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U.S. District Court - Eastern District of Tennessee (Winchester)
CIVIL DOCKET FOR CASE #: 4:25-cv-00038-CEA-CHS

Farm Credit Mid-America, PCA v. Uncle Nearest, Inc. et al
Assigned to: District Judge Charles E Atchley, Jr
Referred to: Magistrate Judge Christopher H Steger
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 07/28/2025
Jury Demand: None
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff**Farm Credit Mid-America, PCA**

represented by **Demetra Liggins**
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ATTORNEY TO BE NOTICED

V.

Defendant

Uncle Nearest, Inc.

represented by **Rocklan W King , III**
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Stacia Marie Daigle
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Defendant

Nearest Green Distillery, Inc.

represented by **Rocklan W King , III**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stacia Marie Daigle
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED**Defendant****Uncle Nearest Real Estate Holdings,
LLC**

represented by **Rocklan W King , III**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stacia Marie Daigle
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Fawn Weaver**

represented by **Rocklan W King , III**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stacia Marie Daigle
(See above for address)
LEAD ATTORNEY
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Defendant**Keith Weaver**

represented by **Rocklan W King , III**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stacia Marie Daigle
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Defendant**WhistlePig, LLC**

represented by **Austin L McMullen**
Bradley Arant Boult Cummings
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Interested Party

Tennessee Distilling Group, LLC
 Buchalter
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 Suite 300
 Nashville, TN 37203
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represented by **Lucas Davidson**
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 Ste 300
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 615-708-7935
 Email: ldavidson@buchalter.com
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Interested Party

**Oracle America, Inc., successor in
 interest to NetSuite, Inc.**

represented by **John T Baxter**
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V.

Receiver

Phillip G Young, Jr

represented by **Phillip G Young , Jr**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/28/2025	<u>1</u>	COMPLAINT and Request for Appointment of Receiver against Nearest Green Distillery, Inc., Uncle Nearest Real Estate Holdings, LLC, Uncle Nearest, Inc., Fawn

		Weaver, Keith Weaver (Filing fee \$ 405 receipt number ATNEDC-6064486.), filed by Farm Credit Mid-America, PCA. (Attachments: # 1 Exhibit 1 (Credit Agreement), # 2 Exhibit 2 (Amendment No. 1), # 3 Exhibit 3 (Amendment No. 2), # 4 Exhibit 4 (Amendment No. 3), # 5 Exhibit 5 (Amendment No. 4), # 6 Exhibit 6 (Amendment No. 5), # 7 Exhibit 7 (Amendment No. 6 and Waiver), # 8 Exhibit 8 (Amendment No. 7 and Limited Waiver), # 9 Exhibit 9 (Amendment No. 8 Forbearance Agreement), # 10 Exhibit 10 (Security Agreement), # 11 Exhibit 11 (UCC Financing Statement), # 12 Exhibit 12 (Deed of Trust - Bedford), # 13 Exhibit 13 (1st Amendment to Deed of Trust), # 14 Exhibit 14 (Deed of Trust - Eady Rd), # 15 Exhibit 15 (Information Request Letter), # 16 Exhibit 16 (Reservation of Rights Letter), # 17 Exhibit 17 (Reservation of Rights Letter), # 18 Exhibit 18 (Default Rate Notice), # 19 Exhibit 19 (Letter to UN), # 20 Exhibit 20 (UN Request for Deadline Extension), # 21 Exhibit 21 (FCMA Letter Response), # 22 Summons Summons To Be Issued (Uncle Nearest Inc), # 23 Summons Summons to Be Issued (Nearest Green Distillery Inc), # 24 Summons Summons to Be Issued (Uncle Nearest Real Estate Holdings LLC), # 25 Summons Summons to Be Issued (Fawn Weaver), # 26 Summons Summons to Be Issued (Keith Weaver))(Barnes, Erika) (Entered: 07/28/2025)
07/28/2025	2	Certificate of Corporate Interest by Farm Credit Mid-America, PCA identifying Corporate Parent Farm Credit Administration for Farm Credit Mid-America, PCA. (Barnes, Erika) (Entered: 07/28/2025)
07/28/2025	3	Emergency MOTION to Appoint Receiver by Farm Credit Mid-America, PCA. (Attachments: # 1 Exhibit 1 (Katt Declaration), # 2 Exhibit 2 (Credit Agreement), # 3 Exhibit 3 (Amendment No. 1), # 4 Exhibit 4 (Amendment No. 2), # 5 Exhibit 5 (Amendment No. 3), # 6 Exhibit 6 (Amendment No. 4), # 7 Exhibit 7 (Amendment No. 5), # 8 Exhibit 8 (Amendment No. 6 and Waiver), # 9 Exhibit 9 (Amendment No. 7 and Waiver), # 10 Exhibit 10 (Amendment No. 8 Forbearance Agreement), # 11 Exhibit 11 (Security Agreement), # 12 Exhibit 12 (UCC Financing Statement), # 13 Exhibit 13 (Deed of Trust - Bedford), # 14 Exhibit 14 (First Amendment to Deed of Trust), # 15 Exhibit 15 (Deed of Trust - Eady Road), # 16 Other Proposed Order)(Barnes, Erika) (Entered: 07/28/2025)
07/28/2025	4	AFFIDAVIT in Support re 3 Emergency MOTION to Appoint Receiver <i>and Complaint of Brian Klatt</i> filed by Farm Credit Mid-America, PCA. (Attachments: # 1 Exhibit 1 (Credit Agreement), # 2 Exhibit 2 (Amendment No. 1), # 3 Exhibit 3 (Amendment No. 2), # 4 Exhibit 4 (Amendment No. 3), # 5 Exhibit 5 (Amendment No. 4), # 6 Exhibit 6 (Amendment No. 5), # 7 Exhibit 7 (Amendment No. 6 and Waiver), # 8 Exhibit 8 (Amendment No. 7 and Limited Waiver), # 9 Exhibit 9 (Amendment No. 8 Forbearance Agreement), # 10 Exhibit 10 (Security Agreement), # 11 Exhibit 11 (UCC Financing Statement), # 12 Exhibit 12 (Deed of Trust - Bedford), # 13 Exhibit 13 (1st Amendment to Deed of Trust), # 14 Exhibit 14 (Deed of Trust - Eady Rd))(Barnes, Erika) (Entered: 07/28/2025)
07/28/2025		District Judge Charles E Atchley, Jr and Magistrate Judge Christopher H Steger added. (MDB) (Entered: 07/29/2025)
07/29/2025	5	Administrative Notice to Counsel please submit civil cover sheet. (MDB) (Entered: 07/29/2025)

07/29/2025		NOTICE OF FAILURE TO FILE Certificate of Citizenship in a diversity case as required by FRCP 7.1 by All Plaintiffs. (MDB) (Entered: 07/29/2025)
07/29/2025	6	Summons Issued as to All Plaintiffs. (Attachments: # 1 Summons Keith Weaver, # 2 Summons Nearest Green, # 3 Summons Real Estate Holdings, # 4 Summons Uncle Nearest # 5 Summons Fawn Weaver)(MDB) (Entered: 07/29/2025)
07/29/2025	7	Order Governing Depositions Signed by District Judge Charles E Atchley, Jr on 7/29/2025. (MDB) (Entered: 07/29/2025)
07/29/2025	8	Order Governing Motions To Dismiss Signed by District Judge Charles E Atchley, Jr on 7/29/2025. (MDB) (Entered: 07/29/2025)
07/29/2025	9	Order Governing Sealing Confidential Information Signed by District Judge Charles E Atchley, Jr on 7/29/2025. (MDB) (Entered: 07/29/2025)
07/29/2025	10	NOTICE by Farm Credit Mid-America, PCA <i>Civil Cover Sheet</i> (Barnes, Erika) (Entered: 07/29/2025)
07/29/2025	11	Certificate of Citizenship by Farm Credit Mid-America, PCA. (Barnes, Erika) (Entered: 07/29/2025)
07/29/2025	12	ORDER re 3 Emergency MOTION to Appoint Receiver . The Court will conduct an in-person hearing on Plaintiffs Emergency Motion for the Immediate Appointment of Receiver on 8/7/2025 02:30 PM at the U.S. Courthouse, 900 Georgia Avenue, Chattanooga, Tennessee before District Judge Charles E Atchley Jr. Counsel for Plaintiff is ORDERED to promptly notify Defendants and their representatives of the hearing to the extent possible. Signed by District Judge Charles E Atchley, Jr on 7/29/2025. (MKM) (Entered: 07/29/2025)
07/30/2025	13	NOTICE of Appearance by Rocklan W King, III on behalf of All Defendants (King, Rocklan) (Entered: 07/30/2025)
07/30/2025	14	MOTION for Leave to Appear Pro Hac Vice <i>for Alexandra Shipley</i> (Filing fee \$ 150 receipt number ATNEDC-6066546.) by Farm Credit Mid-America, PCA. (Attachments: # 1 Other Certificate of Good Standing)(Barnes, Erika) (Entered: 07/30/2025)
07/30/2025	15	MOTION for Leave to Appear Pro Hac Vice <i>for Demetra Liggins</i> (Filing fee \$ 150 receipt number ATNEDC-6066557.) by Farm Credit Mid-America, PCA. (Attachments: # 1 Other Certificate of Good Standing)(Barnes, Erika) (Entered: 07/30/2025)
07/30/2025		Clerk's Verification of PHV Requirements is complete regarding document: 15 MOTION for Leave to Appear Pro Hac Vice for Demetra Liggins (Filing fee \$ 150 receipt number ATNEDC-6066557.) filed by Farm Credit Mid-America, PCA (ABF) (Entered: 07/30/2025)
07/30/2025		Clerk's Verification of PHV Requirements is complete regarding document: 14 MOTION for Leave to Appear Pro Hac Vice for Alexandra Shipley (Filing fee \$ 150 receipt number ATNEDC-6066546.) filed by Farm Credit Mid-America, PCA (ABF) (Entered: 07/30/2025)
08/03/2025	16	RESPONSE to Motion re 3 Emergency MOTION to Appoint Receiver filed by Nearest

		Green Distillery, Inc., Uncle Nearest Real Estate Holdings, LLC, Uncle Nearest, Inc., Fawn Weaver, Keith Weaver. (Attachments: # 1 Exhibit Declaration of Fawn Weaver and Supporting Emails)(Daigle, Stacia) (Entered: 08/03/2025)
08/04/2025	17	ORDER granting 14 Motion for Leave to Appear Pro Hac Vice. You MUST register as an E-Filer here: https://pacer.psc.uscourts.gov/pscof/regWizard.jsf . This entry is the complete order of the Court. No document is attached. Signed by Magistrate Judge Christopher H Steger on 8/4/2025. (JDC) Modified on 8/4/2025 to indicate c/m to Mary Alexandra Shipley and Demetra Liggins, McGuire Woods, LLP (TX), Texas Tower, 845 Texas Avenue, Suite 2400, Houston, TX 77002 (ABF). (Entered: 08/04/2025)
08/04/2025	18	ORDER granting 15 Motion for Leave to Appear Pro Hac Vice. You MUST register as an E-Filer here: https://pacer.psc.uscourts.gov/pscof/regWizard.jsf . This entry is the complete order of the Court. No document is attached. Signed by Magistrate Judge Christopher H Steger on 8/4/2025. (JDC) Modified on 8/4/2025 to indicate c/m to Mary Alexandra Shipley and Demetra Liggins, McGuire Woods, LLP (TX), Texas Tower, 845 Texas Avenue, Suite 2400, Houston, TX 77002 (ABF). (Entered: 08/04/2025)
08/04/2025	19	MOTION for Leave to Appear Pro Hac Vice for Karen Elizabeth Sieg (Filing fee \$ 150 receipt number ATNEDC-6070900.) by Farm Credit Mid-America, PCA. (Attachments: # 1 Other Certificate of Good Standing)(Barnes, Erika) (Entered: 08/04/2025)
08/04/2025	20	ORDER: Orders to follow in preparation for the hearing on Plaintiffs Emergency Motion for the Immediate Appointment of Receiver for this Thursday, August 7, 2025.Signed by District Judge Charles E Atchley, Jr on 8/4/2025. c/m to Mary Alexandra Shipley and Demetra Liggins (MDB) (Entered: 08/04/2025)
08/04/2025		Clerk's Verification of PHV Requirements is complete regarding document: 19 MOTION for Leave to Appear Pro Hac Vice for Karen Elizabeth Sieg (Filing fee \$ 150 receipt number ATNEDC-6070900.) filed by Farm Credit Mid-America, PCA as to Farm Credit Mid-America, PCA (MDB) (Entered: 08/04/2025)
08/05/2025	21	EXHIBIT LIST AND WITNESS LIST for Hearing on Plaintiff's Emergency Motion for Immediate Appointment of Receiver by Nearest Green Distillery, Inc., Uncle Nearest Real Estate Holdings, LLC, Uncle Nearest, Inc., Fawn Weaver, Keith Weaver.. (Daigle, Stacia) (Entered: 08/05/2025)
08/05/2025	22	EXHIBIT LIST for August 7, 2025 Hearing by Farm Credit Mid-America, PCA.. (Barnes, Erika) (Entered: 08/05/2025)
08/05/2025	23	WITNESS LIST for August 7, 2025 Hearing by Farm Credit Mid-America, PCA. (Barnes, Erika) (Entered: 08/05/2025)
08/07/2025	24	STIPULATION re 4 Affidavit in Support of Motion,,, 22 Exhibit List, 21 Exhibit List, Joint Stipulation Regarding Hearing on Emergency Motion for the Immediate Appointment of Receiver by Farm Credit Mid-America, PCA. (Barnes, Erika) (Entered: 08/07/2025)
08/07/2025	25	ORDER granting 19 Motion for Leave to Appear Pro Hac Vice. You MUST register as an E-Filer here: https://pacer.psc.uscourts.gov/pscof/regWizard.jsf . This entry is the complete order of the Court. No document is attached. Signed by Magistrate Judge

		Christopher H Steger on 8/7/2025. (JDC) Modified on 8/8/2025 to indicate c/m to Karen E Sieg, McGuire Woods, LLP (Richmond), Gateway Plaza, 800 East Canal Street, Richmond, VA 23219 (ABF). (Entered: 08/07/2025)
08/07/2025	<u>26</u>	Minute Entry for proceedings held before District Judge Charles E Atchley, Jr.: Motion Hearing held on 8/7/2025 re <u>3</u> Emergency MOTION to Appoint Receiver filed by Farm Credit Mid-America, PCA Advisory Notice: At the conclusion of the trial or proceedings, pursuant to LR43.3, the offering party shall retain custody of exhibits and be responsible to the Court for preserving them until any appeal is concluded or the time for appeal has expired. (Court Reporter Elizabeth Coffey) (Attachments: # <u>1</u> Exhibit and Witness List) (AML) (Entered: 08/07/2025)
08/08/2025	<u>27</u>	Joint MOTION Entry of Agreed Order by Farm Credit Mid-America, PCA. (Attachments: # <u>1</u> Exhibit A (Proposed Order))(Barnes, Erika) (Entered: 08/08/2025)
08/08/2025	<u>28</u>	ORDER granting <u>27</u> Motion for Entry of Agreed Order. Signed by District Judge Charles E Atchley, Jr on 8/8/25. (GRE) (Entered: 08/08/2025)
08/08/2025	<u>29</u>	AGREED ORDER re <u>27</u> Joint MOTION Entry of Agreed Order. Signed by District Judge Charles E Atchley, Jr on 8/8/25. (GRE) (Entered: 08/08/2025)
08/11/2025	<u>30</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 8/7/2025, before Judge Charles E. Atchley, Jr.. Court Reporter/Transcriber Elizabeth Coffey. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at http://www.tned.uscourts.gov/electronic-case-filing Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 9/2/2025 . Redacted Transcript Deadline set for 9/11/2025 . Release of Transcript Restriction set for 11/10/2025 . (EBC) (Entered: 08/11/2025)
08/11/2025	<u>31</u>	COURT REPORTER NOTES OF PROCEEDINGS filed by Elizabeth Coffey of Motion Hearing before Judge Charles E. Atchley, Jr. on 8/7/2025. In accordance with 28 U.S.C. Section 753(b), I certify that these original notes are a true and correct record of proceedings in the United States District Court for the Eastern District of TN before Judge Charles E. Atchley, Jr. on 8/7/2025. By s/ Elizabeth Coffey. (Court Reporter Notes are viewable by court staff only). (EBC) (Entered: 08/11/2025)
08/14/2025	<u>32</u>	ORDER: Farm Credits Motion [Doc. 3] is GRANTED. Having decided to appoint a receiver, the Court must next determine who that receiver will be. Before making this decision, however, the Court finds it appropriate to receive additional briefing from the parties regarding their proposed receiver candidates. Accordingly, the parties are ORDERED to submit briefs of no more than ten pages, not counting exhibits, addressing the qualifications of their proposed receivers on or before August 20, 2025, at 12:00 p.m. EASTERN TIME. Responses are neither necessary nor permitted. The previously entered Agreed Order [Doc. 29] SHALL remain in effect until the Court appoints a receiver. Signed by District Judge Charles E Atchley, Jr on 8/14/25. (ABF)

		(Entered: 08/14/2025)
08/15/2025	33	MOTION to Compel <i>Mediation</i> by Nearest Green Distillery, Inc., Uncle Nearest Real Estate Holdings, LLC, Uncle Nearest, Inc., Fawn Weaver, Keith Weaver. (Attachments: # 1 Exhibit Proposed Order on Motion to Compel Mediation)(Daigle, Stacia) (Entered: 08/15/2025)
08/18/2025	34	RESPONSE to Motion re 33 MOTION to Compel <i>Mediation</i> - <i>Objection to Motion to Compel Mediation</i> filed by Farm Credit Mid-America, PCA. (Attachments: # 1 Exhibit A (Biographies for Mediators))(Barnes, Erika) (Entered: 08/18/2025)
08/18/2025	35	ORDER plaintiff is ordered to respond to Motion 33 on or before August 19, 2025, at 5:00 p.m. eastern time. Signed by District Judge Charles E Atchley, Jr on 8/18/2025. (MDB) (Entered: 08/18/2025)
08/20/2025	36	MEMORANDUM in Support re 32 Order on Motion to Appoint Receiver,,, . (Attachments: # 1 Exhibit A (Kevin Larin CV), # 2 Exhibit B (Jeremiah Foster CV), # 3 Exhibit C (Proposed Order))(Barnes, Erika) (Entered: 08/20/2025)
08/20/2025	37	BRIEF as to 32 Order on Motion to Appoint Receiver,,, <i>Phillip G. Young, Jr.</i> by Nearest Green Distillery, Inc., Uncle Nearest Real Estate Holdings, LLC, Uncle Nearest, Inc., Fawn Weaver, Keith Weaver. (Attachments: # 1 Exhibit Curriculum Vitae of Young) (King, Rocklan) (Entered: 08/20/2025)
08/21/2025	38	ORDER denying 33 Motion to Compel Mediation. Signed by District Judge Charles E Atchley, Jr on 8/21/25. (ABF) (Entered: 08/21/2025)
08/22/2025	39	ORDER APPOINTING RECEIVER: Phillip G. Young, Jr. of Thompson Burton, PLLC is hereby appointed as receiver (the Receiver) of Uncle Nearest. Signed by District Judge Charles E Atchley, Jr on 8/22/25. (ABF) (Entered: 08/22/2025)
08/23/2025	40	NOTICE of Appearance by Justin Timothy Campbell on behalf of Phillip G Young, Jr (Campbell, Justin) (Entered: 08/23/2025)
09/12/2025	41	MOTION Clarification of Receivership Order re: additional entities re 39 Order by Phillip G Young, Jr. (Campbell, Justin) (Entered: 09/12/2025)
09/12/2025	42	NOTICE by Phillip G Young, Jr <i>List of Receiver's Professionals</i> (Campbell, Justin) (Entered: 09/12/2025)
09/17/2025	43	NOTICE of Appearance by Lucas Davidson on behalf of Tennessee Distilling Group, LLC (Davidson, Lucas) (Entered: 09/17/2025)
09/25/2025	44	MEMORANDUM in Support of Motion re 41 MOTION Clarification of Receivership Order re: additional entities re 39 Order filed by Farm Credit Mid-America, PCA. (Attachments: # 1 Exhibit A (TN Certified Charter))(Barnes, Erika) (Entered: 09/25/2025)
09/30/2025	45	ORDER: The Receiver (Phillip G. Young, Jr.) SHALL serve a copy of his Motion Doc. 41 , this Order, and the Order Appointing Receiver Doc. 39 upon the ten entities listed in this Order on or before October 14, 2025. The ten entities listed SHALL respond to the Motion Doc. 41 on or before October 21, 2025. Plaintiff SHALL file all materials

		in its possession that it believes support expanding the receivership with the Court. Signed by District Judge Charles E Atchley, Jr on 9/30/2025. (MDB) (Entered: 09/30/2025)
10/01/2025	46	STATUS REPORT <i>Receiver's First Quarterly Report</i> by Phillip G Young, Jr. (Campbell, Justin) (Entered: 10/01/2025)
10/02/2025	47	NOTICE of Appearance by Austin L McMullen on behalf of WhistlePig, LLC (McMullen, Austin) (Entered: 10/02/2025)
10/06/2025	48	NOTICE of Appearance by John T Baxter on behalf of Oracle America, Inc., successor in interest to NetSuite, Inc. (Baxter, John) (Entered: 10/06/2025)

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