

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

JACK PELHAM, and  
KAY PELHAM,

Plaintiffs,

v.

THE NASHVILLE CHURCH, INC.,  
INTERNATIONAL CHURCHES OF  
CHRIST, INC., HOPE WORLDWIDE, LTD.,  
and CENTRAL AND SOUTH AMERICA  
WORLD SECTOR, INC.,

Defendants.

Case No. 05-2259-III

SET JAN. 20  
RESPONSE DUE: JAN. 16.

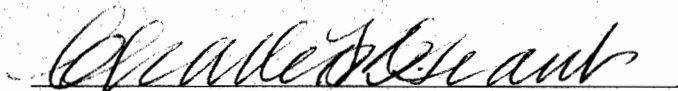
**DEFENDANT HOPE *worldwide*, LTD'S MOTION TO DISMISS  
PLAINTIFFS' AMENDED COMPLAINT FOR FAILURE TO STATE A CLAIM**

Defendant, HOPE *worldwide*, Ltd. ("HOPE"), pursuant to Rule 12.02(6), T.R.Civ.P., moves to dismiss the Amended Complaint filed by Plaintiffs Jack Pelham and Kay Pelham ("Plaintiffs") upon the ground that the allegations set forth therein fail to state a claim upon which relief can be granted as to any of Plaintiffs' claims for (1) fraudulent misrepresentation, (2) civil conspiracy, (3) conversion, and (4) "constructive trust" against HOPE.

WHEREFORE, HOPE moves the Court for an Order dismissing with prejudice Plaintiffs' claims against HOPE for failure to state a claim upon which relief can be granted. In support of this motion, HOPE contemporaneously files a Memorandum of Law, and for such other relief

Respectfully submitted,

BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, PC



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**NOTICE OF HEARING**

**THIS MOTION IS EXPECTED TO BE HEARD ON FRIDAY, JANUARY 20, 2006, AT 9:00 A.M. FAILURE TO TIMELY RESPOND TO THIS MOTION IN ACCORDANCE WITH THE LOCAL RULES OF COURT WILL RESULT IN ITS BEING GRANTED WITHOUT FURTHER HEARING, AND COUNSEL OR PRO SE LITIGANTS NEED NOT APPEAR.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by first-class U.S. mail, postage prepaid, on this the 29<sup>th</sup> day of December, 2005, upon the following:

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