



News Release

Attorney General Robert E. Cooper, Jr.

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COURT ISSUES ORDER TO STOP UNLAWFUL CONDUCT AND FREEZE ASSETS OF INDIVIDUALS OPERATING NASHVILLE TOMBSTONE COMPANIES

Davidson County Circuit Court Judge Barbara Haynes has granted the State's request for a temporary injunction and asset freeze against two individuals who allegedly took orders for tombstones and grave markers but failed to deliver or were late delivering the goods.

The Attorney General's Office filed suit on behalf of Mary Clement, the Director of the Division of Consumer Affairs, on Aug. 10 against Marcus Donnell Jones, the owner of two Nashville operations, Jones Memorial and Half Off Stones, and Wayne Monk, owner of Monk Memorials and former employee of Jones Memorials and Half Off Stones. The State alleges they violated the Tennessee Consumer Protection Act by failing to deliver or timely deliver the goods after accepting orders in person and via websites from consumers from across the country.

"I am pleased with the court's ruling," Attorney General Bob Cooper said today following the hearing. "This order will provide some important initial protections to prevent other consumers from ending up in the same situation as many of the victims of this case."

The Court issued its order after the defendants failed to appear at today's hearing. The order prohibits the defendants from offering goods or services or accepting orders unless they have the financial ability to deliver the goods in a timely fashion and as represented to the consumer.

The order additionally provides protections for consumers by requiring that if defendants are unable to deliver goods within the delivery date stated they must notify consumers in writing and give them the option to cancel and receive a full refund within ten business days of a consumer's request.

The defendants are also required to provide a court ordered accounting of all assets in their possession relating to their sale of tombstones, grave markers and any investment opportunity.

Judge Haynes also issued an asset freeze which prohibits the defendants from using any assets. On future orders, the defendants will be required to place at least 25 percent of any proceeds from any continued sales of tombstones or grave markers into a court-held account.

Mary Clement said, "I would encourage anyone who has a problem with these businesses or any other business to file a complaint with the Division of Consumer Affairs."

Consumers can contact the Division of Consumer Affairs by calling 1-800-342-8385 (toll-free inside Tennessee) or (615) 741-4737. You can also file a complaint online at <http://tn.gov/consumer/consCompFrm.shtml>.

For more information on this lawsuit, please visit the Tennessee Attorney General website at <http://www.tn.gov/attorneygeneral/> then click on Office Information and Cases of Interest <http://www.tn.gov/attorneygeneral/info.htm> to the Jones cases.