

Kim Meador

ADM2024-00922

FILED

JUL - 3 2024

Clerk of the Appellate Courts
REc'd By *KIM*

From: S Norman <seth@sethnormanlaw.com>
Sent: Wednesday, July 3, 2024 3:45 PM
To: appellatecourtclerk
Subject: Comment on Petition To Amend Tenn. Sup. Ct. R. 9, Section 10.1 (No. ADM2024-00922)

Good afternoon,

I have a comment regarding the Board's petition to amend Tennessee Supreme Court Rule 9, Section 10.1. While I agree with this reasoning behind the change, I believe it is extremely important that there be an exception for attorneys that do not have an office address. When filing motions, proposed orders, etc. the TBPR attorney lookup (found at <https://www.tbpr.org/for-the-public/online-attorney-directory>) is extremely valuable in order to ensure that service is properly provided to opposing counsel. As someone who practices in multiple counties, there are many times when the TBPR attorney lookup is the only way to know where to send copies for filings to comply with the applicable notice rules. If I am not mistaken, the proposed amendment would exclude an attorney that works from home from having his/her address listed on the TBPR website, as it would be deemed confidential. This would likely cause a notice problem in some situations if no exception is made for attorneys that work from home, especially in criminal cases, where many (if not all) of the court clerks offices only list the name of the attorney and no contact information on their websites.

I would suggest an exception be made to the proposed amendment for all attorneys who work from home, and do not have an office address or PO Box to list. There need to be some way to know that what is sent will be received by opposing counsel and to my knowledge the TBPR information is the only location where said information is required by our rules to be kept accurate and current.

Likewise, this would limit Pro Se litigants from easily being able to find the correct mailing address for opposing counsel when they work from home. It is a common problem that I have faced when looking from the mailing address for opposing counsel, that they have changed firms/locations/etc, and an internet search lists multiple addresses. I do not believe the TBPR should amend a rule that in some cases allows attorneys to essentially have no listed address. Regardless of where the attorney works (at an office or at home), at a minimum, some mailing address should be required to be publicly available for all licensed attorneys, even if that address is their home address. I believe that such a minimum requirement is necessary to allow for compliance with notice requirements in many situations.

An example of when this amendment could become an issue is when bail bonding companies file a motion to surrender a Defendant in a criminal case based on a new arrest, and they need to provide a copy of the motion to surrender to the Defendant's attorney. If the Defendant's attorney works from home, the attorney for the bonding company may be unable to discover the attorney's mailing address, resulting in a situation where the Defendant's attorney may not have proper notice of the motion.

Please feel free to contact me if further explanation is needed or if you have any followup questions.

Sincerely,
-Seth

Kim Meador

ADM2024-00922

From: Keane Barger <kbarger@loeb.com>
Sent: Tuesday, July 2, 2024 5:42 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: No. ADM2024-00922

FILED
JUL - 2 2024
Clerk of the Appellate Courts
REc'd By *KIM*

Mr. Hivner:

I write to express my support for the petition filed by the Board of Professional Responsibility ("Board") asking the Tennessee Supreme Court to amend Rule 9, section 10.1 to classify as confidential and not public record the personal addresses and contact information that Tennessee attorneys provide to the Board.

The public should have access to the business addresses and contact information of Tennessee attorneys. Such information may be necessary for a prospective client to locate counsel or a current client to communicate with his or her own attorney. But there is no corresponding need for the public to have access to the personal addresses and contact information of Tennessee attorneys. Publicizing such personal information serves no legitimate purpose and poses a risk of harassment and harm to attorneys who are often litigating contentious disputes.

Best regards

Keane Barger
Attorney At Law



901 New York Avenue NW, Suite 300 East | Washington, DC 20001
Direct Dial: [202.618.5003](tel:202.618.5003) | Fax: [202.618.5001](tel:202.618.5001) | E-mail: kbarger@loeb.com
Los Angeles | New York | Chicago | Nashville | Washington, DC | San Francisco | Beijing | Hong Kong | www.loeb.com

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Kim Meador

ADM2024-00922

From: Larry Woods <debate@comcast.net>
Sent: Tuesday, July 2, 2024 5:54 PM
To: appellatecourtclerk
Subject: Amend Rule 9 section 10.1

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REc'd By *Kim*

I am writing to support the amendment to make personal addresses confidential. During my years of law practice I was the subject of several threats and two shootings into my address, primarily a result of my work in opposition to the death penalty and support for a right to abortion in healthcare.

As the political world rapidly becomes even more threatening, the legal world will also be impacted.

Larry Woods

FILED

JUN 27 2024

Clerk of the Appellate Courts

REc'd By MBC

ADM 2024-00922

MaryBeth Lindsey

From: Brennan Parrish <brennan@gilparrishlaw.com>
Sent: Thursday, June 27, 2024 8:42 AM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: In Re Docket No. ADM2024-00922 (Petition to Amend Tenn. Sup. Ct. R. 9, Section 10.1)

To whom it may concern,

I support this amendment. On numerous occasions I have had opposing parties, some who were even represented by counsel, reach out to my personal cell phone number through having this information accessible. Often this was at non-business hours.

I have received death threats from opposing parties in some cases, and I know many other lawyers who have as well. Personal residence information needs to be private. It is prudent given the potential for highly emotional reactions of opposing parties in tough cases. We live in a volatile, unpredictable world. This amendment is well needed to protect the members of the legal profession.

Last – I am a young attorney (licensed 2019). When I applied to take the Bar Exam the Board naturally requested all my personal information. It was never disclosed or noted in the application that the personal information I provided would ultimately be the same information that would be sent to the general register for all Tennessee attorney's contact information. Hence, the Board asks for my personal phone number – I naturally provide it because I need to take the bar exam – and then a few months later my personal cell phone number gets published on the Tennessee Bar Attorney Contact information as my primary contact (which it is not – our office number is my primary contact). Implementation of the amendment to this rule needs to ensure it protects newly added members to the Bar from inadvertently having their information published.

I hope this input is helpful. Feel free to contact me if further input is needed.

All the best,

Brennan E. Parrish, Esq.
Parrish Law, PLLC
60 Brazelton Street, Unit 9
Savannah, TN 38372
731-925-1966

MaryBeth Lindsey

From: Chip Dawson <chip@charlesdawsonlaw.com>
Sent: Thursday, June 27, 2024 11:14 AM
To: appellatecourtclerk
Subject: ADM2024-00922

ADM 2024-00922
FILED
JUN 27 2024
Clerk of the Appellate Courts
REc'd By MBL

I would like to add my support for the Tennessee Board of Professional Responsibility's Petition in this matter. Tragic events of recent years have highlighted the need for protection of the privacy of judges, attorneys and their families. Amending the Rule as proposed will allow a measure of assurance that the most invasive (and potentially dangerous) interactions with the public may be reduced.

Thanks.

Chip Dawson Attorney
Law Office of Charles C. Dawson, Jr., LLC
2105 Old Montgomery Highway, Suite 206, Pelham, AL 35124
t: (855)516-3132
f: (888)316-6313
m: (205)516-3132
w: charlesdawsonlaw.com
e: chip@charlesdawsonlaw.com

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MaryBeth Lindsey

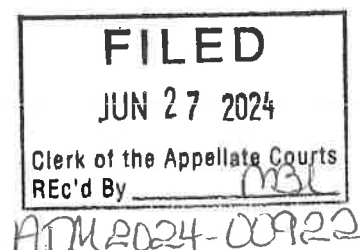
From: Charles Byrd <cbyrd@cbyrdslaw.com>
Sent: Thursday, June 27, 2024 11:15 AM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Proposal to Make Attorney Contact Information Private

Mr. Hivner,

I just read about the above proposal to amend Tennessee Supreme Court Rule 9, section 10.1 in the TBA Today. There was no docket number provided. Please show me as being in support of the amendment.

Sincerely yours,

Charles H. Byrd, Sr.
Attorney at Law



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MaryBeth Lindsey

From: Doni Porteous <doni.porteous@gmail.com>
Sent: Wednesday, June 26, 2024 7:04 PM
To: appellatecourtclerk
Subject: IN RE: PETITION TO AMEND TENN. SUP. CT. R. 9, SECTION 10.1

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JUN 26 2024
Clerk of the Appellate Courts
REc'd By MBL
ADM2024-00922

Feedback: I fully support the petition to keep personal attorney information protected. I maintain the expense of a post office box specifically so there is no chance my residential address becomes viewable.

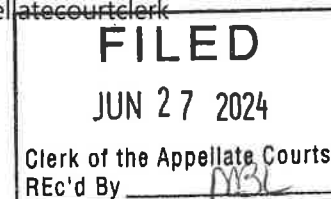
Additionally, many attorneys work now from their residences which was not the norm when the present rule was originally drafted. Thank you.

—Doni Porteous
BPR 038736

MaryBeth Lindsey

From: Erika Roberts <ErikaR@svmic.com>
Sent: Thursday, June 27, 2024 10:10 AM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Comment regarding confidentiality of contact information

ADM 2024-00922



May it please the Court:

I am writing to express my support for amending the rules so that attorney contact information is confidential and not publicly available (at least not readily so).

I support a listing featuring the attorney's name and the status of the attorney's license. And perhaps, for good cause shown, the Court could construe a method to disclose such information to a party, if merited. I can also see an option allowing attorneys to opt in to sharing their public address, but not requiring it. However, given increasing cyber security issues and what seems to be an increase in violence/anger towards the legal/judicial system and its participants, it seems prudent to shield this valuable and vulnerable information from the public, at least online. I can also imagine in situations involving domestic violence or other similarly dangerous situations, an attorney, though bound by the rules to keep his/her information current with the Board, may choose not to do so out of fear for personal safety.

Currently, I have my work address posted, but there have been times in the past where I was self-employed and my home address was posted. Due to the sensitive nature of my job, and the potential for angry plaintiffs or insureds, my own company does not even post my name or bio online. Yet the board's website does. While I have never been comfortable with that information being so readily available, it did not seem like there is an alternative. There should be.

I understand that there are various ways that a person could obtain potential contact information for a lawyer, but I feel that the Board should not be an unwitting accomplice in providing accurate contact information to someone who may intend harm to an attorney.

Thank you for your time,
Erika Roberts



Erika D. Roberts, JD
SVMIC | Claims Attorney

OFFICE 615-846-8362

5005 Maryland Way | Suite 300 | Brentwood, TN | 37027

ONLINE SVMIC.com

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MaryBeth Lindsey

From: Greg Atwood <gregatwoodlaw@gmail.com>
Sent: Wednesday, June 26, 2024 5:52 PM
To: appellatecourtclerk
Subject: PETITION TO AMEND TENN. SUP. CT. R. 9, SECTION 10.1

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Clerk of the Appellate Courts
REc'd By MB

ADM2024-00922

I am in support of the proposed change. My practice is 95%+ working for other lawyers making court appearances, and I have no need for a public office. I maintain a mailbox at a local UPS store for the sole purpose of not having my home address be public information. This will make my practice more efficient and reduce costs.

--
Greg Atwood, Esq.
8161 Highway 100, #104
Nashville, TN 37221
615-347-5095
615-866-5922 fax
gregatwoodlaw@gmail.com

MaryBeth Lindsey

From: Jamie Herman <jherman@jhermanattorney.com>
Sent: Tuesday, July 2, 2024 4:19 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Confidentiality of personal attorney information

2 July 2024 5:15 eastern

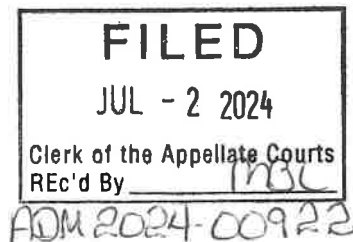
I support withholding personal information as confidential.

I used to do contested divorces.

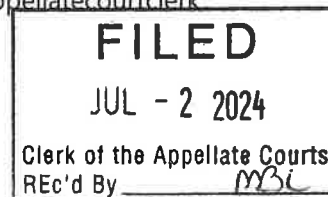
There were a few cases where I always checked to make sure that I was not followed home.

It makes no sense to me to have our home addresses available.

Jamie L. Herman
Attorney
409 E. Watauga Avenue
Johnson City, Tennessee 37601
phone: 423-928-5480
fax: 423-928-5480
BOPR 9186



From: Hedrick, Judge Andra (STC) <AndraHedrick@jnsnashville.gov>
Sent: Tuesday, July 2, 2024 3:24 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: No. ADM2024-00922



To the Honorable Justices of the Tennessee Supreme Court:

I am writing to express my concerns regarding the Petition filed in the above referenced matter by the Tennessee Board of Professional Responsibility. My understanding is that the Petition requests that the Court amend Tenn. Sup. Ct. R. 9, Section 10.1. The amendment would make non-public the contact information for attorneys who have failed to provide an office address which is different from a personal address. The amendment does not appear to provide an exception allowing the courts and clerks to be given access to the non-public contact information. This creates an undue burden on the courts and clerks and puts litigants at risk, for the reasons explained below.

I preside over the Davidson County Probate Court. It is a high volume court, with between 2,400 and 2,500 new cases filed each year and approximately 5,000 pending cases that we are charged to oversee. We have an estimated 500 or more different attorneys who file petitions in our court. While some come from firms, many are sole practitioners who may or may not maintain an office separate from their homes.

When an attorney enters an appearance for a petitioner in probate court, the attorney has continuing obligations so long as the case remains open or until an order is signed allowing the attorney to withdraw. These obligations can involve requiring the petitioner to become bonded as a fiduciary, and to file various types of financial and status reports for transparency to the court, other parties and interested persons. The obligations affect more than just the interests of the petitioner. They affect the interests of the many other potential parties and interested persons in the case (heirs, beneficiaries, respondents, contestants and creditors), many of whom typically are not represented by separate counsel.

Far too many of our attorneys do not meet the obligations required of them as counsel of record. All too often, we become aware of cases in which required filings have not been made and the attorney of record has failed to address the delinquency. Our clerk tracks these required filings and issues notices and citations accordingly. Ultimately, if the clerk's warnings are ignored the court must issue "show cause" notices and conduct "show cause" hearings to determine the next appropriate action. Attorneys of record may fail to respond and/or to attend required "show cause" hearings. Mailings to attorneys may be returned undelivered because the attorney has changed addresses but failed to notify the court or clerk. In this situation, our staff and/or the clerk must attempt to locate a new, accurate address (or other contact information) for the attorney. The public information on the website of the Tennessee Board of Professional Responsibility can be a helpful, reliable source of finding new addresses for attorneys so that the clerk's notices and court orders can be sent to them at the correct address. If such information is made non-public, without an exception permitting disclosure to court clerks and staff, this will hinder our court's ability to enforce the obligations of attorneys and protect the parties and interested persons in our cases from preventable harm.

All of that being said, my concerns would be greatly alleviated if the rule as amended would include an exception whereby the Tennessee Board of Professional Responsibility could release the otherwise non-public information to court staff and clerks upon their written request. This would achieve the safety objectives of the amendment without unduly burdening the courts and clerks who many need the information for legitimate purposes - the orderly administration of cases and protection of parties and interested persons whose interests are affected in pending cases.

Thank you for your consideration of these concerns and suggestions.

Andra

Judge Andra Hedrick
Seventh Circuit (Probate) Court
Davidson County Courthouse, Suite 608

Judicial Assistant: Kitty Lammers (kittylammers@jnsnashville.gov or 615.862.5990)

MaryBeth Lindsey

From: Looney, Kim H. <Kim.Looney@klgates.com>
Sent: Tuesday, July 2, 2024 2:25 PM
To: 'appellatecourtclerk@tncourts.gov' appellatecourtclerk; appellatecourtclerk
Subject: contact information

Personal information should always be designated as confidential.



Kim Harvey Looney
Partner
K&L Gates LLP
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Nashville, Tennessee 37203
Direct: (615) 780-6727
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kim.looney@klgates.com
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ADM2024-00922



June 27, 2024

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ADM2024-00714

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James Hivner, Clerk of Appellate Courts
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RE: No. ADM2024-00714

Dear Mr. Hivner:

Pursuant to the Tennessee Supreme Court's Order referenced above, the Knoxville Bar Association ("KBA") Professionalism Committee ("Committee") carefully considered the ADRC's petition for an amendment to Rule 31(15)(a)(5) of the Rules of the Tennessee Supreme Court. The Committee presented a report with its recommendation on the requested amendment at the June 26, 2024 meeting of the KBA Board of Governors (the "KBA Board").

After consideration, the KBA Board submits the following comment:

The KBA supports giving discretion to the Alternative Dispute Resolution Commission. The KBA suggests, however, that the proposed language be amended so it is not limited to lapses caused by a failure to timely complete CME requirements. Instead, in the KBA's view, the amended language should also give discretion to the Alternative Dispute Resolution Commission to grant a training waiver upon appropriate application for those whose credentials have lapsed for failure to comply with CME requirements pursuant to Rule 31(15)(a), for failure to timely renew under Rule 31(15)(b), or for any other reason deemed sufficient by the Commission.

This further amendment would be consistent with the ADRC's petition. At least one of the examples discussed in the petition appears to involve a lapse based on a failure to timely renew, not a failure to comply with CME requirements.

As always, the KBA appreciates the invitation to consider and comment on proposed rule changes.

Board of Governors

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M. Samantha Parais

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Vanessa Samano

Charles S.J. Sharrett

James T. Snodgrass

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Alicia J. Teubert

Hon. Zachary R. Walden

Executive Director

Tasha C. Blakney

General Counsel

Adrienne L. Anderson

Knoxville Bar Association
Comment re: No. ADM2024-00227
Page 2

Sincerely,

Handwritten signature of Carlos A. Yunsan in cursive.

6/1/2024

Carlos A. Yunsan, President
Knoxville Bar Association

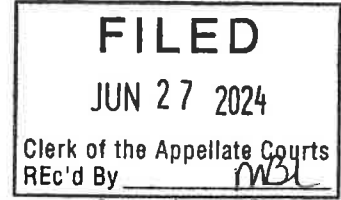
cc: Tasha C, Blakney, KBA Executive Director (via email)
Executive Committee of the Knoxville Bar Association (via email)
Hon. John F. Weaver and James R. Stovall, Professionalism
Committee Co- Chairs (via email)

MaryBeth Lindsey

From: Martha Emeson <martha@zendylaw.com>
Sent: Thursday, June 27, 2024 3:12 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Comment re: Petition to Amend TN S Ct R 9, Sect. 10.1

Dear Mr. Hivner, Clerk:

Re: Petition to Amend Tenn. R. Sup. Ct. R 9, Section 10.1
No. ADM2024-00922



ADM2024-00922

I am writing in support of the proposed amendment to Rule 9, Section 10.1!

On more than one occasion I have found my home address published (without my prior knowledge or permission) as my law practice business address. Making attorneys' personal addresses and contact information confidential will help bring a stop to this.

Thank you!

Martha Zendlovitz Emeson
Attorney at Law
4235 Hillsboro Pike, Suite 300
Nashville, TN 37215
Tel.: 615-403-3205
Fax: 615-369-8653
E-mail: martha@zendylaw.com

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MaryBeth Lindsey

From: Melinda Kirkham <mkirkham@mwzmlaw.com>
Sent: Thursday, June 27, 2024 4:30 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: No. ADM2024-00922

ADM 2024-00922

Good afternoon,

I am in support of the petition to make the contact information of attorneys private. I personally have received threats relating to my work. I feel this will help with safety and make it harder for those with inimical intentions to get private information.

Thank you,

Melinda Kirkham, Esq.
Associate Attorney, Foreclosure

Mackie Wolf Zientz and Mann, P.C.
Cool Springs Commons
7100 Commerce Way, #273
Brentwood, TN 37027
Main Line: 615-238-3630
Fax: 615-777-4517



**MACKIE WOLF
ZIENTZ MANN**

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MaryBeth Lindsey

From: Miles Terry <milesterry82@gmail.com>
Sent: Wednesday, June 26, 2024 8:52 PM
To: appellatecourtclerk
Subject: Re: Court Order No. ADM2024-00922

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REc'd By MBL

ADM2024-00922

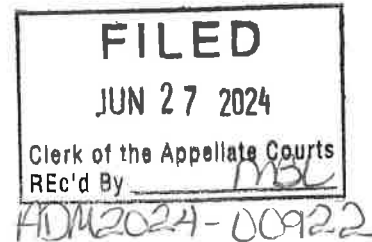
Regarding the request for Comments Sought on Proposal to Make Attorney Contact Information Private, if Judges and Court Administrators' personal information is currently private, then this should extend to attorneys as well as they too are officers of the court and have personal lives, property, and loved ones that should be protected. Privacy increases the safety and security of attorneys and I very much recommend that this information be made private.

Miles Terry | Managing Partner
Gideon Law Group, LLC, Churches | Nonprofits | Private Schools
Mailing | 1718 General George Patton Drive | Brentwood, Tennessee 37027
Contact | Office 864.569.9344 | Fax 770-234-6745
Website | gideonlawgroup.com

*Admitted in South Carolina, Tennessee, and the District of Columbia

MaryBeth Lindsey

From: The Hill Law Firm <office@hillfirmllaw.com>
Sent: Thursday, June 27, 2024 9:47 AM
To: appellatecourtclerk
Subject: ADM2024-00922



Good morning!

With regard to this recent order, I sincerely hope that the Tennessee Supreme Court does enter an order to amend the rule to classify as confidential and not public record the personal addresses and contact information Tennessee attorneys provide to the board. Cell phones and other forms of "instant" communications have increased expectations to the point that everyone is expected to be instantly available to everyone else. I believe that lawyers, like doctors and other professionals, need to have some reasonable measure of privacy and protection of the sanctity of their homes. Please contact me if you have any questions. Thanks!

-Rob Hill

The Hill Firm PLLC | PO Box 150529 | Nashville, TN 37215 | 615-815-1758 | www.HillFirmLaw.com

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JUN 26 2024
Clerk of the Appellate Courts
REc'd By MBL

MaryBeth Lindsey

From: rob robvandiver.com <rob@robvandiver.com>
Sent: Wednesday, June 26, 2024 5:54 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: ADM2024-00922, Supreme Court Rule 9, section 10.1 proposed amendment

ADM 2024-00922

Dear Clerk Hivner,

I am writing in support of the proposed amendment that would make the personal contact information of attorneys confidential and not publicly available. While I have never personally had someone contact me at my personal residence or home phone, I have always been concerned that someone with bad intent would have such easy access to this information.

I practice in the field of consumer bankruptcy. I have had, during the last 25 years, something like 10,000 clients. That is a large number. Due to the nature of my practice, I enjoy a good relationship with my clients in an environment in which I am helping them get free from debt. However, in dealing with that many people from all walks of life, eventually someone could get upset and "track me down" at my house.

Thank you for your consideration,

Rob Vandiver

Robert B. Vandiver, Jr. | Attorney

ROBERT B. VANDIVER, JR.

Attorney at Law

Certified Consumer Bankruptcy Specialist

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Mr. Vandiver is Certified as a Consumer Bankruptcy Specialist by the American Board of Certification.

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MaryBeth Lindsey

From: Bob Parsley <Bob.Parsley@millermartin.com>
Sent: Thursday, June 27, 2024 8:08 AM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Amendment of Tennessee Supreme Court Rule 9, section 10.1

Hon. James Hivner
Appellate Court Clerk

I respectfully support the proposed amendment.

Robert F. Parsley
Attorney / Chattanooga TN
Robert F. Parsley

FILED
JUN 27 2024
Clerk of the Appellate Courts
REc'd By *(Signature)*

ADM2024-00922



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