

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

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**IN RE:** Tellico Landing, LLC,  
Debtor

Case No. 3:11-bk-33018  
Chapter 11

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**MOTION OF ROBERT T. STOOKSBURY, JR FOR  
RELIEF FROM STAY**

**NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING**

Notice is hereby given that:

A hearing will be held on this matter on July 28, 2011, at 10:00 a.m., in Courtroom 1-C, United States Bankruptcy Court, Howard H. Baker Jr. U.S. Courthouse, 800 Market Street, Knoxville, Tennessee.

**If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.**

Robert T. Stooksbury, Jr., (“Stooksbury”), by and through the undersigned counsel, moves the Court to enter the proposed Order filed herewith lifting the automatic stay of 11 U.S.C. § 362 to allow the parties to the two referenced lawsuits to proceed with discovery, or in the alternative to allow for the termination of the consolidation of the two lawsuits in order for the lawsuit, in which the debtor is not a party, to proceed. In support of this Motion, Stooksbury states as follows:

1. On March 23, 2009 Stooksbury filed a Complaint in Blount County Chancery Court, Docket Number 09-050, against LTR Properties, Inc. for the dissolution of the debtor Tellico Landing, LLC. Thereafter Tellico Landing, LLC was made a party and filed an Answer to said lawsuit.

2. On April 2, 2009 Stooksbury filed a Complaint in Blount County Chancery Court, Docket Number 09-057, against Michael L. Ross; LTR Properties, Inc.; RPL Properties, LLC; LC Development Company, LLC; and Rarity Management Company, LLC. The debtor, Tellico Landing, LLC is not a party to this lawsuit.

3. On August 17, 2009 by agreement of the parties the two lawsuits were consolidated for the purpose of discovery.

4. Stooksbury desires that the Automatic Stay be lifted in order for discovery to proceed in both lawsuits or in the alternative that the Automatic Stay be lifted to allow for the termination of the consolidation of the two lawsuits in order for lawsuit Docket Number 09-057 to proceed with discovery and trial.

WHEREFORE, the above premises considered, the Stooksbury prays that:

1. The automatic stay be terminated as to both Blount County Chancery Court, Docket Number 09-050 and 09-057;

2. The automatic stay be terminated immediately upon entry of an order so providing;

3. In the alternative, that the automatic stay be terminated to allow for the termination of the consolidation of the two referenced lawsuits so that lawsuit Docket Number 09-057 may proceed with discovery and trial; and

4. Stooksbury have such further and other relief to which it may be entitled. Respectfully submitted this the 6<sup>th</sup> day of July 2011.

/s/ James R. Moore  
James R. Moore, #005894  
Attorney for Robert T. Stooksbury, Jr.  
Moore & Brooks  
6207 Highland Place Way, Ste 203  
Knoxville, TN 37919  
(865) 285-7191

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the foregoing document has been served upon all counsel of record by filing this document with the United States Bankruptcy Court's electronic filing system, and the following have also been served by U.S. mail, postage prepaid:

APAC Atlantic, INC  
Harrison Construction  
4817 Rutledge Pike  
P.O. Box 6357  
Knoxville, TN 37914

LTR Properties  
P.O. Box 4187  
Maryville, TN 37802

LTR Properties, Inc.  
100 Rarity Bay Parkway  
Vonore, TN 37885

Long, Ragsdale & Water, PC  
1111 Northshore Drive, NW  
Suite S-700  
Knoxville, TN 37919

Loudon County Trustee  
PO Box 351  
Loudon, TN 37774

Michael L. Ross  
P.O. Box 4187  
Maryville, TN 37802

Michael Ross  
2624 Carpenters Grade Road  
Maryville, TN 37803

Rarity Point Comm. Assoc, Inc.  
100 Rarity Bay Parkway  
Vonore, TN 37885

Sun Sigh Graphics  
1503 N. 6th Avenue  
Knoxville, TN 37917

