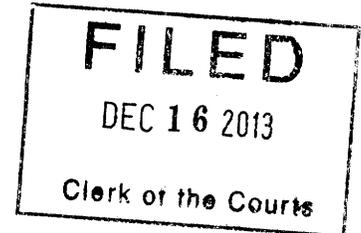


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: AMENDMENTS TO TENNESSEE
RULES OF CIVIL PROCEDURE

No. ADM2013-02056



ORDER

The Court adopts the attached amendments effective July 1, 2014, subject to approval by resolutions of the General Assembly. The rules amended are as follows:

- RULE 12 DEFENSES AND OBJECTIONS: WHEN
AND HOW PRESENTED: BY PLEADING
OR MOTION: MOTION FOR JUDGMENT
ON PLEADINGS
- RULE 54 JUDGMENTS AND COSTS.

The text of each amendment is set out in the attached Appendix.

IT IS SO ORDERED.

FOR THE COURT:



GARY R. WADE, CHIEF JUSTICE

APPENDIX

2014 AMENDMENTS TO THE TENNESSEE RULES OF CIVIL PROCEDURE

In the attached amended rules, ~~overstriking~~ indicates deleted text
and underlining indicates added text.

TENNESSEE RULES OF CIVIL PROCEDURE

RULE 12

DEFENSES AND OBJECTIONS: WHEN AND HOW PRESENTED:
BY PLEADING OR MOTION: MOTION FOR JUDGMENT ON PLEADINGS

[Amend Rule 12.02 by adding the new Comment below; the text of the rule is unchanged:]

Advisory Commission Comment [2014]

12.02. Effective July 1, 2012, Tennessee Code Annotated Section 20-12-119 was amended to add subsection (c) which authorizes the trial court, under certain circumstances, to award costs and reasonable and necessary attorney's fees to a party who prevails on a motion to dismiss for failure to state a claim upon which relief may be granted. Section 20-12-119(c) requires the party or parties whose claim or claims were dismissed to pay the awarded costs and fees.

TENNESSEE RULES OF CIVIL PROCEDURE

RULE 54

JUDGMENTS AND COSTS

[Amend Rule 54.04 by adding the new Comment below; the text of the rule is unchanged:]

Advisory Commission Comment [2014]

54.04. Effective July 1, 2012, Tennessee Code Annotated Section 20-12-119 was amended to add subsection (c) which authorizes the trial court, under certain circumstances, to award costs and reasonable and necessary attorney's fees to a party who prevails on a motion to dismiss for failure to state a claim upon which relief may be granted. Section 20-12-119(c) requires the party or parties whose claim or claims were dismissed to pay the awarded costs and fees.