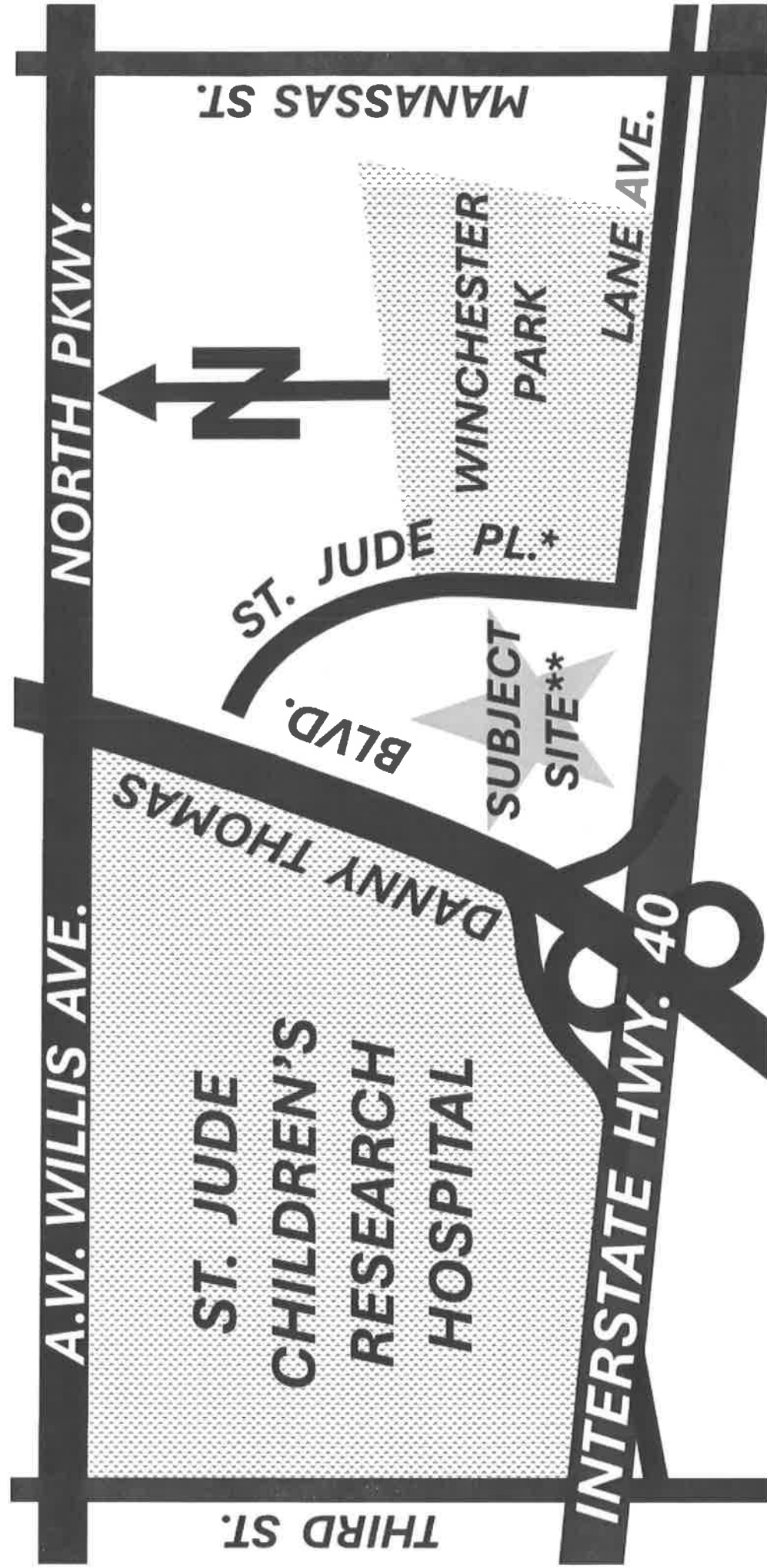
this notice filed with your office has been posted on your website as required by Tennessee Code Annotated § 46-4-103 (c)(2)

Very truly yours,

Allan J. Wade

A handwritten signature in dark ink, consisting of a large, stylized 'A' followed by a circular flourish.

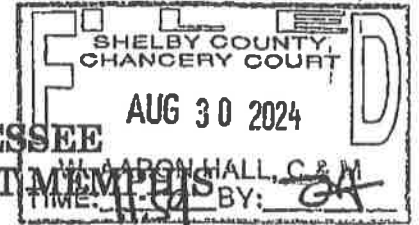
Cc: Graham Perry



* Formerly known as Winchester Ave. and later High St.

** Part of the Old Winchester Cemetery was formerly located on the site.

IN THE CHANCERY COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS



AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES,
INC., a/k/a ALSAC, an Illinois not for profit corporation
Petitioner,

v.

CH-24- 1180 . III

ALL UNKNOWN PARTIES HAVING ANY INTEREST IN THE
PROPERTY KNOWN AS OLD BURIAL GROUND IN MEMPHIS,
TENNESSEE

Respondents.

VERIFIED PETITION TO TERMINATE THE USE OF
PROPERTY AS A BURIAL GROUND AND TO REMOVE AND
REINTER ALL REMAINS LOCATED THEREON TO AN
APPROVED TENNESSEE CEMETERY PURSUANT TO
TENNESSEE CODE ANNOTATED §§46-4-101 *et seq.*

COMES now, Petitioner, American Lebanese Syrian
Associated Charities, Inc., ("ALSAC") to request a decree from this
Court to terminate the use of the property, herein described, as a
burial ground and remove and reinter all human remains located
thereon to a lawfully approved and operating Tennessee cemetery,
pursuant to Tenn. Code Ann. §§ 46-4-101 *et seq.* and §§ 46-8-1-
101 *et seq.* Petitioner alleges in support of the Petition as follows:

JURISDICTION AND VENUE

1. Petitioner seeks relief pursuant to Tenn. Code Ann. §§ 46-4-101 *et seq.*, Tenn. Code Ann. §§ 46-8-1-101 *et seq.* and Tennessee common law to terminate the dedication and use of the property, herein described, as a burial ground and remove and reinter all human remains located therein to a lawfully approved and operating Tennessee cemetery.

2. Jurisdiction is proper in this Court pursuant to Tennessee Code Annotated §46-4-103 since Petitioner, as owner of property situated within the corporate limits of Memphis Shelby County, Tennessee, is an "interested person" who has standing to seek any and all relief in this Court that is authorized by Tenn. Code Ann. §§ 46-4-101 *et seq.*

3. Venue is proper in this Court pursuant to Tennessee Code Annotated. §§ 46-4-101 *et seq.*, Tenn. Code Ann. §§ 46-8-1-101 *et seq.* and Tenn. Code Ann. § 20-4-103 since this action relates to real property that is situated entirely within Shelby County, Tennessee.

PARTIES

4. Petitioner, American Lebanese Syrian Associated Charities, Inc., is an Illinois not for profit corporation, who has its principal place of charitable operations at 501 St. Jude Place, Memphis, Tennessee and who owns real property in Shelby County, Tennessee described as seven (7) separate parcels in Special Warranty Deed from the City of Memphis that is of record in the Register's Office of Shelby County, Tennessee under Instrument No. 18080238 (the "Property"). Petitioner is initiating development of a portion of the Property that was formerly owned by the City of Memphis and used for its municipal operations from 1895 to 2023 ("General Services Site").

5. Respondents, if any, are unknown persons who may establish by competent evidence that they have standing to assert any right or easement or other right in the Property, or in any burial ground situated on, in, incident or appurtenant to the Property, or in any human remains that have been or may be found on the Property. Respondents shall include the surviving spouse and children, or if no surviving spouse or children, the nearest relative or relatives by consanguinity of one (1) or more

deceased persons whose remains are buried in any burial ground in or on the Property.

FACTUAL ALLEGATIONS

6. The events comprising the history of the property that is the subject of this lawsuit occurred from the establishment of the Town of Memphis in 1819 to the present. Many of the factual allegations contained in this complaint are derived from historical articles that are based on second and third hand reports in newspaper articles, which are not admissible under the Tennessee Rules of Evidence and which contain inaccurate information. Petitioner has sought to provide the Court with relevant background information that is corroborated by public records and other sources that it believes to be consistent with such records.

7. The original proprietors of the land on which the town of Memphis had been laid off in 1819 granted, conveyed and dedicated four acres of ground on or adjacent to what was then known as the Second Bayou to the Town of Memphis by paper writing dated September 18, 1828 and recorded in land records of

Shelby County, Tennessee. The stated purpose of the grant of the four acres was to provide the Town with a public burying ground, subject to such regulations as the Town deemed necessary and appropriate which was described in said grant as follows:

Beginning at a black gum on the south bank of the Second Bayou ; thence south twelve degrees east twenty poles seven and a half links to a stake, with white oak and a black oak pointers; thence south seventy eight degrees west thirty poles to a stake, with a black gum pointer; thence north twelve degrees west twenty poles seven and a half links to a black oak on the bank of the Bayou , a gum and beech pointers near the mouth of a small ravine ; thence up the south bank of the Second Bayou to the beginning , containing four acres.

This four (4) acre tract was also known as Country Lot 515 in a map surveyed and created for the proprietors by William Lawrence in 1819 ("Country Lot 515).

8. Country Lot 515 was used as a burial ground from 1828 until the mid 1850's. During the 1840s the burial ground located in Country Lot 515 was supervised and cared for by William R. Smith, who had been named sexton of the cemetery by the Town. The westernmost two (2) acres of Country Lot 515 was established and used as a potter's field or pauper's burial ground

(the "Potter's Field") for the burial of unknown, unclaimed or indigent persons.

9. Based on information and belief, none of the grave sites or graves of poor and unclaimed persons buried in the Potter's Field were marked or otherwise identified at the site and no records of any burials or names of any unclaimed persons buried in the Potter's Field were ever made, maintained or preserved. By the mid 1850s, the Potter's Field had reached capacity for burial purposes.

10. On August 10, 1847 William R. Smith purchased portions of Country Lots 513 and 514 by deed from Charles Burrell Winchester consisting of 6.82 acres east of Country Lot 515 for his use as a private cemetery. Smith's private cemetery was sometimes called the "New Winchester Cemetery" as distinguished from the burial ground located in County Lot 515, was thereafter called the "Old Winchester Cemetery."

11. The New Winchester Cemetery was owned and operated by William R. Smith solely as a private enterprise for profit. The New Winchester Cemetery was laid out into separate

burial plots and sold to the public as such. No portion of the "New Winchester Cemetery" lies within the boundaries of the General Services Site . This petition does not affect or impair the property rights of any interested person in the New Winchester Cemetery or in any human remains that may have been buried there.

12. After the creation of the New Winchester Cemetery in 1847, William R. Smith continued to operate both the Old and New Winchester Cemeteries until his death in 1867. Thereafter, William's son, Thomas Othello Smith, assumed care of both cemeteries until his death in 1869.

13. The City stopped interring paupers in the Potter's Field in the mid-1850s.

14. After the deaths of William R. Smith and his son, Thomas, in 1867 and 1869, respectively, there is no evidence that the Old Winchester Cemetery and Potter's Field located in Country Lot 515 was cared for by the Town or by a successor sexton named by the Town. William Smith's widow allowed the Old and New Winchester Cemeteries to deteriorate causing the City to pass an ordinance in April 1873 prohibiting new burials in

the New Winchester Cemetery. This ordinance was rescinded months later as a part of a settlement with the widow Smith.

15. In 1871 the City developed and opened Winchester Street (subsequently renamed High Street/ St. Jude Place) over the eastern portion of Country Lot 515, which abutted the eastern edge of the Potter's Field and was to the west of the New Winchester Cemetery. On information and belief, human remains were uncovered during the construction of Winchester Street and such human remains were either reburied at legal cemeteries and/or reburied in common graves elsewhere.

16. On information and belief, the remaining two (2) acres of Country Lot 515 used as a potter's field or pauper's cemetery was unfenced and uncared for after completion of Winchester Street. By 1875 the Potter's Field was unfenced and overgrown. It had become a grazing ground for cattle, horses and hogs and a place occupied by unhoused persons for living purposes, social gatherings and illegal activities.

17. On or about February 11, 1879 the City adopted an ordinance that permanently closed the remaining portion of the

Old Winchester Cemetery and the New Winchester Cemetery for burials.

18. Despite the efforts of City leaders and The Old Folks Society of Shelby County the use of the remaining portion of Country Lot 515 was never reopened after adoption of the 1879 ordinance as a pauper's burial ground or for any burials. The condition of the property continued to deteriorate, as the City could not afford to provide maintenance or upkeep for the property due to the near collapse of its financial condition after the yellow fever epidemic and revocation of its charter by the State of Tennessee. In August 1884, the city council authorized the exhumation of all marked burials and removal of all tombstones from the original 1828 section of the cemetery. The exhumed human remains were reportedly reinterred within the newer 1847 section of the cemetery, under control of the Old Folks' Society. Once the marked burials had been exhumed, the city council allowed the original 1828 section of the cemetery, including the Potter's Field, to be redeveloped.

19. In 1895 the City, reconstituted as a taxing district, redeveloped the long abandoned Potter's Field/Pauper's Burying Ground by building thereon the new City Stables, which consisted of a wood frame building measuring 307-feet by 50-feet with 50 stalls to house city work animals (e.g., horses, dogs). The city stable complex also contained a carpentry shop to the north, the sewer department, a harness room, the watchman's room, and feed rooms. Later a crematory with a brick chimney was added.

20. On information and belief, human remains were uncovered during the construction of the New City Stables on Winchester Street, and it is believed that these human remains were either reburied at legal cemeteries and/or reburied in common graves elsewhere.

21. In 1911 the City Stables complex was destroyed by a fire except for the crematory's brick chimney. The City Stables were reconstructed shortly thereafter. The replacement building was also of frame construction. The reconstructed City Stables were built within the boundaries of the former Potter's Field.

22. Between 1933 and 1934 the City demolished the City Stable complex and replaced it with a City Garage constructed of brick and concrete. A gable-roof frame wing extended from the north side. The entire building was situated within the boundaries of the former Potter's Field.

23. On information and belief human remains were uncovered during construction of the City garage and maintenance building, and it is believed that these human remains were either reburied at legal cemeteries and/or reburied in common graves elsewhere.

24. In 1959 dwellings along the south side of the City Garage were demolished and replaced with surface parking serving the City Garage. The parking area abutted the south side of the former Potter's Field

25. In 1967 the City garage's gable-roof frame wing was demolished and replaced with a large masonry wing with loading docks at the north end. The wing extended north of the boundary of the former Potter's Field. The City's municipal services complex was used by the City until December 2023.

26. During the spring months of 2024, Petitioner demolished the City General Services buildings and garage in preparation for St. Jude campus expansion projects and a parking garage.

27. The City had owned Country Lot 515 since 1828 until it conveyed a portion of the Property to Petitioner in 2018. From 1879 until 1895 no burials occurred or were permitted in Country Lot 515. Between the construction of Winchester Street in 1871 and the construction of the City Stables in 1895, Country Lot 515 had by all measures been abandoned and neglected and therefore had lost its character as a burial ground, since it had not been under the care of the living as a burial ground for over twenty (20) years prior to 1895.

28. Petitioner purchased the Property, including County Lot 515, from the City of Memphis (the "City") in 2018, with plans to use it for St. Jude campus expansion projects and a parking garage.

29. Petitioner was forced to delay its construction plans until the City was able to fully vacate the site in December 2023.

30. When purchased by Petitioner the City General Services Site contained approximately seven buildings, 2 large 40,000 fueling tanks and numerous vehicle parking, painting and repair facilities and concrete slabs for structures that may have dated back to 1930.

31. After a diligent search of all public records and inquiry of historical documents and writings, Petitioner has not found any admissible evidence that shows that any portion of the Property or Country Lot 515 has been used or maintained as a burial ground during the past 130 years and possibly longer. Petitioner's search and inquiry has not revealed any admissible evidence of burial records, monuments or gravestones identifying any graves that are or were located in, on or under any portion of the General Services Site.

32. Due to the close proximity of the City General Services site to the New Winchester Burial Ground on the opposite side of St. Jude Place (formerly Winchester and High Streets), Petitioner retained the services of a qualified archeological firm (Richard Grubb and Associates or RGA) and outside counsel

prior to commencement of any demolitions or removal of concrete foundations on the City General Services site. RGA and outside counsel advised Petitioner of the legal and scientific procedures to be used if any human remains were found on the Property.

33. Petitioner's retained experts developed procedures to be followed if any graves or human remains were discovered during site preparation or demolition activities. The procedures developed by Petitioner's highly qualified archeological experts generally provided that upon discovery of any graves or human remains that Petitioner's contractors were to leave any graves or human remains undisturbed, and as required by law, Petitioner would notify the Memphis Police Department ("MPD"), the medical examiner for Shelby County and the State Archeologist of such discovery.

34. On or about June 17, 2024 human remains were discovered at 671 St. Jude Place, the City General Services site. Archaeologists retained by Petitioner were already on site to monitor removal of a concrete slab; they immediately took control of the site where the remains had been found. Petitioner's

archaeologists remained onsite during slab removal activity and in close proximity to the excavation equipment and operators in order to provide direction and secure the immediate area(s) where remains were found.

35. Upon the initial finding of potential human remains, demolition work was halted in the vicinity of the findings at the direction of the archaeologist in charge at the site. The archaeologists secured the site and made a record of the location of the remains and other pertinent details.

36. The archaeologists contacted MPD about the discovery. MPD made a preliminary visit to the site on June 17, 2024, the date of the discovery, but severe weather was present impacting visibility and access to the site.

37. On the morning of June 18, 2024, the archaeologists contacted MPD, the Medical Examiner, and the Tennessee Department of Archeology. MPD returned to the site on the morning of June 18, 2024. The Medical Examiner also was present on the site at this time to view and investigate the remains. Petitioner's archaeologists coordinated with MPD and the Medical

Examiner and were present when MPD and the Medical Examiner arrived on the scene.

38. At the direction of MPD, the Medical Examiner and the Tennessee State Archeologist, the immediate areas where the remains were found were secured by the archeologists by establishing a perimeter around the findings with high visibility markers and by covering each site with sand and a tarp secured with stakes to prevent disturbance to the sites and to prevent unauthorized personnel from accessing the sites. To maintain security of the Property, the entire General Services Site was secured by a fence and the entrance and area is monitored **24/7** by St. Jude security staff to ensure that only authorized personnel have access to the burial sites.

39. After consultation with the Medical Examiner and the State Archeologist, Petitioner continued slab removal and site preparation under the direct supervision of Petitioner's archeology team.

40. Subsequent to the initial discovery of human remains on the Property on June 17, 2024, forty-five (45) additional sites

on the Property were identified as containing human remains, grave shafts or grave goods. All burial locations were photographed with a scale and a Trimble GPS point was taken at each burial site. Each of these new sites were secured and processed using the same procedures employed to secure the initial human remains discovery site as outlined in paragraphs 32 through 39.

CAUSES OF ACTION

I. TERMINATION OF DEDICATED AND OTHER BURIAL GROUNDS UNDER TENNESSEE COMMON LAW

Petitioner incorporates by reference the allegations in the above Paragraphs 1 through 40 of the Petition, as fully as if repeated verbatim herein.

41. The City of Memphis, Petitioner's predecessor in title, had the lawful right under then existing Tennessee law to disinter and reinter elsewhere any human remains found on, in or under Country Lot 515 when the City constructed Winchester Street in 1871, the City Stables in 1895 and the City's General Services

facilities in 1933 since the burial place for any such remains was no longer under the care of the living on any of those dates.

42. Country Lot 515 had lost its character as a burial ground from and after 1871 and was deemed by the City to have been abandoned as a burial ground in 1878 and at all times thereafter (the "Abandoned Burial Ground").

43. There is no admissible evidence to refute that the relatives of any persons purportedly buried in the Abandoned Burial Ground had actual or constructive notice of the City's construction activities between 1871 and 1933 or of their right to a reasonable opportunity to move their relative's bodies to some other place of their own selection.

44. There is no admissible evidence that the relatives of any persons purportedly buried in the Abandoned Burial Ground exercised their rights to move their relative's body to some other place of their own selection or claimed by timely objection or lawsuit that they were denied a reasonable opportunity to do so at any time between 1871 and 1933.

II.

TERMINATION OF BURIAL GROUNDS UNDER TENN. CODE
ANN. § 46-4-101, *ET SEQ.*

Petitioner incorporates by reference the allegations in the above Paragraphs 1 through 44 of the Petition, as fully as if repeated verbatim herein.

45. The Property, including Country Lot 515, has been used for City municipal operations continuously for at least 128 years and therefore has been abandoned and discontinued as a burial ground for this entire span of time.

46. The Property, including Country Lot 515, had been a neglected, unkempt and vandalized burial ground for decades prior to the City's re-purposing of the site for City operations in 1895.

47. The City's use of the Property for City municipal operations continuously for over 128 years and Petitioner's proposed use of the Property by its employees, patients and business invitees in connection with its existing corporate and world-wide philanthropic activities on or in the immediate vicinity of the Property render the continued use of the Property as a burial ground inconsistent with due and proper reverence or

respect for the memory of the dead normally associated with less traveled cemeteries and burial grounds in Tennessee.

48. Petitioner requests that the Court find and declare that the Property is and has been for over a century unsuitable for use as a burial ground or resting place for the dead whose remains are buried in the Property and that any continuation of the Property as a burial ground will be inconsistent and incompatible with Petitioner's existing uses of its properties in near proximity of the Property for its corporate and world-wide philanthropic activities and its proposed future use of the Property as an extension of such activities.

49. Petitioner requests that the Court declare, order and decree (i) that the dedication and use of the Property, herein described, as a burial ground is hereby permanently terminated and vacated and (ii) that Petitioner may cause all human remains located therein to be removed from the Property and reinterred to a lawfully approved and operating Tennessee cemetery.

III.

**PETITIONER'S COMPLIANCE WITH THE TENNESSEE
FAMILY BURIAL GROUNDS PROTECTION ACT IN TENN.
CODE ANN. § 46-8-101, *ET SEQ.***

Petitioner incorporates by reference the allegations in the above Paragraphs 1 through 49 of the Petition, as fully as if repeated verbatim herein.

50. Upon discovery of human remains on the Property, Petitioner has made diligent and reasonable efforts to comply with the Tennessee Family Burial Grounds Protection Act, codified in Tenn. Code Ann. § 46-8-101, *et seq.* (the "Act") in the ways enumerated in paragraphs 25 through 40 of this Petition.

51. Petitioner has protected all human remains found on the Property from disturbance or development in a reasonable area surrounding the perimeter of any gravesite/human remains or in the area of five feet (5') surrounding the perimeter of the any crypt discovered on the Property.

52. Petitioner has taken extra reasonable precautions to protect all human remains found on the Property from disturbance or development by employing a qualified archeological firm (Richard Grubb and Associates or RGA) prior to demolition and removal of concrete foundations on the Property to advise

Petitioner of the legal and scientific procedures to be used if any human remains were found on the Property.

53. Petitioners' expert archaeologists have directly supervised the protection of all remains found on the Property in strict compliance with all provisions of the Act and requirements of the Shelby County Medical Examiner and the Tennessee State Archeologist and have provided such reports and updates as requested by the Shelby County Medical Examiner, the Tennessee State Archeologist and the Memphis Police Department or as required by law.

54. Petitioner has made definite arrangements or will make definite arrangements before the removal of any remains from the Property, for reinterment of all the remains at Elmwood Cemetery, which the state of Tennessee has approved as a suitable cemetery for interment of human remains.

55. For the purpose of reinterment of all of the remains at Elmwood Cemetery, Petitioner has obtained, or will obtain before the removal of any remains from the Property, either the fee simple title to the place of reinterment or adequate permanent

right and easement to use the place of reinterment for reinterment, and adequate permanent right and easement of access to the place of reinterment for visitation;

56. Petitioner has made reasonable plans to insure that the removal and reinterment of all the remains discovered on the Property will be done with due care and decency, and for a suitable memorial or memorials to be erected at the place of reinterment.

IV. RELIEF REQUESTED

WHEREFORE, PREMISES CONSIDERED, Petitioner prays for a Final Decree in which after a hearing the Court finds, declares, orders and decrees that Petitioner has established to the satisfaction of the Court by proof and the entire record:

- A. That Respondents are unknown relatives of deceased persons who were unidentified at the time of interment in the Property and that all such Respondents have been properly served with this Petition by publication in accordance with Tennessee Code Annotated § 21-1-204.
- B. That one (1) or more of the reasons specified in Tennessee Code Annotated § 46-4-101 exist, and that, due to the same,

the Property including Country Lot 515, is unsuitable for use as a burial ground and as a resting place for the dead whose remains are buried therein;

- C. That any further use the Property including Country Lot 515, as a burial ground, is inconsistent with due and proper reverence or respect for the memory of the dead;
- D. That before the removal of any human remains or burial goods from the Property definite arrangements will be made or have been made already for reinterment of all of the human remains at Elmwood Cemetery, which the Court has determined to be suitable for reinterment;
- E. That for the purpose of reinterment of all of the human remains at Elmwood Cemetery, Petitioner has obtained, or before the removal will obtain, either the fee simple title to the place of reinterment or adequate permanent right and easement to use the place of reinterment for reinterment, and adequate permanent right and easement of access to the place of reinterment for visitation;
- F. That the removal and reinterment of all the human remains will be done with due care and decency, and that suitable memorial or memorials will be erected at the place of reinterment.
- G. That any requirement that the Property, herein described, continue to be dedicated or used as a burial ground is hereby terminated, vacated and removed.

- H. That Petitioner may cause all human remains located therein to be removed from the Property and reinterred at Elmwood Cemetery, a lawfully approved and operating Tennessee cemetery.
- I. That Petitioner has made diligent and reasonable efforts to comply with the Tennessee Family Burial Grounds Protection Act by protecting any remains found on the Property from disturbance pending transfer and reinterment at Elmwood Cemetery and by providing for suitable reinterment of such remains with due care and decency.
- J. That the actions of Petitioner, its agents, experts, attorneys and contractors in protecting, transferring and reinterring remains discovered on the Property as described in this Petition comply in all respects with Tennessee common law, Tennessee Code Annotated §§ 46-4-101 *et seq.* and Tennessee Code Annotated §§ 46-8-101 *et seq.* and do not as a matter of law constitute physical mistreatment of a corpse, unlawful disinterment of a corpse that has been buried or otherwise interred or unlawful disposal of a corpse in a manner known to be in violation of law under Tennessee Code Annotated § 39-17-312
- K. That upon complete transfer of all human remains from the Property that Petitioner is entitled under Tennessee Code Annotated §§ 46-4-101 *et seq.* a final decree complete and absolute authority to use the area(s) previously containing the human remains in the same manner as it intends to use

the remainder of the Property for St. Jude campus expansion projects, a parking garage and a private and secured gated right of way or for any other lawful purposes.

L. That Petitioner be granted such other and further relief to which it may be entitled in this cause.

Respectfully Submitted,



THE WADE LAW FIRM, PLLC

Allan J. Wade (4339)

Brandy S. Parrish (21631)

5050 Poplar Avenue, Suite 1028

Memphis, TN 38103

(901) 322-8005

(901) 322-8007 (facsimile)

Attorneys for Petitioner

VERIFICATION

The undersigned, Sara L. Hall, does hereby declare, state and verify under penalty of perjury pursuant to Rule 72 of the Tennessee Rules of Civil Procedure as true and correct, the allegations and facts contained in the foregoing Verified Petition to which this verification is attached, based on facts and information within the undersigned's personal knowledge or where specifically indicated on information obtained from others, which information from others I believe to be true.

The undersigned does also certify that the Verified Petition is not being presented for any improper purpose and that the allegations and other factual contentions in the Verified Petition have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

s/ Sara L. Hall

DATE: 3-30-2024