

**IN PART IV OF THE CHANCERY COURT FOR THE  
TWENTIETH JUDICIAL DISTRICT OF TENNESSEE,  
AT NASHVILLE**

**GENASH LLC,**

**Plaintiff,**

*vs.*

**ROSE LEGACY, LLC,**

**Defendant.**

**Case No. 20-1295-IV**

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**ROSE LEGACY, LLC,**

**Counterclaimant,**

*vs.*

**GENASH LLC,**

**Counter-Defendant.**

**JURY DEMANDED**

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**ORDER ON ROSE LEGACY LLC'S MOTION TO VOID JUDGMENT LIEN**

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This matter came before the Court on February 5, 2024, for a hearing on Rose Legacy LLC's ("Rose Legacy") motion to void GENash LLC's ("GENash") judgment lien recorded November 1, 2023. Based on the motion, the parties' memoranda and supporting declarations, arguments of counsel, and the entire record in this case, the Court ORDERS as follows:

1. Rose Legacy's motion to void the judgment lien is DENIED because GENash's judgment lien was not premature and did not violate the automatic stay because the filing of a judgment lien is not an act of enforcement;

2. Because the Court does not find that there is any enforcement, the Courts cannot grant Rose Legacy's alternative motion to remove the lien pursuant to Rule 62 at this time and therefore DENIES that motion without prejudice;

3. If Rose Legacy files a timely notice of appeal from the judgment, and at or after the time of filing the notice of appeal, posts an appeal bond equal to 125 percent of the amount of the final judgment, the Court will approve an appeal bond equal to 125% of the amount of the judgment;

4. The Court reserves for a further hearing on February 7, 2024, at 9 a.m. whether the judgment lien should be removed under Rule 62.05(3) if Rose Legacy appeals and posts an appeal bond;

5. The parties may submit additional memorandum in advance of the hearing by February 6, 2024, at 3 p.m.

*s/ Russell T. Perkins*

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Russell T. Perkins, Chancellor

APPROVED AS TO FORM:

/s/ W. Justin Adams

W. Justin Adams (TNBPR 022433)

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the forgoing was served on February 6, 2024 via email pursuant to Tenn. R. Civ. P. 5.02 on the following:

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