

IN THE COURT OF APPEALS OF TENNESSEE  
AT KNOXVILLE  
August 13, 2007 Session

**RONDAL AKERS ET AL. v. BUCKNER-RUSH ENTERPRISES, INC. ET AL.**

**Appeal from the Circuit Court for Bradley County  
Nos. V-02-0620, V-02-623, and V-02-624 W. Neil Thomas, III, Judge**

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**No. E2006-01513-COA-R3-CV Filed November 21, 2007**

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CHARLES D. SUSANO, JR., J., concurring in part and dissenting in part.

For the reasons stated in my separate opinion, concurring in part and dissenting in part, in the case of *Robert H. Crawford, Sr. et al. v. J. Avery Bryan Funeral Home, Inc. et al.*, No. E2006-00987-COA-R3-CV (Tenn. Ct. App. E.S., filed November 21, 2007), I respectfully dissent from so much of the majority opinion as affirms the dismissal of the complaints filed by Rondal D. Akers, Jr., Lucinda Akers, Donna Burns, Susan Hall, Doyle Harden, Ricky Harden, Sandra Fogle, Mollie C. Denton, and Elaine Waldron, against the individuals and entities directly associated with the operation of Tri-State Crematory, as to the claims in those complaints alleging outrageous conduct/infliction of emotional distress. In all other respects, I concur in the majority opinion.

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CHARLES D. SUSANO, JR., JUDGE