

IN THE CHANCERY COURT FOR KNOX COUNTY TENNESSEE

FILED

Bee Deselm,)
 on relationship of)
 the State of Tennessee)
 and Knox County Tennessee))
 and)
 Bee DeSelm,)
 individually)
)
 Plaintiffs)
)
 v.)
)
 Timothy Hutchison and)
 Knox County Tennessee,)
 Michael W. Moyers and)
 Randall E. Nichols)
)
 Defendant.)

2005 DEC -9 P 3: 50

HOWARD G. HOGAN
CLERK & MASTER

No. 164615-1

MOTION TO DIRECT FINAL JUDGMENT ON FEWER THAN ALL CLAIMS

Plaintiffs move that this Court enter final judgment on the following partial claims pursuant to T.R.Civ.P. Rule 54.02.

1. This Court's ruling denying Plaintiff's motions to disqualify the Court;

2. This Court's Order entered November 10, 2005 dismissing claims that Timothy Hutchison is unlawfully occupying the office of Sheriff;

3. This Court's Order entered November 10, 2005 dismissing claims as to whether Timothy Hutchison may run for the office of Sheriff of Knox county in the future;

4. This Court's denial of the November 2, 2005 motion to amend the complaint;

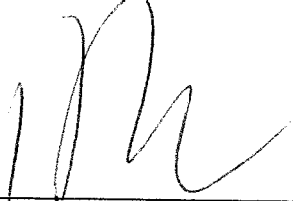
5. This Court's ruling that Plaintiff's do not have standing to pursue the declaratory judgment action as to Knox County Charter provisions pertaining to term limits.

Memorandum

Claims against Timothy Hutchison for holding office in violation of Knox County's term limits and declaratory judgment pertaining to the Knox County Charter term limit provisions have been severed from claims against Michael E. Moyers and claims pertaining to the E-911 contract. This Court has now dismissed the partial claims in this action for declaratory judgment pertaining to Knox County Charter term limits.

Plaintiffs submit there exist no just reason for delay in an appeal from the Court's rulings denying disqualification and dismissing term limit declaratory judgment claims and that pursuant to T.R.Civ.P. Rule 52.02 final judgment on those claims should enter.

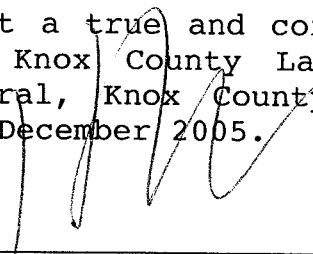
WHEREFORE Plaintiffs move for the entry of final judgment on the Court's rulings specified above.


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Attorney for Plaintiff

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BPR # 1910

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the Knox County Law Director, ^{Robert Watson} Knox County District Attorney General, Knox County Mayor and Knox County Sheriff this 9th day of December 2005.


HERBERT S. MONCIER