

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

RLCL ACQUISITIONS, LLC d/b/a)	
GRAY LINE OF TENNESSEE,)	
)	
Plaintiff,)	
)	
VS.)	NO. 16-867-BC
)	
ACR TRANSPORTATION SERVICES,)	
LLC; COACH RIDE, LLC; and DAVID)	
RANDALL "RANDY" FUTRAL, JR.,)	
)	
Defendants.)	

REVISED RULE 16 ORDER

On Tuesday, May 8, 2018, a conference was conducted to revise and enter a new Rule 16 Order in the case now that a Second Amended Complaint has been filed and answered, and new Counsel, Matthew D. Wilson, has been retained by Defendants. The deadlines and scheduling in previous Rule 16 orders are vacated and replaced with the following.

1. Rule 12.02(6) Motions—The Defendants have determined not to file any Rule 12.02(6) motions.
2. Defendants' Indispensable Party Claims—By July 6, 2018, Defendants shall file any motions pertaining to their claim that Huey Montgomery is an indispensable party.

3. Written Discovery—By August 24, 2018, all written discovery shall be served and responded to, and by this date all motions related to discovery and rulings on those motions shall be completed.

4. Depositions—Depositions are stayed until August 24, 2018. Thereafter depositions may commence and shall be completed by February 8, 2019.

5. Interim Telephone Status Conference—On October 11, 2018, at noon, a telephone status conference shall be conducted to review the progress of discovery and whether the case shall be referred to mediation. Closer to the date of the conference, the Docket Clerk shall provide a call-in number.

6. Expert witnesses—November 16, 2018 is the deadline for the Plaintiff to designate its expert witnesses; December 7, 2018, is the Defendants' deadline to designate expert witnesses.

7. Summary Judgment—In consideration of the numerous causes of action in the case and that discovery shall need to be obtained not only from the parties but from persons not parties to the lawsuit, the filing of summary judgment motions shall be fluid. Summary judgment motions on different counts or affirmative defenses may be filed together or separately with the limitation of Davidson County Local Rule 26.01 that the motions shall be docketed for hearing no later than 30 days before trial.

8. Trial—The week of April 8, 2019 a bench trial of the case shall be conducted.

9. Attorneys' Fees—From the trial, a ruling shall be issued on whether attorneys' fees are recoverable. If fees are awarded, a separate, subsequent proceeding shall be convened to determine the amount.

10. Ruling of law on comparative fault defense—The Court concludes as a matter of law that there are not causes of action asserted by the Plaintiff to which comparative fault can be asserted as a defense, and the Defendants' assertion of the defense of comparative fault is dismissed. Liability in the case is joint and several, and there are issues to be determined about the responsible Defendant based upon the Plaintiff's claim of piercing the corporate veil.

11. With respect to Coach Ride, LLC's \$29,050 claim in its *Intervening Complaint* and based upon Plaintiff's responses to Request for Admissions, the Plaintiff asserts its obligation on the \$29,050 should be offset against any recovery from Coach Ride.

s/ Ellen Hobbs Lyle
ELLEN HOBBS LYLE
CHANCELLOR
TENNESSEE BUSINESS COURT
PILOT PROJECT

cc by U.S. Mail, email, or efilng as applicable to:
Hunter Branstetter
Lisa K. Helton
Matthew Wilson