

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE
March 28, 2001 Session

KAREN STEMPA, ET AL. v. WALGREEN CO., ET AL.

Appeal from the Circuit Court for Knox County
No. 1-281-98 Dale C. Workman, Judge

FILED MAY 4, 2001

No. E2000-02223-COA-R3-CV

Houston M. Goddard, Presiding Judge, concurring.

I concur in the majority opinion authored by Judge Swiney, which is in accord with an opinion by the Western Section of this Court sitting in Nashville, authored by Judge Lillard. I write separately, however, to suggest that had this Court not already specifically spoken on the subject I would be inclined to follow the reasoning of Circuit Judge Frank G. Clement, Jr.,¹ in the case of Tillman v. Haffey, presently on appeal, which holds to the contrary.

HOUSTON M. GODDARD, PRESIDING JUDGE

¹

See Appendix for a copy of Judge Clement's order.