

**IN THE CIRCUIT COURT OF HAMILTON COUNTY
AT CHATTANOOGA, TENNESSEE**

R. ELLSWORTH McKEE,)	
)	
Plaintiff/Counter-Defendant)	CASE NO. 03C786
)	
v.)	DIVISION II
)	
DELWIN L. HUGGINS, PHILIP J. MARTIN, and FOUR SEASONS ENVIRONMENTAL, INC.,)	HON. SAMUEL L. PAYNE
)	
Defendants/Counter-Plaintiff)	
)	
v.)	
)	
PRESTON JONES, BARRY HAND, MCKEE FOODS CORPORATION, and JACK MCKEE,)	
)	
Third Party Defendants)	

MOTION FOR ASSIGNMENT OF SPECIAL JUDGE

Pursuant to T.C.A. §17-2-201 et. seq. and Tennessee Supreme Court Rule 11, §VII (c), the Plaintiff, R. Ellsworth McKee ("Mr. McKee"), and Third Party Defendants Preston Jones, Barry Hand, McKee Foods Corporation ("McKee Foods") and Jack McKee request that this Honorable Court transfer this case to a Special Judge from another judicial district for the limited purpose of hearing the Motion for Third Party Intervention and other pleadings filed *pro se* by Ernest A. Oliver ("Mr. Oliver"). In support of this motion, the Plaintiff and Third Party Defendants state as follows:

Mr. Oliver has filed various pleadings in this matter asserting that none of the judges in Hamilton County are able to hear this case due to their alleged participation in a conspiracy and their past rulings against him. Further, he asserts that a new judge from another county should be assigned to hear the various motions he has filed. All of the Circuit Court Judges have now recused themselves in this matter.

Therefore, the Plaintiff and Third Party Defendants respectfully request that the Presiding Judge assign this matter to a special judge by the procedure established by the Supreme Court of Tennessee for the purpose of hearing Mr. Oliver's Motion for Third Party Intervention and other pleadings filed *pro se*.

Respectfully submitted,

CHAMBLISS, BAHNER & STOPHEL, P.C.

By: 

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Attorneys for Plaintiff and Third Party Defendants

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing pleading was served via United States mail, postage prepaid, and correctly addressed to:

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Mr. Ernest A. Oliver
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This 2nd day of November, 2006.


Anthony A. Jackson