


SO ORDERED.
SIGNED 30th day of December, 2025



THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.


Randal S. Mashburn
Chief U.S. Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re:

HIAWATHA MANOR ASSOCIATION, INC.,

Debtor.

Chapter 11

Case No. 25-01916

Hon. Randal S. Mashburn

HIAWATHA MANOR ASSOCIATION, INC.,

Plaintiff,

v.

CHARLES H. ABERNATHY, *et al.*,

Defendants.

Adv. Pro. 2:25-ap-90051

ORDER CONTINUING PRETRIAL CONFERENCE

This matter came before the Court for a status conference on December 30, 2025, which was conducted in conjunction with a status conference in a related adversary proceeding, Case No. 2:25-ap-90052. Blake Roth appeared on behalf of the Debtor; Rebecca Yielding appeared on behalf of the U.S. Trustee; Tom Forrester appeared on behalf of Lake Tansi Village Property Owners Association, Inc.; and Marc Buchman appeared on behalf of Hiawatha Manor West Association, LLC. The adversary proceedings have a direct impact on the Debtor's motion in the main bankruptcy case for approval of bidding procedures and sale of the properties of Hiawatha Manor East and Hiawatha Manor West (Case No. 2:25-bk-01916, Doc. No. 110). Therefore, the Court also discussed with counsel certain scheduling issues involving the sale-related motion to the extent it affects the timing of a resolution of the adversary proceedings.

After discussion with counsel, the Court determined that a continuance of the status conference in the adversary proceedings is necessary and appropriate to coincide with the hearing on the Debtor's sale-related motion currently scheduled on January 20, 2026. Debtor's counsel represented that he anticipates filing motions for summary judgment in each adversary proceeding prior to January 20, 2026, so that they can be scheduled to be heard with any final sale hearing (currently proposed to be in mid-March).

Accordingly, it is ORDERED as follows:

1. The pretrial conference in this adversary proceeding is hereby continued to **Tuesday, January 20, 2026, at 9:30 a.m.** in Courtroom 1, Customs House, 701 Broadway, Nashville, TN 37203. It is anticipated that the Court will use the conference to set appropriate response deadlines and a hearing date for the anticipated motions for summary judgment to be filed by the Debtor.

2. Appearances at the continued pretrial conference may be in-person or virtual. Defendants in the adversary proceedings who do not have counsel have the option of appearing either by video or telephonically. Counsel and other participants should appear by Zoom video if they are not appearing in person. (This pretrial conference is being scheduled at the same time as the sale-related motion hearing in the main bankruptcy case that will likely necessitate in-person appearances by certain counsel and other participants.) See the attached instructions for more details.

3. Counsel for Plaintiff shall serve a copy of this Order on all Defendants who have appeared at prior pretrial and status conferences to the extent counsel has adequate information to do so. Likewise, counsel shall, to the extent reasonably possible, serve a copy of the Order on any other Defendants who have made contact with the Plaintiff or its counsel expressing an interest in this litigation or the underlying bankruptcy, regardless of whether a formal appearance has been made or a responsive pleading has been filed.

4. Counsel for Plaintiff shall post a copy of this Order on any websites established for Hiawatha Manor East and Hiawatha Manor West in a manner that would be reasonably accessible to the Defendants.

IT IS SO ORDERED.

Instructions for Virtual Participation In Continued Pretrial Conference

1. Advance registration is required for participation via Zoom video or audio, as well as telephonic call-in access.
2. To register, first access the following link:
<https://www.tnmb.uscourts.gov/register-virtual-link>
3. Click on the registration button for **Courtroom One, Judge Mashburn CH 7/11 Docket.**
4. This will take you to the external registration site displayed as Zoom for Government. Choose the appropriate meeting date, which will be **January 20, 2026, 9:30 AM.**
5. A form will open that requires your name, email address, and case number. (For Defendants who are time share owners, it will be either adversary proceeding number 25-90051 or 25-90052.) When asked to select a reason for your request to appear virtually, you may select “Other Reason allowing virtual appearance...” Finally, you must certify “Yes” that you have a matter set for hearing. Once registered, you will receive an email with the zoom access information – a link for Zoom video or audio access from a computer or mobile device, a call-in number for persons participating by phone, and a meeting ID number.
6. Participants are encouraged to register at least one day before the hearing date.

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