Supreme Court Appeals
Pending Cases
11-1-24

1.	Style	State of Tennessee v. Antonio Demetrius Adkisson a/d/a Antonio Demetrius Turner, Jr.
2.	Docket Number	W2022-01009- SC-R11-CD
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/AdkissonAntonioOPN.pdf https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/AdkissonAntonioDIS.pdf
4.	Lower Court Summary	A Gibson County jury convicted the defendant, Antonio Demetrius Adkisson a/k/a Antonio Demetrius Turner, Jr., of two counts of second-degree murder, for which he received an effective sentence of twenty years in confinement. On appeal, the defendant contends (1) that the juvenile court erred in transferring the defendant to circuit court and (2) that the trial court erred in failing to suppress the defendant's statement. After reviewing the record and considering the applicable law, we affirm the judgments of the trial court.
5.	Status	Application granted 8/14/24. Motion for extension to file Appellant's brief granted and due 11/12/24.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: 1. Whether the Juvenile Court lacked probable cause to bind the case over to the Circuit Court[.] Close question. 2. Whether the Circuit Court erred in not suppressing Defendant's statement based on violations of Miranda and voluntariness of confession. 3. Is the standard of review of a juvenile court bindover order, as it relates to the probable cause clause in T.C.A. § 37-1-134(a)(4)(A) (probable cause to believe the child committed the delinquent act), de novo as suggested by the dissent or abuse of discretion as used by the majority[?]

1.	Style	Alan C. Cartwright v. Thomason Hendrix, P.C., et al.
2.	Docket Number	W2022-01627- SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/CartwrightAlanC5OPN.pdf
4.	Lower Court Summary	Appellants, lawyers and their law firms, appeal the trial court's denial of their petition to dismiss this lawsuit under the Tennessee Public Protection Act. On appeal, we conclude that the trial court erred in concluding that Appellants failed to establish that this claim relates to the protected right to petition. As such, we reverse the judgment of the trial court and remand for further proceedings.

5.	Status	Application granted 8/28/24. Appellant's brief filed 10/28/24.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: Whether the Tennessee Public Participation Act (TPPA) applies to this legal malpractice action.

1.	Style	Terry Case v. Wilmington Trust, N.A., et al.
2.	Docket Number	E2021-00378-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/e2021-378_case_v._wilmington.pdf
4.	Lower Court Summary	The plaintiff appeals the trial court's order granting the defendants' motions for summary judgment and dismissing the plaintiff's claims for breach of contract, wrongful foreclosure, injunctive relief, and declaratory relief. Having determined that the plaintiff has waived arguments related to his breach of contract claim, we review solely the trial court's dismissal of the plaintiff's claim for wrongful foreclosure. We conclude that the defendants did not strictly comply with the notice requirements of the deed of trust, vacate the portion of the trial court's order granting summary judgment to the defendants with respect to the plaintiff's wrongful foreclosure claim, and set aside the foreclosure sale. We affirm the trial court's order with respect to the plaintiff's breach of contract claim. We decline to award the defendants damages pursuant to Tennessee Code Annotated § 27-1- 122.
5.	Status	Heard 9/6/23 in Knoxville.
6.	Issue(s)	As stated by Applicant: 1. Does Tennessee recognize an independent cause of action for wrongful foreclosure to set aside a foreclosure sale based entirely on a procedural defect in the sale that causes no harm or prejudice? 2. Tennessee Code Annotated § 35-5-101(f) allows foreclosure sale postponements of less than 30 days to be announced orally. Does the Fannie Mae/Freddie Mac Uniform Tennessee Deed of Trust, which secures over 500,000 residential mortgage loans in Tennessee, nevertheless require written notice of such postponements?

1.	Style	Payton Castillo v. David Lloyd Rex, M.D. et al.
2.	Docket Number	E2022-00322-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Castillo%20v.%20Rex%2C%20M.D.%20Opinion%20UNSIGNED.pdf
4.	Lower Court Summary	The plaintiff filed this healthcare liability action against several healthcare providers following the death of her husband. We granted this interlocutory appeal in which the

		defendants request review of the trial court's denial of their motion for a protective order to prohibit further inquiry into a meeting held between the defendant hospital and the decedent's family. We affirm the trial court.
5.	Status	Heard 9/5/24 in Knoxville.
6.	Issues(s)	As certified by the trial court and answered by the Court of Appeals: 1. Whether statements made by representatives of Memorial in a CANDOR meeting, which are based on information obtained in a QIC meeting are privileged pursuant to Tennessee Code Annotated section 68-11-272. 2. Whether testimony from representatives of Memorial regarding statements made in a CANDOR meeting, which are based on information obtained in a QIC proceeding constitutes "direct or indirect discovery" of QIC activities as prohibited by Tennessee Code Annotated section 68-11- 272.

1.	Style	Brian Coblentz, et al. v. Tractor Supply Company
2.	Docket Number	M2023-00249-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2023-00249-COA-R3-CV.pdf https://tncourts.gov/sites/default/files/OpinionsPDFVersion/Separate%20Opinion%20-%20M2023-00249-COA-R3-CV.pdf
4.	Lower Court Summary	A sales representative for a product vendor was injured while in a Tractor Supply store performing his job. The sales representative received workers' compensation benefits from his employer, a hardware product company, and then proceeded with a tort case against Tractor Supply. We agree with the trial court's conclusion that Tractor Supply was the sales representative's statutory employer within the meaning of Tenn. Code Ann. § 50-6-113(a) and, therefore, his recovery from his employer was his exclusive remedy. Therefore, we affirm the trial court's grant of summary judgment in favor of Tractor Supply.
5.	Status	Application granted 9/12/24. Appellant's brief filed 10/11/24.
6.	Issues(s)	(1) Under what circumstances, if any, does a retailer assume workers' compensation liability (and, in turn, quid pro quo tort immunity) for a vendor employee's injuries occurring at the retailer's store? (2) Do the actions of the vendor's employee in this case—inventorying and ordering merchandise and straightening the vendor's merchandise display—make the retailer a "principal contractor," thereby immunizing it from tort claims brought by the vendor's employee?

1.	Style	Vanessa Colley v. John S. Colley
2.	Docket Number	M2021-00731- SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/m2021-731_-_opinion_-_colley.pdf
4.	Lower Court Summary	Appellant/Husband voluntarily nonsuited his post-divorce lawsuit involving issues of alimony and the parties' alleged settlement of an IRS debt. Appellee/Wife moved for an award of her attorney's fees on alternative grounds, i.e., the abusive lawsuit statute, Tenn. Code Ann. § 29-41-106; the parties' MDA; and Tennessee Code Annotated section 36-5- 103(c). The trial court granted Wife's motion and entered judgment for her attorney's fees and costs. The trial court specifically held that Husband's lawsuit was not abusive, and Wife does not raise this as an issue on appeal. As such, we conclude that she is not entitled to her attorney's fees under the abusive lawsuit statute. As to her claim for attorney's fees and costs under the MDA and Tennessee Code Annotated section 36-5-103(c), both grounds require that Wife be a "prevailing party" in the underlying lawsuit. Because Husband took a voluntary nonsuit, neither party prevailed in the action, and Wife is not entitled to her attorney's fees and costs. Reversed and remanded.
5.	Status	Heard 10/4/23 in Nashville.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: 1. Is a defendant who defends against a lawsuit that seeks to modify a court-ordered Marital Dissolution Agreement and secures a judgment of dismissal, without prejudice, following the plaintiff's voluntary nonsuit a "prevailing party" within the meaning of Tenn. Code Ann. § 36-5-103(c)? 2. When "contract language is interpreted according to its plain terms and ordinary meaning," *see BSG, LLC v. Check Velocity, Inc.*, 395 S.W.3d 90, 93 (Tenn. 2012), is a defendant who secures a judgment of dismissal, without prejudice, following a plaintiff's voluntary nonsuit a "prevailing party" within the meaning of a contractual fee-shifting provision when the term "prevailing party" is not otherwise defined?

1.	Style	Kendall Collier ex rel Chayce C. v. Periculis Roussis, M.D. et al.
2.	Docket Number	E2022-00636-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Kendall%20Collier%20vs.%20Periculis%20Roussis%20M.D.%20et%20al.%20%28unsigned%29.pdf
4.	Lower Court Summary	This appeal concerns juror misconduct. Chayce Collier ("Chayce"), a minor, by and through his parent and next friend, Kendall Collier ("Plaintiff"), sued Periclis Roussis, M.D. ("Dr. Roussis"), Fort Sanders Perinatal Center, and Fort Sanders Regional Medical Center ("the Hospital") ("Defendants," collectively) in the Circuit Court for Knox County ("the Trial Court") alleging health care liability in Chayce's delivery. A major issue at trial was whether Dr. Roussis fell below the standard of care by failing to administer epinephrine to Plaintiff when she had an anaphylactic reaction during labor.

		The jury found for Defendants. However, it emerged that a juror had gone home and looked at the warning on an epipen which said that epinephrine should only be used when the potential benefit justifies the potential risk to the fetus. The juror shared this information with the rest of the jury. Plaintiff filed a motion for a new trial, which the Trial Court first granted and then denied. Plaintiff appeals. Under Tenn. R. Evid. 606(b), jurors may not be asked what effect, if any, that extraneous information had on them. Instead, courts look to the extraneous information itself to determine whether there is a reasonable possibility that it altered the verdict. We hold that there is a reasonable possibility that the extraneous information shared with the jury in this case altered the verdict, and Defendants failed to rebut the presumption of prejudice. The Trial Court applied an incorrect legal standard and thereby abused its discretion in denying Plaintiff's motion for a new trial. We reverse the judgment of the Trial Court and remand for further proceedings consistent with this Opinion.
5.	Status	Application granted 6/21/24. Fully briefed.
6.	Issue(s)	(1) What is the proper analytical framework and standard of proof for determining whether a new trial is warranted in a civil case based on a juror's consideration of extraneous prejudicial evidence? (2) Applying the correct analytical framework and burden of proof, is Plaintiff entitled to a new trial based on the jury's consideration of information on an Epi-Pen label (as relayed by a juror) that was not introduced at trial?

1.	Style	State of Tennessee v. Christopher Oberton Curry, Jr.
2.	Docket Number	W2022-00814-SC-R11-CD
3.	Lower Court Decision Links	CurryChristopherObertonJrOPN.pdf (tncourts.gov)
4.	Lower Court Summary	A Madison County jury convicted the Defendant, Christopher Oberton Curry, Jr., of being a convicted felon in possession of a firearm, evading arrest while operating a motor vehicle, reckless driving, driving while unlicensed, violation of the registration law, and disobeying a stop sign. The trial court sentenced the Defendant to an effective sentence of ten years. On appeal, the Defendant contends that the evidence is insufficient to support his conviction for felony possession of a weapon and that an item of evidence was erroneously admitted. He further contends that the jury instructions were inaccurate and incomplete. After review, we affirm the trial court's judgments.
5.	Status	Heard 4/3/24 in Memphis. Supplemental authority filed 7/3/24.
6.	Issue(s)	As stated by Applicant: A. Whether the State's evidence is legally insufficient to find a person guilty of unlawfully possessing a firearm after having been convicted of a felony crime of violence when the previous conviction (here, robbery) is not included in the statutory list of "crimes of violence," the previous conviction is not a greater or inchoate version of one of the statutorily listed offenses, and there is no proof as to how the prior offense was committed and thus no proof to establish, beyond a reasonable doubt, that the previous conviction involved violence.

B. Whether the trial court's jury instructions were inaccurate and incomplete because they failed to provide either a statutory or jurisprudential definition for "felony crime of violence," and when the trial court instead told the jury that robbery is a crime of violence, thus depriving the jury of the ability to assess an essential element of the offense of unlawful possession of a weapon after having been convicted of a felony crime of violence.

1.	Style	Ashley Denson ex rel. Bobbie J. Denson v. Methodist Medical Center of Oak Ridge et al.
2.	Docket Number	E2023-00027-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/E2023-27%20Maj..pdf https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/E2023-27%20Dis..pdf
4.	Lower Court Summary	This appeal arises from a health care liability action following the death of Ashley Denson from a cardiac event she suffered after being treated and released from Methodist Medical Center. Ms. Denson was unmarried and had two minor children at the time of her death. The statutorily-required pre-suit notice listed Ms. Denson's mother, Bobbie J. Denson, as the claimant authorizing notice. The minor children were not identified anywhere in the notice. The subsequent complaint was filed by "ASHLEY DENSON, Deceased, by and through her Next Friend and Mother BOBBIE JO DENSON, and BOBBIE JO DENSON, Individually." The body of the complaint lists, for the first time, Ashley Denson's children, and states that Bobbie Denson "brings this action individually, and on behalf of Plaintiff, decedent's surviving minor children … as Grandmother and Legal Guardian." The defendants filed motions to dismiss, challenging Bobbie Denson's standing to bring the action and contending that the pre-suit notice failed to comply with the requirements of the Tennessee Health Care Liability Act.1 The trial court initially granted the motions to dismiss but reversed course after the plaintiff filed a motion to reconsider. We hold that, although Grandmother has standing, the pre-suit notice does not comply with the requirements of the Tennessee Health Care Liability Act. The judgment of the trial court is ultimately affirmed in part and reversed in part.
5.	Status	Fully briefed.
6.	Issue(s)	As certified by the trial court and accepted by the Court of Appeals: Did Plaintiff Bobbie Joe Denson substantially comply with the presuit notice requirement regarding identification of the "claimant" pursuant to T.C.A. § 29-26- 21(a)(2)(B) when she did not indicate in the presuit notice that she was acting on behalf of the decedent's surviving minor children?

1.	Style	BPR v. Gerald Todd Eidson
2.	Docket Number	E2024-01058-SC-R3-BP
3.	Lower Court Decision Links	N/A

4.	Lower Court Summary	N/A
5.	Status	Notice of appeal filed 7/12/24. Record received 10/10/24.
6.	Issue(s)	N/A

1.	Style	Emergency Medical Care Facilities, P.C. v. BlueCross BlueShield of Tennessee, Inc., et al.
2.	Docket Number	M2021-00174-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20M2021-00174-COA-R3-CV.pdf
4.	Lower Court Summary	Plaintiff appeals the trial court's decision to dismiss its class action allegations against two defendants on the basis of collateral estoppel. Specifically, the trial court ruled that while a prior determination that Appellant was not entitled to class action certification was not a final judgment on the merits, due to a dismissal of that case without prejudice, the ruling was "sufficiently firm" to have preclusive effect, citing the *Restatement (Second) Of Judgments*. Because Tennessee law requires a final adjudication on the merits for a judgment to be entitled to preclusive effect, we reverse.
5.	Status	Heard 5/29/24 in Nashville.
6.	Issue(s)	If a plaintiff's motion for class certification is denied in the trial court and that denial is affirmed on interlocutory appeal, can the plaintiff on remand voluntarily nonsuit its claims, file a new putative class action in another trial court asserting the same claims against the same defendants, and relitigate the previously determined class-certification issue in the new action?

1.	Style	Alice Cartwright Garner, et al. v. Thomason, Hendrix, Harvey, Johnson & Mitchell, PLLC, et al.
2.	Docket Number	W2022-01636- SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/GarnerAlice-CartwrightOPN.pdf
4.	Lower Court Summary	In this case, the plaintiffs sued the former attorneys of her opponent in a multitude of unsuccessful actions involving family trusts. In their complaint, the plaintiffs argued that they were damaged by the tortious conduct of the attorneys under the tort of another doctrine. The defendant-attorneys filed a petition to dismiss under the Tennessee Public Protection Act. The trial court denied the motion to dismiss on the basis that the act was inapplicable. We reverse and remand for further proceedings.
5.	Status	Application granted 8/28/24. Appellant's brief filed 10/28/24.

6.	Issue(s)	Did the Court of Appeals err in reversing the trial court and holding that Defendants had made a prima facie showing that this action is related to Defendants' exercise of the right to petition?

1.	Style	Leah Gilliam v. David Gerregano, Commissioner of the Tennessee Department of Revenue et al..
2.	Docket Number	M2022-00083-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%202022-083-COA_0.pdf
4.	Lower Court Summary	Citizens of Tennessee may apply to the Tennessee Department of Revenue (the "Department") for license plates featuring unique, personalized messages. Tennessee Code Annotated section 55-4-210(d)(2) provides that "[t]he commissioner shall refuse to issue any combination of letters, numbers or positions that may carry connotations offensive to good taste and decency or that are misleading." After her personalized plate featuring the message "69PWNDU" was revoked by the Department, Leah Gilliam ("Plaintiff") filed suit against David Gerregano (the "Commissioner"), commissioner of the Department, as well as the then-Attorney General and Reporter. Plaintiff alleged various constitutional violations including violations of her First Amendment right to Free Speech. The Department and the State of Tennessee (together, the "State") responded, asserting, *inter alia*, that the First Amendment does not apply to personalized plate configurations because they are government speech. The lower court, a special three judge panel sitting in Davidson County, agreed with the State. Plaintiff appeals, and we reverse, holding that the personalized alphanumeric configurations on vanity license plates are private, not government, speech. We affirm, however, the panel's decision not to assess discovery sanctions against the State. Plaintiff's other constitutional claims are pretermitted and must be evaluated on remand because the panel did not consider any issues other than government speech. This case is remanded for proceedings consistent with this opinion.
5.	Status	Heard 4/3/24 in Memphis. Supplemental authority filed 5/14/24.
6.	Issue(s)	Are the personalized alphanumeric registration characters on state-issued vanity license plates government or private speech under the First Amendment's Free Speech Clause?

1.	Style	Daryl A. Gray v. Board of Professional Responsibility of the Supreme Court of Tennessee
2.	Docket Number	W2023-01265-SC-R3-BP
3.	Lower Court Decision Links	N/A
4.	Lower Court Summary	N/A
5.	Status	Heard 5/22/24 on-briefs.
6.	Issue(s)	N/A

1.	Style	Brett W. Houghton, et al. v. Malibu Boats, LLC
2.	Docket Number	E2023-00324-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Houghton%20vs.%20Malibu%20Boats%20%28unsigned%20opinion%29.pdf
4.	Lower Court Summary	This appeal concerns standing and subject matter jurisdiction. Brett and Ceree Houghton ("Plaintiffs") were the sole shareholders of Great Wakes Boating, Inc. ("GWB"), a Malibu Boats, LLC ("Defendant") dealership. Defendant ended its dealership agreement with Plaintiffs, and GWB failed. Plaintiffs sued Defendant in the Circuit Court for Loudon County ("the Trial Court") for intentional misrepresentation, fraudulent concealment, and promissory fraud. The jury awarded Plaintiffs $900,000 in damages for loss of equity in certain real property owned by GWB. Defendant filed a motion for judgment notwithstanding the verdict and/or for a new trial. At a hearing on the motion, Defendant argued for the first time that Plaintiffs lacked standing. The Trial Court agreed and entered an order dismissing Plaintiffs' complaint for lack of subject matter jurisdiction, deeming the other issues in Defendant's motion moot. Plaintiffs appeal. We hold that Defendant's challenge to Plaintiffs' standing went to the merits and did not implicate subject matter jurisdiction. Defendant's challenge to Plaintiffs' standing is waived as untimely raised. We reverse the judgment of the Trial Court and remand for further proceedings consistent with this Opinion.
5.	Status	Granted 8/20/24. Appellant's brief filed 9/19/24; Appellee's brief filed 10/21/24.
6.	Issue(s)	In Keller v. Estate of McRedmond, 495 S.W.3d 852 (Tenn. 2016), this Court held that a shareholder does not have "standing" to sue in an individual capacity for injury to the shareholder's corporation. The principal question presented in this appeal is whether Keller's shareholder-standing rule is jurisdictional or whether it is subject to a defendant's waiver and/or forfeiture?

1.	Style	James B. Johnson v. BPR
2.	Docket Number	M2024-00452-SC-R3-BP
3.	Lower Court Decision Links	N/A
4.	Lower Court Summary	N/A
5.	Status	Notice of appeal filed 3/26/24. Appellant's brief filed 10/23/24.
6.	Issue(s)	N/A

1.	Style	Annie J. Jones, by and through her Conservatorship, Joyce Sons a/k/a Calisa Joyce Sons v. Life Care Centers of America d/b/a Life Care Center of Tullahoma

2.	Docket Number	M2022-00471-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20M2022-00471-COA-R3-CV.pdf
4.	Lower Court Summary	This appeal arises from an incident in which the nude body of a resident at an assisted living facility was exposed on a video call via telephone when an employee of the healthcare facility engaged in a personal call while assisting the resident in the shower. The resident, by and through her conservator/daughter ("Plaintiff"), sued the owner and operator of the healthcare facility, Life Care Centers of America d/b/a Life Care Center of Tullahoma ("Defendant"), asserting a claim of "Negligence Pursuant to the Tennessee Medical Malpractice Act" and a generalized claim for invasion of privacy with allegations of "Gross Negligence, Willful, Wanton, Reckless, Malicious and/or Intentional Misconduct." Relying on the undisputed fact that the resident was unaware and never informed that the incident occurred, Defendant moved for summary judgment due to the lack of a cognizable injury or recoverable damages. Plaintiff opposed the motion, contending that actual damages were not an essential element of her claims and, in the alternative, moved to amend the complaint to specifically assert a claim for invasion of privacy based on intrusion upon the resident's seclusion and a claim for negligent supervision. The trial court summarily dismissed the complaint on the ground "that damages for invasion of privacy . . . cannot be proven as it would be impossible to suffer from personal humiliation, mental anguish or similar damages since [the resident] is unaware that the incident happened" and denied the motion to amend the complaint on the basis of futility. Plaintiff appealed. We have determined that the gravamen of the complaint states a claim for invasion of privacy based upon the distinct tort of intrusion upon seclusion. We have also determined that actual damages are not an essential element of a claim for invasion of privacy based on the distinct tort of intrusion upon seclusion. Thus, Defendant was not entitled to summary judgment. Moreover, granting leave to amend the complaint would not have been futile. Accordingly, we reverse the trial court's decision to summarily dismiss the complaint, reverse the decision to deny the motion to amend the complaint, and remand with instruction to reinstate the complaint, grant the motion to amend the complaint, and for further proceedings consistent with this opinion.
5.	Status	Heard 2/21/24 in Nashville.
6.	Issue(s)	As stated by Applicant: 1. In Tennessee, does a cause of action for invasion of privacy for intrusion upon seclusion survive the death of the individual whose privacy was invaded? 2. Is Tenn. Code Ann. § 20-5-102 a "particular" type of statute that provides an exception to § 652I of the Restatement (Second) of Torts (1977, adopted by The Supreme Court in 2001 in *West v. Media Gen. Convergence, Inc.*)?

1.	Style	Teresa Thompson Locke et al. v. Jason D. Aston, M.D. et al.
2.	Docket Number	M2022-01820-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2022-01820-COA-R9-CV.pdf

4.	Lower Court Summary	This is a health care liability action filed by a patient and her husband alleging serious injury as a result of surgery. The plaintiffs learned that the defendants had taken surveillance videos and sought discovery of those videos. The trial court allowed discovery of only the videos that the defendants intended to use at trial for impeachment purposes. The trial court gave the plaintiffs permission to seek an appeal under Tenn. R. Civ. P. 9. This Court granted the appeal. We affirm the trial court's decision.
5.	Status	Fully briefed. TBH 12/4/24 SCALES at Austin Peay.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: If, in anticipation of litigation or in preparation for trial, a litigant conducts surveillance of his opponent and designates some of the surveillance footage for use at trial, does his opponent have a "substantial need" to obtain the remaining surveillance footage under Tennessee Rule of Civil Procedure 26.02(3)?

1.	Style	Matthew Long v. Chattanooga Fire and Police Pension Fund
2.	Docket Number	E2022-01151-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Long%20vs.%20Chattanooga%20Fire%20and%20Police%20Pension%20Fund%20COA%20%28unsigned%29.pdf
4.	Lower Court Summary	Petitioner/Appellee Matthew Long ("Long") applied for disability pension benefits due to Post-Traumatic Stress Disorder ("PTSD") caused by various traumatic events he experienced during his time as a firefighter with the Chattanooga Fire Department ("CFD"). The Board of Trustees (the "Board") for Respondent/Appellant Chattanooga Fire and Police Pension Fund (the "Fund") denied Long's application. Long filed a Petition for Writ of Certiorari with the Chancery Court for Hamilton County (the "trial court") seeking a reversal of the Board's decision. Finding that the Board's decision was arbitrary and capricious, the trial court reversed the denial of Long's application. The trial court also denied a motion to alter or amend filed by the Fund. Following thorough review, we affirm the judgment of the trial court.
5.	Status	Application granted 5/16/24. Fully briefed.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: 1. Has Tennessee's Uniform Administrative Procedures Act abrogated or limited the traditional common-law doctrine that pension statutes and plans must be construed liberally for applicants for benefits? 2. When does Tennessee Code Annotated § 27-9-114(a) require municipal civil service boards to follow the Uniform Administrative Procedures Act's contested-case procedures in their own administrative proceedings? In addition to other issues properly raised, the Court would like the parties to address the following issues: Does the Pension Fund's Disability Policy and/or the City Charter and Code of Ordinances require a court to review the Board's interpretation of the Policy under a deferential standard of review?

Does the Board's interpretation of the Policy survive judicial review under the correct standard of review?

1.	Style	Brian Philip Manookian v. BPR
2.	Docket Number	M2024-00774-SC-R3-BP
3.	Lower Court Decision Links	N/A
4.	Lower Court Summary	N/A
5.	Status	Notice of appeal filed 5/24/24. Record received 10/14/24 but not yet filed.
6.	Issue(s)	N/A

1.	Style	Robin M. McNabb v. Gregory Harrison
2.	Docket Number	E2022-01577-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/McNabb v. Harrison COA Opinion %28electronic signature%29_0.pdf
4.	Lower Court Summary	This case involves an election contest filed by the plaintiff based on the defendant's residency eligibility for the office of Lenoir City Municipal Court Judge. Following a hearing, the trial court determined that the defendant had complied with article VI, section 4 of the Tennessee Constitution because the clause required, *inter alia*, that he be a resident within the judicial district, not necessarily within the city limits, to preside over the municipal court, which has concurrent jurisdiction with a general sessions court. The plaintiff has appealed. Upon review, we determine that the language of article VI, section 4 of the Tennessee Constitution requiring a judge elected to an inferior court to have been a resident of the "district or circuit" to which he or she is assigned means, under these circumstances, that the Lenoir City Municipal Judge must have been a resident of Loudon County for at least one year prior to the judge's election because the Lenoir City Municipal Court has concurrent jurisdiction with the Loudon County General Sessions Court. Accordingly, inasmuch as the defendant had been a resident of Loudon County for at least one year prior to the election, we affirm the trial court's dismissal of the plaintiff's election contest. However, we modify the trial court's judgment to state that the defendant complied with the residency requirement at issue because he had been a resident of Loudon County for at least one year rather than because he had been a resident of the Ninth Judicial District for the prescribed time period.
5.	Status	Heard 9/5/24 in Knoxville. Supplemental brief filed 9/6/24 by Appellee. Supplemental brief filed by Appellant 9/25/24.
6.	Issue(s)	Article VI, Section 4 of the Tennessee Constitution requires judges of inferior courts to "be elected by the qualified voters of the district or circuit to which they are assigned" and to be a resident "of the circuit or district [for] one year." Does this provision require a municipal judge exercising concurrent general sessions jurisdiction to be a resident of

the city that elects her to serve (as McNabb claims), the county in which the city sits (as the Court of Appeals concluded), or the modern-day multi-county judicial district in which the city sits (as the Chancery Court and Attorney General concluded)?

1.	Style	State of Tennessee v. Ginny Elizabeth Parker
2.	Docket Number	M2022-00955-SC-R11-CD
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20%2818%29.pdf
4.	Lower Court Summary	The Defendant, Ginny Elizabeth Parker, was convicted following a bench trial of five counts of forgery, for which she received an effective six-year sentence to serve. On appeal, the Defendant argues that: (1) the evidence is insufficient to support her forgery convictions, specifically regarding whether she acted without authorization; (2) the trial court shifted the burden of service of medical records pursuant to Tennessee Code Annotated section 24-7-122(c) from the State to the Defendant; (3) the trial court erroneously admitted proof of a PayPal account that was linked to the victims' bank account; (4) she is entitled to relief based on cumulative error; and (5) her sentence is grossly disproportionate to her offenses, in violation of the Eighth Amendment to the United States Constitution and article I, section 16 of the Tennessee Constitution. Following our review, we affirm the judgments of the trial court.
5.	Status	Application granted 9/12/24.Appellant's brief filed 10/24/24.
6.	Issue(s)	Whether the evidence is sufficient to sustain the defendant's convictions for forgery.

7.	Style	State of Tennessee v. Pervis Tyrone Payne
8.	Docket Number	W2022-00210-SC-R11-CD
9.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/PaynePervisTyroneOPN.pdf
10.	Lower Court Summary	In this case of first impression, the State appeals the trial court's sentencing hearing order that the Defendant's two life sentences be served concurrently after he was determined to be ineligible for the death penalty due to intellectual disability pursuant to Tennessee Code Annotated section 39-13-203(g) (Supp. 2021) (subsequently amended). The State argues that the consecutive alignment of the Defendant's original sentences remained final and that the trial court lacked jurisdiction to consider manner of service. The Defendant responds that the trial court had jurisdiction to sentence him, including determining the manner of service of his sentences, and did not abuse its discretion in imposing concurrent life sentences. After considering the arguments of the parties, the rules of statutory construction, and other applicable legal authority, we conclude that the trial court properly acted within its discretion in conducting a hearing to determine the manner of service of the Defendant's life sentences. Accordingly, the judgments of the trial court are affirmed.
11.	Status	Fully briefed. TBH 11/6/24 in Jackson.

12.	Issue(s)	As stated in the Appellant's Rule 11 Application: Whether a trial court lacks jurisdiction to reconsider the consecutive alignment of a defendant's original sentences after a determination of intellectual disability pursuant to a petition under Tenn. Code Ann. § 39-13-203(g).

1.	Style	Pharma Conference Education, Inc. v. State of Tennessee
2.	Docket Number	W2021-00999-SC-R11-CV
3.	Lower Court Decision Links	PharmaConferenceEducationOPN.pdf (tncourts.gov)
4.	Lower Court Summary	This appeal arises from a breach of contract case that concerned whether the contract at issue lacked consideration due to an illusory promise. Specifically, the terms of the contract provided that the plaintiff would produce as many programs "as is feasible." The parties filed competing motions for summary judgment. The claims commission granted the State of Tennessee's motion for summary judgment finding that the contract between the parties was devoid of consideration due to an illusory promise and was therefore unenforceable. Additionally, the claims commission denied the plaintiff's motion for summary judgment as to liability and denied the plaintiff's motion for summary judgment as to damages finding that the issue was moot. The plaintiff appeals. We affirm.
5.	Status	Heard 12/6/23 SCALES at Martin
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: Did the Court of Appeals of Tennessee err by affirming the Tennessee Claims Commission's finding that the contract at issue lacks consideration due to an illusory promise and is unenforceable when such a finding undermines the uniformity and consistency of Tennessee law governing contract interpretation? Pharma included the following sub-issues, which are largely in the nature of arguments: A. Did the Opinion of the Court of Appeals create inconsistencies and threaten the uniformity and settlement of important questions of law by finding the contract at issue to be illusory despite Tennessee's presumption in favor consideration? *See* Tenn. Code Ann. § 47-50-103 ("All contracts in writing signed by the party to be bound, or the party's authorized agent and attorney, are prima facie evidence of consideration"). B. Did the Opinion of the Court of Appeals create inconsistencies and threaten the uniformity and settlement of important questions of law by failing to impose a duty of good faith and fair dealing in the performance and interpretation of the contract at issue? *See, e.g., German v. Ford*, 300 S.W.3d 692, 704 (Tenn. Ct. App. 2009) ("A contractual obligation, however, is not illusory if the party's discretion must be exercised with reasonableness or good faith"); *Rode Oil Co. v. Lamar Adver. Co.*, No. W2007-02017-COA-R3-CV, 2008 Tenn. App. LEXIS 532, at *34 (Tenn. Ct. App. Sept. 18, 2008) ("Every contract imposes upon the parties a duty of good faith and fair dealing in the performance and interpretation of the contract." *Id.* at *34 (citing *Elliot v. Elliot*, 149 S.W.3d 77, 84-85 (Tenn. Ct. App. 2004)).

C. Did the Opinion of the Court of Appeals create inconsistencies and threaten the uniformity and settlement of important questions of law by allowing the breaching party to prevent Appellant's performance under the contract at issue?

See German v. Ford, 300 S.W.3d 692, 706 (Tenn. Ct. App. 2009) ("[E]very contract includes an implied condition that one party will not prevent performance by the other party.") (citing *Moody Realty Co. v. Huestis*, 237 S.W.3d 666, 678 (Tenn. Ct. App. 2007)).

D. Did the Opinion of the Court of Appeals create inconsistencies and threaten the uniformity and settlement of important questions of law by adopting a 1955 case from Alabama that is inconsistent with current Tennessee law?

1.	Style	Connie Reguli v. BPR
2.	Docket Number	M2024-00153-SC-R3-BP
3.	Lower Court Decision Links	N/A
4.	Lower Court Summary	N/A
5.	Status	Notice of appeal filed 2/16/24. Record filed 7/25/24. Appellant's brief due 11/10/24.
6.	Issue(s)	N/A

1.	Style	Clayton D. Richards v. Vanderbilt University Medical Center
2.	Docket Number	M2022-00597-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%202022-597-COA.pdf https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Separate%20Opinion%202022-597-COA.pdf
4.	Lower Court Summary	This appeal concerns a complaint for health care liability. Although Tennessee Code Annotated section 29-26-121(c) provides for an extension of the applicable statutes of limitations in health care liability actions when pre-suit notice is given, it also specifies that "[i]n no event shall this section operate to shorten or otherwise extend the statutes of limitations or repose applicable to any action asserting a claim for health care liability, nor shall more than one (1) extension be applicable to any [health care] provider." After a prior lawsuit was voluntarily dismissed without prejudice, Plaintiff provided new pre-suit notice and refiled in reliance on the Tennessee saving statute and an extension under Tennessee Code Annotated section 29-26-121(c). The trial court dismissed the refiled complaint with prejudice, however, holding, among other things, that Plaintiff could not utilize the statutory extension in his refiled action because he had already utilized a statutory extension in the first lawsuit. For the reasons discussed herein, we affirm the trial court's dismissal of Plaintiff's lawsuit.
5.	Status	Heard 5/29/24 in Nashville. Supplemental authorities filed 5/30/24 and 5/31/24.

6.	Issue(s)	As stated in the Appellant's Rule 11 Application: Whether the 120-day extension provided in Tennessee Code Annotated section 29-26-121(c) extends the refiling period in the saving statute for a plaintiff who provided presuit notice prior to filing the initial complaint.

1.	Style	State of Tennessee v. William Rimmel, III
2.	Docket Number	M2022-00794-SC-R11-CD
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%202022-794-CCA.pdf
4.	Lower Court Summary	Defendant, William Rimmel, III, was indicted by the Marion County Grand Jury for one count of aggravated assault, two counts of reckless endangerment, one count of false imprisonment, one count of vandalism over $2,500, and one count of burglary of an automobile. The charge of false imprisonment was dismissed prior to trial. A jury found Defendant guilty of attempted aggravated assault, reckless endangerment, attempted reckless endangerment, vandalism under $1,000, and attempted burglary of an automobile. Following a sentencing hearing, the trial court denied Defendant's request for judicial diversion and imposed an effective sentence of two years on probation following service of 11 months and 29 days in confinement. On appeal, Defendant contends that the evidence was insufficient to support his convictions, that the trial court abused its discretion in denying Defendant's request for an alternative sentence and in ordering consecutive sentencing, that his convictions should be vacated due to the State's failure to preserve evidence, and that the trial court gave confusing jury instructions. Based on the record, the briefs, and oral arguments, we affirm the judgments of the trial court but remand for entry of a judgment in Count 4 and amended judgment in Count 3, reflecting that those counts were dismissed, and for entry of corrected judgments in Counts 5 and 6.
5.	Status	Heard 5/22/24 SCALES docket in Cookeville.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: A. Whether the convictions for attempted aggravated assault with a handgun and reckless endangerment with a handgun where the victim is unaware of the handgun conflict with the Supreme Court's opinion and other opinions of the Court of Criminal Appeals that the victim must be reasonably in fear of imminent bodily injury?

1.	Style	Elliott James Schuchardt v. BPR
2.	Docket Number	E2024-00812-SC-R3-BP
3.	Lower Court Decision Links	N/A
4.	Lower Court Summary	N/A
5.	Status	Notice of Appeal filed 6/3/24. Motion for extension to file record granted and due 11/15/24.

6.	Issue(s)	N/A

1.	Style	Frank L. Slaughter, Jr. v. BPR
2.	Docket Number	E2023-01567-SC-R3-BP
3.	Lower Court Decision Links	N/A
4.	Lower Court Summary	N/A
5.	Status	Heard 6/20/24 on-briefs.
6.	Issue(s)	N/A

1.	Style	Heather Smith v. Blue Cross Blue Shield of Tennessee
2.	Docket Number	E2022-01058-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/E2022-1058.pdf
4.	Lower Court Summary	This appeal concerns a claim of retaliatory discharge. Heather Smith ("Smith"), then an at-will employee of BlueCross BlueShield of Tennessee, Inc. ("BlueCross"), declined to take a Covid-19 vaccine. Smith emailed members of the Tennessee General Assembly expressing her concerns and grievances about vaccine mandates. BlueCross fired Smith after it found out about her emails. Smith sued BlueCross for common law retaliatory discharge in the Chancery Court for Hamilton County ("the Trial Court"). For its part, BlueCross filed a motion to dismiss for failure to state a claim. After a hearing, the Trial Court granted BlueCross's motion to dismiss. Smith appeals. We hold that Article I, Section 23 of the Tennessee Constitution, which guarantees the right of citizens to petition the government, is a clear and unambiguous statement of public policy representing an exception to the doctrine of employment-at-will. Smith has alleged enough at this stage to withstand BlueCross's motion to dismiss for failure to state a claim. We reverse the Trial Court and remand for further proceedings consistent with this Opinion.
5.	Status	Heard 5/22/24 SCALES docket in Cookeville.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: Whether the Court of Appeals erred when it created a new public policy exception to the employment-at-will doctrine not recognized by or otherwise linked to action by the Tennessee General Assembly.

1.	Style	State of Tennessee v. Shenessa Sokolosky
2.	Docket Number	M2022-00873-SC-R11-CD

3.	Lower Court Decision Links	Majority Opinion - M2022-00873-CCA-R3-CD.pdf (tncourts.gov)
4.	Lower Court Summary	The Defendant, Shenessa L. Sokolosky, appeals from the Smith County Criminal Court's probation revocation of her two consecutive eleven-month, twenty-nine-day sentences for her guilty-pleaded misdemeanor convictions for drug possession and possession of drug paraphernalia. On appeal, the Defendant contends that the trial court abused its discretion by revoking her probation. We dismiss the Defendant's appeal pursuant to the mootness doctrine.
5.	Status	Application granted 9/12/24. Appellant's brief filed 10/14/24. Motion for extension to file Appellee's brief granted and due 12/13/24.
6.	Issue(s)	A. Whether the trial court's orders should be reversed and vacated because the original probation violation warrant against Ms. Sokolosky should have been dismissed and because the State failed to prove that Ms. Sokolosky violated the conditions of her probation. B. Whether the issue is moot because Ms. Sokolosky has completed her sentence.

1.	Style	Tinsley Properties, LLC et al. v. Grundy County, Tennessee
2.	Docket Number	M2022-01562-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2022-01562-COA-R3-CV.pdf
4.	Lower Court Summary	This case concerns the validity of a county resolution prohibiting quarries and rock crushers "within five thousand (5,000) feet of a residence, school, licensed daycare facility, park, recreation center, church, retail, commercial, professional or industrial establishment." The plaintiff landowners argued that the county failed to comply with the requirements in Tennessee's county zoning statute, Tennessee Code Annotated § 13-7-101 to -115. In the alternative, they argued that state law expressly preempted local regulation of quarries. However, the county argued that it was exercising its authority to protect its citizens' health, safety, and welfare under the county powers statute, Tennessee Code Annotated § 5-1-118. The trial court granted summary judgment to the county on the ground that it had no comprehensive zoning plan. This appeal followed. We affirm.
5.	Status	Application granted 6/27/24. Appellant's brief filed 9/12/24. Motion for extension to file Appellee's brief granted and due 11/26/24.
6.	Issue(s)	(1) Do a county's "police powers" set forth in Tenn. Code Ann. § 5-1-118 authorize Grundy County to adopt a resolution prohibiting quarries within 5,000 feet of certain sensitive locations? (2) Is the County's quarry resolution tantamount to a zoning regulation that must be adopted in compliance with state statutory procedures for zoning regulations?

1.	Style	Robert L. Trentham v. Mid-America Apartments, LP et al.

2.	Docket Number	M2021-01511-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Trentham%2C%20R%20-%20Opn%20Filed.pdf
4.	Lower Court Summary	This appeal concerns premises liability. The plaintiff slipped and fell on a pedestrian bridge on the defendants' property. The trial court entered judgment in favor of the plaintiff. The defendants appeal. We affirm.
5.	Status	Heard 12/6/23 SCALES at Martin
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: In Tennessee premises-liability law, is the foreseeability of a hazardous condition developing legally sufficient to impute constructive knowledge of the condition's actual existence to the property owner?

1.	Style	State of Tennessee v. Ambreia Washington
2.	Docket Number	W2022-01201- SC-R11-CD
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/WashingtonAmbreiaOPN.pdf
4.	Lower Court Summary	The Defendant, Ambreia Washington, was convicted by a Madison County Circuit Court jury of unlawful possession of a weapon by a convicted felon, a Class B felony; resisting arrest, a Class B misdemeanor; and driving with a canceled, suspended or revoked license (second offense), a Class A misdemeanor, for which he received an effective fifteen-year sentence. *See* T.C.A. §§ 39-17-1307 (2018) (subsequently amended) (unlawful possession of weapon), 39-16-602 (2018) (resisting arrest), 55-50-504 (2020) (canceled, suspended or revoked license). On appeal, the Defendant contends that the trial court erred in denying his motion to suppress, failing to dismiss the indictment due to missing evidence, admitting certain photographs into evidence at trial, and denying a motion for a mistrial as a result of prosecutorial misconduct. The Defendant also contends that the cumulative nature of the errors warrant relief. We affirm the judgments of the trial court.
5.	Status	Fully briefed. TBH 12/4/24 SCALES at Austin Peay
6.	Issue(s)	Whether the trial court erred by declining to suppress a handgun seized from a car driven by the defendant, when the illegal nature of the firearm was not immediately apparent to the officer under the plain view doctrine, the investigation into the defendant's criminal history went beyond the scope of the officer's community caretaking function, and the officer failed to give Miranda warnings before inquiring into the defendant's status as a convicted felon.

1.	Style	Sarah Elizabeth Woodruff v. Ford Motor Company
2.	Docket Number	E2023-00889-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Wood%20ruff%20vs.%20Ford%20Motor%20Co.%20COA%20Opinion.pdf

4.	Lower Court Summary	After a tragic motor vehicle accident caused her husband's death and her minor child's serious injuries, the plaintiff filed this products liability action against several manufacturers and sellers. We granted the instant interlocutory appeal in which the defendant requests review — based on the Tennessee Supreme Court's majority opinion in Carolyn Coffman, et al. v. Armstrong International, Inc., et al., 615 S.W.3d 888 (Tenn. 2021) — of the trial court's denial of its motion for relief from unfavorable summary judgment orders. We reverse the trial court.
5.	Status	Application granted 10/24/24.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: 1. Whether this Court's holding in Coffman v. Armstrong International, Inc., 615 S.W.3d 888 (Tenn. 2021), means that manufacturers in Tennessee have no legal duty to adequately warn about the uses and misuses of their own products if the harm to be warned against happens to involve interplay with another manufacturer's product. 2. Whether the subject seat belt extender was defective or unreasonably when it left Ford's control within the meaning of section 29-28-105(a), when Ford failed to reasonably communicate the danger of misusing the subject extender to restrain children, and when Ford had pre-sale notice and knowledge that consumers were misusing the product to restrain children riding in booster seats.

1.	Style	Sarah Elizabeth Woodruff ex rel Ethan Woodruff et al. v. Ford Motor Company et al.
2.	Docket Number	E2023-00488-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Sarah%20Elizabeth%20Woodruff%20vs.%20Ethan%20Woodruff%20et%20al.%20COA%20Opinion.pdf
4.	Lower Court Summary	After a tragic motor vehicle accident caused her husband's death and her minor child's serious injuries, the plaintiff filed this products liability action against several manufacturers and sellers. The plaintiff appeals from the trial court's order granting summary judgment in favor of Dorel Juvenile Group, Inc., a booster seat manufacturer. Based on the Tennessee Supreme Court's majority opinion in Carolyn Coffman, et al. v. Armstrong International, Inc., et al., 615 S.W.3d 888 (Tenn. 2021), and the relevant provisions of the Tennessee Products Liability Act, we affirm the trial court.
5.	Status	Application granted 10/24/24.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: Whether Coffman v. Armstrong International, Inc., 615 S.W.3d 888, 897 (Tenn. 2021), defeats Plaintiff's claim against Dorel for failing to warn of the dangers associated with using a seat belt extender to install the subject booster seat, when Dorel negligently and recklessly instructed consumers to "contact your dealer for a seat belt extender" if "your vehicle belt is too short."

1.	Style	Charles Youree, Jr. v. Recovery House of East Tennessee, LLC et al.

2.	Docket Number	M2021-01504-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/E-SIGNED%20-%20M2021-1504-COA-YOUREE.pdf
4.	Lower Court Summary	A landlord leased property to company A. When company A breached the lease, the landlord filed suit against the company to recover monetary damages. A default judgment was entered against company A and, when company A failed to make any payments on that judgment, the landlord filed suit against company B and company C. The landlord alleged that the corporate veil should be pierced to hold company B and company C liable for company A's debt because they were the alter egos of company A. After a default judgment was entered against company B and company C, they motioned to have the judgment set aside because the landlord's complaint failed to allege sufficient facts to state a claim for piercing the corporate veil. The trial court denied the motion to set aside, and the two companies appealed. Discerning that the complaint does not state sufficient factual allegations to articulate a claim for piercing the corporate veil, we reverse and remand.
5.	Status	Heard 5/29/24 in Nashville.
6.	Issue(s)	As stated in the Appellant's Rule 11 Application: "Whether a defaulting party may have a default judgment set aside when it concedes that it cannot show excusable neglect for failing to respond to the complaint." "Whether the Chancellor abused her discretion when she ruled that the complaint stated a claim for relief sufficient to pierce the corporate veil."