

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

9/8/20

Name: E. Jerome Melson

Office Address: 900 S. Gay Street, Suite 2300
(including county) Knoxville, Knox County, Tennessee 37902

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Home Phone: [REDACTED] Cellular Phone: [REDACTED]

INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) **Review the separate instruction sheet prior to completing this document. Submit by the noon deadline date an original (unbound) completed application (with ink signature) to the Administrative Office of the Courts.** In addition, submit a digital copy with electronic or scanned signature via email to ceesha.lofton@tncourts.gov, or via another electronic storage device such as a flash drive. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Attorney – Member – Gentry, Tipton & McLemore, P.C.
900 S. Gay Street, Suite 2300
Knoxville, TN 37902

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

1988 BPR# 013340

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Tennessee – BPR# 013340; 1988; Active

Montana – BPR# 9763; 2009; Inactive. The license is inactive, but I am eligible for active membership, although I am not currently engaged in the practice of law there.

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any state? If so, explain. (This applies even if the denial was temporary).

No, except as stated in response to number 3, above. I hold an inactive status in Montana which means I am eligible for active membership but I am not currently engaged in the practice of law there.

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

Attorney/Member – 3/2003 to present – Gentry, Tipton & McLemore, P.C.
900 S. Gay Street, Ste. 2300, Knoxville, TN 37902

Delinquent Tax Attorney – 1/2015 to present – Monroe County, TN

105 College St., Madisonville, TN 37354

Examination Assistant – 12/2013 to present – Tennessee Board of Law Examiners

511 Union St., Nashville, TN 37219

Adjunct Faculty – 7/2010 to 12/2013 – University of Tennessee, College of Law

1505 W. Cumberland Ave., Knoxville, TN 37996

County Attorney – 10/2008 to present – Monroe County, TN

105 College St., Madisonville, TN 37354

Counsel – 6/2005 to present – Industrial Development Board of the County of Monroe, Inc.

Monroe County Courthouse, Madisonville, TN 37354

City Attorney – 8/2004 to 9/2014 – Town of Vonore

613 Church St., Vonore, TN 37885

City Attorney – 12/1991 to 4/2003 and 8/2004 to present – City of Rocky Top

(f/k/a City of Lake City)

195 S. Main St., Rocky Top, TN 37769

Attorney/Partner – 3/1991 to 3/2003 – Watson, Hollow and Reeves, PLC

(n/k/a Watson, Roach, Batson & Lauderback)

900 S. Gay St., Knoxville, TN 37902

City Attorney – 10/1988 to 11/1990 and 10/2002 to present – City of Madisonville

105 College St., Madisonville TN 37354

Law Clerk/Associate – 1987 to 3/1991 – McCampbell and Young, P.C.

(n/k/a Young, Williams and Ward)

300 Montvue Road, Knoxville, TN 37919

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

My practice is a general civil practice in which I represent individuals and business and governmental entities in a wide variety of legal matters that regularly involve trial and appellate work. Much of my work involves serving as counsel for multiple local governments. This work involves drafting contracts, legislative ordinances and resolutions, and providing advice on a range of matters including finance, personnel and human resources, law enforcement, parliamentary procedure, constitutional matters, risk management, and litigation. I also represent businesses in commercial disputes, pursue and defend personal injury claims, and conduct and participate in mediations. The percentages of time devoted to these areas is as follows:

Governmental Litigation - 15%

Commercial Law - 15%

Local Government Representation - 60%

Personal Injury - 5%

Mediation - 5%

7. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters.

I am a trial attorney with extensive experience in civil litigation, including governmental litigation and local governmental representation, which includes providing defense to law enforcement officers in federal civil rights litigation. I also have substantial experience in commercial law and insurance defense litigation.

My first employment as an attorney was with the firm of McCampbell and Young, PC, now known as Young, Williams and Ward. I began there as a Law Clerk approximately half-way through my law school career and accepted a position as an Associate Attorney upon my admission to the Bar in the fall of 1988. I worked primarily in insurance defense matters. These involved providing defense in automobile negligence, premises liability, and product liability matters. Immediately upon licensure, I was appointed City Attorney for Madisonville, Tennessee. In that position I drafted ordinances, advised city council on a variety of issues and represented the city in court. In addition, I represented multiple clients in collection matters and also provided criminal defense representation on an appointed basis in multiple cases. The most significant criminal case in which I was involved was a second-degree murder case tried in Knox County Criminal Court. I assisted a senior attorney in that case. A judgment of acquittal was obtained.

From the period of March 1991 through late March 2003, I practiced at Watson, Hollow & Reeves, PLLC, now known as Watson, Roach, Batson & Lauderback. My practice consisted primarily of insurance defense related matters. I served as lead counsel in cases ranging from automobile negligence and premises liability to defense of federal civil rights claims and medical negligence claims lodged against numerous health care providers. These cases involved claims of serious injury and even death. I represented municipalities and municipal officials throughout Eastern Tennessee in both state and federal trial and appellate courts. I also served as City Attorney for Lake City *n/k/a* Rocky Top during that time as well.

In March 2003, I joined the firm of Gentry, Tipton & McLemore, PC, in which I continue to serve as a Member. During my tenure at this firm, I have litigated cases in state and federal courts in a variety of areas. These include commercial disputes, tax litigation, adversary proceedings in bankruptcy courts, employment disputes, will contest and probate claims, personal injury claims, and the representation of numerous governmental officials and employees in state and federal courts, both at the trial and appellate levels, on a variety of constitutional and statutory claims. I have also served as counsel to multiple local governments, including counsel to the Industrial Development Board for Monroe County, City Attorney for Vonore, City Attorney for Madisonville, City Attorney for City of Lake City *n/k/a* Rocky Top, County Attorney for Monroe County, and the Delinquent Tax Attorney for Monroe County. In addition, over that same time period, I have been retained by Knox County and the City of Knoxville to represent numerous governmental officials and employees. Apart from governmental clients, I have represented small businesses, banks, and corporations, insurance companies, and individuals in personal injury matters. Additionally, I have litigated several cases before state administrative tribunals. I have also briefed and argued multiple cases in both the Tennessee Court of Appeals and the United States Court of Appeals for the 6th Circuit.

From 2010-2013, I taught Trial Advocacy as a member of the Adjunct Faculty at the University of Tennessee College of Law.

In 2013, I began working as an Examination Assistant with the Tennessee Board of Law Examiners. As an Examination Assistant with the Tennessee Board of Law Examiners, I have participated in the authorship of essay questions, the formulation of proposed model answers, and the grading of answers for numerous bar examinations. In that connection, I have completed multiple training and review sessions provided by the National Conference of Bar Examiners.

8. Describe any matters of special note involving your practice in trial courts, appellate courts, and administrative bodies.

In addition to the practice descriptions provided in the preceding response, I have attached a listing of more than 70 citations to orders and/or opinions in various cases in which I have been involved. The subject matter of these cases includes worker's compensation, federal civil rights including claims of excessive force and wrongful death, breach of contract, premises liability, employment law, federal income taxation, election contest, the sale of real property, and governmental tort liability. The cases reflect forums in various circuit and chancery courts, as well as the United States Bankruptcy Court and the United States District Court.

9. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

While in college and for a portion of law school, in my capacity as a field representative for United States Congressman John J. Duncan, I conducted monthly constituent service meetings at the Monroe County Courthouse. These meetings gave citizens an opportunity to communicate their governmental and legal concerns and requests for assistance with various aspects of the federal government. I gained extensive experience in assisting individuals with a variety of legal-related matters, including assisting applicants seeking to participate in federal benefit programs and initiatives. These early experiences in dealing with a wide range of problems and concerns faced by citizens from all walks of life were invaluable. I learned the importance of listening to individuals and the importance of providing detailed responses to specific concerns expressed by anyone regardless of race, sex, age, creed or social standing.

For several years, a substantial part of my practice has been devoted to representing law enforcement officers in federal civil rights litigation. These cases have dealt with claims arising from the use of force to effect arrests, including deadly force. The law enforcement officers I have represented have been employed by multiple law enforcement agencies. My work in defending those sworn to protect and serve their fellow citizens has been among the most challenging and rewarding of my career. For example, I am pleased to have recently successfully defended at trial a federal civil rights wrongful death case involving a Knoxville police officer compelled to use deadly force against an individual who initiated an assault on the officer during a traffic stop.

10. List and describe all prior occasions on which you have submitted an application for any state or federal judicial position.

In the spring of 2017, I applied for appointment to a position on the Tennessee Claims Commission. In April of that year, I was interviewed by a panel that included multiple members of the Governor's Council for Judicial Appointments as well as the Counsel to the Governor. Of approximately twenty-eight applicants, my name was among four ultimately submitted to the Governor for that position.

In the spring of 2017, I applied for appointment as Magistrate Judge in the United States District Court, Eastern District of Tennessee, in Knoxville.

In March 2019, I applied for appointment as Magistrate Judge in the United States District Court, Eastern District of Tennessee, in Greeneville.

In January 2020, I applied for appointment to the Tennessee Court of Appeals – Eastern Division as an Appellate Judge.

EDUCATION

11. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school

if no degree was awarded.

University of Tennessee, College of Law, Knoxville, TN – 8/85 to 6/88 – J.D. with honors

University of Tennessee, Knoxville, TN – 9/82 to 6/85 – B.A. with highest honors, College Scholars Program, English, History, and Political Science

- Chancellor's Citation for Extraordinary Professional Promise – 1985
- Alternate, State of Tennessee, Harry S. Truman Scholarship – 1984

Recipient, John W. Green Scholarship – 1985 -1986 – Univ. of Tennessee College of Law

Dean's List – 1986 to 1988 – Univ. of Tennessee College of Law

Recipient, National Alumni Association Scholarship – 1982 to 1987 – Univ. of Tennessee College of Liberal Arts and College of Law

Highest Grade in Trial Practice – 1988 – Univ. of Tennessee College of Law

PERSONAL INFORMATION

12. State your date of birth.

1964

13. How long have you lived continuously in the State of Tennessee?

All my life, with the exception of intermittent periods during high school, college, and law school when I worked for Congressman John J. Duncan in Washington D.C.

14. How long have you lived continuously in the county where you are now living?

37 years, except for during intermittent periods during college and law school when I worked for Congressman John J. Duncan in Washington D.C.

15. State the county in which you are registered to vote.

Knox County

16. Describe your military service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

Not applicable.

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

No.

18. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

No.

19. Please identify the number of formal complaints you have responded to that were filed against you with any supervisory authority, including but not limited to a court, a board of professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

Although not a disciplinary complaint, in 2015 an individual whom I never met completed an online form with the Consumer Assistance Program of the Tennessee Board of Professional Responsibility. The individual expressed dissatisfaction that I had cancelled an initial consultation meeting with her upon ascertaining that a conflict of interest prevented my representation. I explained this in a letter to the Board, and the matter was closed.

20. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No.

21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

No.

22. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

Along with approximately a dozen individuals and entities, I was named as a Defendant in a litigation filed in Knox County Circuit Court in 2002, styled *J.D. Lee et al. v. State Volunteer Mutual Insurance Company et al.* (Docket No. 3-343-02). This litigation was dismissed approximately nine weeks after it was filed. The Plaintiff alleged that the Defendants wrongfully conspired to resolve a related personal injury litigation involving a minor for substantially less than the alleged value of the claim, thus depriving Plaintiff's counsel of a larger fee. The Knox County Circuit Court promptly granted a Motion to Dismiss in favor of all Defendants. Thereafter, in January 2003, the Plaintiff's attorney issued a written apology to me and all other individual Defendants named in the action.

In 2000, I was a party to a divorce proceeding based on irreconcilable differences filed in Knox County Chancery Court, bearing Docket No. 146767-3.

23. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

East Tennessee Historical Society – President – 4/2018 to present
East Tennessee Historical Society – Vice President, Knoxville Area – 4/2014 to 4/2018
East Tennessee Historical Society – Member, Board of Directors – 4/2013 to present
Tennessee Board of Law Examiners – Examination Assistant – 12/2013 to present
Delta Dental of Tennessee – Member, Board of Directors – 5/2018 to present
Sequoyah Hills Presbyterian Church, Knoxville – Deacon – 2018 to present
Church of the Good Shepherd, Knoxville – Member – 2006 to 2016
The International Churchill Society
George Washington's Mount Vernon

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.

a. If so, list such organizations and describe the basis of the membership

limitation.

- b. If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

No.

ACHIEVEMENTS

25. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

Knoxville Bar Association – since 1988

DICTA Newsletter Editorial Board – approx. 1991 to 1993

Speaker, KBA Community Law School

Speaker, KBA CLE on Open Records

Tennessee Bar Association – since 1988

Barrister, Master of Bench, Hamilton S. Burnett Chapter, American Inns of Court – since approx. 1995

Montana Bar Association – since 2009

26. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional accomplishments.

Mid-South Super Lawyers – 2007 to present

Martindale-Hubbell Peer Review Rated for Ethical Standards and Legal Ability – AV – Preeminent – Highest Rated/5.0 out of 5.0

Cityview Magazine, Knoxville's Top Attorneys – 2008, 2010, 2012, 2013, 2014, 2016, 2017, 2019, 2020

Best Lawyers, Civil Rights and Litigation – Municipal – 2012 to present

Advocate Designation, National Institute for Trial Advocacy – 1/2008

Civil Trial Specialist Certification, Tennessee Commission on CLE and Specialization – 6/2005

Civil Trial Advocacy Certification, National Board of Trial Advocacy – 6/2005

Civil Pretrial Practice Advocacy Certification, National Board of Civil Pretrial Practice Advocacy – 8/2012

Tennessee Supreme Court Alternative Dispute Resolution Commission Listed General Civil Mediator pursuant to Rule 31 of the Rules of the Tennessee Supreme Court – 1/2016

Certified Mediator in the Federal Mediation Program – 3/2016

Keynote Speaker, Smoky Mountain Criminal Justice Conference – 2013

Presenter, Smoky Mountain Criminal Justice Conference – 2012

27. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

City of Madisonville – City Attorney – 10/1988 to 11/1990 and 10/2002 to present – appointed
City of Lake City/Rocky Top – City Attorney – 12/1991 to 4/2003 and 8/2004 to present – appointed

Town of Vonore – City Attorney – 8/2004 to 9/2014 – appointed

Industrial Development Board of the County of Monroe, Inc. – 6/2005 to present – appointed

Monroe County – County Attorney – 10/2008 to present – appointed

Monroe County Delinquent Tax Attorney – 1/2015 to present – appointed

ESSAYS/PERSONAL STATEMENTS

28. What are your reasons for seeking this position? *(150 words or less)*

I represent the first generation of my family to have obtained a college education and a professional license. I decided to become a lawyer at a young age and never wavered. With the love and support of hardworking parents and with the help and encouragement of many others, I attained that goal. From my teenage years working on Capitol Hill and beyond, I have desired to serve the institutions of our government, including the judiciary. From the time I obtained my law license I have consistently been involved in the preparation and trial of lawsuits. Now, with more than three decades of trial and other professional experience during which I have handled a wide variety of legal disputes involving individuals, businesses and governments, I believe I possess a breadth of knowledge and skills to enable me to effectively serve the citizens of Tennessee as a trial court judge.

29. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*

I seek appointment to the Circuit Court for Knox County, Division I. There are three divisions of Circuit Court within Knox County. Circuit Courts are courts of general jurisdiction and adjudicate civil disputes of many different types including appeals from juvenile, municipal, and general sessions courts. My selection would enable the Court to continue to fulfill its duties to

hear cases in a competent and timely manner. I am confident that I would have a productive relationship with the other two judges on the Knox County Circuit Court and also with the clerks and other courtroom personnel. Having practiced in Knox County for over three decades, I am well acquainted with circuit court practice and my extensive experience would enable me to effectively serve the citizens of Tennessee as a judge in this Court.

30. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. *(250 words or less)*

As a Circuit Court judge, I would apply the law as enacted by the legislature. This is a fundamental duty of a judge. I would strive to ensure that any decision or ruling would be faithful to this principle. To be sure, there are occasions when the adherence to a rule or statute is challenging. In the context of governmental representation, for example, the transparent conduct of the public's business ordinarily requires that matters which may be personally vexing or embarrassing to public officials nevertheless be addressed publicly. In that regard, I have, on occasion, been required to publicly address alleged improprieties of elected officials and publicly disclose the results of investigative efforts or a difference of opinion with a position taken by a member of a body that I represent. While it may be more comfortable to address certain allegations or circumstances outside a public meeting, the legal obligations to deal with such matters publicly may not be violated.

REFERENCES

31. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A. Bennett L. Cox, Senior Vice President and Chief General Counsel, University Health System, Inc., 1924 Alcoa Hwy., Knoxville, TN 37920; [REDACTED]

B. Ronald E. Mills, Deputy Law Director, City of Knoxville, TN, 699 City-County Bldg., Knoxville, TN 37902; [REDACTED]

C. James S. Tipton, Attorney, Gentry, Tipton & McLemore, P.C., 900 S. Gay St., Ste. 2300, Knoxville, TN 37902; [REDACTED]

D. Rev. Charles Fels, 850 Volunteer Landing Ln., Knoxville, TN 37915; [REDACTED]
[REDACTED]

E. Susan Richardson Williams, Public Affairs Consultant, 9000 Legends Lake Lane, Knoxville, TN 37922; [REDACTED]

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the Knox County Circuit Court of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: September 11, 2020.


Signature

When completed, return this application to Ceesha Lofton, Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



**TENNESSEE TRIAL COURT VACANCY COMMISSION
ADMINISTRATIVE OFFICE OF THE COURTS**

511 UNION STREET, SUITE 600
NASHVILLE CITY CENTER
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY
TENNESSEE BOARD OF JUDICIAL CONDUCT
AND OTHER LICENSING BOARDS**

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Governor's Council for Judicial Appointments to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

E. Jerome Melson

Type or Print Name



Signature

9.11.20

Date

013340

BPR #

Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.

Montana - 9763

ATTACHMENT FOR FURTHER RESPONSE TO
QUESTION NUMBER 8

1. Thomas v. Buck

United States District Court, E.D. Tennessee. | November 22, 2019 | Slip Copy | 2019 WL 6255838 | 3:16-CV-631-TAV-DCP

On October 24, 2015, Plaintiff visited his girlfriend, Alice Adams, who had been injured in a car wreck that afternoon, at the hospital where Defendants worked [Doc. 76 p. 4–6]. During this visit, Plaintiff alleges, he began to inquire as to why Adams was not being treated and became concerned about her well-being [Id. at 5–6]. He also...

...11/22/2019 Matthew A. Thomas, Hartsville, TN, pro se. E. Jerome Melson John M. Kizer , Gentry, Tipton & McLemore, PC, Knoxville, TN, for...

2. Dickey v. Knoxville Police Dep't

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | August 21, 2019 | Slip Copy | 2019 WL 3949049 | 3:17-CV-412

This matter is before the Court on Defendant Travis Baker's Motion for Summary Judgment [doc. 23]. After the Court granted a motion to defer ruling pending limited discovery [doc. 36], Plaintiff has now responded [doc. 39], and Defendant Baker has replied [doc. 40]. For the reasons stated below, Defendant Baker's Motion for Summary Judgment [doc....

...Kristopher Baker , The Baker Law Firm, Knoxville, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

3. Thomas v. Buck

United States District Court, E.D. Tennessee. | June 11, 2019 | Slip Copy | 2019 WL 2438786 | 3:16-CV-631-TAV-DCP

This is a pro se prisoner's civil rights action filed under 42 U.S.C. § 1983. Now before the Court are Plaintiff's motion for depositions by written questions [Doc. 49] and motions for discovery from third parties [Docs. 50 and 51], Defendants' motion for summary judgment [Doc. 53] and motion for protective order [Doc. 56], and Plaintiff's...

...06/11/2019 Matthew A. Thomas, Hartsville, TN, pro se. E. Jerome Melson John M. Kizer , Gentry, Tipton & McLemore, PC, Knoxville, TN, for...

4. Dickey v. Knoxville Police Department

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | August 08, 2018 | Not Reported in Fed. Supp. | 2018 WL 3762988 | 3:17-CV-412

Plaintiff Jawon Dickey filed this civil rights action against the Knoxville Police Department ("KPD") and KPD Officer Travis Baker in which he claims that Officer Baker punched him in the face several times and knocked out his front tooth [Doc. 2]. KPD has filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) on the grounds...

...Kristopher Baker , The Baker Law Firm, Knoxville, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Ronald E. Mills , City of Knoxville...

5. Carden v. Gerlach

United States District Court, E.D. Tennessee. | June 13, 2018 | Not Reported in Fed. Supp. | 2018 WL 2974389 | 3:15-CV-314-TAV-HBG

This civil matter is before the Court on defendant's motion for a directed verdict on liability, damages, and qualified immunity. The motion was argued by both plaintiff and defendant at trial on April 23, 2014. On April 24, 2014, the Court orally granted defendant's motion and stated that a written order would follow [Doc. 112]. The Court has...

...Richard M. Brooks , Brooks Law Group, Carthage, TN, for Plaintiff. E. Jerome Melson John M. Kizer , Gentry, Tipton & McLemore, PC, Knoxville, TN, for...

6. Carden v. Gerlach

United States District Court, E.D. Tennessee. | June 13, 2018 | Not Reported in Fed. Supp. | 2018 WL 2974390 | 3:15-CV-314-TAV-HBG

This civil matter is before the Court on defendant's second renewed and supplemental motion for summary judgment [Doc. 114]. Plaintiff did not respond and the time for doing so has now passed. E.D. Tenn. L.R. 7.1. In his motion, defendant asserts that he is entitled to qualified immunity as a matter of law. For the reasons set forth below, the...

...Richard M. Brooks , Brooks Law Group, Carthage, TN, for Plaintiff. E. Jerome Melson John M. Kizer , Gentry, Tipton & McLemore, PC, Knoxville, TN, for...

7. Jelsma v. Knox County, Tennessee

United States Court of Appeals, Sixth Circuit. | May 31, 2018 | 725 Fed.Appx. 396 | 2018 WL 2446699 | 17-6140

Patty Jelsma sued Officer Bradley Cox, claiming that he had used excessive force to arrest her. The district court initially denied Cox's motion for summary judgment, but it reconsidered that decision after Jelsma effectively admitted that Cox's use of force was reasonable. We affirm. In 2013, Jelsma's mother called 911 to report...

...Law Department, Knoxville, TN, for Defendant-Appellee Knox County, Tennessee Earl Jerome Melson , Gentry, Tipton & McLemore, Knoxville, TN, for Defendant-Appellee Bradley Cox...

8. Wheeler v. Knox County, Tennessee

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | March 28, 2018 | Not Reported in Fed. Supp. | 2018 WL 2376763 | 3:16-CV-108-CLC-HBG

This case is before the undersigned pursuant to 28 U.S.C. §636, the Rules of this Court, and Standing Order 13-02. Now before the Court are two Motions for Protective Order [Docs. 47, 49], filed by Catherine Shanks and Raymond Hill, respectively. The parties appeared before the Court on March 26, 2018, for a motion hearing. Attorney...

...III, appeared on behalf of Defendant Knox County, Tennessee. Attorneys E. Jerome Melson and John Kizer appeared on behalf of Catherine Shanks. Attorney...

9. Carden v. Gerlach

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | February 28, 2018 | Not Reported in Fed. Supp. | 2018 WL 1095558 | 3:15-CV-314-TAV-HBG

This case is before the undersigned pursuant to 28 U.S.C. §636, the Rules of this Court, and the referral Order [Doc. 62] of the Chief District Judge. Now before the Court is Defendant David Gerlach's Motion for Sanctions [Doc. 55]. The parties appeared telephonically before the Court on February 16, 2018, for a motion hearing. Attorney...

...Richard M. Brooks , Brooks Law Group, Carthage, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendant. MEMORANDUM AND...

...hearing. Attorney Richard Brooks appeared on behalf of Plaintiff. Attorneys Jerome Melson and John Kiser appeared on behalf of Defendant Gerlach. Accordingly...

10. CIC Services, LLC v. Internal Revenue Service

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | November 02, 2017 | Not Reported in Fed. Supp. | 2017 WL 5015510 | 3:17-CV-110

Before the Court is a motion to dismiss filed by Defendants, the Internal Revenue Service, the Department of Treasury, and the United States of America. (Doc. 25.) Also before the Court is Plaintiffs CIC Services, LLC ("CIC"), and Ryan, LLC's ("Ryan") conditional motion for leave to amend. (Doc. 26.) For the reasons stated...

...02/2017 Adam R. Webber , Falke & Dunphy LLC, Dayton, OH, E. Jerome Melson John M. Kizer , Gentry, Tipton & McLemore, PC, Knoxville, TN, Kenneth...

11. Jelsma v. Knox County, Tennessee

United States District Court, E.D. Tennessee. | August 25, 2017 | Not Reported in Fed. Supp. | 2017 WL 3687317 | 3:14-CV-351-TAV-CCS



Before the Court is defendant Officer Bradley Cox's motion for reconsideration of the Court's ruling on defendants' motion for summary judgment [Doc. 95]. Plaintiff responded in opposition to defendant's motion [Doc. 98] and Officer Cox replied [Doc. 99]. For the reasons explained below, the Court will grant Officer Cox's motion to reconsider and...

...S. Wigler J. Myers Morton , Knox County Law Director's Office, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

12. Carden v. City of Knoxville, Tennessee

United States Court of Appeals, Sixth Circuit. | July 12, 2017 | 699 Fed.Appx. 495 | 2017 WL 2963510 | 17-5157



CIVIL RIGHTS — Excessive Force. Shooting unarmed fleeing suspect was an unjustified violation of suspect's right to be free from excessive force.

...Richard M. Brooks , Law Office, Carthage, TN, for Plaintiff-Appellee Earl Jerome Melson , Gentry, Tipton & McLemore, Knoxville, TN, for Defendant-Appellant BEFORE: GUY...

13. Jelsma v. Knox County, Tennessee

United States District Court, E.D. Tennessee, at Knoxville. | June 14, 2017 | Not Reported in Fed. Supp. | 2017 WL 2589340 | 3:14-CV-351-TAV-CCS

This case is before the undersigned pursuant to 28 U.S.C. §636, the Rules of this Court, Standing Order 13-02, and the referral Order [Doc. 60] of the Chief District Judge. Now before the Court are the following Motions: (1) Motion in Limine of Defendant Bradley Cox or in the Alternative Motion to Dismiss Pursuant to Fed. R. Civ....

...S. Wigler J. Myers Morton , Knox County Law Director's Office, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM AND...

14. CIC Services, LLC v. Internal Revenue Service

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | April 21, 2017 | Not Reported in Fed. Supp. | 2017 WL 6016526 | 3:17-CV-110

Before the Court is a motion for preliminary injunction and partial summary judgment filed by Plaintiffs CIC Services, LLC ("CIC") and Ryan, LLC ("Ryan") (collectively "Plaintiffs"). (Doc. 8.) For the reasons stated hereafter, Plaintiffs' motion for preliminary injunction will be DENIED. As stated in the Court's...

...21/2017 Adam R. Webber , Falke & Dunphy LLC, Dayton, OH, E. Jerome Melson John M. Kizer , Gentry, Tipton & McLemore, PC, Knoxville, TN, Kenneth...

15. Carden v. City of Knoxville, Tennessee

United States District Court, E.D. Tennessee. | January 23, 2017 | Not Reported in Fed. Supp. | 2017 WL 5709590 | 3:15-CV-314-TAV-HBG

This civil action is before the Court on the Motion for Summary Judgment on Behalf of Defendant David Gerlach [Doc. 14]. Plaintiff filed a response in opposition [Doc. 25], and defendant replied [Doc. 26]. After careful examination of the record and the relevant law, the Court finds that defendant Gerlach is entitled to summary judgment as...

...Richard M. Brooks , Brooks Law Group, Carthage, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Ronald E. Mills , City of Knoxville...

16. Jelsma v. Knox County

United States Court of Appeals, Sixth Circuit. | January 20, 2017 | 673 Fed.Appx. 525 | 2017 WL 244812 | 16-6202

Officer Bradley Cox brings this interlocutory appeal from the district court's order denying him qualified immunity on Patty Jelsma's excessive force claim filed under 42 U.S.C. § 1983. On July 28, 2013, Officer Cox and another officer responded to a report of a domestic disturbance at the home of Jelsma's mother. When the...

...Patrick LaVaughn Looper , Law Office, Knoxville, TN, for Plaintiffs-Appellees Earl Jerome Melson , Gentry, Tipton & McLemore, Knoxville, TN, for Defendant-Appellant BEFORE: MERRITT...

17. Jelsma v. Knox County, Tennessee

United States District Court, E.D. Tennessee. | July 06, 2016 | Not Reported in Fed. Supp. | 2016 WL 8678053 | 3:14-CV-351-TAV-CCS

This civil action is before the Court on Defendants' Motion for Summary Judgment with Memorandum in Support [Doc. 30]. Defendants move the Court to dismiss the action, alleging that they are entitled to summary judgment as a matter of law. Plaintiffs responded in opposition [Doc. 33], and defendants replied [Doc. 37]. After careful examination of...

...S. Wigler J. Myers Morton , Knox County Law Director's Office, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

18. Nichols v. Knox County, Tenn.

United States District Court, E.D. Tennessee, Northern Division. | September 29, 2015 | Not Reported in F.Supp.3d | 2015 WL 5725166 | 3:11-CV-417-PLR-HBG

This matter has been stayed while the parties appealed the Court's ruling on summary judgment. [R. 128]. The appeals have now been resolved and dismissed, and the plaintiff has moved to lift the stay and set the case for trial. [R. 164]. While the case was stayed, the plaintiff settled his claims against all remaining parties except for Knox...

...S. Wigler Thomas S. Mullin , Knox County Law Director's Office, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. Memorandum Opinion...

19. Jelsma v. Knox County, Tennessee

United States District Court, E.D. Tennessee, at Knoxville. | September 21, 2015 | Not Reported in Fed. Supp. | 2015 WL 13216641 | 3:14-CV-351-TAV-CCS

This civil action is before the Court on the motion to dismiss filed by defendant Knox County, Tennessee, and all defendants in their official capacities [Doc. 9], and the motion to dismiss filed by defendant Sheriff J.J. Jones in his individual capacity [Doc. 10]. Defendants move the Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil...

...S. Wigler J. Myers Morton , Knox County Law Director's Office, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

20. Bivens v. White

Court of Appeals of Tennessee, AT KNOXVILLE. | September 16, 2015 | Slip Copy | 2015 WL 5444126 | E201402251COAR3CV

This appeal involves an incumbent candidate's attempt to challenge the election for the office of Sheriff of Monroe County based upon the ineligibility of the other candidate. The incumbent candidate sought to claim the office or void the election. The trial court voided the election following a bench trial. This appeal followed. We affirm. This...

...Burks, Jr. , Knoxville, Tennessee, for the appellee, Randy Dwaine White. E. Jerome Melson , Knoxville, Tennessee, for the appellee, Monroe County Election Commission. JOHN...

21. Nichols v. Knox County, Tenn.

United States District Court, E.D. Tennessee, Northern Division. | June 19, 2014 | Not Reported in F.Supp.3d | 2014 WL 2803106 | 3:11-CV-417-PLR-HBG

Donald Nichols filed this complaint under 42 U.S.C. § 1983 alleging that his Eighth Amendment right against cruel and unusual punishment was violated while he was incarcerated at the Knox County Detention Facility (the "Facility" or "Knox County"). On August 27, 2010, Mr. Nichols was asleep on the top bunk in his cell when he fell off the bed...

...Stanley & Kurtz, PLLC, Knoxville, TN, for Plaintiff. Amy S. Hickerson E. Jerome Melson , Gentry, Tipton & McLemore, PC, Thomas S. Mullin , Knoxville, TN, Leslie...

22. Holt v. Knox County, Tenn.

United States District Court, E.D. Tennessee, Northern Division. | May 05, 2014 | Not Reported in F.Supp.3d
2014 WL 1784054 | 3:12-CV-465-PLR-CCS

Plaintiffs William and Rhonda Holt brought this action under 42 U . S.C. § 1983 alleging violations of their Fourth Amendment rights against unreasonable search and seizure relating to the plaintiffs' arrest. Mr. Holt also brought state-law claims for assault and battery. The Holts dismissed Knox County on March 10, 2014. Presently before the Court...

...Plaintiffs. Mary Ann Stackhouse , Lewis, Thomason, King, Krieg & Waldrop, P.C., E. Jerome Melson , Gentry, Tipton & McLemore, P.C., Knoxville, TN, for Defendants. Memorandum Opinion...

23. In re Hubbard

United States Bankruptcy Court, E.D. Tennessee, Winchester Division. | April 25, 2014 | Not Reported in B.R.
2014 WL 1654703 | ADV 14-1010, 13-15606

The debtor Steven Erich Hubbard ("Debtor" or "Plaintiff") filed a complaint in this adversary proceeding against defendant Pennsylvania Higher Education Assistance Agency ("PHEAA" or "Defendant"). [Doc. No. 1, Complaint]. He seeks the dischargeability of certain student loans pursuant to 11 U.S.C. § 523(a)(8). He further seeks declaratory relief...

...1010. Signed April 25, 2014. Steven Erich Hubbard, pro se. E. Jerome Melson , Gentry, Tipton & McLemore, P.C., Knoxville, TN, for Defendant. MEMORANDUM SHELLY...

24. Dawson v. Monroe County, Tenn.

United States District Court, E.D. Tennessee. | February 24, 2014 | Not Reported in F.Supp.3d | 2014 WL 700400 | 3:13-CV-240-TAV-CCS

This civil matter is before the Court on several motions: (1) defendants Monroe County, Tennessee and Bill Bivens' (collectively, the "County defendants") Motion to Dismiss [Doc. 11]; (2) defendant Doug Brannon's Motion to Dismiss for Failure to State a Claim [Doc. 13]; and (3) defendant James Patrick Henry's Motion to Dismiss [Doc. 25]. Plaintiff...

...Knight, Luke A. Shipley Margaret B. Held , Held Law Firm, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

25. Faulkner v. Mattina

United States District Court, E.D. Tennessee. | January 17, 2014 | Not Reported in F.Supp.3d | 2014 WL 201463 | 3:11-CV-250-KKC

This matter is before the Court on Defendants Joseph P. Mattina's and Benjamin McVay's joint motion for summary judgment (DE 20) and Plaintiff Eric Benjamin Faulkner's motion to deny that motion. (DE 28). For the reasons stated below, both motions are granted in part and denied in part. Defendants McVay and Mattina are officers at the Knoxville...

...Law Office of Joshua D. Hedrick, Knoxville, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Ronald E. Mills , City of Knoxville...

26. In re Lane

United States Bankruptcy Court, E.D. Tennessee. | December 20, 2013 | Not Reported in B.R. | 2013 WL 6798947 | 12-31902, ADV 12-3065

This adversary proceeding is before the court upon the Complaint filed by the Plaintiff on August 2, 2012, asking the court to award it a judgment against the Defendant and for a determination that the judgment is nondischargeable pursuant to 11 U.S.C. § 523(a)(2)(A) (2006). On March 29, 2012, the Plaintiff filed the Motion for Summary...

...12-31902. Adversary Proceeding No. 12-3065. Dec. 20, 2013. Jerome Melson , Esq., Gregory D. Meadows , Esq., Gentry, Tipton & McLemore, P.C.E., Knoxville...

27. Leath ex rel. Leath v. City of Knoxville

United States District Court, E.D. Tennessee. | November 08, 2013 | Not Reported in F.Supp.2d | 2013 WL 5969602 | CIV.A. 11-382-DLB

This civil rights action is again before the Court sue sponte pursuant to Federal Rule of Civil Procedure 56(f). In a previous Memorandum Opinion and Order (Doc. # 30), the Court held that Defendant Officer Randall Smith did not violate Plaintiff Leath's Fourteenth Amendment right to Due Process and was, therefore, entitled to summary judgment....

...Knoxville, TN, for Plaintiff. Ronald E. Mills , City of Knoxville, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM ORDER...

28. Smith v. City of Knoxville

United States District Court, E.D. Tennessee. | September 26, 2013 | Not Reported in F.Supp.2d | 2013 WL 5428354 | CIV.A. 11-419-DLB

Plaintiff Carlton Smith commenced a 42 U.S.C. § 1983 action against Defendants City of Knoxville (hereafter "City"), Joel Ascencio, and Brian Mullane for violating his Fourth Amendment right to be free from unreasonable seizure. Plaintiff also advanced several other claims based on both federal and state law. On August 20, 2013, the Court granted...

...Knoxville, TN, pro se. Ronald E. Mills , City of Knoxville, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

29. Leath v. City of Knoxville

United States District Court, E.D. Tennessee. | September 25, 2013 | Not Reported in F.Supp.2d | 2013 WL 5408847 | CIV.A. 11-382-DLB

Plaintiffs bring this civil rights action under 42 U.S.C. § 1983 on behalf of their deceased daughter against the City of Knoxville and two Knoxville Police Officers. Plaintiffs assert that the officers, acting under the color of state law, were deliberately indifferent to their daughter's serious medical need in violation of her constitutional...

...Knoxville, TN, for Plaintiff. Ronald E. Mills , City of Knoxville, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

30. In re Lane

United States Bankruptcy Court, E.D. Tennessee. | September 16, 2013 | Not Reported in B.R. | 2013 WL 5219582 | 12-31902, ADV 12-3065



The Plaintiff filed a Complaint on August 2, 2012, asking the court to award it a judgment in the amount of \$1,912,367.23 plus accrued interest, expenses, collection costs, and attorneys' fees and for a determination that the judgment is nondischargeable pursuant to 11 U.S.C. § 523(a)(2). The Defendant filed Defendant's Answer to Complaint...

...McLemore, P.C., Maurice K. Guinn , Esq., Gregory D. Meadows , Esq., E. Jerome Melson , Esq., Knoxville, TN, for the Plaintiff. Law Offices of Mayer...

31. Smith v. City of Knoxville

United States District Court, E.D. Tennessee. | August 20, 2013 | Not Reported in F.Supp.2d | 2013 WL 4494976 | CIV.A. 11-419-DLB

Plaintiff Carlton Smith commenced this 42 U.S.C. § 1983 action against Defendants Joel Ascencio and Brian Mullane for violating his Fourth Amendment right to be free from unreasonable seizure. Plaintiff also advances several other claims based on both federal and state law. The Court has federal question jurisdiction under 28 U.S.C. §...

...Knoxville, TN, pro se. Ronald E. Mills , City of Knoxville, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

32. Harris v. City of Knoxville, Tenn.

United States District Court, E.D. Tennessee. | July 08, 2013 | Not Reported in F.Supp.2d | 2013 WL 3423895 | 3:12-CV-319

This civil rights action is before the Court on two pending motions for summary judgment: one filed by individual defendants Thomas Thurman and Fred Kimber [Doc. 12] and one filed by defendant City of Knoxville, Tennessee [Doc. 17]. Both motions are supported by memoranda of law [Docs. 13, 18]. Plaintiff Ty'Relle Lee Harris has responded to both...

...Knoxville, TN, for Plaintiff. Ronald E. Mills , City of Knoxville, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

33. Cheatham v. Knox County

United States District Court, E.D. Tennessee. | January 07, 2013 | Not Reported in F.Supp.2d | 2013 WL 83390 | 3:10-CV-541

This civil matter is before the Court on the Report and Recommendation (the "R & R") entered by United States Magistrate Judge H. Bruce Guyton [Doc. 52]. In the R & R, Magistrate Judge Guyton recommends denying Knox County's Motion for Attorney's Fees [Doc. 43] because Knox County is not a prevailing party for purposes of 42 U.S.C. § 1988 and thus...

...Law Offices of A. Philip Lomonaco, Knoxville, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Thomas S. Mullin , Office of Knox...

34. Cheatham v. Knox County

United States District Court, E.D. Tennessee. | January 07, 2013 | Not Reported in F.Supp.2d | 2013 WL 81999 | 3:10-CV-541

This civil matter is before the Court on the Report and Recommendation (the "R & R") entered by United States Magistrate Judge H. Bruce Guyton [Doc. 53]. In the R & R, Magistrate Judge Guyton recommends granting in part and denying in part Defendant Jeanette Harris's Motion for Attorney Fees [Doc. 45]. Magistrate Judge Guyton recommends [Doc. 53]...

...Law Offices of A. Philip Lomonaco, Knoxville, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Thomas S. Mullin , Office of Knox...

35. Rattan v. Knox County Sherrif's Office

United States District Court, E.D. Tennessee. | December 19, 2012 | Not Reported in F.Supp.2d | 2012 WL 6626143 | 3:12-CV-196

This matter is before the Court on Defendants' Motion to Dismiss, Plaintiff's motions for a scheduling order and motion for a ruling [Doc. 17, 29, and 30.]. The Defendant's Motion to Dismiss avers that the Knox County Sheriff's Office is immune from suit under 42 U.S.C. § 1983. Second, the Motion correctly states that punitive damages are not...

...Office, Thomas S. Mullin , Office of Knox County Law Director, E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. ORDER THOMAS...

36. Cheatham v. Knox County

United States District Court, E.D. Tennessee. | November 19, 2012 | Not Reported in F.Supp.2d | 2012 WL 6802292 | 3:10-CV-541

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and the order of the District Judge [Doc. 50] referring Defendant Jeanette Harris's Motion for Attorney Fees [Doc. 45] to the undersigned for disposition or report and recommendation as may be appropriate. The Plaintiff filed this case on December 16, 2010,...

...Law Offices of A. Philip Lomonaco, Knoxville, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Thomas S. Mullin , Knoxville, TN, for...

...Attorney Phillip Lomonaco was present representing the Plaintiff, and Attorney Jerome Melson was present representing Defendant Jeanette Harris. Attorney Thomas Mullin was...

37. Cheatham v. Knox County

United States District Court, E.D. Tennessee. | November 14, 2012 | Not Reported in F.Supp.2d | 2012 WL 6802224 | 3:10-CV-541

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and the order of the District Judge [Doc. 50] referring Defendant Knox County's Motion for Attorney's Fees [Doc. 43] to the undersigned for disposition or report and recommendation as may be appropriate. The Court addressed the Motion for Attorney's Fees at a...

...Law Offices of A. Philip Lomonaco, Knoxville, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, Thomas S. Mullin , Office...

...Attorney Thomas Mullin was present representing Defendant Knox County. Attorney Jerome Melson was also present representing Defendant Jeanette Harris. The Plaintiff filed...

38. Harris v. City of Knoxville, Tenn.

United States District Court, E.D. Tennessee. | September 24, 2012 | Not Reported in F.Supp.2d | 2012 WL 4372517 | 3:12-CV-319

This civil action is before the Court on the Motion to Dismiss [Doc. 3] filed by defendant David B. Rausch ("Rausch"). Defendant moves the Court to dismiss all the claims against him set forth in the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Plaintiff did not file a response, and the time for doing so has passed....

...for Plaintiff. Ronald E. Mills , City of Knoxville Law Dept., E. Jerome Melson , Gentry, Tipton & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM OPINION...

39. Smith v. City of Knoxville, Tenn.

United States District Court, E.D. Tennessee. | August 28, 2012 | Not Reported in F.Supp.2d | 2012 WL 3750936 | 3:11-CV-419

Plaintiff Carlton Smith has brought suit pursuant to 42 U.S.C. § 1983 for violation of his constitutional rights arising out of his arrest by officers of the Knoxville Police Department on August 27, 2010. Smith has also alleged several tort claims based on Tennessee law for false imprisonment, official oppression, and malicious prosecution....

...Tiptonville, TN, pro se. Ronald E. Mills , City of Knoxville, E. Jerome Melson Gentry , Tipton & McLemore, PC, Gary M. Prince Jeffrey R. Thompson...

40. Yolanda v. City of Knoxville

United States District Court, E.D. Tennessee, at Knoxville. | August 10, 2012 | Not Reported in Fed. Supp. 2012 WL 12885694 | 3:10-CV-160

Plaintiffs Yolanda and Michael Chigano, on behalf of their daughter, M.C., have filed suit against the Defendants under 42 U.S.C. § 1983 for deprivations of M.C.'s constitutional rights in violation of the Fourth, Eighth, and Fourteenth Amendments. The Chiganos have also alleged violations of Title VI of the Civil Rights Act of 1964 and...

...Law Offices of A. Philip Lomonaco, Knoxville, TN, for Plaintiffs. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Thomas S. Mullin , Office of Knox...

41. Cheatham v. Harris

United States District Court, E.D. Tennessee. | July 12, 2012 | Not Reported in F.Supp.2d | 2012 WL 2873682
3:10-CV-541

This civil rights action is before the Court on the Motion for Summary Judgment on Behalf of Defendant Jeanette Harris ("Officer Harris") [Doc. 21], in which she submits that there are no genuine issues of material fact regarding plaintiff's claims in this case and that she is entitled to judgment as a matter of law, pursuant to Rule 56 of the...

...Law Offices of A. Philip Lomonaco, Knoxville, TN, for Plaintiff. E. Jerome Melson , Gentry, Tipton & McLemore, PC, Thomas S. Mullin , Office of Knox...

42. Hollow v. Ingram

Court of Appeals of Tennessee. | November 29, 2010 | Slip Copy | 2010 WL 4861430
E201000683COAR3CV

The parties, owners of a tract of land, ultimately agreed to the sale of the property by a Special Master appointed by the Court. The sale was held and the Master ultimately reported the purchase and asked that the sale be confirmed. Before the Court acted on the Master's Report, the plaintiff moved for a dismissal pursuant to Tenn. R. Civ. P. Rule...

...Knoxville, Tennessee, for the appellee, Patrick J. Schaad, Trustee, and E. Jerome Melson , Knoxville, Tennessee, for the appellees, Richard L. Hollow, Trustee, Kent...

43. In re Held

United States Bankruptcy Court, E.D. Tennessee. | January 26, 2010 | Not Reported in B.R. | 2010 WL 396294 | ADV. 09-3075, 09-30967

BANKRUPTCY - Discharge. Obligation arising from chapter 7 debtor's student loans was nondischargeable.

...Schuchardt , Esq., Knoxville, TN, for Plaintiff. Gentry, Tipton & McLemore, P.C., E. Jerome Melson , Esq., Tyler C. Huskey , Esq., Knoxville, TN, for Defendant American...

44. Shipwash v. Knox County

United States District Court, E.D. Tennessee. | March 05, 2009 | Not Reported in F.Supp.2d | 2009 WL 560001
3:08-CV-186

This matter is before the court on the Motion to Dismiss of Defendants Southern Management & Development, L.P. and Robin Renea Fritz Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for Failure to State a Claim upon Which Relief Can Be Granted [Doc. 17] and plaintiff's Motion to Amend Complaint [Doc. 22]. For the reasons that...

...Plaintiff. Thomas S. Mullin Ronald E. Mills , City of Knoxville, E. Jerome Melson , Gentry, Tipton, Kizer & Mclemore, PC, Rebecca Brake Murray Steven E...

45. State v. Good Times, Ltd.

Court of Appeals of Tennessee. | September 23, 2008 | Not Reported in S.W.3d | 2008 WL 4334894
E20071172COAR3CV



The State of Tennessee ("State") sued Good Times, Ltd. ("Good Times") and others with regard to real property deeded to the State by Good Times after the State was sued for inverse condemnation by Good Times' lessee, Pun Wun Chan d/b/a # 1 China Buffet ("China Buffet"). The State claimed that it was entitled to indemnity from Good Times in the...

...Meghan H. Morgan , Knoxville, Tennessee for the Appellee, Elizabeth James. E. Jerome Melson , Knoxville, Tennessee for the Appellee, Knoxville Association of Realtors, Inc...

46. Bright v. Monroe County Sheriff's Dept.

United States District Court, E.D. Tennessee. | June 11, 2008 | Not Reported in F.Supp.2d | 2008 WL 2401262
3:05-CV-264

This civil action is before the Court on defendants' Motion for Summary Judgment [Doc. 26]. Plaintiff has not responded and time for doing so has now passed. Thus, this matter is ripe for determination. The Court has carefully considered the pending motion, along with the relevant affidavits and other filings. For the reasons set forth herein,...

...June 11, 2008. Carl Lee Bright, Vonore, TN, pro se. E. Jerome Melson , Gentry, Tipton, Kizer & McLemore, PC, Knoxville, TN, for Defendants. MEMORANDUM...

47. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee. | August 09, 2007 | Not Reported in F.Supp.2d | 2007 WL 2317401 | 3:03-CV-120

This civil action is before the Court on two motions: (1) Objections to Report and Recommendation on Defendant's Motion for Sanctions [Doc. 506]; and (2) Motion to Strike or Dismiss Motion for Sanctions [Doc. 513]. At the outset, the Court notes that the patent infringement action underlying this dispute has now been settled [see Doc. 509], leaving...

...3:03-CV-120. Aug. 9, 2007. Bradley H. Hodge E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC Chris T. Cain Thomas S...

48. Harper v. Bohanan

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | February 08, 2007 | Slip Copy | 2007 WL 9734415 | 3:97-CV-80

This case represents an effort to relitigate a twenty-five year old attempted murder case filed in state criminal court in Knoxville, Tennessee. Plaintiffs Jenny Harper, as the widow and next of kin of James H. Harper, and Leonard D. Hutchison bring this civil rights action against city of Knoxville law enforcement officials, Arthur Bohanan, Jim...

...Harwell, Nashville, TN, Roy P. Neuenschwander , Knoxville, TN, for Plaintiffs. E. Jerome Melson , Gentry, Tipton, Kizer & McLemore, PC, Knoxville, TN, Joe G. Bagwell...

49. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee. | October 20, 2006 | Not Reported in F.Supp.2d | 2006 WL 3007363 | 3:03-CV-120

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by the Order [Docs. 449, 460] of the Honorable Thomas A. Varlan, United States District Judge, for a report and recommendation on the following motions: Perma-Chink's Renewed First Motion for Sanctions as to the Pauly Declaration & '698 IDS [Doc....

...3:03-CV-120. Oct. 20, 2006. Bradley H. Hodge E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC Chris T. Cain Thomas S...

50. Harper v. Bohanan

United States District Court, E.D. Tennessee. | August 25, 2006 | Not Reported in F.Supp.2d | 2006 WL 2473649 | 3:97-CV-80

Plaintiffs Jenny Harper, as the widow and next of kin of James H. Harper, and Leonard D. Hutchison bring this civil rights action against state and federal law enforcement officials, Arthur Bohanan, Jim Morris, Patrick Wade, Rex Ownby, Joe Mann, Clyde Merryman, Ernest Peel, Tom Stiles, the City of Knoxville, and one private citizen, James David...

...Mary M. Bers Office of the Attorney General , Nashville, TN, E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC , Knoxville, TN, Holly M. Loy...

51. Nisus Corporation v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | August 01, 2006 | Slip Copy | 2006 WL 8442853 | 3:03-CV-120

This patent infringement action is before the Court for consideration of a motion [Doc. 467] filed by Merchant & Gould, its attorneys Allan Altera and Douglas Williams, and Daniel Pauly seeking to vacate or withdraw the Court's order referring to the Magistrate Judge Perma-Chink's renewed motions for sanctions. Following entry of findings of...

...120 (VARLAN/SHIRLEY) Filed 08/01/2006 Bradley H. Hodge E. Jerome Melson , Gentry, Tipton & McLemore, PC, Chris T. Cain Thomas S. Scott...

52. Nisus Corporation v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | July 27, 2006 | Slip Copy | 2006 WL 8442841 | 3:03-CV-120

This patent infringement action is before the Court for consideration of Perma-Chink's motion pursuant to Fed. R. Civ. P. 59(e) [Doc. 427] to declare unenforceable divisional patents numbered 5,104,664 ("664 patent") and 5,645,828 ("828 patent"). As grounds for the motion, defendant argues that the '664 and '828 patents...

...03-CV-120 Filed 07/27/2006 Bradley H. Hodge E. Jerome Melson , Gentry, Tipton & McLemore, PC, Chris T. Cain Thomas S. Scott...

53. Nisus Corporation v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee, Northern Division, at Knoxville. | July 27, 2006 | Slip Copy | 2006 WL 8442852 | 3:03-CV-120

This patent infringement action is before the Court for consideration of Nisus's motion for reconsideration and amendment [Doc. 426] pursuant to Fed. R. Civ. P. 52(b) and 59(e). Specifically, Nisus seeks reconsideration

and amendment of the Court's findings of fact and conclusions of law [Doc. 416] and judgment [Doc. 417] to "articulate the...

...120 (VARLAN/SHIRLEY) Filed 07/27/2006 Bradley H. Hodge E. Jerome Melson , Gentry, Tipton & McLemore, PC, Chris T. Cain Thomas S. Scott...

54. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee. | July 27, 2006 | Not Reported in F.Supp.2d | 2006 WL 2128903
3:03-CV-120

This patent infringement action is before the Court for consideration of a motion to intervene [Doc. 420] filed by Michael Teschner, an attorney who formerly represented Nisus and who testified on behalf of Nisus during trial of this action. Mr. Teschner seeks to intervene as of right, pursuant to Fed.R.Civ.P. 24(a), or alternatively, by permission...

...3:03-CV-120. July 27, 2006. Bradley H. Hodge E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC Chris T. Cain Thomas S...

55. Williams v. Leatherwood

United States District Court, E.D. Tennessee. | June 26, 2006 | Not Reported in F.Supp.2d | 2006 WL 1788012
3:05-CV-189

This civil action is before the court on the motion of defendant Brian Leatherwood for summary judgment [doc. 20]. The plaintiffs have responded [doc. 30], and the defendant has filed a reply brief [doc. 34]. The court finds that oral argument is not necessary, and the motion is ripe for the court's consideration. For the reasons discussed below,...

...Law Office of Herbert S. Moncier , Knoxville, TN, for Plaintiffs. E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC Herbert S. Moncier Law Office...

56. Harper v. Bohanan

United States District Court, E.D. Tennessee. | May 23, 2006 | Not Reported in F.Supp.2d | 2006 WL 1462574
3:97 CV 80

Plaintiffs Jenny Harper, as the widow and next of kin of James H. Harper, and Leonard D. Hutchison bring this civil rights action against state and federal law enforcement officials, Arthur Bohanan, Jim Morris, Patrick Wade, Rex Ownby, Joe Mann, Clyde Merryman, Ernest Peel, Tom Stiles, one private citizen, James David Comer, and the City of...

...Mary M. Bers Office of the Attorney General , Nashville, TN, E. Jerome Melson E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC , Knoxville, TN, Holly M. Loy...

57. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee, Northern Division. | March 16, 2006 | 421 F.Supp.2d 1084 | 2006 WL 686887 | 3:03-CV-120

PATENTS - Inequitable Conduct. Failure to disclose information about related infringement litigation to the PTO amounted to inequitable conduct.

...W. Jordan, III Merchant & Gould , Atlanta, GA, Bradley H. Hodge E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC
John A. Lucas Hunton & Williams...

58. Harper v. Bohanan

United States District Court, E.D. Tennessee, Northern Division. | February 08, 2006 | Not Reported in
F.Supp.2d | 2006 WL 319029 | 3:97-CV-80

Plaintiffs Jenny Harper, as the widow and next of kin of James H. Harper, and Leonard D. Hutchison bring this civil rights action against state and federal law enforcement officials and prosecutors, Arthur Bohanan, Jim Morris, Patrick Wade, William Crabtree, Rex Owenby, Joe Mann, Clyde Merryman, David Jennings, one former prosecutor, J. Mikel...

...for Plaintiffs. Mary M. Bers Office of the Attorney General E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC ,
Nashville, TN, Holly M. Loy...

59. American Civil Liberties Union of Tennessee v. Monroe County, Tennessee

United States District Court, E.D. Tennessee, Northern Division. | November 18, 2005 | Not Reported in
F.Supp.2d | 2005 WL 3108384 | 3:04-CV-48

This civil action is before the Court on the parties' respective motions for summary judgment [Docs. 34, 37]. The parties dispute whether the defendants' voluntary removal of a display of the Ten Commandments in the Monroe County Courthouse renders the plaintiffs' claims as moot. The Court has carefully reviewed the pending motions and related...

...American Civil Liberties Union of Tennessee , Nashville, TN, for Plaintiffs. E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC , Knoxville, TN, Francis J. Manion...

60. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee. | May 27, 2005 | Not Reported in F.Supp.2d | 2005 WL 6112992
3:03-CV-120

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by the Orders [Docs. 262, 270] of the Honorable Thomas A. Varlan, United States District Judge, for disposition of Perma-Chink's Motion for Sanctions [Doc. 254] and Second Motion for Sanctions [Doc. 263]. The undersigned conducted a hearing on these...

...2005. Named Expert: Ernest Lipscomb, III Esq Bradley H. Hodge E. Jerome Melson , Gentry, Tipton, Kizer & McLemore, PC,
Chris T. Cain Thomas S...

61. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee. | March 31, 2005 | Not Reported in F.Supp.2d | 2005 WL
5164856 | 3:03-CV-120

In this case, known as Nisus II, plaintiff Nisus Corporation ("Nisus") alleges that defendant Perma-Chink Systems, Inc. ("Perma-Chink") infringed on U.S. Patent No. 6,426,095 ("the '095 patent"), which involves "Methods and Compositions for Retarding and Eradicating Infestation in Trees and Tree Derived Products." This matter is presently before...

...3:03-CV-120. March 31, 2005. Bradley H. Hodge E. Jerome Melson Gentry, Tipton, Kizer & McLemore, PC Chris T. Cain Thomas S...

62. Mullins v. U.S.

United States District Court, E.D. Tennessee. | March 01, 2005 | 366 F.Supp.2d 573 | 2005 WL 928415 | 3:01-CV-171

TAXATION - Attorney Fees. Taxpayers who prevailed in refund action were entitled to recover attorney fees.

...services. 26 U.S.C.A. §7430(c)(1) Bradley H. Hodge E. Jerome Melson Mack A. Gentry , Knoxville, TN, for Plaintiffs. Beatriz T. Saiz...

63. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee. | January 25, 2005 | Not Reported in F.Supp.2d | 2005 WL 5164855 | 3:03-CV-120

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by the Order [Doc. 211] of the Honorable Thomas A. Varlan, United States District Judge, for a report and recommendation on the construction of the claims at issue in this case pursuant to Markman v. Westview Instruments, Inc., 517 U.S. 370, 116...

...effective to prevent or eradicate infestation Agitating Bradley H. Hodge E. Jerome Melson , Gentry, Tipton, Kizer & McLemore, PC, Chris T. Cain Thomas S...

64. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee. | September 17, 2004 | Not Reported in F.Supp.2d | 2004 WL 6081220 | 3:03-CV-120

This matter is before the undersigned pursuant to the provisions of 28 U.S.C. § 636(b), the Rules of this Court, and by the Orders [Docs. 73, 98, 102, 107] of the Honorable Thomas A. Varlan, United States District Judge, for disposition of the following motions: Plaintiff Nisus' Motion to Compel Responses to Interrogatories Nos. 1–3, 16 and 17,...

...3:03–CV–120. Sept. 17, 2004. Bradley H. Hodge E. Jerome Melson , Gentry, Tipton & McLemore, PC, Chris T. Cain Thomas S. Scott...

65. Nisus Corp. v. Perma-Chink Systems, Inc.

United States District Court, E.D. Tennessee. | September 17, 2004 | Not Reported in F.Supp.2d | 2004 WL 6081221 | 3:03-CV-120

This matter is before the undersigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(A), the Rules of this Court, and by the Order [Doc. 99] of the Honorable Thomas A. Varlan, United States District Judge, for consideration of the following motions: Defendant PermaChink's Motion for Leave to File Amended Answer with Counterclaims and...

...3:03–CV–120. Sept. 17, 2004. Bradley H. Hodge E. Jerome Melson , Gentry, Tipton & McLemore, PC, Chris T. Cain Thomas S. Scott...

66. Hall v. City of Gatlinburg

Court of Appeals of Tennessee. | February 06, 2002 | Not Reported in S.W.3d | 2002 WL 185479
E2001-01470-COA-R3CV

Cathy L. Hall ("Plaintiff"), was attending a convention at the convention center of the City of Gatlinburg ("Defendant"), when she fell and sustained physical injury. Plaintiff fell in one of two separate areas just mopped by Defendant's employee. After the parties submitted proof at trial, the Trial Court found Defendant negligent. The Trial Court...

...Sevier County, No. 99-793-III; Rex Henry Ogle , Judge. E. Jerome Melson , Knoxville, Tennessee, for the Appellant, City of Gatlinburg. Ronald J...

67. Livingston v. Hayes

Court of Appeals of Tennessee. | July 23, 2001 | Not Reported in S.W.3d | 2001 WL 823626
E200001619COAR3CV

In this appeal from the Circuit Court for Hamblen County, the Plaintiff/Appellant, William P. Livingston, Jr., questions whether the Trial Court erred in entering a summary judgment dismissing his action for libel against the Defendants/Appellees, Mike Hayes, et al. We affirm the judgment of the Trial Court and remand for collection of costs below....

...was submmitted and oral argument was waived by Mr. Livingston. Earl Jerome Melson , Knoxville, TN, for appellee, Joel Seal. Gary Prince , Knoxville, TN...

68. King v. City of Gatlinburg

Court of Appeals of Tennessee. | May 08, 2001 | Not Reported in S.W.3d | 2001 WL 483419 | E2000-00734-COA-R3CV

The Trial Court refused to entertain plaintiff's action on the grounds there was no justiciable controversy between the parties. We affirm. In this declaratory judgment action, the Trial Court concluded there was no justiciable controversy, and dismissed the action. Plaintiff has appealed. Plaintiff's complaint outlined that he owns property in...

...Steven E. Marshall , Sevierville, TN, for appellant, Bobby Clark King. E. Jerome Melson , Knoxville, TN, for appellee, City of Gatlinburg. FRANKS , J., delivered...

69. Cooper v. Norris

Court of Appeals of Tennessee. | February 22, 2001 | Not Reported in S.W.3d | 2001 WL 173209
E200001208COAR3CV

Misty L. Cooper sues Claiborne County Board of Education for breach of a teaching contract she contends was entered into with her. The School Board contends that the offer of employment was contingent upon her passing the National Teachers Examination, which she did not do. The Trial Court found in favor of the Board. We affirm. In this suit, Misty...

...Judge. W. Andrew Fox , Knoxville, TN, for appellant, Misty Cooper. E. Jerome Melson , Knoxville, TN, for appellee, Claiborne County Board of Education. GODDARD...

70. Bennett v. Putnam County

Court of Appeals of Tennessee, Middle Section, at Nashville. | October 12, 2000 | 47 S.W.3d 438 | 2000 WL 1514074 | M1999-00716COA-R3-CV

GOVERNMENT - Public Safety. ambulance attendants were not negligent in parking ambulance, and thus not liable to bystander.

...line and hit ambulance. T.C.A. §55-8-108 (2000). E. Jerome Melson Robert H. Watson, Jr. Nathan D. Rowell , Knoxville, for appellant...

71. Austin Powder Co. v. Thompson

Court of Appeals of Tennessee. | December 16, 1996 | Not Reported in S.W.2d | 1996 WL 718291 | 03A01-9607-CV-00229

The Defendant appeals a judgment entered by the Blount County Circuit Court awarding the Plaintiffs discretionary costs including attorney fees. This appeal arises from an earlier action (second lawsuit) seeking specific performance of a settlement agreement resolving the original lawsuit filed by the Defendant. The Defendant, Walter Thompson, sued...

...Dec. 16, 1996. HENRY T. OGLE OF KNOXVILLE FOR APPELLANT E. JEROME MELSON OF KNOXVILLE FOR APPELLEES HON. W. DALE YOUNG JUDGE WALTER...

...attorney fees. Attached to this petition was an affidavit of Jerome Melson, the Plaintiffs' attorney, outlining the Plaintiffs' costs. The Plaintiffs requested...

72. Austin Powder Co. v. Thompson

Court of Appeals of Tennessee, Western Section, at Knoxville. | February 20, 1996 | Not Reported in S.W.2d | 1996 WL 73815 | 03A01-9507-CV-00225

This appeal involves a suit for specific performance of an agreement to compromise and settle a damage suit. Plaintiffs, Austin Powder Company, Renfro Construction Company, and D & P Construction Company (hereinafter plaintiffs or Austin Powder) sued defendant, Walter Thompson, seeking specific performance of an alleged agreement settling an...

...Court, Blount Circuit No. E-16403; W. Dale Young , Judge. E. Jerome Melson of Watson, Hollow & Reeves , Knoxville, for Plaintiffs-Appellees. Henry T...

...of Thompson's attorneys of record in the underlying litigation, advised Jerome Melson, attorney for Austin Powder, that Thompson accepted Austin Powder's offer...

...It is further undisputed in the record that Spalvins advised E. Jerome Melson, Counsel for Plaintiffs, in this case, that Thompson accepted the...

...in the afternoon. Later, on Friday afternoon, Austin Powder's attorney, Jerome Melson, advised Spalvins by telephone that the offer was increased to...

73. Austin Powder Co. v. Thompson

Court of Appeals of Tennessee, Eastern Section. | January 27, 1995 | Not Reported in S.W.2d | 1995 WL 33778 | 03A01-9408-CH-00294

Walter Thompson ("Thompson"), the Defendant below, appeals the trial court's grant of summary judgment to the Plaintiffs, Austin Powder Company, Renfro Construction Company, and D & P Construction Company

("Plaintiffs"). The Plaintiffs moved for summary judgment on their claim for specific performance of an alleged contract among the parties...

...W. Dale Young , Judge. Henry T. Ogle , Knoxville, for appellant. E. Jerome Melson and Watson, Hollow & Reeves , Knoxville, for appellees. OPINION SUSANO , Judge...

...is undisputed in the record before us that Spalvins advised E. Jerome Melson, counsel for the Plaintiffs, that Thompson accepted the Plaintiffs' offer...

74. Buckner v. Kilgore

United States Court of Appeals, Sixth Circuit. | October 03, 1994 | 36 F.3d 536 | 1994 WL 530736 | 93-5833

Juveniles filed §1983 claims against police officer who established roadblock with which they collided. The United States District Court for the Eastern District of Tennessee, Joe A. Tilson, United States Magistrate Judge, denied officer's motion for summary judgment. Officer filed interlocutory appeal. The Court...

...for Murphy Roland Silver, Jr. Robert H. Watson, Jr. (briefed), Earl J. Melson (argued and briefed), Watson, Hollow & Reeves, Knoxville, TN, Rebecca L...

75. Bailey v. Colonial Freight Systems, Inc.

Supreme Court of Tennessee, at Knoxville. | July 20, 1992 | 836 S.W.2d 554 | 1992 WL 190724

The Chancery Court, Scott County, Billy Joe White, Chancellor, awarded workers' compensation benefits to worker, and employer appealed. The Supreme Court, Anderson, J., held that: (1) court could admit testimony of vocational expert as to worker's vocational disability, but (2) worker was not entitled to lump-sum payment of partial...

...rehabilitation to be used, if necessary, for education and retraining. E. Jerome Melson and Richard L. Hollow Watson, Hollow & Reeves , Knoxville, for defendant...

76. Collins v. Debusk

Court of Appeals of Tennessee. | April 09, 1991 | Not Reported in S.W.2d | 1991 WL 47507 | 199

This is a breach of contract action wherein the plaintiff-appellant alleges that he is due certain sums of money from the defendant under a contract entered into between the parties in March, 1985. The trial court granted judgment to the plaintiff in the amount of \$8,250.66, and from this judgment the plaintiff has appealed. We respectfully...

...Perry P. Paine, Jr. Paine, Garrett & Bray , Maryville, for appellant. E. Jerome Melson McCampbell & Young, P.C. , Knoxville, for appellees. OPINION McMURRAY , Judge. This...

77. Zimmerer v. Tuckaleechee Caverns, Inc.

Court of Appeals of Tennessee, Eastern Section at Knoxville. | June 07, 1990 | Not Reported in S.W.2d | 1990 WL 74394 | C.A. 178

The plaintiffs appeal the dismissal of their action for damages for personal injuries and loss of consortium following a merit trial. Tuckaleechee Caverns is a tourist attraction in Blount County. The plaintiffs allege that

they paid a fee for a guided tour through these caverns which has a walkway rough and uneven in places, is ill-lighted and...

...Non-Jury A.B. Strand, Jr. , Dandridge, for appellants. Richard Hollow Jerome Melson , Knoxville, for appellee. OPINION WILLIAM H. INMAN , Special Judge. I...

78. Town of Madisonville v. Tucker

Court of Appeals of Tennessee, Eastern Section. January 31, 1990 Not Reported in S.W.2d 1990 WL 6369 69

Truman Tucker appeals a judgment rendered against him by the Circuit Court for Monroe County in the amount of \$10 pursuant to the Trial Court's finding that he was guilty of public drunkenness and assessing a \$10 fine as a result thereof. On appeal Mr. Tucker makes a number of contentions. However, we deem it necessary to address only his...

...S. Randolph Ayres , Judge. John W. Cleveland , Sweetwater, for appellant. Jerome Melson , Knoxville, for appellee. OPINION GODDARD , Judge. Truman Tucker appeals a...

79. Commerce Federal Sav. Bank v. Parten

Court of Appeals of Tennessee. March 17, 1989 Not Reported in S.W.2d 1989 WL 22726 C.A. 1235, C.A. 1236, C.A. 1237

A continuing guaranty executed by Hannah S. Parten for the debts of her husband was enforced by the Chancellor and she appeals, insisting that the Bank violated the Tennessee Consumer Protection Act; T.C.A. 47-18-109 et seq., because of its unfair and deceptive practices in not explaining to her the entire import of the guaranty. Mrs. Parten...

...1236, C.A. 1237, Hon. Sharon Bell, Chancellor. Bruce A. Anderson, Jerome Melson, Knoxville, for appellant Hannah S. Parten. Shumate and Bowling, Knoxville...