

FILED

IN THE CHANCERY COURT OF THE STATE OF TENNESSEE  
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

2017 APR 19 AM 9:09  
CLERK & MASTER  
DAVIDSON CO. CHANCERY CT.  
D.G. & M.

MARIE MURPHY, Special Deputy  
Commissioner of the Department of  
Commerce and Insurance for the State  
of Tennessee,

Petitioner,

v.

SMART DATA SOLUTIONS, LLC,  
a Tennessee limited liability company,  
SMART DATA SOLUTIONS, LLC,  
a Tennessee limited liability company,  
AMERICAN TRADE ASSOCIATION,  
INC., an Indiana nonprofit corporation with  
its principal place of business in Tennessee,  
AMERICAN TRADE ASSOCIATION,  
LLC, an Arkansas limited liability company,  
SERVE AMERICA ASSURANCE,  
a corporation with an unknown location,  
BART S. POSEY, SR., an individual,  
ANGIE POSEY, an individual,  
OBED W. KIRKPATRICK, SR.,  
an individual,  
LINDA KIRKPATRICK, an individual,  
WILLIAM M. WORTHY, II, an individual,  
COLIN YUELL, an individual,

Respondents.

No. 10-507-III

Plaintiff's Claim for Damages  
against William M. Worthy, II,  
Caroline H. Worthy, Southeast  
Insurance Advisors, LLC, and  
Nationwide Administrators, LLC

**PETITIONER'S MOTION FOR JUDGMENT BY DEFAULT AGAINST DEFENDANTS  
CAROLINE H. WORTHY, SOUTHEAST INSURANCE ADVISORS, LLC, AND  
NATIONWIDE ADMINISTRATORS, LLC**

Comes the Petitioner, Marie Murphy, Special Deputy Commissioner of the Department of Commerce and Insurance for the State of Tennessee, in her official capacity as statutory Liquidator ("the Liquidator") of the businesses comprised of and known by the names: American Trade Association, Inc. ("ATA"), American Trade Association, LLC ("ATALLC"), (hereinafter ATA and ATALLC are collectively "the ATA entities"); Smart Data Solutions, LLC

("SDS"), and Serve America Assurance ("SAA"), pursuant to Rule 55, Tenn. R. Civ. P., and moves for judgment by default, jointly and severally in the amount of \$2,009,253.82, against Defendants Caroline H. Worthy, Southeast Insurance Advisors, LLC, and Nationwide Administrators, LLC.

Petitioner would show that the Liquidator's Petition to Recover Damages from the Defendants was filed September 30, 2010. Service on Caroline H. Worthy was attempted at her last know address, 44 Morgan Place Drive, Isle of Palms, SC 29451. Service was refused. Service on Nationwide Administrators, LLC, was attempted on William M. Worthy, II, its principal, at his last known address, 44 Morgan Place Drive, Isle of Palms, SC 29451. Service was refused. Service on Southeast Insurance Advisors, LLC, was made October 18, 2010.

None of the Defendants have filed an answer or responsive pleading. More than thirty (30) days have passed since the Petition was served or service was refused.

A Default Judgment Certificate is filed with this motion.



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Special Counsel for Marie Murphy,  
Special Deputy Commissioner, in her  
Official Capacity as Statutory Liquidator

**NOTICE OF HEARING**

**This Petitioner's Motion for Judgment by Default against Defendants Caroline H. Worthy, Southeast Insurance Advisors, LLC, and Nationwide Administrators, LLC, will be heard at 9:00 a.m. On Friday, April 29, 2011, by the Honorable Ellen Hobbs Lyle, Chancellor, Chancery Court III, Davidson County Courthouse, 1 Public Square, Nashville, TN 37201.**

**If no response is timely filed by the end of business on Monday, April 25, 2011, and personally served, the motion shall be granted and counsel need not appear in Court at the time and date scheduled for the hearing.**

**CERTIFICATE OF SERVICE**

As is evidenced by my signature below, I certify that a true and exact copy of the foregoing document has been forwarded by United States Mail, first class, with sufficient postage, on this the 14<sup>th</sup> day of April, 2011 and by e-mail, to the following parties:

Caroline H. Worthy  
44 Morgan Place Drive  
Isle of Palms, SC 29451

Nationwide Administrators, LLC c/o  
William M. Worthy, II  
44 Morgan Place Drive  
Isle of Palms, SC 29451

Southeast Insurance Advisors, LLC c/o  
Agents and Corporations, Inc.  
1201 Orange Street, Suite 600  
One Commerce Center  
Wilmington, DE 19801

John L. Norris  
Norris & Norris PLC  
424 Church St Ste 1300  
Nashville, TN 37219-3310

Attorney for William M. Worthy, II

  
Robert M. Garfinkle