



SO ORDERED.
SIGNED 1st day of October, 2025

Randal S. Mashburn
Chief U.S. Bankruptcy Judge

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

**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 pretrial conference on September 30, 2025, which was conducted in conjunction with a pretrial conference in a related adversary proceeding, Case No. 2:25-ap-90052. Appearing in person were Scott Kunde for the Debtor/Plaintiff and Rebecca Yielding for the U.S. Trustee. Michael Collins appeared by Zoom video for Hiawatha Manor West Association. In addition, several Defendants appeared virtually by Zoom video or audio.¹

¹ The Defendants that appeared at the pretrial conferences have been identified as the following: Carolyn Pomeroy; Mark Pomeroy; James D. Foster; Linda & Joseph Stewart; John C. & Janis F. Webb; Barbara J. Huccaby; Jack Emory Cannon; Vanessa Ellen Kennedy; and Toby Patton. (These names are based on statements during the conference or names reflected on the Zoom participant list, with no attempt to determine if they vary in any way from the individuals identified in the Plaintiff's pleadings. Likewise, the parties identified could be involved with either of the two adversary proceedings referenced herein.

After discussion with the parties and counsel, the Court determined that a continuance of the pretrial conference was necessary and appropriate.

Accordingly, it is ORDERED that the pretrial conference in this adversary proceeding is hereby continued to **Monday, October 20, 2025**, at **1:30 p.m.** in Courtroom 1, Customs House, 701 Broadway, Nashville, TN 37203. Appearances at the continued pretrial conference may be in-person or virtual pursuant to the attached instructions. In addition:

1. Counsel for Plaintiff shall serve a copy of this Order on all Defendants who appeared at the September 30, 2025, pretrial conference. 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.

2. 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 PARTICIPATING
IN PRETRIAL CONFERENCE ON SEPTEMBER 30, 2025**

A continued pretrial conference has been set for 1:30 p.m. (Central Time) on September 30, 2025. Because of the number of defendants in this adversary proceeding, the Court is allowing several options for parties to attend. Counsel for the Plaintiff is expected to appear in person. Defendants or attorneys for Defendants may participate in one of the following three ways:

In Person:

Courtroom 1, Customs House, 701 Broadway, Nashville, TN 37203

Zoom Video:

Zoom Link: <https://www.zoomgov.com/j/1613863672>

Meeting ID: 161 386 3672

Telephonic Call-In:

US Toll-Free 833 568 8864

Meeting ID: 161 386 3672