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Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23 ✓

Name: William Matthew Wayne

Office Address: 735 Broad Street, Suit 1100, Chattanooga, Tennessee (Hamilton County)
37402
(including county) _____

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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 Microsoft Word format from the Administrative Office of the Courts (telephone 800-448-7970 or 615-741-2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) Review the separate instruction sheet prior to completing this document. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am a partner at the law firm Copeland, Stair, Valz & Lovell in our Chattanooga office.

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

2017 (Bar No. 035681)

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 (035681); Georgia (2025 – bar number pending)

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).

LUTHER-ANDERSON, PLLP

100 W. MLK Blvd., Suite 700, Chattanooga, Tennessee 37402

At Luther-Anderson, I focused on civil litigation, including general liability defense, insurance defense, workers' compensation, and business litigation. I gained extensive courtroom experience, drafted dispositive motions, and conducted depositions, all while managing a diverse caseload. My time here sharpened my ability to assess liability exposure, negotiate settlements, and develop strategic defenses for clients.

CHAMBLISS, BAHNER, AND STOPHEL, P.C.

605 Chestnut St., Suite 1700, Chattanooga, TN 37450

While at Chambliss, Bahner & Stophel, I expanded my litigation practice to include complex commercial litigation, employment law, construction disputes, and contract drafting. I worked closely with businesses and individuals to resolve high stakes claims through negotiation, motion practice, and trial preparation. This experience deepened my ability to analyze legal risks and craft tailored litigation strategies and work with an array of businesses.

COPELAND, STAIR, VALZ & LOVELL

735 Broad St., Suite 1100, Chattanooga, TN 37402

As a partner here, I am our Construction Chair and oversee 2-3 associates, an assistant and a paralegal. My practice is primarily in the business, industry, manufacturing, and construction sectors and includes contract drafting, counseling on business and compliance, litigation, arbitration, and motion practice. I defend clients in an array of issues, ranging from general liability claims to complex, multi-party construction disputes, and commercial matters involving property and contract damage. When necessary, I handle plaintiff cases and counterclaims.

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.

I have a litigation-focused practice with a strong emphasis on construction law, business disputes, employment law, real property disputes, and transactional work. I represent contractors, subcontractors, business owners (local and national), real estate owners and investors, and individuals in complex civil litigation, dispute resolution, and business matters. These matters are handled in a variety of state, federal, and administrative forums. My practice breakdown is as follows:

- **Construction Law (litigation and transactional/contract disputes – 70%**

I handle litigation and transactional matters for general contractors, subcontractors, developers, and property owners. My work includes breach of contract cases, construction defect claims, lien enforcement, payment disputes, and warranty issues. I also assist clients in contract drafting, risk mitigation, and regulatory compliance to prevent disputes before they arise. A large portion pertains to statutory, regulatory, and lien compliance, including non-payment issues. These cases are heavily intertwined with contract and business law and statutory or regulatory interpretation.

- **Business Disputes & Transactions – 15%**

I litigate breach of contract claims, partnership/member disputes, and commercial disagreements and breaches of fiduciary duties. I also handle business formation,

operating agreements, and corporate structuring, working closely with business owners to prevent and resolve legal conflicts efficiently.

- **Other: 15%**

- **Employment Law**

I advise businesses on hiring practices, termination, wage disputes, and regulatory compliance and handle litigation related to wrongful termination, discrimination, and non-compete agreements.

- **General Liability**

I handle a wide range of general liability cases, including premises liability, property damage, and general damages. My work involves analyzing liability exposure, developing defense strategies, and negotiating settlements to achieve favorable outcomes for clients. I regularly engage in motion practice, discovery, and trial preparation, ensuring that every case is positioned for success. With a keen eye for detail and a strategic approach to litigation, I focus on delivering efficient and effective legal solutions while mitigating risk for businesses and individuals.

- **Real Property Disputes**

I represent clients in boundary line disputes, easement issues, title disputes, and property development matters. I also handle real estate contract disputes and litigation over property rights, helping businesses and individuals resolve legal conflicts efficiently.

- **Arbitration/Dispute Resolution**

In addition to traditional litigation, I handle a significant number of arbitrations, particularly in construction and business disputes. I am well-versed in arbitration procedures and case management, allowing me to navigate complex disputes efficiently while ensuring fair outcomes.

My practice is high-volume and fast-paced, requiring me to manage multiple complex cases, collaborate with opposing counsel, and ensure efficient case resolution. With deep experience in construction law, litigation, arbitration, real property disputes, and business transactions, I am well-equipped to serve effectively on the bench, bringing practicality, efficiency, and fairness to the courtroom.

I also perform a significant amount of transactional work and thus am capable of quick issue spotting and the ability to look at contracts inside and out in a thorough and strategic manner. My hands-on work with local businesses and people emphasizes the need for efficiency in litigation and early dispute resolution.

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

I have litigated hundreds of cases in Tennessee trial courts, focusing on construction disputes, business litigation, employment matters, and real property disputes. I have extensive experience in motion practice, depositions, hearings, procedural issues, and trials, often handling complex cases involving technical issues, contract enforcement, and statutory interpretation, including collecting on judgments. I am well-versed in courtroom procedure, case management, and ensuring efficiency in litigation.

Early Legal Experience

Even before becoming a licensed attorney, I gained extensive hands-on legal experience. In 2014, I received my student license and worked in the UT Law Clinic, handling cases in criminal, family, juvenile, and civil law. This early exposure gave me direct experience in courtroom advocacy, client representation, and case strategy across multiple legal areas and provided confidence and real-world experience. Additionally, I worked for the EEO division of the Tennessee Valley Authority, where I gained insight into employment discrimination investigations, regulatory compliance, and federal employment law. I also clerked for the Honorable Bill Ailor, where I observed judicial decision-making, motion practice, and trial proceedings firsthand.

Arbitration & Alternative Dispute Resolution

I have handled a significant number of arbitrations, particularly in construction and business disputes, where arbitration is often contractually mandated, in a variety of legal areas. I am highly experienced in navigating arbitration rules, presenting evidence effectively and streamlined, and working within expedited and focused dispute resolution frameworks with complex issues. My arbitration experience has reinforced my ability to evaluate cases efficiently and make decisive, fair analyses and taking cases to a resolution at trial (hearings).

Transactional & Advisory Work

In addition to litigation, I have a strong transactional practice, assisting businesses with formation, operating agreements, contract drafting, employee-related documents, and risk management. I work closely with business owners to structure agreements that prevent disputes before they arise and litigating those issues should they arise. I understand the needs and issues facing business owners. I consistently draft employment-related agreements, including employment and separation agreements, employee handbooks, and research a myriad of workers' compensation and state and federal law issues.

Litigation

I have handled numerous trial/hearings with administrative bodies, multiple bench trials, numerous General Sessions trials, and have litigated a jury trial. In addition to trial-related work,

I routinely have successful outcomes on procedural and discovery motions, including summary judgment, motions in limine, and motions to dismiss. I am routinely in the courtroom and have used this experience, which I gained on the first day of practice, into a well-rounded, aggressive litigation approach.

General Counsel/Advising

In addition to the above, I daily handle a plethora of client issues ranging from contractor or business licenses, contract disputes and drafting, review of ordinances or zoning laws, real property or boundary disputes, and assist local clients from breweries, restaurants, or gyms on necessary legal compliance issues and risk prevention.

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

- I appealed a decision by the TSSAA, which ruled an Auburn recruit was ineligible to play his senior season at South Pittsburg High School due to the "Transfer Rule" and the TSSAA overturned their ruling allowing him to play (and catch the first touchdown of the season).
- The arbitrator granted my summary judgment motion (rare in arbitration) on novel interpretation of Tennessee statutory law in which statute of limitations and repose were not applicable to construction disputes in arbitration despite project being completed eight (8) years prior to the action being filed.
- Obtained full dismissal with prejudice on wage-related claims from unpaid overtime in favor of large, manufacturing client.
- Successful trial at the General Sessions level concerning non-payment and contractor licensing issues.
- In Circuit Court (Nashville) obtained complete dismissal of security contractor in lawsuit in which Plaintiff was murdered at a condominium complex against multiple causes of action and damages in excess of one million dollars.
- Successful dismissal of numerous EEOC claims and investigation of claims working with the EEOC while at TVA.
- Earned a complete dismiss of architectural firm on contractual basis in state court.
- Obtained injunctive relief in Chancery bench trial in real estate dispute in which neighbors blocked off public alleyway.

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

Clerk for the Honorable Bill Ailor of the Knox County Circuit Court

I clerked for Judge Ailor as his first judicial clerk. I was able to research, review, and discuss motions and rulings, sit in on trial, jury selection, and prepare Judge Ailor for hearings in a

variety of legal areas and practices.

Clerk for the Tennessee Attorney General – Real Property Division

As a clerk, I was able to research and review issues such as eminent domain and property rights for public use.

Legal Clinic – University of Tennessee College of Law

The University of Tennessee Legal Clinic provided invaluable hands-on experience, bridging the gap between legal theory and real-world practice. Under the guidance of experienced faculty, I had the opportunity to represent clients, draft legal documents, and advocate in court—all while developing critical litigation skills. The clinic reinforced the importance of client-centered representation, strategic thinking, and ethical lawyering. It was an essential step in my legal education, shaping my ability to analyze cases, navigate procedural complexities, and make a tangible impact on people's lives.

Editor – Tennessee Law Review

Serving as an Editor on the Tennessee Law Review was an invaluable experience that honed my legal research, writing, and analytical skills. It provided the opportunity to engage deeply with complex legal issues, refine arguments with precision, and ensure the highest standards of scholarship. Collaborating with fellow editors and distinguished authors enhanced my attention to detail and my ability to critically assess legal writing. This role strengthened my ability to construct persuasive legal arguments—an essential skill in both litigation and judicial reasoning.

Clerk/Investigator – Tennessee Valley Authority (TVA) – EEO Division

In this position, I was able to investigate claims for discrimination or harassment under Title VII and draft opinion and orders on these claims. I also would teach management at various sites on legal issues and provide training against discrimination and other unlawful acts.

Pre-litigation and client counseling

In addition to my responses above, my practice involves a significant amount of guiding clients through a variety of issues either before litigation is filed or in general business dealings, such as:

- Argued and negotiated multi-million-dollar contract with the Georgia Power Authority for local electrical lineman institute.
- Settled multi-million dollar dispute for a general contractor for the lowest amount of all parties involved due to artfully noticing the owner under the contract waiving certain claims and damages prior to suit;
- On behalf of local farmers, challenged a zoning change for manufacturing and business development park, which would have harmed pastures and farmland.
- Negotiated contentious buyout of local logistics company.

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

None.

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.

The University of Tennessee at Chattanooga (2010-2013); The University of Tennessee College of Law (2023-2016). Tennessee Technological University (2009) (left to transfer to UTC to assist with grandmother).

PERSONAL INFORMATION

12. State your date of birth.

1991.

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

My entire life.

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

Twelve years.

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

Hamilton 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. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

None.

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

No.

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

I have never filed bankruptcy.

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.

No such legal proceedings.

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.

Rotary; Rotaract; Calvary Baptist Church; Inns of Court (Brock-Cooper Chapter); Hamilton County Pachyderm Club; Heritage Walk Home Owners Association; South Pittsburg Lettermen's Club.

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.
- If so, list such organizations and describe the basis of the membership limitation.
 - If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

I have had no such involvement.

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.

President, Rotaract (oversaw substantial growth in members, community involvement, and professional networking and served as Social Chair and Advisor (current)); Member and Board Member, Chattanooga Bar Association – Young Lawyers Division; Barrister, American Inns of Courts; Tennessee Bar Association; American Bar Association; Alumni Board- University of Tennessee at Chattanooga; Board Member, American Cancer Society; Federal Bar Association; Youth Court.

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

Mid-South Super Lawyers; Chapter President's Award, Federal bar association (editor of Newsletter Committee); Barrister, Inns of Court (Brocks-Cooper Chapter); named as Partner as Copeland, Stair, Valz and Lovell. Sitting in as judge for mock trial.

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.

I have held no public office.

ESSAYS/PERSONAL STATEMENTS

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

I've spent my entire life and legal career in Chattanooga, and I want to serve this community in the most direct way possible—by bringing efficiency, fairness, and real-world legal experience to the bench. I handle construction cases, which are some of the most complex, expensive, and time-consuming matters in court. I know how these cases drag on unnecessarily, costing businesses and individuals far more than they should. As a judge, I can streamline these cases, cut through the inefficiencies, and ensure disputes are resolved fairly and without unnecessary delay.

I've been in the trenches, advocating for clients in high-stakes litigation, and I know firsthand what lawyers and litigants need from a judge—someone who is prepared, decisive, and practical. I'm ready to take that experience to the bench, apply the law with clarity and efficiency, and serve the people of Hamilton County with integrity.

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

I am seeking the Division II opening of the Hamilton County Circuit Court to handle civil litigation. The 11th Judicial District has four (4) circuit judges. I am seeking a Circuit Court judgeship in Hamilton County, Tennessee, which handles civil cases, including business disputes, construction litigation, employment law, and personal injury matters. I've built my career by being hands-on, working closely with clients, colleagues, and even opposing attorneys to get cases resolved efficiently and fairly. I manage a heavy caseload and know how to prioritize, move cases forward, and reach resolutions without unnecessary delay.

Judge Dimitru leaves large shoes to fill. But my experience in litigation, combined with transactional work, clerking, and my hands-on approach to working on complex, fast-paced

issues gives me the background to handle cases practically and decisively. I've spent years in the trenches, balancing high-stakes cases, tight deadlines, and complex legal issues, all while keeping the process fair and streamlined.

If selected, I will bring that same work ethic to the bench—handling cases efficiently, dispensing justice effectively, and ensuring the court runs smoothly for those who depend on it. I am here to serve the people of Hamilton County with strength, honor, dedication, and fairness.

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)*

Yes—to the best of my ability es, I will uphold the law, even if I personally disagree with its substance. A judge's role is to apply the law as written, ensuring consistency and fairness, even when the result may seem impractical or unfair.

One example from my practice involved T.C.A. § 28-3-202, which (prior to its amendment) applied Tennessee's statute of repose and limitations to courts of record only (i.e. not arbitration) in construction defect claims. The owner brought an action in arbitration several years after the normal limitation and repose period ran. All parties thought it was an easy dismissal, however, the law, as written, did not bar the claim despite common sense telling us otherwise. Yet, despite how unreasonable the application seemed, the law was clear: the statute of repose applied, and the claim was not time-barred. We found relief under other contractual terms, but it shows that the law, as I have been told by a colleague and judge, is not fair or right—it is simply the law.

In addition, as mentioned above, the TSSAA's Transfer Rule, as then stated, unfairly harmed lower income students and athletes. Nonetheless, however much I disagreed with the law, the stark reality was that it would ban an other wise good and ambitious student-athlete from competing.

This experience reinforced my belief that judges must apply the law as written, not as they believe it should be. If a statute produces unintended consequences, it is up to the legislature to change it—not the courts to rewrite it. As a judge, I will uphold this principle, ensuring fair, predictable, and legally sound rulings, even when the outcome may not align with practical expectations.

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. Honorable Kevin B. Wilson, Esq. Collegedale City Judge, Owner of Wilson & Wilson, Attorneys at Law ([REDACTED]

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| & [REDACTED] (firm address: 6148 Lee Highway, Suite 115, Chattanooga, Tennessee 37421). |
| B. <u>Timothy B. Ballard</u> , Esq., Member, Evans, Harrison, Hackett, PLLC [REDACTED] (address: 735 Broad Street, Suite 600, Chattanooga, Tennessee 37402). |
| C. <u>Michael N. St. Charles</u> , Esq., Senior Counsel, Chambliss, Bahner, & Stophel. [REDACTED] (address: 605 Chestnut Street, Suite 1700) |
| D. Honorable William T. "Bill" Ailor, Circuit Court Judge, Knox County, Tennessee. [REDACTED] (address: City Co. Building, M39, 400 Main Avenue, Knoxville, Tennessee 37902) |
| E. <u>Angela C. Kopet</u> , Esq., Partner, Copeland, Stair, Valz & Lovell [REDACTED] |
| Alternative References: In the event judges fall within the definition of "lawyer" referenced above, the following non-attorney references are provided: |
| F. <u>Dr. Allen Pratt</u> , Director of Strategic Partnerships/Interim Director of UTC Center of Excellence and Innovation in Education [REDACTED] (address: 540 McCallie Avenue, Chattanooga, Tennessee 37402). |
| G. <u>Sharon Law</u> , President, Cornerstone Consulting Group [REDACTED] |

AFFIRMATION CONCERNING APPLICATION

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

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the [Court] Circuit Court of Hamilton County 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: February 5th, 2025.



 Signature

When completed, return this questionnaire to John Jefferson at the Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



TENNESSEE TRIAL COURT VACANCY COMMISSION
ADMINISTRATIVE OFFICE OF THE COURTS
511 UNION STREET, SUITE 600
NASHVILLE CITY CENTER
NASHVILLE, TN 37219

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

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee,

from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

Matthew Wayne
Type or Print Name


Signature

February 5, 2025
Date

035681
BPR #

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

Georgia (Bar # pending)
