

SUPREME COURT OF TENNESSEE
 SUPREME COURT DISCRETIONARY APPEALS
Grants & Denials List

Monday, December 7, 2009

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Julie A. Bellamy v. Cracker Barrel Old Country Store, Inc., et al M2008-00294-SC-R11-CV	Wilson County Chancery Court Chancellor C. K. Smith No. 06145	Highers, J., Reversed and Remanded	Rule 11	Granted by Order and Opinion - Application of Cracker Barrel Old Country Store, Inc. and Paul Ludovissie; (Remanded to Court of Appeals); (Holder, C.J., filed separate dissenting opinion) (Order attached hereto)
<u>Knoxville</u>				
NONE				
<u>Jackson</u>				
NONE				

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DENIALS

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<u>Nashville</u>				
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NONE				

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

JULIE A. BELLAMY v. CRACKER BARREL OLD COUNTRY STORE, INC. ET AL.

**Appeal by Permission from the Court of Appeals, Middle Section
Chancery Court for Wilson County
No. 06145 Charles K. Smith, Chancellor**

No. M2008-00294-SC-R11-CV

ORDER

This cause was heard upon the record on appeal from the trial court and the application of Cracker Barrel Old Country Store, Inc. and Paul Ludovissie for permission to appeal and the answer of Julie A. Bellamy. Upon consideration thereof, this Court is of the opinion that the Court of Appeals' judgment should be vacated and the case remanded to the Court of Appeals with directions to order the Chancery Court to resolve the conflicts in the parties' statements of the proceedings and to certify and transmit a proper supplemental record to the Court of Appeals for resolution of the issues. See Tenn. R. App. P. 24(e).

In accordance with the opinion filed herein, it is therefore ORDERED that the judgment of the Court of Appeals is vacated, and the case is remanded to the Court of Appeals. It is further ORDERED that the Court of Appeals is ordered to enter an order directing the trial court to resolve the conflicts in the parties' statements of the proceedings and to certify and transmit a proper supplemental record to the Court of Appeals for resolution of the issues. Costs of this application for permission to appeal to this Court are taxed in equal portions between the parties and their respective sureties to be assessed and collected by the Clerk of this Court when this appeal becomes final.