

**APPLICATION OF BILL YOUNG
FOR TENNESSEE ATTORNEY GENERAL AND REPORTER**

Supreme Court of Tennessee

Application for Tennessee Attorney General and Reporter

CONTACT INFORMATION

Name: Bill Young
Home Address: _____
Office Address: Nashville City Center, Suite 600, 511 Union St. Nashville, TN 37219
Home Phone: _____ Office Phone: 615-741-2687
Cell Phone: _____
Email Address: _____

PERSONAL INFORMATION

1. Please provide the following:

Age:	57	Date of birth:	08/31/1956	City and state (or country) of birth:	Clarksville, TN
Social Security No.		TN Driver's License No.			
Tennessee Board of Professional Responsibility No.	9711	Year licensed to practice:	1981		

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

All my life except from February 1984 to September 1984 when my wife and I worked in Washington, D.C. and resided in Virginia.

3. Are you registered to vote in Tennessee? If so, please give the county.

Yes. Davidson County.

4. In what states have you lived since age 21? Indicate length of stay and approximate dates.

State	Length	From	To
Tennessee	6 Years, 5 Months	8/31/77	1/31/84
Virginia	8 Months	2/1/84	9/30/84
Tennessee	29 Years, 11 Months	10/1/84	Present Date

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5. Family Status:

a) If you are presently married, give the full name and present address of your spouse, the date and place of your marriage, and your spouse's occupation and place of employment.

Spouse's Name	Address	Date of Marriage	Place of Marriage
Jane Wright Young		7/9/83	Nashville, TN
Occupation		Place of Employment	
Attorney		Tennessee Department of Health	

b) If you have been married previously, state the name of your former spouse, the date and place of the marriage, and the date the marriage terminated. If the marriage was terminated by divorce, give the date and place of the divorce, the name and location of the court, and the present or last known address of your former spouse.

Former Spouse's Name		Date of Marriage	Place of Marriage	Date Marriage Terminated
N/A				
Divorced Spouse	Divorce Date	Place of Divorce	Court Name & Location	Spouse Address

c) If you have children, state the name, age, address, present occupation, and name and address of the employer of each, if applicable.

Name		Age	Address
Elizabeth Young	Lanier	23	
Occupation	Employer Name		Employer Address
Accountant	Not employed as of this date, begins employment with the accounting firm of Ernst & Young in its Nashville office on 9/10/2014		

Name	Age	Address
N/A		
Occupation	Employer Name	Employer Address

Name	Age	Address
N/A		
Occupation	Employer Name	Employer Address

Name	Age	Address
N/A		
Occupation	Employer Name	Employer Address

6. If you have served in the military, please state the branch of service, your service number, the dates of active duty, and your rank/rate at separation. If your discharge was other than honorable, please explain. Please list any decorations, honors or achievements in connection with your military service.

Branch	Service Number	Dates	Rank/Rate
N/A			
Additional Information:			

7. If you are not physically and mentally able to perform the essential duties of Attorney General and Reporter without accommodations, please identify any accommodations you may need to perform the job.

Not applicable.

8. If you have ever pleaded guilty to or been convicted of a violation of any law (other than a minor traffic offense), regulation, or ordinance; give the date, court, charge, and disposition. This question includes any convictions that have been expunged and any convictions for which you are on diversion.

Date	Court	Charge	Disposition
Not applicable.			

9. If, to your knowledge, you have ever been under federal, state, or local investigation for possible violation of a criminal statute, give details.

None.

10. If a tax lien or other collection procedure has ever been instituted against you by any federal, state, or local authority, or any private party, give details.

None.

11. If you have not complied with all federal and state tax laws, including social security tax laws, please explain.

No to the best of my knowledge.

12. If you have ever been a party in any legal proceedings, give details, including the date, court, docket number, nature of proceedings, and resolution.

I filed a lawsuit on January 26, 2012 to resolve a dispute with a collection company, a provider of health care services and two major credit agencies that had inappropriately diminished my credit rating because they had confused the debt of another individual named "William E. Young," with me. The suit was filed in Davidson County Chancery Court and was styled William E. Young v. Revenue Recovery Corp.; Equifax Information Services LLC; Experian Information Solutions, Inc; Southern Tennessee Radiology; Paul Ellis, Case No. 12-130-I. The suit was ultimately resolved by settlement. To the best of my knowledge I have not been named in any other legal proceedings.

EDUCATION

13. List each college, law school, and other graduate school you have attended, including dates of attendance, degree awarded, and major. If you left before obtaining a degree, please give your reason for leaving.

School	Dates	Degree	Major
University of the South	8/1974 to 5/1975	Transferred to another college	
Vanderbilt University	8/1975 to 12/1977	B.A.	Political Science and History
I attended Emory Law School from 8/78 to 5/79. I transferred to Vanderbilt Law School and attended Vanderbilt from 8/79 until 5/81. I obtained a J.D. from Vanderbilt Law School.			

14. For your law school education only, please give your academic standing (class rank), whether you served on the staff of a legal publication such as the law review, including your position and responsibilities, and whether you were a member of a moot court or mock trial team. List any honors, awards, or other forms of recognition you received in law school.

Vanderbilt Law School does not make public its law students class rank, that policy was in place when I attended and I verified with Vanderbilt Law School that the policy continues in place today. I participated in the moot court competition at Vanderbilt.
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LEGAL BACKGROUND AND EXPERIENCE

15. If you are licensed to practice law in any state other than Tennessee, please give the year and whether your license is currently active. Please also list all courts to which you have been admitted, including administrative bodies that require special admission to practice.

State and Bar No.	Year	License Status
Tennessee, 9711	1981	Active
Court Admissions: All Tennessee state courts, United States Supreme Court, Sixth Circuit Court of Appeals, all Tennessee federal district courts.		

16. If you have ever been denied admission to, suspended by, or placed on inactive status by the Bar of any state, please give dates, even if the action was temporary, and explain.

Not applicable.

17. If you have been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group, give details.

Not applicable.

18. 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, and participation in any committees you consider significant.

Group	Dates	Office	Dates
Tennessee Association Bar	Last ten years		
American Association Bar	Last four years		
American Health Lawyers Association	Last ten years		
Chattanooga Association Bar	2004 to 2010		
Chattanooga and Nashville Inns of Court	2010 to present		
American Corporate Counsel	2004 to 2010		
Committees: Tennessee Bar Association Health Lawyers Committee, was Vice-Chair and then Chair several years ago.			

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

In 2009 I was appointed by the Tennessee Supreme Court to serve on the Access to Justice Commission. The Commission was tasked with exploring ways to improve the delivery of pro bono services by Tennessee lawyers. I left the Commission when I assumed my current position. In 2009 I was also appointed by the Speaker of the Tennessee Senate to serve on the Tennessee Judicial Nominating Commission. I was elected Vice-Chair of the Commission in 2009 and became Chair of the Commission approximately six months after my selection as Vice-Chair. I served as Chair of the Commission until I had to resign from the Commission when I agreed to become the Solicitor General of the Tennessee Attorney General's Office effective September 1, 2011.

20. If you have served as a judicial law clerk for a judge or as a staff attorney to a court, give the name of the judge or court and dates of service, and describe your experience.

I served as a law clerk for now retired Judge Russell H. Hippe, Jr. and Chief Judge George C. Paine II of the United States Bankruptcy Court for the Middle District of Tennessee. My tenure in this position was from October 1981 to January 1984. I thoroughly enjoyed this experience and learned much about the federal bankruptcy and insolvency process. For years afterwards, I practiced in the bankruptcy area and my experience as a clerk was invaluable in helping me to work in this area of the law. Just as important, I developed friendships during this time with the bankruptcy judges, the judges' staff, members of the court's clerk's office and attorneys who appeared before the Middle District bankruptcy courts.

21. Indicate your present employment, and list any professional partners or other members if applicable.

Current Employment	Date Employed
Director of the Administrative Office of the Courts	12/2013
Partners or other members: N/A	

22. Other than service as a judicial law clerk for a judge or as a staff attorney to a court, list and briefly describe your prior employment in the legal field since the completion of your legal education and give the dates of such employment. If you have had any periods of unemployment in excess of six months since completion of your legal education, please describe what you did during those periods.

Administrative Office of the Courts ("AOC"), Nashville, Tennessee

Director; responsible for oversight of 70 plus employees at AOC and working with the General Assembly, Governor's Office and other state officials to address issues confronting Tennessee's court system; the director serves on several boards, including the Tennessee State Retirement Commission; the AOC reports to the Tennessee Supreme Court and provides information technology, logistical and educational support for the Tennessee court system; the AOC also administers the State's \$39 million indigent defense fund; employed from December 9, 2013 to the present date.

Tennessee Attorney General's Office, Nashville, Tennessee

Served as Solicitor General; responsible for oversight of all appellate litigation involving the Attorney General's Office, all written legal opinions requested by State officials from the Attorney General's Office, and the review of requests by other states or parties for the Office to join amicus briefs; served as part of the Attorney General's senior management team; employed from September 1, 2011 to December 8, 2013.

BlueCross and BlueShield of Tennessee ("BCBST"), Chattanooga, Tennessee

Served as Senior Vice President of Risk Management, Chief Compliance Officer (title transferred to another individual reporting to me in approximately 2008) and General Counsel; duties included oversight of legal, compliance, internal audit, information security, provider audit, corporate governance and overall security (this duty added in approximately 2009) areas; responsible for managing over 250 persons in these various areas; part of senior management team and reported directly to BCBST Chief Executive Officer; employed from December 18, 2002 until August 31, 2011.

Vanderbilt University, Nashville, Tennessee

University Counsel; responsible for legal matters involving TennCare (Tennessee's Medicaid waiver program), managed care contracting, government relations, workers' compensation, general health-related issues; employed from August 15, 2001, to December 15, 2002.

Tennessee Hospital Association ("THA"), Nashville, Tennessee

General Counsel, Senior Vice President for Policy; responsible for providing legal guidance to THA, assisting THA in formulating policy and supervising THA's outside counsel; employed from September 1, 2000, to August 1, 2001.

Hospital Alliance of Tennessee ("HAT"), Nashville, Tennessee

President; responsible for representing the interests of Tennessee not-for-profit hospitals and providing members with education, government and public relations tools to use locally to support their hospitals; employed from January 1, 1999, to August 31, 2000.

Tennessee Department of Commerce and Insurance, Nashville, Tennessee

Deputy Commissioner, TennCare Division; in charge of division of approximately 15 persons (primarily auditors) responsible for oversight of entities participating by contract in Tennessee's TennCare program; employed from February 1995 to December 31, 1998.

Tennessee Attorney General's Office, Nashville, Tennessee

Assistant Attorney General and Senior Counsel (effective 1991) for the Tax Division; represented clients primarily in tax and bankruptcy areas before federal and state courts; employed from April 1990 to February 1995.

First American National Bank, Nashville Tennessee

Staff attorney; responsible for representing bank in various bankruptcy matters; left after a short tenure due to dissatisfaction with job responsibilities and returned to Tennessee Attorney General's Office; employed from approximately February 1, 1990 to April 1990.

Tennessee Attorney General's Office, Nashville, Tennessee

Assistant Attorney General for the Tax Division; represented clients primarily in tax and bankruptcy areas before federal and State courts; employed from August 1986 to approximately February 1, 1990

Federal Deposit Insurance Corporation ("FDIC"), Nashville, Tennessee

Staff Attorney in Nashville regional office; responsible for all bankruptcy cases and proceedings located in Nashville office; left employment when FDIC regional office was closed; employed from October 1985 to August 1986

Speight & Parker, Nashville, Tennessee

Associate attorney from October 1984 to October 1985; represented clients primarily in commercial/bankruptcy and insurance areas.

Laughlin, Halle, Clark, Gibson & McBride, Washington, D.C.

Associate attorney in Washington, D.C. office of Memphis, Tennessee law firm; primary duties were research on specific legal issues for firm partners; February 1984 to September 1984.

23. Describe the nature of your present law practice; list the major areas of law in which you practice and the approximate percentage each constitutes of your total practice.

As the Director of the Administrative Office of the Courts I am not involved in an active law practice in the traditional sense. My current position nonetheless does involve legal research on various issues impacting the court system as well as the review and drafting of legislative bills during sessions of the General Assembly.

24. List other areas of law in which you have practiced and describe any other legal experience that you would like to bring to the attention of the Court.

My legal practice has shifted over the years. Until 1995 my legal practice focused heavily on bankruptcy, state tax and state administrative matters. This practice involved frequent

appearances in federal and state courts. When I was with the Attorney General's Office, I handled and tried a number of tax and bankruptcy cases in Tennessee trial courts (primarily the Chancery Courts) and in Tennessee federal courts. I also represented the State in several bankruptcy matters outside of Tennessee, including the federal bankruptcy courts in Cincinnati, Ohio and Wilmington, Delaware. This practice included numerous appellate arguments before the Tennessee Court of Appeals, the Tennessee Supreme Court and the Sixth Circuit Court of Appeals on complex state tax and bankruptcy issues. Beginning in 1995, when I was appointed Deputy Commissioner of the TennCare Division, my legal responsibilities shifted to health and insurance matters. My duties began to include management of employees and interaction with the Tennessee General Assembly and other state agencies. After I left the Deputy Commissioner position, I became a full time lobbyist and counsel for two large state hospital associations. When I left those associations to be employed at Vanderbilt, I continued to handle health/insurance issues but also appeared in various trial courts representing Vanderbilt, especially on workers compensation matters. At BCBST my role was focused on managing a number of areas and working with the BCBST senior management team to develop and implement the company's business plan. My duties included handling significant legal issues and cases involving BCBST, and I represented the company in several mediations. One of the reasons I left BCBST to become the Solicitor General was to return to a legal practice that allowed me to represent the State on interesting and complex issues and to actually appear in court to represent clients. The Solicitor General position allowed me to argue two cases in the Tennessee appellate courts and work with legislators and other state officials on complicated and challenging legal opinion requests. The AOC position returned me to a management role but also offered the challenge of addressing and hopefully resolving several thorny issues confronting the State court system.

25. If you have practiced in proceedings before administrative boards or commissions, state the agencies and the approximate number of proceedings in which you appeared before each agency. Of that total, indicate in how many you appeared as sole counsel, how many as chief counsel, and how many as associate counsel.

Agency	Total	Sole Counsel	Chief Counsel	Assoc. Counsel
Tennessee Department of Labor--Benefit Review Commission	One	Yes	N/A	N/A

26. If you have handled matters that have been arbitrated or mediated, state the approximate number. Of that total, indicate in how many you were involved as sole counsel, how many as chief counsel, and how many as associate counsel.

Approx. Number	Sole Counsel	Chief Counsel	Assoc. Counsel
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8	All of these were mediations in which I appeared as General Counsel for BCBST. Often outside counsel or other BCBST counsel were involved in the mediations.		
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27. Please describe your trial court experience during the past ten years. Approximate the number of trial court matters in which you appeared. Of this total, state the number that was before a federal court, the number that was before a Tennessee court of record, and the number that was before a Tennessee court that was not of record (general sessions, municipal). State the approximate percentage of these matters that were criminal, and the approximate percentage that were civil. Indicate in how many matters you were sole counsel, how many you were chief counsel, and how many you were associate counsel. Please indicate the approximate percentage of your cases that were tried to resolution, how many were dismissed upon pre-trial motion, and how many were settled prior to trial.

Not applicable. In the last 10 years my legal responsibilities were as AOC Director, Solicitor General and General Counsel for BCBST. The General Counsel and Director positions involved substantial management responsibilities and as Solicitor General I managed and sometimes participated in appellate litigation. The AOC Director does not represent the AOC in trial matters.

28. Please describe your appellate court experience. Approximate the number of matters in which you appeared as counsel of record in Tennessee appellate courts, the number in federal courts, and the number in other states. Give the approximate percentage that were criminal and the approximate percentage that were civil.

I would estimate I have appeared approximately 50 to 75 times as counsel of record in cases before Tennessee appellate courts, not including cases where I was simply included on the pleadings as the Solicitor General and was not arguing the case. I have appeared approximately 6 or more times handling cases in the Sixth Circuit Court of Appeals. I appeared as the primary counsel in all these cases during my employment with the Tennessee Attorney General's Office. All of these cases involved civil matters, primarily state tax or federal bankruptcy matters. As Solicitor General I often worked closely with the Criminal Division of the Attorney General's Office on important criminal cases.

29. List any noteworthy cases you handled as an attorney before mediators, arbitrators, administrative agencies, trial courts, or appellate courts. As to each case, please : (1) give the date or period of the proceedings; (2) identify the court or agency; (3) summarize the substance of the case; and (4) explain why the case is significant.

(1) Scholastic Book Clubs, Inc. v. Farr, 373 S.W.2d 558 (Tenn. Ct. App. 2011)--2011 case that I argued before the Tennessee Court of Appeals. The trial court ruled that the taxpayer was not doing business in Tennessee for purposes of paying Tennessee's sales tax. The Court of Appeals reversed, finding the out of state taxpayer had sufficient "nexus" with Tennessee to allow Tennessee to require the taxpayer to collect sales tax on its sales of books and other merchandise in Tennessee. The decision resulted in the payment of several million dollars to the State and ensured the payment of sales tax on a going forward basis. The case also provided guidance on when an out of state taxpayer would have sufficient "nexus" with Tennessee to require the collection of state sales tax.

(2) Federated Stores Realty, Inc. v. Huddleston, 852 S.W.2d 206 (Tenn. 1992); Union Carbide Corp. v. Huddleston, 854 S.W.2d 87 (Tenn. 1993); Associated Partnership I, Inc. v. Huddleston, 889 S.W.2d 190 (Tenn. 1994)--I represented the Tennessee Department of Revenue in each of these cases, all of which involved the interpretation of "business" versus "non-business" income for purposes of calculating the taxpayer's liability for Tennessee's franchise and excise tax. The cases each involved several million dollars, with the Associated Partnership case alone having in dispute over \$30 million. Each case involved trials before the Davidson County Chancery Court, with extensive discovery and depositions. The Federated case also presented the issue of whether the state tax issue should be litigated in federal bankruptcy court (Federated had filed a Chapter 11 bankruptcy proceeding in Cincinnati, Ohio) or Tennessee courts, and I successfully argued in the federal bankruptcy court that the bankruptcy court should abstain from hearing this state tax matter and allow this issue to be resolved by Tennessee courts. This was an important decision because it preserved a state's right to interpret its tax laws in its own state courts, rather than have those laws interpreted by a federal bankruptcy court. Ultimately the Department of Revenue failed to prevail in each case before the Tennessee Supreme Court, but the cases represented significant findings in the franchise/excise tax field.

(3) In the Matter of GEC Industries, Inc. f/k/a Gates Engineering Co. Inc.--This case was filed in the federal bankruptcy court in Delaware in approximately 1988. The State of Tennessee had several million dollars in unsecured claims resulting from the debtor's defective installation of roofs on several state buildings. I represented the State and was successful in obtaining the appointment of the State of Tennessee to the unsecured creditors committee. After several years of litigation the State obtained a partial payment of its claim. This case, among others, established the importance of the State being an active participant in federal bankruptcy proceedings in which Tennessee had a financial or other interest. As a result of this and other similar cases, the Attorney General's Office established a bankruptcy unit, which ultimately became a bankruptcy division, to represent the Tennessee's interests in federal bankruptcy proceedings.

(4) Norton v. Tennessee Department of Safety, 76 B.R. 624 (Bankr. M.D. Tenn. 1987), rev'd, 867 F.2d 313 (1989)--I argued this case before the Sixth Circuit Court of Appeals, which reversed the bankruptcy court's finding that the State's revocation of a debtor's driver's license and requiring the payment of a \$65 fee to restore the license constituted discrimination under the federal Bankruptcy Code. The decision was important in affirming

the State's police power to appropriately issue, revoke and reinstate a citizen's driver's license.

(5) Cheesman v. Tennessee Student Assistance Corporation, 25 F.3d 356 (6th Cir. 1994)--I argued this case before both the bankruptcy court and the Sixth Circuit Court of Appeals. The case involved the circumstances under which a debtor could obtain an "undue hardship" discharge of a student loan debt under the bankruptcy code. Although the Court of Appeals resolved this case in favor of the debtor, the case clarified the standards under which a "hardship discharge" should be granted.

30. If you have served as a mediator, an arbitrator, or a judicial officer, please describe, including the dates, the courts or agencies involved, whether you were elected or appointed, and a description of your duties.

Not applicable.

31. If you have served as a mediator, an arbitrator, or a judicial officer, please list any noteworthy cases you handled in these capacities. As to each case: (1) give the date or period of the proceedings; (2) identify the court or agency; (3) summarize the substance of the case; and (4) explain why the case is significant.

Not applicable.

32. Describe the *pro bono* service you have given throughout your legal career, and describe activities in which you have been involved that demonstrate commitment to equal justice and equal access to justice.

As previously mentioned, I was appointed and served on the Tennessee Supreme Court's Access to Justice Commission for several years. I was actively involved in the Commission's work to improve the provision of *pro bono* services in this State. While at BCBST I worked with several other attorneys across the State to create an annual event to raise funds from corporations, corporate attorneys and law firms working with those corporations which funds would be used to support *pro bono* activities. That event has over the past several years raised over \$500,000 which, with the assistance of the Tennessee Bar Association, has been used to support worthwhile *pro bono* activities. I served in 2011/2012 as the government representative for Legal Aid of Middle Tennessee to encourage government attorneys to support that organization's annual fund raising activities. While in Chattanooga I also financially supported the *pro bono* efforts of the Legal Aid Society for East Tennessee. Since approximately 1997 I have served on the Board and provided legal and other services free of charge to Park Center. Park Center, which is a not-for-profit corporation located in Nashville, provides assistance in the form of housing, treatment and job training and placement to those in need who suffer from mental illness. I served as Vice-Chair of the Park Center Board from approximately 2011 to 2013 and am currently the Chair of Park Center's Board. I also have chaired, since its inception, Park Center's Risk and Compliance Committee. I am very proud of my work with Park Center

because of the vital mission it serves for Middle Tennessee citizens suffering from mental illness.

33. List any legal articles or books you have published.

Co-authored with Bankruptcy Judge George C. Paine, II, *Criminal Prosecution of the Bad Check Debtor; Overdrawn and Quartered*, **Norton Bankruptcy Law Advisor**, Vol. 2 (November 1983).

Co-authored with Steven Kratsch (B.A. Vanderbilt 1979; J.D. Vanderbilt 1982), *Criminal Prosecutions and Manipulative Restitution; The Utilization of State Criminal Courts for Contravention of Debtor Relief*, **Annual Survey of Bankruptcy Law** (1984).

Authored *The Nebulous Good Faith Standard of 1 U.S.C. Section 1325 (a)(3) -- Does it Prohibit Confirmation of Chapter 13 Plans Providing Reduced Payments on Debts Which Would be Non-Dischargeable under Chapter 7?* **Chapter Thirteen Bulletin**, Vol. V, No. 1 (Oct. 1984).

Authored *Dissecting TennCare -- A Presentation On Its Status Tennessee's Business*, Vol. 10 No. 2 (2001)

34. List any law school courses, CLE seminars, or other law-related courses that you have taught within the last three years.

Over the past three years I have either individually presented, or been part of a panel, to discuss the United States Supreme Court's decision on the constitutionality of the Affordable Care Act and its implications on the Act. The panel discussion was sponsored by the Health Lawyers Section of the Tennessee Bar Association; the individual presentation was to a physicians' group.

35. List any presentations you have made to civic groups on legal topics within the past three years.

See my response to Question 34.

36. State any other information about your legal experience that may reflect positively or adversely on you or that you believe should be disclosed in connection with your application for Attorney General and Reporter.

In my opinion, the best sources to discuss my qualifications are the persons I have worked with over my career. Below is a list of persons who have agreed to act as references on my behalf on this application:

- (1) United States Senator Bob Corker, Chattanooga Tennessee
- (2) Dr. Steve Coulter, Retired Executive Vice President, BCBST, Chattanooga, Tennessee
- (3) Waverly Crenshaw, Attorney, Waller law firm, Nashville, Tennessee
- (4) David Deal, Retired Chief Financial Officer, BCBST, Chattanooga, Tennessee
- (5) Betty DeVinney, Chair of BCBST Board, Kingsport, Tennessee
- (6) Vicky Gregg, Retired Chief Executive Officer, Chattanooga, Tennessee
- (7) Tom Lawless, attorney, Nashville, Tennessee
- (8) Ron Harr, Chief Executive Officer, Chattanooga Chamber of Commerce, Chattanooga, Tennessee
- (9) Bill Hubbard, attorney, Nashville Tennessee
- (10) Lonnie Roberts, Retired Chief Executive Officer, Tennessee Rural Health, Columbia, Tennessee
- (11) John Ryder, attorney, Harris, Shelton, Hanover, Walsh, Memphis, Tennessee
- (12) Bill Wyatt, Executive Vice President, Farmers & Merchants Bank, Clarksville, Tennessee

I can provide contact cell or telephone numbers for these individuals if necessary.

NON-LEGAL/CIVIC INFORMATION

37. Describe any occupation, business, or profession other than the practice of law in which you have ever been engaged. Please give details, including approximate dates.

None.

38. If your current income is derived from sources other than the practice of law, specify the other income sources and the approximate percentage of your total income each source represents.

The bulk of my and my spouse's joint income is derived from our current legal employment. We do receive some income from our investments, primarily in selected stocks and mutual funds. This investment income represents approximately five percent or less of our current income.

39. If you are now an officer, director, or major stockholder (5% or more) of any for-profit organization or you are otherwise engaged in the management of any for-profit enterprise, please give details, including the name and nature of the organization, your position, the nature of your duties, and your term of service. If you are selected as Attorney General and Reporter, and you would consider continuation of your involvement, please address whether such continuation would be a conflict of interest.

Not applicable.

40. List all non-profit organizations other than legal professional associations to which you have belonged within the last ten years, including civic, charitable, religious, educational, social, and fraternal organizations. If you have held an office in any of these non-profit organizations, please give titles and approximate dates. If you have received any honors, prizes, awards, or other forms of recognition in connection with your participation in such non-profit organizations, please list.

(1) Park Center, a not-for-profit corporation located in Nashville, Tennessee. I have been on Park Center's Board for the last 10 years, was Vice-Chair of the Board from 2011 to 2013, and am currently Chair of the Board.
(2) YMCA of Chattanooga, a not-for-profit corporation located in Chattanooga, Tennessee. I served on the Board from approximately 2006 until I returned to Nashville in 2011.
(3) Second Presbyterian Church, Chattanooga, Tennessee. I was a member from 2004 until we returned to Nashville in 2011. I served as an Elder for Second Presbyterian.
(4) Westminster Presbyterian Church, Nashville Tennessee. Member from 2011 to present date.

41. If you are selected for this position, how much of your current level of civic and community

involvement do you feel that you could continue?

The same, I believe it is important to be involved in such activities.

42. If you have ever belonged to an organization, association, club, or society which limits its membership to those of any particular race, religion, national origin, or gender, please list the organization and describe the basis of the membership limitation. Do not include organizations formed for a religious purpose, such as a church or synagogue. Please address whether you would withdraw from any such organization if you are selected as Attorney General and Reporter.

Not applicable.

43. If you have served in a fiduciary capacity other than as a lawyer representing clients, please describe.

I have a power of attorney for both my mother and my wife.

MANAGEMENT AND GOVERNMENT EXPERIENCE

44. Describe your management philosophy and your views on delegation to subordinates.

I strongly believe in delegating authority to those who work as part of any team for which I have management responsibility. My management philosophy is to hire or retain persons who are well qualified to do the work and let them proceed to perform that work. I expect such persons to keep me well informed of their activities and of any problems or concerns that arise, and to be completely honest and frank with me in their opinions. I make it clear that as a manager I do not want to be surprised by any issues that arise. I consider all persons reporting to me as part of our team. We should work together as a team to meet our various responsibilities. Thus, respectfully, I would not refer to such persons as "subordinates," but as members of our team; we are collectively responsible to meet our work tasks even though the "buck" ultimately stops with the team leader and I will take responsibility for all work decisions. In the past, I have had some difficulty in removing persons who fail to meet their work responsibilities, but have learned through my management roles that it is always better to deal with such problems swiftly. It is important to make such personnel changes quickly, if the issue cannot be resolved.

45. Describe any management experience you have had in the legal profession, such as managing attorneys, paralegals, and legal support staff. Approximate the number of persons over whom you had management responsibilities, and indicate whether your experience included preparing and managing a budget.

As described above in response to Question 22, I have had three jobs where I have been responsible for managing a significant number of individuals, including attorneys. As Deputy Commissioner at the Tennessee Department of Commerce and Insurance, I was responsible for managing approximately 15 individuals, most of whom were auditors. When I became Deputy Commissioner, the TennCare Division did not exist, so I had to hire all the individuals that ultimately reported to me and did the division's work. I was responsible for developing our annual budget as Deputy Commissioner. At BCBST I managed over 250 persons and was responsible for preparing and presenting our area's annual budget. I was also, as part of the senior management team, actively involved in meetings to prepare and present BCBST's annual budget to BCBST's Board of Directors. Finally at the AOC, I am responsible for managing over 70 individuals, some of whom are attorneys. As the Director of the AOC, I work with the Tennessee Supreme Court to develop the Tennessee court system's annual budget and I present that budget to both the Tennessee Department of Finance and Administration and the Tennessee General Assembly.

46. Describe any management experience you have had in federal, state or local government. Approximate the number of persons over whom you had management responsibilities, and indicate whether your experience included preparing and managing a budget.

See the response to Question 45 detailing my management experience as Deputy Commissioner of the TennCare Division within the Tennessee Department of Commerce and Insurance and as Director of the AOC.

47. Describe any other management experience you have had. Approximate the number of persons over whom you had management responsibilities, and indicate whether your experience included preparing and managing a budget.

See the response to Question 45 detailing my management experience as Senior Vice President at BCBST.

48. List any judicial or non-judicial government offices you have held, and describe your experience. Include the date, the position, whether the position was elected or appointed, and whether your responsibilities included legal matters or policy matters. If you have been a candidate for government office but were not selected, please list this as well, including date, position, and whether the position was elected or appointed.

See response to Question 22 for the list of State government offices I have held. See response to Question 19 detailing my appointments to the Access to Justice Commission and the Tennessee Judicial Nominating Commission ("JNC"). The JNC is the Tennessee agency directed to assist the Governor in filling judicial vacancies by interviewing and presenting generally three finalists to the Governor to consider for appointment. I found my experiences rewarding on both the JNC and the Access to Justice Commission and particularly enjoyed meeting and working with the other individuals serving on these bodies. During my tenure with the JNC I was very impressed with the high caliber and integrity of the candidates seeking judicial appointment. I have not been a candidate for any other government office.

49. Other than as an elected or appointed official, please describe any experience you have had with the legislative or executive branches of government, federal, state, or local. Indicate whether your experience related to legal matters or policy matters.

As detailed in response to Question 22, several of my prior positions have been directly related to addressing both legal and policy matters impacting the State of Tennessee. When I served in the Tax Division of the Attorney General's Office I worked on significant State cases, particularly in the tax and bankruptcy areas. As Solicitor General, I was involved in many cases and written opinions that significantly affected State policy matters. During my tenure as Deputy Commissioner, I worked closely with the Governor's senior TennCare staff, including former Finance Commissioners Bob Corker and John Ferguson and Insurance Commissioner Doug Sizemore, to address and resolve issues confronting the TennCare program. In my time working for the Tennessee hospital associations and BCBST, I often met with State officials to discuss insurance and health related legislation, and at times I would assist in drafting legislation that was introduced for consideration by the General Assembly and the Governor. During most of this time, I was registered as a lobbyist for these employers. In my current position with the AOC, I work closely with the

General Assembly, the Governor's staff and other State officials to address and resolve issues related to Tennessee's court system.

50. Describe any other government experience you have had. Please indicate whether any such experience involved legal matters or policy matters.

This experience is detailed in response to Questions 22 and 49 above.

51. State any other information about your management or government experience that may reflect positively or adversely on you or which you believe should be disclosed in connection with your application for Attorney General and Reporter.

I believe that my responses to the questions listed above adequately address my management and government experience. I believe that my varied experience over the past 30 years reflects positively on me, if I were selected to serve the people of this State as Attorney General. I have had substantial experience managing persons in three different job settings. My employment experience has allowed me to work closely with officials in all three branches of State government, which has enhanced my relationships with various State officials as well as enabling me to better understand how our State functions. Most importantly, I have been employed for over 10 years in various positions within the Tennessee Attorney General's Office, working with three different Attorneys General. This experience was invaluable in helping me to understand the work and purpose of the Attorney General's Office. In fact, I clerked at the Attorney General's Office while attending law school, assisting attorneys in the Criminal Division in preparing appellate briefs. Finally, I believe it would be very positive for the members of the Attorney General's Office to see that a person is appointed Attorney General who rose through the ranks of the office. I do not believe anything in my prior employment history would adversely affect my application for this position.

PERSONAL PERSPECTIVE

52. What are your reasons for seeking this position?

When I left my employment with BCBST, I deliberately sought to return to a position within State government because in a State position, one can truly impact and make a positive difference for our State and its citizens. In my opinion, there are few better positions to make such a difference than serving as the State's chief legal officer. The Attorney General's Office has evolved over the years into one of the state's largest law firms handling complex and important issues affecting Tennessee. The practice has a broad and diverse range. The Attorney General represents the State on all criminal and civil appeals, and defends or commences litigation concerning tax, consumer interests, bankruptcy, public interest, health and other civil areas. The Attorney General also issues relevant and important written opinions to State officials and members of the General Assembly. Attorneys in the office also work closely with State agencies and their counsel to resolve regulatory and other important matters. This work not only intrigues me, but it also represents a challenge I would like to face. Most importantly, the work of the office is important to the Tennessee citizens; it is essential that the attorneys for the State provide quality representation and adequately represent the interests of Tennessee. I am also impressed with the work ethic and integrity of many of the attorneys and staff who work in the office, several of whom have devoted their entire careers to serving the people of Tennessee. I would enjoy the opportunity to again work with these individuals. I would hope to continue and build upon the work of those who have been in charge of the office, if I were fortunate enough to be chosen as Attorney General.

53. Describe your perception of the primary duties, responsibilities, characteristics, and qualifications for the position of Attorney General and Reporter. Describe which of these may be delegated in whole or in part to subordinates and which may not.

The Attorney General is the State's chief legal officer and is ultimately responsible for all actions taken by the office. He or she must have a solid legal background and should possess superior management skills, particularly since the staff of the office has grown over the years. The Attorney General should also have the skills to work with and gain the respect of the State officials that the Attorney General represents. As I stated in response to Question 44, I would seek to retain and hire highly qualified personnel whom would be able to handle any matters delegated to them. Nevertheless, I will require that I be kept informed of all assigned work and I would want to be directly involved in making important decisions. In order to achieve this goal I would seek to assemble a senior executive team whom I could trust to handle delegated matters and who would provide their honest assessment of matters confronting the office.

54. What is your view of the role of Attorney General and Reporter with respect to the executive branch, the legislative branch, and the judicial branch of state government?

The Attorney General is the chief legal officer for the State and represents all members of each branch of government, so long as those officials are acting within their official duties. The Attorney General and his or her legal staff should seek to obtain and retain the trust and confidence of the key members of each branch of government. Likewise the Attorney General should respect and listen to the opinion of the individuals that have been entrusted to handle these important State positions. In most cases, the Attorney General and other State officials should be able to work together to reconcile any differences of opinion and develop a consensus approach upon how to handle difficult and contested matters. However, there may be rare occasions when the Attorney General may be called upon to choose a course dictated by the Attorney General's accountability to the citizens of this State and the duty to uphold the Tennessee and United States Constitutions. These duties trump all other considerations. The best example of this rare occasion that I can recall was when the Attorney General assisted in the effort to swear in Governor Lamar Alexander early to prevent Governor Ray Blanton from any further abuse of his office.

55. If selected as Attorney General and Reporter, what is your estimate of the amount of time you will actually appear in court or oral arguments in appellate matters?

The answer to this question is hard to estimate given it necessarily depends at any specific time upon the total demands of the office as compared to the importance of the litigation in question. Nonetheless, on issues of high importance to the State, it is necessary that the importance of those issues be highlighted to the public and to the court by the Attorney General or the Solicitor General actually arguing the case. Furthermore, the opportunity to be engaged in such litigation is one of the reasons why I am submitting this application. I would hope to have the opportunity to handle such cases despite the other demands of the office.

56. If selected as Attorney General and Reporter, what will be your policy regarding personally practicing before the Tennessee Supreme Court?

As stated in response to Question 55, I would relish the opportunity to argue cases of importance before this State's highest court.

57. Describe life experiences, personal involvements, or talents that you have that you feel will be of assistance to the Tennessee Supreme Court in evaluating and understanding your candidacy for this position.

The answer to this question is essentially the same as my response to Question 36. I find it difficult to identify the distinctive attributes I possess for this office, although my responses to the various questions posed in the application provide in sum a solid response to this question. However in my opinion my or any other application should be judged by speaking to those who know and have worked with the applicant. For this reason in my response to Question 36 I identified a number of individuals I have met and worked with throughout my career who can give an honest assessment of my qualifications for this position. Those persons have traveled the road with me, and they can better express the

answer to this question. I want to publicly express my appreciation for these persons willingness to serve as a reference for me on this application. I would encourage the members of this Court to contact those individuals and I would be happy to provide these persons' cell or telephone numbers if necessary.

AGREEMENT


58. 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 appointment for the office of Tennessee Attorney General and Reporter, and, if appointed, I agree to serve in that office. If, between the time this application is filed and the time the Court makes its final selection, there are any changes that occur in the accuracy of the information provided here, I agree to file a written notification advising the Court of the specific changes and the reasons therefore.

I understand that the information provided in this application shall be open to inspection upon filing with the Administrative Office of the Courts and that the Administrative Office of the Courts may publicize the names of persons who apply for the position of Attorney General and Reporter.

I knowingly, willingly, and without reservation waive any right or privilege of confidentiality relative to any background checks that may be performed, including, but not limited to, the Tennessee Bureau of Investigation criminal and civil background investigation, including any check of financial or credit information, conducted for the purpose of review by the Tennessee Supreme Court. I also specifically waive any rights or privileges of confidentiality otherwise conferred in relation to checks of the Board of Professional Responsibility, Board of Judicial Conduct, Board of Law Examiners, or similar entity.

Dated: 8/17, 2014.


Signature

Return your completed application to:
Debra Hayes
Administrative Office of the Courts, Suite 600
511 Union Street
Nashville, Tennessee 37219