

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

04/15/16

Name: Paul Charles Ney, Jr.

Office Address: Patterson Intellectual Property Law, P.C.  
(including county)

1600 Division Street, Suite 500, Nashville, TN 37203

Office Phone: 615-242-2400 Facsimile: 615-242-2221

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**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 word processing 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 word processing 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 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 [debra.hayes@tncourts.gov](mailto:debra.hayes@tncourts.gov), or via another digital storage device such as flash drive or CD.

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

**PROFESSIONAL BACKGROUND AND WORK EXPERIENCE**

1. State your present employment.

Shareholder at Patterson Intellectual Property Law, P.C., an intellectual property law firm in Nashville, Tennessee.

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

1985, BPR # 0011625.

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 1985, BPR # 0011625.

California 1985, # 122682. My California license has been inactive since shortly after my admission to that Bar because I returned to Tennessee to practice law and have had no need to keep that license 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).

**Patterson Intellectual Property Law, P.C., Nashville, Tennessee - *Shareholder***

- Civil litigation and dispute resolution practice with an emphasis on intellectual property law matters
- Registered Patent Attorney, U.S.P.T.O.
- Tennessee Supreme Court Rule 31 Mediator

**Mayor's Office of Economic and Community Development, Metropolitan Government of Nashville and Davidson County, Nashville, Tennessee – Director**

*January 2008 to October 2009*

- Developed and coordinated programs, policies and plans to enhance economic and community development objectives of Metro Nashville
- Worked with Mayor, Metro Director of Finance, Metro Council members, and other Metro officials to develop and implement sustainable programs, incentives, and initiatives to retain, grow and recruit business enterprise and investment and promote workforce development and job creation throughout Nashville
- Managed Metro Nashville's Foreign Trade Zone No. 78 and served as liaison to Japanese Consulate, Japan-America Society of Tennessee, Sister Cities of Nashville, and regional international trade interests
- Supervised Mayor's Office of Film and Special Events and collaborated with Tennessee Film Office and local and out-of-state industry representatives to support and promote Nashville's film and television production industry
- Served as liaison between business interests and community organizations and various Metro Government departments, offices, agencies, and affiliated entities, including the Office of the Mayor, Metropolitan Development and Housing Agency, Public Works, Water Services, Codes Administration, Planning, and Nashville Electric Service
- Assisted the Nashville Convention and Visitors Bureau, the Nashville Sports Council, and the Nashville Downtown Partnership in promoting and supporting tourism and hospitality, sporting events, and downtown revitalization
- Collaborated with the Nashville Area Chamber of Commerce, Nashville Health Care Council, regional economic development professionals, Nashville Career Advancement Center, Tennessee Valley Authority, the Tennessee Department of Economic and Community Development, and the Tennessee Department of Revenue on business relocation and expansion project opportunities and existing business retention and growth
- Developed, supported, and facilitated cooperation among a network of local area chambers of commerce, real estate and development professionals, community financial institutions, and merchant, business district, and small business associations
- Supervised Mayor's Office of Economic and Community Development intern program
- Mayor's designee on Metro Nashville Airport Authority Board of Commissioners
- Executive Director of Nashville's Metropolitan Industrial Development Board
- Speaker at numerous trade, industry, community and neighborhood association meetings and events on Metro's programs, policies, plans, and efforts to facilitate and promote sustainable economic growth, job creation and retention, and community prosperity

**United States Department of Defense, Washington, DC – Deputy General Counsel (Legal Counsel)**

*November 2006 to January 2008*

- Advised senior Department of Defense officials on a wide variety of legal questions, including constitutional law issues, litigation, and detainee and Office of Military Commission matters, including the creation of the U.S. Court of Military Commission Review
- Directly managed over 20 Office of Legal Counsel lawyers and paralegals

- Supervised Office of Legislative Counsel which advised Assistant Secretary for Legislative Affairs, managed the Department's Congressional investigations and inquiries, and oversaw the Department's legislative review and proposal program
- Managed Department of Defense Office of Litigation Counsel and Department litigation matters, including military justice appeals to the U.S. Supreme Court
- Coordinated Department litigation, detainee issues, and congressional investigation matters with U.S. Department of Justice Office of Legal Counsel and Office of the Solicitor General, Office of White House Counsel, the Legal Advisor to the Secretary of State, CIA Office of General Counsel, and legal counsel for various other federal departments and agencies
- Oversaw Defense Office of Hearings and Appeals, including Department's Alternative Dispute Resolution program
- Directed legal review of and litigation concerning Department of Defense Freedom of Information Act responses
- Reporting senior for Office of Military Commissions' Legal Advisor to the Convening Authority
- Member of Deputy Secretary's Senior Oversight Group
- Security Clearance: TS/SCI (Top Secret/Sensitive Compartmented Information)

**United States Department of the Navy, Washington, DC – *General Counsel (Acting)***

*January 2006 to October 2006*

**United States Department of the Navy, Washington, DC – *Principal Deputy General Counsel***

*November 2005 to October 2006*

- Chief legal officer for the Department of the Navy, working in partnership with Navy Judge Advocate General, Staff Judge Advocate to the Commandant of the Marine Corps, and Special Counsel to the Chief of Naval Operations
- Principal legal advisor to the Secretary and Under Secretary of the Navy
- Led over 600 Department of the Navy Office of General Counsel lawyers stationed throughout the world
- Principal ethics official for Department of the Navy (Designated Agency Ethics Official)
- Managed 22-member Senior Executive Service Office of General Counsel leadership team in developing and implementing Office of General Counsel strategic planning, budgeting, personnel system management, information systems, professional training and development, succession planning, performance metrics, and quality improvement systems (balanced scorecard, Lean Six Sigma)
- Supervised Department's Alternative Dispute Resolution and Acquisition Integrity programs
- Oversaw Department of the Navy legal issues, including business and commercial law, fiscal law, civilian personnel and labor law, intellectual property law, environmental law, intelligence operations and law enforcement, and associated litigation
- Supervised Department of the Navy legislative proposal legal review program
- Implemented the National Security Personnel System and attorney certification program for Department of the Navy Office of General Counsel
- Directed Secretary of the Navy's Lean Six Sigma ethics and exemplary conduct initiative

- Reporting senior for Naval Criminal Investigative Service
- Department of the Navy representative on Department of Defense Counterintelligence Board
- Member of Secretary's Strategic Planning Group
- Chairman of Performance Review Board for Office of Secretary Senior Executive Service personnel
- Security Clearance: TS/SCI

**Trauger, Ney & Tuke, Nashville, Tennessee – Lawyer**

*1990 to 2005, Partner*

*1985 to 1990, Associate*

- Practiced general civil and business law with concentration in business and commercial litigation, insurance defense, administrative law, and alternative dispute resolution
- Tennessee Supreme Court Rule 31 Mediator
- Managing Partner 1995 to 2001

**Honorable Adrian G. Duplantier, U.S. District Judge for Eastern District of Louisiana, New Orleans, Louisiana – Judicial Clerk**

*1984 to 1985*

Prior to attending law school, I worked various jobs including roofer, house painter, janitor, life guard, and stock clerk.

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.

Approximately 60% of my current law practice is patent, trademark, and trade secret litigation. The balance of my practice comprises other types of civil litigation and ADR (20%) and intellectual property law matters, including IP licensing and trademark registration (20%).

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.

Since I joined Patterson Intellectual Property Law, P.C. (formerly Waddey & Patterson, P.C.) in 2010, my practice has been principally directed to intellectual property and some commercial litigation, with an emphasis on patent infringement cases. I am developing my skills as a trademark lawyer, and, after passing the Patent Bar Examination in late 2012, I have been a Registered Patent Attorney authorized to prosecute patent applications in the U.S. Patent and Trademark Office.

With the exception of my service at the Pentagon, my practice prior to joining Patterson was best characterized as the general practice of civil law. Approximately 65% of my practice has been civil litigation and conflict resolution, ranging from plaintiff personal injury cases to

complex commercial disputes to patent infringement disputes. The litigation work has included employment disputes, securities cases, contract disputes, zoning, intellectual property, insurance defense, election law, personal injury, and various administrative law matters.

I have represented clients at all levels of our state court system, from the General Sessions Court to the Tennessee Supreme Court. In the federal court system, I have represented clients in all of the district courts in Tennessee and numerous other district courts throughout the nation, as well as the Sixth, Eleventh, and Federal Circuit Courts. My alternative dispute resolution advocate experience ranges from representing clients in arbitration proceedings in Tennessee and other states to a mediation in Europe.

At one time, serving as a mediator or arbitrator comprised about 10% of my practice. The balance of my practice was principally corporate, commercial, and regulatory law in which my clients sought sound business and legal judgment in organizing and operating their businesses, avoiding legal disputes, and addressing regulatory matters before various government agencies.

Throughout my career, I also have handled matters in these areas of law: federal and state elections, land use and zoning, medical malpractice, bankruptcy, worker's compensation, domestic relations, probate, various regulated businesses and industries (including alcoholic beverage licensing and Federal Communications Commission), education, non-profit organizations, and tax assessment. Additionally, I have served as special legal counsel to Tennessee's Departments of Transportation, Commerce and Insurance, Safety, and Mental Health and Mental Retardation and the Tennessee Regulatory Authority.

Most of my very limited experience with criminal law has been in a *pro bono* context, such as my appointment under the Criminal Justice Act on a federal habeas appeal in the U.S. Sixth Circuit Court of Appeals. In 2002, however, I represented a defendant charged with defrauding the state of Tennessee under a state awarded grant. My client was acquitted by the jury in state court in Memphis.

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

In 1993 I was lead plaintiff's counsel in a relator action in state chancery and appellate courts concerning the sale of a not-for-profit hospital to a for profit hospital chain. *State of Tennessee ex rel. Adventist Health System/Sunbelt Health Care Corporation, et al. v. Nashville Memorial Hospital, Inc., et al.*, 914 S.W.2d 903 (Tenn. App. 1995). This litigation led the Tennessee Attorney General to develop guidelines concerning review of the proposed sale of not-for-profit entities to for profit entities in this state.

From 1994 through 2000, I represented United States Senator Bill Frist in five lawsuits contesting the legality and constitutionality of certain types of campaign contributions made to his senate campaign committees. Those lawsuits were all filed in the United States District

Court for the Middle District of Tennessee and were captioned as follows:

*Hooker, et al. v. Sasser, et al.*, CA No. 3-94-0750  
*Hooker v. Thompson, et al.*, CA No. 3-95-0688  
*Hooker v. Federal Election Commission, et al.*, CA No. 3-99-0794  
*Hooker v. All Candidates, et al.*, CA No. 3-00-0793  
*Hooker v. Thompson, et al.*, CA No. 3-00-0792

These lawsuits asserted claims under the United States Constitution and under the Tennessee State Constitution. Four of the lawsuits were dismissed on standing and direct estoppel grounds. The fifth lawsuit, *Hooker v. FEC*, in which the District court again ruled in favor of Senator Frist, was dismissed on appeal to the U.S. Sixth Circuit Court of Appeals.

In 1996 I was retained by the State of Tennessee to serve as special counsel to the Tennessee Judicial Selection Commission in a lawsuit brought by an applicant for consideration for appointment to the Tennessee State Supreme Court. The vacancy on the Court was created by the retirement of a State Supreme Court Justice, which raised a question under the Tennessee State Constitution and statutes relating to filling that vacancy as to whether a citizen residing in the geographic division of Tennessee in which the plaintiff resided was eligible to fill that position. The initial hearing on the petition was conducted in the Davidson County Chancery Court and, within a month, the case was before the State Supreme Court on appeal. The Supreme Court ruled that the applicant was eligible to fill the vacancy. The Commission that I represented (which was composed of twelve lawyers and three lay persons) was pleased with the definitiveness of the Supreme Court's ruling and the manner in which the Commission's impartiality was not compromised by its participation in that proceeding. *Holder v. Tennessee Judicial Selection Commission*, 937 S.W.2d 877 (1996).

I was retained as special counsel to the Tennessee Regulatory Authority to represent the Authority in an appeal to the Tennessee Supreme Court concerning the application of certain administrative rules to an administrative proceeding conducted by the Authority. The lawsuit had been brought by the State's Consumer Advocate. The Court ruled in favor of the Tennessee Regulatory Authority and clarified the Authority's power to act under the Tennessee statutes and the Authority's rules and regulations. *Consumer Advocate Division v. Greer*, 967 S.W.2d 759 (1998).

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

From 1995 to 2005 I served as a mediation neutral in more than 40 civil litigation disputes through the AAA mediation program, independently, as a member of the NAM mediation panel, or as a court appointed mediator. During that period, I also served as an arbitrator for approximately ten commercial disputes through the AAA and independently. In 2013 I began serving occasionally as a mediator again as part of my law practice.

Additionally, since 2008, I have been appointed to serve as a hearing officer for the Tennessee Office for Refugees (“TOR”) in 3 refugee benefit final appeals, for the Metropolitan Development and Housing Agency (“MDHA”) in 3 employee disciplinary appeals, and for the Davidson County Republican Party in a special proceeding to remove an officer. I prepared written opinions in the arbitration proceedings and the TOR and MDHA proceedings.

Since the early 1990s I have assisted numerous local, state, and federal political candidates and their campaigns, and the Tennessee Republican Party by providing legal advice relating to campaign finance, election law, and various other legal issues. I also served as an adjunct professor at Vanderbilt Law School from 2002 to 2005, during which time I was the advisor to the Jessup International Moot Court Teams.

I have served as a Hearing Committee member for the Board of Professional Responsibility of the Supreme Court of Tennessee since 2014, participating as a hearing panel member in two final hearings, in addition to handling numerous other Hearing Committee member responsibilities.

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

1. Twentieth Judicial District (Davidson County) Chancery Court, April 24, 1995 (Name not submitted to Governor)
2. Twentieth Judicial District (Davidson County) Chancery Court, August 21, 2003 (Name not submitted to Governor)
3. Tennessee Supreme Court, February 21, 2014 (Name not submitted to Governor)

### 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.

Vanderbilt University, Nashville, Tennessee

Vanderbilt Law School: *J.D., August 1980 to May 1984*

Owen Graduate School of Management: *M.B.A., August 1981 to May 1984*

- Order of the Coif
- Andrew Ewing Scholar
- Jessup International Moot Court Team, 1981 to 1982
- Vanderbilt Law Review Staff, 1982 to 1983, Editorial Board 1983 to 1984
- Honor Council, 1980 to 1981



Cornell University, Ithaca, New York

College of Arts and Sciences: *A.B., Biology and Society, August 1976 to May 1980*

- National Merit Scholar
- Resident Advisor
- President, North Campus Student Union Board

**PERSONAL INFORMATION**

12. State your date of birth.

June 6, 1958.

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

I moved to Tennessee in 1980 to attend Vanderbilt University. After my graduation in 1984, I lived for a year in New Orleans, LA during my judicial clerkship. I then moved back to Tennessee to practice law. I have since been a resident of Tennessee continuously for 31 years. From October 2005 through January 2008, I worked and maintained an apartment in Arlington, VA, but I remained a legal resident of Tennessee during that time and returned home to Nashville frequently.

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

I have been a resident of Davidson County, Tennessee continuously for 31 years. From October 2005 through January 2008, I worked and maintained an apartment in Arlington, VA, but I remained a legal resident of Davidson County, Tennessee during that time and returned home to Nashville frequently.

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

Davidson 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.

None.

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.

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.

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.

Yes, I have been a party, individually or as a member of a partnership, to the following legal proceedings:

In approximately 1993, my former law firm, Doramus & Trauger, was the petitioner in an American Arbitration Association arbitration proceeding in Nashville, TN concerning a dispute with a former client over the payment of legal fees. That proceeding was resolved through settlement with the former client.

Doramus & Trauger also was a party to a General Sessions Court lawsuit filed in Davidson County, Tennessee captioned *Doramus & Trauger v. Coy Peeper, et al.*, 95GT-787. That lawsuit was a detainer action concerning a former tenant of the office building owned by my law partnership in which our law offices were located. Our law firm regained possession and control of the building space and also reached a settlement with respect to monetary damages related to that action.

In March of 1997, Ms. Jennifer Curley, a former employee of Doramus & Trauger, filed a complaint in United States District Court for the Middle District of Tennessee alleging violations of the Family Medical Leave Act and the Pregnancy Discrimination Act. My two partners and I were named individually as defendants, along with our law partnership. Her complaint was dismissed with prejudice by order entered December 8, 1997, on our motion for summary judgment. *Curley v. Doramus & Trauger [sic], et al.*, U.S.D.C., M.D. Tenn., No. 3-97-0332.

By complaint dated July 19, 1999, filed in the United States District Court for the Middle District of Tennessee, Mr. Jessie McDonald named me individually as one of 15 defendants in a lawsuit seeking damages for various alleged violations of the Fourteenth Amendment to the United States Constitution. Mr. McDonald alleged that I was part of a conspiracy to issue a slanderous statement that was printed in a local newspaper. I was quoted in that article as saying "it's possible that McDonald's candidacy could hurt one of the big three [mayoral candidates]," and that "the main purpose a candidate like Mr. McDonald serves is to raise awareness of certain issues." Those quotes were made with respect to our local mayor's race. After I was served with a copy of the complaint, I telephoned Mr. McDonald, who was proceeding *pro se*, and asked if he would talk to me about this lawsuit. I met briefly with Mr. McDonald and asked him to dismiss his claims against me because they were meritless. Mr. McDonald agreed and an order of dismissal was entered pursuant to the notice of voluntary dismissal with prejudice filed by the plaintiff. *McDonald v. CBS Television Network, et al.*, U.S.D.C., M.D. Tenn., No. 3-99-0620.

In 1999, my former law partnership was a party to an action to collect attorney's fees in General Sessions Court in Davidson County, Tennessee. That action was captioned *Doramus, Trauger & Ney vs. Hoskins*. That matter was settled and the lawsuit voluntarily dismissed.

In 2011, I filed a complaint for divorce in Davidson County Circuit Court on the ground of irreconcilable differences. *Ney v. Ney*, No. 11D3388. After that case was administratively dismissed in June of 2013, I refiled the complaint in Davidson County Circuit Court. A final consent decree of divorce was entered on November 6, 2013. *Ney v. Ney*, No. 13D2394.

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.

Catholic Charities of Tennessee, Inc.	President 2012 to 2015, 2005 to 2006; Board Member 2003 to 2008, 2010 to 2014; Vice President 2004; Tennessee Office for Refugees Committee 2008 to 2013; Volunteer of the Year Awards 2009 (Administrative), 2012 (Tennessee Office for Refugees)
Rotary Club of Nashville	Member 2009 to 2012
Leadership Middle Tennessee	Class Member 2010-2011; YOUth Summit Committee 2011; Executive Committee 2012 to 2015; Program Committee Chair 2012 to 2015
Nashville Conflict Resolution Center	Board Member 2011
Leadership Nashville Alumni Association	Member
National Rifle Association	Member
Nashville Zoo	Member
U.S. Naval Institute	Member
Frist Center for the Visual Arts	Member
Greenways for Nashville	Member

Belcourt Theater	Member
Cheekwood Botanical Gardens	Member
NAMI Tennessee	Member
Davidson County Republican Party	Member
Knights of Columbus, Council #544	Member
Project Reflect, Inc.	Corporate Member 2015 to present
Tennessee Republican Party	Member; Legal Counsel 2003 to 2005 (Chairs Harwell and Davis); Administrative Committee 2010 to 2014; Statesman of the Year, 5 <sup>th</sup> District, 2004
Federalist Society	Member

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.

I am a member of the Knights of Columbus, Council #544. Membership is restricted to men of the Roman Catholic faith. The organization is affiliated with the Roman Catholic Church, but is a fraternal, community service organization, so I am uncertain as to whether it fits within the Commission's definition of an organization "specifically formed for a religious purpose." I do not believe that the Code of Judicial Conduct prohibits a member of the judiciary from membership in the Knights of Columbus, and I do not intend to resign from the organization if I am appointed to the Court.

**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.

Tennessee Bar Association	Member 1985 to present; Chair, Membership Benefits Committee 1999 to 2001; Assistant Treasurer 2002; Treasurer 2003 to 2005; General Counsel 2011 to present
Nashville Bar Association	Member 1985 to present; President 1998; Committee on Ethics and Unauthorized Practice of Law 1987 to 1991; Chair, Ethics and Professionalism Committee 1992; Chair, Community Relations Committee 1994; Chair, NBA Convention Committee 1994; Board of Directors and Finance Committee 1995; Executive Committee 1996 to 1998; President-elect 1997; Nominating Committee 2000
Belmont Law School American Inns of Court	Master Charter Member 2011 to 2015; Membership Committee Chair 2012 to 2015
Nashville Bar Foundation	Fellow 1995 to present; Trustee 1999 to 2000
Tennessee Bar Foundation	Fellow 2000 to present; Trustee and Treasurer 2014 to present
Republican National Lawyers Association	Member 2015 to present
Tennessee Intellectual Property Law Association	Member 2010 to present

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.

Department of Defense Medal for Distinguished Public Service, 2008
Department of the Navy Distinguished Public Service Award, 2006
Best of the Bar, Litigation, Nashville Business Journal, 2005
Best Lawyers in America, Commercial Litigation, 2004

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.

In addition to the judicial positions listed in my response to Question 10:

The Sports Authority of Metropolitan Nashville and Davidson County: Appointed by the Mayor in 2000. Chair, Facilities & Operations Committee, 2002 to 2003. Vice Chair, 2003 to 2005

Charitable Solicitations Commission of Metropolitan Nashville and Davidson County: Appointed by the Mayor and served from 1995 to 1997

Mayor's Office of Economic and Community Development, Metropolitan Nashville and Davidson County: Appointed by the Mayor in 2008. Director from 2008 to 2009

Tennessee Post-Conviction Defender Oversight Commission: Appointed by the Lieutenant Governor and served from 2010 to 2014. Chair, Audit Committee, 2012 to 2014

Launch Tennessee Board of Directors: Appointed by the Tennessee Speaker of the House in 2015. Audit Committee and Innovation & Commercialization Committee, 2015 to present

### ESSAYS/PERSONAL STATEMENTS

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

In the practice of law and in my community and civic activities I gain the greatest sense of personal satisfaction when clients, friends, and family seek my advice and assistance because they value my judgment and my ability to comprehend and puzzle through difficult or complex situations. I believe that I have well developed legal analytical abilities and that I am a fair-minded person, as well. These are traits that I see in my friends and colleagues who have served admirably as judges and found their responsibilities both challenging and fulfilling, as I believe I would.

Further, I am attracted to the heightened personal and professional responsibilities demanded by the position. I have always found that when the standards are raised I have been enriched by my efforts to meet those higher standards, and often I have been able to make a meaningful contribution to others through those efforts.

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)*

The Davidson County (20<sup>th</sup> Judicial District) Chancery Court is our state trial level court of equity. The Court's four chancellors preside over a wide variety of civil matters ranging from state constitutional issues to local government regulatory matters to complex business and commercial disputes in which an array of remedies may be employed. Vested with appellate jurisdiction of the administrative activities of numerous state agencies and departments and home

to the Business Court Pilot Project, ours is unique among Tennessee chancery courts.

My appointment to this position would enhance the breadth and variety of law practice and government service experience among the members of the Court. I would bring commercial litigation and intellectual property law knowledge that could support the Business Court project, and add another industrious, collegial chancellor with considerable trial and appellate court practice experience.

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)*

I will, provided that the statute, rule, or regulation is constitutionally sound.

**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. Byron R. Trauger, Esq.: Partner, Trauger & Tuke,

B. Sr. Sandra Smithson: Founder, Project Reflect, Inc.,

C. Mr. William Sinclair: Executive Director, Catholic Charities of Tennessee,

D. John F. Triggs, Esq.: Shareholder, Patterson Intellectual Property Law, P.C.,

E. Hon. William F. Hagerty IV: Managing Director, Hagerty Peterson and Company, LLC,



**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 20<sup>th</sup> Judicial District Chancery 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: May 16, 2016

  
\_\_\_\_\_  
Signature

When completed, return this questionnaire to Debbie Hayes, Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219



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

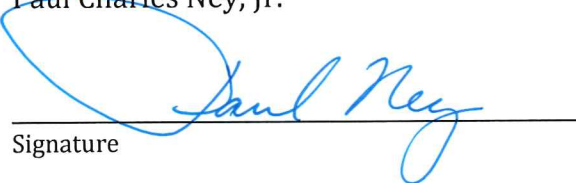
511 UNION STREET, SUITE 600  
NASHVILLE CITY CENTER  
NASHVILLE, TN 37219

**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.

Paul Charles Ney, Jr.

  
\_\_\_\_\_  
Signature

May 16, 2016

\_\_\_\_\_  
Date  
0011625

\_\_\_\_\_  
BPR #

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

State Bar of California, #122682 (Inactive) \_\_\_\_\_

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