

**Tennessee Trial Court Vacancy Commission**  
***Application for Nomination to Judicial Office***

1/17/23

Name: Stephen Ellis Grauberger

Office Address: 787 Rucker Lane  
(including county) Murfreesboro, Rutherford County, Tennessee 37128

Office Phone: (615) 772-6564 Facsimile: \_\_\_\_\_

Email Address: [REDACTED]

Home Address: [REDACTED]  
(including county) [REDACTED], Rutherford County, Tennessee 37128

Home Phone: \_\_\_\_\_ 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](http://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. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. 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 with Nashville Law Office, PLLC.

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

I was licensed in 2004. BPR# 023652

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#023652, Date of licensure: 2004, Active.

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

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).

Hollins & Associates, PLLC, Associate Attorney, 2004 – 2005

John H. Lowe & Associates, PLLC, Associate Attorney, 2005 – 2007

Grauberger, Green & Associates, PLLC, Co-Owner/Attorney, 2007 – 2014

City of Mt. Juliet, Municipal Court Judge (part-time) 2008-2009

Franklin Business Law, PLLC, Owner/Managing Attorney, 2014 – 2018

Wesley Financial Group, LLC, General Counsel, 2019 – 2021

Brookdale Senior Living, Inc., Director/Corporate Counsel, 2022 – 2023

Nashville Law Offices, PLLC, Associate Attorney, 2023

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.

Domestic 25%

Business Litigation 25%

Probate 25%

Transactional 25%

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 have represented clients in all levels of civil trial courts since 2004 (General Sessions, Circuit and Chancery), General Sessions criminal courts, argued before the Tennessee Court of Appeals on several occasions, and have represented clients before state regulatory bodies and administrative hearings. My practice has ranged from domestic/divorce, to business law, personal injury, employment law, and intellectual property. I served as Municipal Court Judge for the City of Mt. Juliet, TN from 2008-2009. I have additionally represented numerous clients in federal court and I am admitted to the United States District Courts for Middle and Eastern TN. Additionally, I successfully represented a client through trial against the FAA before a federal administrative law judge, have argued before the Sixth Circuit Court of Appeals, as well as appeared *pro hac vice* in significant copyright infringement litigation in the Southern District of New York and Central District of California. I have additionally represented numerous clients in transactional matters over the years, from simple sales contracts to complex business transactions and sales/acquisitions, as well as assisting clients with wills/estate planning and probate matters, and business formations. I served as General Counsel for Wesley Financial Group, LLC from 2019 – 2021, which was one of Forbes Magazine’s fastest growing businesses during my tenure, and served as Director/Corporate Counsel for Brookdale Senior Living Inc. from 2022 – 2023.

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

Served as lead counsel in significant federal copyright infringement lawsuits against Napster Inc., Microsoft Corporation, and Yahoo! Inc. First chair trial experience against United States Government (FAA) before administrative law judge.

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

Served as a volunteer reserve police officer for the City of Mt. Juliet, TN from 2003 – 2008.

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

Not Applicable

### 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 Kansas, 1984 – 1985 (no degree), left to change schools

University of Missouri at Kansas City, 1985 – 1986 (no degree), left to perform music professionally

Middle Tennessee State University, 1988 – 1990, Bachelor of Science, Major: Recording Industry Management, Minors: Mass Communications, Music

Nashville School of Law, 1999 – 2004, Doctor of Jurisprudence

### PERSONAL INFORMATION

12. State your date of birth.

██████████, 1966

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

Since 1988

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

Moved to Rutherford County in March 2023.

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

Rutherford 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.

N/A

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.

None.

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.

I have had several collection lawsuits against me in the past 5 years, during a period of unemployment, which have been resolved.

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.

Divorces:

Stephen E. Grauberger v. Shirley W. Grauberger – Wilson County General Sessions Court, filed 2008, divorce granted 2009

Stephen E. Grauberger v. Kimberly Bartol Grauberger – Williamson County Circuit Court, filed 2015, Wife passed away in her sleep prior to divorce being granted.

Stephen E. Grauberger v. Donna Kay Grauberger – Williamson County Circuit Court, Case No. 22CV-286, filed 2022, divorce granted 2022.

David Bohler v. Stephen Grauberger – Davidson County Circuit Court, Case No. 18C2630, legal malpractice claim, filed 2018, Dismissed with prejudice 2019

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.

Not Applicable

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

Not Applicable

#### 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.

Association of Corporate Counsel 2020 - 2021

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.

Not Applicable

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.

Mt. Juliet, TN Beer Board Member – appointed, 2008 (resigned when appointed Judge)

Municipal Court Judge, Mt. Juliet, TN – appointed, 2008-2009 (resigned when relocated out of county)

**ESSAYS/PERSONAL STATEMENTS**

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

I have a very broad base of experience through my legal career and would like to continue to serve the justice system and community in the best way I can to ensure continued fairness and efficiency.

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)*

Circuit Court Judge, Div. 1, 16<sup>th</sup> Judicial District. My impact on the Court would be to uphold the high standards of conduct and fairness maintained by the Hon. J. Mark Rogers, in all matters before him.

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)*

Without a doubt. A judge's job is to interpret the law as they apply to a set of facts and render a decision (absent a jury). It is not a judge's place to act as the legislature nor to render decisions based upon whether or not the law conforms with the judge's personal beliefs.

**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. Robin McVey, Chairman of the Board, Suriance, LLC  
[REDACTED]

B. Chad White, General Counsel, Brookdale Senior Living, Inc.  
[REDACTED]

C. Bart Holzer, Chief Security Officer, Wesley Financial Group, LLC  
[REDACTED]

D. Derrick H. Green, Attorney at Law  
[REDACTED]

E. N. Courtney Hollins, Partner, Baker Donelson  
[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 [Court] Circuit Court, Division I, 16<sup>th</sup> Judicial District 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: July 24, 2023.

*/s/ Stephen E. Graubeger*  
Signature

When completed, return this questionnaire to John Jefferson at the 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 Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

Stephen Ellis Grauberger  
Type or Print Name

/s/ Stephen E. Grauberger  
Signature

07/24/23  
Date

023652  
BPR #

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