

IN THE CHANCERY COURT FOR CUMBERLAND COUNTY, TENNESSEE

LAKE PARK RESORT, INC.)
by its members;)
LONNA O'LEARY,)
BOB & PATTY BELCHER,)
TONY JOHNSON,)
ANNA JACKSON,)
ROBYN PESSON,)
JACOB & AMANDA VOSS,)
SHIRLEY TURNER,)
JONATHON WADE HENDRIX,)
MICHAEL HOLDSAMBECK, and)
ZACH BURGESS,)
Plaintiffs,)
vs.)
LAKE PARK RESORT, INC. directors;)
ROBYN MORGAN RIEL,)
JERRILYN TOMS,)
JENNIFER SPIVEY and)
those signing as DIRECTORS on)
EXHIBIT D.)
Defendants.)

No. 2022-CH-2308

FILED
Date 12/16, 2024 at 9:55 AM
Entered 12/16/2024
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: Ben Tollett

ORDER ON MOTION FOR CONTEMPT

This matter was before the Honorable Chancellor Ronald Thurman, on the 1st day of November, 2024, upon Plaintiffs' Motion for civil contempt.

Procedurally this matter was bifurcated to determine if there were 2 entities involved as the newsletter that is the primary focus of the motion appears to suggest. That issue was resolved finding only a single entity was involved.

Upon final consideration of the motion, the exhibits, affidavit, arguments of counsel, and the record in this cause, the Court finds the Motion well taken.

Plaintiff's requests for relief also appear reasonable to the Court under the circumstances of this case. The Court having found the Defendants in civil contempt of this Court's prior orders would, in remedy thereof, ORDER;

1. That the Defendants send a notice of correction and clarification to all members that received the newsletter complained of, correcting the misleading information. The language of this notification shall be agreed upon between counsel for the parties, without further involvement of the Court unless necessary. It shall be circulated within four (4) days of the approval of counsel. As some of this information could be considered confidential in nature, the information shall be delivered to counsel for both parties and the two organizers of the election. It is to be used only in relation to giving election notices and matters related to the election. The information shall not be disseminated to third parties. All records, or copies of records, are to be returned to counsel after the election to be delivered to the new Board when elected.
2. Defendants shall deliver to their counsel, by close of business on November 12, 2024, a member list of the association's membership, including all contact information for those individuals listed and the dues payment records for member or lot or both depending on the method by which these records are maintained. Based upon the newsletter, it appears this information is retained and available.
3. The Court withholds any award of attorney fees or other adverse actions pending the implementation of this Order. Further, adverse action is likely upon a failure to comply with this Order.
4. This matter is set for review on December 13, 2024, at which time it is desired that this matter will be in a posture to present a proposed date for the election to be held.

ENTERED this the 12th day of December, 2024

Ronald Thurman
HONORABLE RONALD THURMAN, CHANCELLOR

APPROVED FOR ENTRY:


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