

IN THE COURT OF APPEALS
AT KNOXVILLE

FILED
March 8, 2000
Cecil Crowson, Jr.
Appellate Court Clerk

REUBEN N. PELOT, III)
)
Plaintiff-Appellant)
) E1999-02550-COA-R3-CV
v.) KNOX COUNTY CHANCERY
)
NICHOLAS S. CAKMES)
)
Defendant-Appellee)

OPINION ON PETITION TO REHEAR

Defendant Nicholas S. Cakmes files a petition requesting that instead of adjudging the value of the remaining interest of Plaintiff Reuben N. Pelot, III, in their dentistry partnership, that the case be remanded for the Trial Court to make that determination.

After reviewing the petition to rehear and the response thereto, we are of the opinion the arguments advanced in the petition have merit, especially when the brief of Dr. Pelot specifically asked us to remand the case for the Chancellor to set a value as to his partnership interest.

We accordingly grant the petition and modify our original opinion to provide for a remand for the purpose of a determination by the Chancellor of the value of Dr. Pelot's interest. Costs incident to the petition to rehear are adjudged against Dr. Pelot.

Houston M. Goddard, P.J.

CONCUR:

Charles D. Susano, Jr., J.

D. Michael Swiney, J.