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FILED
Date 7-14-2026 at 8:45 AM PM
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: _____ JP

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1. FGH has filed a Verified Complaint against Zurich Homes alleging, *inter alia*, breaches of the Amended and Restated Declaration of Covenants and Restrictions for Fairfield Glade, recorded in the Cumberland County Register of Deeds at Book 1006, Page 1986, *et seq.*, (“C&Rs”) which governs the development and management of the Fairfield Glade residential development located in Cumberland County, Tennessee. The C&Rs are clear that FGH, as the Declarant, possesses sole authority to determine when and how roads within Fairfield Glade are

developed. No road construction, extension, or improvement can take place by a non-Declarant without FGH's express consent. Zurich Homes commenced road work on Hanover Court, a Common Area of Fairfield Glade, without requesting or receiving FGH's consent to undertake any road construction, extension, or improvement work on Hanover Court or anywhere else within Fairfield Glade.

2. The Verified Complaint seeks injunctive relief to prevent immediate and irreparable harm to FGH during the pendency of this action, a declaratory judgment that Zurich Homes is violating the C&Rs, and compensatory and punitive damages.

3. As set forth further in the Verified Complaint, FGH owns Declarant rights in Fairfield Glade, which include the commercial development rights related to 1,600+ acres of undeveloped land within Fairfield Glade. FGH is actively developing this land. This development includes, but is not limited to, installation of infrastructure and future development phases.

4. FGH's Verified Complaint alleges that on June 30, 2026, FGH became aware that Zurich Homes was attempting to perform road work at Hanover Court. FGH has been irreparably injured by Zurich Homes' wrongful conduct, which Zurich Homes has affirmatively stated it will continue to do absent an injunction. If this conduct is not restrained, it will cause additional injury to FGH that cannot adequately be compensated by monetary damages.

5. The Verified Complaint alleges that the harm caused by Zurich Homes' unauthorized development of Hanover Court is not isolated. Unauthorized road construction such as that being undertaken by Zurich Homes in derogation of Declarant rights irreparably hinders development sequencing, infrastructure planning, extension of utilities, lot values, and future phases in Fairfield Glade. In other words, permitting a minority lot owner to dictate the

development of Fairfield Glade interferes with the overall goal of efficient development by the Declarant

6. Plaintiff respectfully requests entry of a temporary order restraining Zurich Homes and its owners, employees, agents, representatives, and/or anyone acting in concert with it from taking any further action within the Fairfield Glade residential development related to road construction, extension, or improvement. This request is targeted to restrain unlawful activity and prevent further likely immediate harm to FGH, as further detailed in the Verified Complaint.

7. By this application, FGH seeks entry of a restraining order that would remain in effect until a hearing could be held on its Motion for Temporary Injunction. The proposed restraining order, which includes a space for the Court to set a hearing date and address the issue of the appropriate bond, is attached as Exhibit A to this application.

8. Plaintiff respectfully requests that the Court hear this Application, consider the Verified Complaint in accordance with Rule 65.03, and issue a temporary restraining order restraining the same activity requested above, as well as additional relief as may be requested by Plaintiff herein or at the hearing, or which the Court determines appropriate under the circumstances.

9. In support of the requested relief, Plaintiff relies on the Verified Complaint and Memorandum of Law in Support of Plaintiff's Motion for Temporary Injunction, which is incorporated by reference as if fully restated in this Application.

10. As demonstrated in the Verified Complaint, there is a substantial likelihood that Plaintiff will succeed on the merits of one or more of the claims set forth therein. Moreover, the requested relief will advance and fulfill the public interest as is more fully set forth in the Verified Complaint and the Memorandum incorporated herein.

11. FGH is prepared to post an appropriate bond; however, FGH requests that bond be waived given that it does not seek to restrain Zurich Homes from exercising any legitimate activity, but merely enjoin Zurich Homes and its owners, employees, agents, representatives, and/or anyone acting in concert with it from taking any further action within the Fairfield Glade residential development related to road construction, extension, or improvement, as the C&Rs make clear that FGH, as Declarant, possesses sole authority over when and how all roads within Fairfield Glade are developed.

12. In consultation with the Court's judicial assistant, the Court has represented that its soonest availability to hear Plaintiff's request for a temporary restraining order is July 14, 2026. Contemporaneous with filing this Motion, Plaintiff is filing and serving a Notice of Hearing stating that Plaintiff's Application for Temporary Restraining Order will be heard on or about 10:00 a.m. Central at the Chancery Courtroom, Putnam County, Tennessee, 421 E. Spring St., Suite 1C38, Cookeville, TN 38501 in front of the Honorable Chancellor Ronald Thurman.

13. Plaintiff has provided notice to Zurich Homes, through counsel Joshua R. Denton, Esq., of the hearing on the Application via email to jdenton@dentonaustin.com. Plaintiff has also provided prior notice of the hearing to co-Defendant Fairfield Glade Community Club via email to its counsel, Kenneth M. Chadwell, Esq., at kmchadwell@looneychadwell.com. Undersigned counsel has successfully communicated with these parties, through counsel, via email as recently as last week.

14. This is Plaintiff's first motion for a temporary restraining order.

WHEREFORE, Plaintiff requests that this Court:

A. Hear this Application on July 14, 2026, and thereafter enter an order temporarily restraining Zurich Homes and its owners, employees, agents, representatives, and/or anyone acting

in concert with it from taking any further action within the Fairfield Glade residential development related to road construction, extension, or improvement;

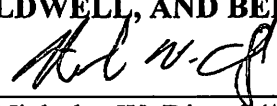
B. That the Court award any further injunctive relief as may be necessary, to remain in effect until Plaintiff's claims can be heard and finally adjudicated in a trial on the merits; and

C. Award any further relief as the Court deems proper.

This 14th day of July, 2026.

Respectfully submitted,

**BAKER, DONELSON, BEARMAN,
CALDWELL, AND BERKOWITZ**

By: 

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CERTIFICATE OF SERVICE

I hereby certify that today a copy of the foregoing was filed with the Court, emailed to Defendants or their counsel and/or registered agent listed below, and mailed to Defendants' last known address via first class mail, postage prepaid. Plaintiff will also take further steps to effect service on Defendants:

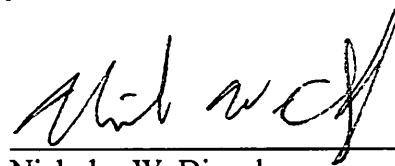
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kmchadwell@looneychadwell.com

Counsel for Fairfield Glade Community Club

This 14th day of July, 2026.



Nicholas W. Diegel

EXHIBIT A

FILED
Date 7-14, 2026 at 8:45 AM/PM
Entered _____
BEN TOLLETT, CLERK & MASTER
Cumberland County, Crossville, TN
By: _____ JP

IN THE CHANCERY COURT FOR CUMBERLAND COUNTY, TENNESSEE

FGH LAND TENNESSEE, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.
	)	
	)	
ZURICH HOMES, INC., and	)	
FAIRFIELD GLADE COMMUNITY	)	
CLUB,	)	
	)	
Defendants.	)	

RESTRAINING ORDER

The Court GRANTS Plaintiff FGH Land Tennessee, LLC's ("Plaintiff") request for a temporary restraining order against Defendant Zurich Homes, Inc. ("Zurich Homes"). Counsel for Plaintiff has represented to the Court that prior notice of the hearing on the application for this temporary restraining order was provided to counsel for the Defendants via electronic mail noting a hearing date of July 14, 2026 at 10:00 a.m. in the Chancery Court for Putnam County, Tennessee, and that Plaintiff's counsel has successfully communicated with these attorneys as recently as last week concerning this matter. The Court finds that Plaintiff gave Zurich Homes notice that it was seeking a temporary restraining order. This cause came to be heard this day.

It appears from Plaintiff's Verified Complaint and the record that the rights of Plaintiff as Declarant under the Amended and Restated Declaration of Covenants and Restrictions for Fairfield Glade, recorded in the Cumberland County Register of Deeds at Book 1006, Page 1986, are being violated by Zurich Homes. The Court concludes that Plaintiff has presented specific facts in the Verified Complaint that show, pursuant to Tenn. R. Civ. P. 65.03, that Plaintiff will suffer

“immediate and irreparable injury, loss, or damage” before Plaintiff’s request for a temporary injunction can be heard.

Therefore, IT IS ORDERED that, upon service of this restraining order on Zurich Homes, Zurich Homes and its owners, employees, agents, representatives, and/or anyone acting in concert with it with actual or constructive knowledge of this Order are RESTRAINED, pursuant to Tenn. R. Civ. P. 65.03, taking any further action within the Fairfield Glade residential development related to road work, including road construction, extension, or improvement.

It is also ORDERED, *as indicated below*, that:

- o _____ the need for a bond is waived given that Plaintiff does not seek to enjoin Zurich Homes from exercising any legitimate activity, but merely seeks to enjoin Zurich Homes from: (1) continuing to violate the Amended and Restated Declaration of Covenants and Restrictions for Fairfield Glade, recorded in the Cumberland County Register of Deeds at Book 1006, Page 1986, *et seq.*, (“C&Rs”) which governs the development and management of the Fairfield Glade residential development and specify that Plaintiff has the sole authority to determine when and how roads within Fairfield Glade should be developed; and (2) taking steps designed to harm Plaintiff during the pendency of this action; thus, Zurich Homes are unlikely to incur or suffer costs and damages as a result of the requested restraining order; or, *alternatively*
- o _____ this order is conditioned on Plaintiff filing a bond in the sum of _____ dollars from which any party that is wrongfully restrained may recover its costs and damages.

It is further ORDERED that this restraining order shall remain in effect until the Court has made a ruling, after a hearing, on Plaintiff’s Motion for Temporary Injunction.

The Court hereby sets Plaintiff's request for a temporary injunction to be heard on

_____, at _____.

Zurich Homes and Fairfield Glade Community Club may file a response and countervailing affidavits and evidentiary material on or before _____.

Plaintiff may file a reply memorandum on or before _____.

The Court directs the parties to serve courtesy copies on opposing counsel of any filings pertaining to Plaintiff's request for a temporary injunction by hand-delivery or e-mail.

IT IS SO ORDERED

Issued this ____ day of _____, 2026, at _____.

Chancellor

Date Issued _____ Benjamin Tollett, Clerk and Master

Deputy Clerk

Received this ____ day of _____, 2026.

Process Server

RETURN ON SERVICE OF RESTRAINING ORDER

I hereby certify and return that on the ____ day of _____, 202____, I served
a true copy of this restraining order upon Defendant Zurich Homes, Inc., Restrainee, as follows:

Process Server