IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

TAMMY RENAE HUSARI )
)
v. ) No. 03D-2700
)
JACOB SALIM HUSARI )

2006 FEB -2 PM 4:50

**ORDER**

This cause came to be heard on the 26th day of January, 2006, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon Ms. Husari's Petition for Contempt. The Court finds the Defendant has been advised of his rights as a criminal defendant. The Court after a review of the exhibits entered in this matter, testimony of the parties and a review of the record, finds and orders as follows:

1. The Court finds as concerns the Petition for Contempt, that as usual, Mr. Husari is his own worst enemy. The Court finds that it has had trouble with Mr. Husari from day one when the original divorce was filed. The Court finds it entered a Final Decree and that Mr. Husari will not comply with any of this Court's Orders and that he wants to do it his way instead of obeying the Court's orders. The Court finds that Mr. Husari has no regard for this Court and has no regard for anybody in authority.

2. It is, therefore, **ORDERED, ADJUDGED AND DECREED** that Mr. Husari is found in willful civil contempt of the Orders of this Court for his failure to abide by the Court's Order, specifically, his failure to deliver the personal property to Ms. Husari as listed on Trial Exhibit No. 10. The Court finds that Mr. Husari did not deliver the items in a timely manner and finds him in willful civil contempt. It is, therefore, **ORDERED, ADJUDGED AND DECREED** that Mr. Husari is hereby **ORDERED** jailed in the Metropolitan Davidson County Jail until such

Davidson County ORDER
Recvd: 02/16/06 14:09 9 pgs
Fees:47.00 Taxes:0.00
20060216-0019012

time as he complies with the delivery of the personal property items awarded pursuant to Trial Exhibit No. 10.

3. It is **ORDERED, ADJUDGED AND DECREED** that Mr. Husari, through his agents, shall deliver by 4:00 p.m. this date (1/26/06), the personal property awarded to Ms. Husari pursuant to Trial Exhibit No. 10 to her address of 17113 Monthaven Apartments. The Court **ORDERS** that Mr. Husari shall not be released from jail until such times as he has delivered the items and complied with the Final Decree. The Court finds that Mr. Husari has had the ability to comply with delivery of the personal property all along but has willfully refused to do so.

4. The Court **ORDERS** that counsel for the parties are to go to the Tax Assessor's office and get the latest tax bill on the real property located at 114 Conner Drive, Goodlettsville, Tennessee. The Court finds once again that Mr. Husari is not a credible witness and that the only value of the real property before the Court is Ms. Husari's testimony of $165,000.00. However, for the Court to make a decision as relates to its value, the Court would like to have before it the benefit of the Assessor's value. After receipt of the Assessor's value of the real property, the Court shall determine the equity and if Mr. Husari, as stated earlier, desires to purchase Ms. Husari's interest in the property and she is agreeable to such, then the Court shall set the price. However, for him to purchase her interest, Mr. Husari will have to do so very soon because as a result of his tactics, the clerk is delayed in the sale of this real property as previously ordered in the Final Decree.

5. It is **ORDERED, ADJUDGED AND DECREED** that in the meantime, to compensate Ms. Husari for her loss of the use of these funds, Mr. Husari is **ORDERED** to pay to Ms. Husari the amount of $719.00 per month until the house is sold or until Mr. Husari purchases her interest in the real property. The Court finds this remedy appropriate as Mr. Husari has been

diminishing the value of the property that the Court awarded to Ms. Husari.

6. It is **ORDERED, ADJUDGED AND DECREED** that Mr. Husari is **ORDERED** to keep the mortgage indebtedness owing thereon paid in a timely manner with no late payments.

7. The Court thereafter took an adjournment pending counsel obtaining the Tax Assessor's receipt of the property. It is **ORDERED, ADJUDGED AND DECREED** that in the event that the parties reach agreement concerning Mr. Husari's purchase of Ms. Husari's interest therein, then he shall have no requirement for payment of $719.00 per month to Ms. Husari.

8. Upon return of counsel for the parties, the Court took this matter up once again. The Court finds that counsel for the parties have presented the Court with the Tax Assessor's tax bill on the property however counsel for the parties announced that they had reached agreement in this matter concerning Mr. Husari's purchase of Ms. Husari's interest in the 114 Connor Drive residence and asked that the Court approve the same and make such agreement an order of the Court. Thereupon, counsel for Ms. Husari made the following announcement which the Court finds proper in all respects and makes an order of this Court as follows: It is **ORDERED, ADJUDGED AND DECREED** that Mr. Jacob Husari is awarded all right, title and interest in the real property located at 114 Connor Drive, Goodlettsville, Tennessee, which property is more fully described as follows:

> Land in Davidson County, Tennessee, being Lot No. 20 and the westerly part of Lot 21 on the Plan of Ranchwood Estates, Section II, Goodlettsville, Tennessee, and of record in Plat Book 3600, page 67, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 20 fronts 80 feet on the northerly side of Connor Drive and runs back between lines 424.8 feet on the easterly line and 384.8 feet on the westerly line to a dead line in the rear upon which it measures 132.7 feet thereon.
>
> Said westerly of Lot No. 21 fronts 40 feet on the northerly side of

Connor Drive and runs back between lines 424.8 feet on the westerly line and 453 feet more or less on the easterly line to a dead line in the rear upon which it measures 70.085 feet thereon.

Being the same property conveyed to Jacob S. Husari by deed from Nelle Fryer Liggett, dated November 14, 2002, of record in Instrument No. 20021115-0141793, Register's Office of Davidson County, Tennessee.

9. It is **ORDERED, ADJUDGED AND DECREED** that Mr. Husari, in order to purchase Ms. Husari's interest in the real property located at 114 Conner Drive, Goodlettsville, Tennessee, shall pay to Ms. Husari the following amounts on the following dates and such shall be payable as a division of property and not alimony. It is **ORDERED, ADJUDGED AND DECREED** that Jacob Husari shall pay to Tammy Husari by 4:00 p.m. on January 26, 2006, the amount of $16,000.00. It is **ORDERED, ADJUDGED AND DECREED** that all payments shall be by cashiers' check payable to Ms. Husari. It further is **ORDERED, ADJUDGED AND DECREED** that this amount must be Ms. Husari's hands by 4:00 p.m. this date, January 26, 2006.

10. It is **ORDERED, ADJUDGED AND DECREED** that Mr. Husari shall $10,000.00 to Ms. Husari by 4:00 p.m. on March 15, 2006, by certified funds.

11. It is **ORDERED, ADJUDGED AND DECREED** that Mr. Husari shall pay to Ms. Husari by March 31, 2006, by 4:00 p.m. the amount of $5,000.00 by certified funds.

12. It is **ORDERED, ADJUDGED AND DECREED** that Mr. Husari shall pay to Ms. Husari the amount of $4,000.00 by May 1, 2006, at 4:00 p.m. in certified funds, for a total payment to Ms. Tammy Husari of $35,000.00. However, $5,000.00 of this amount represents the payment to counsel for the $5,000.00 attorney fee awarded by this Court in the Final Decree of Divorce.

13. It is **ORDERED, ADJUDGED AND DECREED** that in the event a Quitclaim Deed

is necessary to be signed by Ms. Husari, she is ordered to sign the same.

14. It is **ORDERED** that Tammy Husari shall retain a lien on the above-referenced property located at 114 Conner Drive, Goodlettsville, Tennessee pending payment of the total amounts due her under this Order.

15. It is **ORDERED, ADJUDGED AND DECREED** that the personal property to be delivered to Ms. Husari pursuant to Trial Exhibit No. 10, shall be delivered in proper working order and proper appearance, ordinary wear and tear excepted on Saturday, January 28, 2006.

16. It is further **ORDERED, ADJUDGED AND DECREED** that the Final Decree of Divorce is amended to reflect that child support shall be paid by Mr. Husari to Ms. Husari on the 1st and 15th of each and every month, beginning February 1, 2006 and shall be paid through Central Child Support Receipting Unit, whose address is P. O. Box 305200, Nashville, TN 37229. Central Child Support Receipting Unit, after receipt of same, shall mail the child support payments to Mother at her address of 17113 Monthaven Park Place, Hendersonville, TN 37075. However, this does not relieve Mr. Husari of the January 2006 child support payment which as of this date has not been paid. The Court **ORDERS** that Mr. Husari's January 2006 payment shall be in a lump sum as previously ordered by the Final Decree in the amount of $1,070.00.

17. The Court further finds that counsel for Ms. Husari is entitled to an attorney's fee in this matter. The Court, after a review of the request for attorney's fees and expenses, finds and orders as follows: It is, therefore, **ORDERED, ADJUDGED AND DECREED** that Jacob Husari is **ORDERED** to pay to D. Scott Parsley the amount of $ 3384.00 as reasonable attorney's fees, which amount is reduced to judgment for which let execution issue, if necessary.

18. It is further **ORDERED, ADJUDGED AND DECREED** that the costs of this cause

are assessed to Jacob Salim Husari, 114 Connor Drive, Goodlettsville, Tennessee 37070, which amount is reduced to judgent, for which let execution issue, if necessary.

Enter this 2nd day of Feb, 2006.

**MURIEL ROBINSON, JUDGE**

APPROVED FOR ENTRY:

**D. SCOTT PARSLEY, #13606**
BARRETT, JOHNSTON & PARSLEY
217 Second Avenue, North
Nashville, Tennessee 37201
(615) 244-2202
(615) 244-4345 (fax)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing document has been served on the Honorable Lance Mayes, 33 Music Square West, Suite 100-B, Nashville, TN 37203, by placing same in the U. S. Mail, postage prepaid, on this 30 day of Jan, 2006.

**D. SCOTT PARSLEY**

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
2006 JAN 31 PM 2:14
RICHARD R. ROOKER, CLERK
D.C.

TAMMY RENAE HUSARI

2006 FEB -2 PM 4:50
RICHARD R. ROOKER, CLERK
D.C.

v. No. 03D-2700

JACOB SALIM HUSARI

**AFFIDAVIT OF D. SCOTT PARSLEY**

**STATE OF TENNESSEE )**
**COUNTY OF DAVIDSON )**

Comes now D. Scott Parsley, after being duly sworn according to law, states as follows:

1. I am an attorney duly licensed to practice law in the State of Tennessee.

2. I have served as the attorney for Tammy Renae Husari in this matter since September 9, 2005.

3. I have spent time in conferences with clients and opposing counsel, document preparation and court appearances.

4. My customary billing rate for such matters is $250.00 per hour. Attached to this Affidavit is a true and accurate print-out of all legal services and expenses in the above-styled matter.

5. I request a fee plus expenses in the amount of $3,384.00.

6. Further Affiant saith not.

**D. SCOTT PARSLEY, #13606**
BARRETT, JOHNSTON & PARSLEY
217 Second Avenue North
Nashville, TN 37201
615-244-2202

Sworn to and subscribed before me
this 30th day of Jan., 2006.

Carolyn Sizemore
NOTARY PUBLIC

My Commission Expires: 8-18-08

CAROLYN SIZEMORE
NOTARY PUBLIC AT LARGE
DICKSON COUNTY, TENN.

D. SCOTT PARSLEY

BARRETT, JOHNSTON & PARSLEY
217 SECOND AVENUE NORTH
NASHVILLE, TN 37201
615-244-2202

# Statement

FILED
2006 JAN 31 PM 2:15
RICHARD R. ROOKER, CLERK
D.C.

| Date |
|---|
| 2/2/2006 |

Bill To

Tammy Husari
17113 Monthaven Park Place
Hendersonville, TN 37075

| Due Date | Amount Due |
|---|---|
| 2/2/2006 | $3,384.00 |

| Date | Description | Hours | Rate | Amount |
|---|---|---|---|---|
| 09/08/2005 | Balance forward | | | 0.00 |
| 09/09/2005 | Contempt.September.05- Review correspondence from client; call to Mr. Mayes, leave message; call to client; dictate draft of contempt | 1.5 | 250.00 | 375.00 |
| 09/12/2005 | Corrections to petition | 0.5 | 250.00 | 125.00 |
| 09/15/2005 | Filing Fee | 1 | 57.00 | 57.00 |
| 09/15/2005 | Corrections to petition for contempt; call to client | 0.3 | 250.00 | 75.00 |
| 01/12/2006 | Court; case continued | 3.5 | 250.00 | 875.00 |
| 01/26/2006 | Trial; preparation of Order | 3 | 250.00 | 750.00 |
| 01/27/2006 | Trip to marital residence per Judge Norman re: personal property | 3 | 250.00 | 750.00 |
| 01/30/2006 | Lea Anne Bailey, Court Reporter, court appearance and excerpt of proceedings | 1 | 127.00 | 127.00 |
| 02/02/2006 | Court for second review (Estimated) | 1 | 250.00 | 250.00 |

| Current | 1-30 Days Past Due | 31-60 Days Past Due | 61-90 Days Past Due | Over 90 Days Past Due | Amount Due |
|---|---|---|---|---|---|
| 250.00 | 2,502.00 | 0.00 | 0.00 | 632.00 | $3,384.00 |

**STATE OF TENNESSEE**

I, **RICHARD R. ROOKER,** Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the FOURTH Circuit Court for Davidson County, Tennessee, on the 02 day of FEBRUARY , 2006 , in the Case Number 03D2700 between HUSARI, TAMMY RENAE Plaintiff, and HUSARI, JACOB SALIM Defendant, as same remains of record in Vol. 6262 , Page 2183208 of the Minutes of said Court.

**IN TESTIMONY WHEREOF,** I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 14 day of FEBRUARY in the year two thousand six and in the 229th year of American Independence.

**RICHARD R. ROOKER,** Clerk,

By _____ Deputy Clerk

SEAL

