

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

JANE DOE; CHRISSY MILLER;

Plaintiffs,

v.

TENNESSEE DEPARTMENT OF
SAFETY AND HOMELAND
SECURITY; JEFF LONG, in his official
capacity as the Commissioner of
Tennessee's Department of Safety and
Homeland Security; and MICHAEL
HOGAN, in his official capacity as the
Assistant Commissioner of the Driver
Services Division for Tennessee's
Department of Safety and Homeland
Security,

Defendants.

Case No. 24-0503-III
Chancellor Myles

CHANCELLOR'S ORDER STAYING CASE

This matter came before the Court on Defendants' Motion to Dismiss, Defendants' Supplemental Motion to Dismiss, the parties' responses and replies, and oral argument of the parties. Defendants seek dismissal of all three counts of Plaintiffs' Second Amended Complaint on multiple grounds, including because Plaintiffs have failed to exhaust their remedies as required by Tenn. Code Ann. § 4-5-225.

In light of the filings and arguments of the parties, the Court hereby **ORDERS**:

1. This case is stayed for 60 days, until November 12, 2024, to allow Plaintiffs to attempt to exhaust their administrative remedies and the Defendant to respond to Plaintiffs attempts, if any.

2. If Plaintiffs wish to request a declaratory order from the Department of Safety and Homeland Security, they must do so no later than September 20, 2024. Plaintiffs shall file any request made as an exhibit to a notice of filing in this case.

3. The UAPA provides the Department with 60 days after receipt of a petition for declaratory order to respond to the petition. Tenn. Code Ann. § 4-5-223(c). Notwithstanding that statutory period, the Court encourages the Department to respond expeditiously to any request made by Plaintiffs.

4. Should the Defendant respond to Plaintiffs' actions sooner than the statutory sixty (60) days or if Plaintiffs fail to exhaust their administrative remedies as set forth in this Order, the Defendants shall set an earlier status conference with the Court acquainting it of such status and the needs of the case.

5. The temporary injunction entered in favor of Plaintiff Miller on April 24, 2024, remains in effect during the pendency of the stay.

6. The Parties are ORDERED to appear at a status conference on November 15, 2024, counsel for the parties shall request a status conference to apprise the Court of the needs of the case at that time.

IT IS SO ORDERED this _____ day of September 2024.

/s/ I'Ashea L. Myles
HON. I'ASHEA L. MYLES
CHANCELLOR, PART III

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