

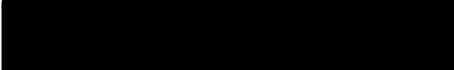
Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office


9/8/20


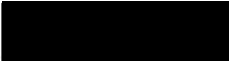
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Office Address: 665 Mainstream Drive, Second Floor. OGC
(including county) Nashville, Tennessee 37243

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Home Address: 
(including county) Springfield, Tennessee 37172

Home Phone:  Cellular Phone: 

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. Submit by the noon deadline date an original (unbound) completed application (with ink signature) to the Administrative Office of the Courts.** In addition, submit a digital copy with electronic or scanned signature via email to ceesha.lofton@tncourts.gov, or via another digital storage device such as a flash drive. 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.

Tennessee Department of Health, Office of General Counsel: Senior Associate General Counsel

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

2015, BPR 034233

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.

Florida, Bar No. 88623, Issued 2011, Active

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

No.

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

TENNESSEE DEPARTMENT OF HEALTH – OFFICE OF GENERAL COUNSEL, NASHVILLE, TN (2017-Present)- Senior Associate General Counsel

CVS PHARMACY, SPRINGFIELD, TN (2020-PRESENT)
Certified Pharmacy Technician

US DEPARTMENT OF AGRICULTURE, CORDOVA, TN (2016)
Student Trainee Appeals Officer

FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY, OAKLAND PARK, FL (2014)

Administrative Law Judge / Special Deputy

THE FLINCHBAUGH FIRM, P. A., MIRAMAR, FL (2012-2014)

Managing Attorney

MIRAMAR-PEMBROKE PINES REGIONAL CHAMBER OF COMMERCE, PEMBROKE PINES, FL (2012-2014) **General Counsel**

CONVERGENT REVENUE CYCLE MANAGEMENT, BOCA RATON, FL (2011-2012)

Staff Attorney

NAVARRO PHARMACY, MIAMI, FL (2006-2010)

Director of Pharmacy Training- I previously worked as a Certified Pharmacy Technician and was promoted to Director of Pharmacy Training, where I was responsible for training all individuals employed in the 33-store pharmacy chain.

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 currently practice 100 percent in administrative law, which includes administrative trials before the Administrative Law Judges of the Tennessee Secretary of State's Office. Approximately 80 percent of my work is in administrative trial work and the other 20 percent is advisory work for several health related boards of the Department of Health.

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 started my career in medical receivable management (healthcare claim appeals). In 10 months, I recovered over 1.4 million dollars for the healthcare facilities I represented. I left the medical receivable management company and opened my own general practice law firm. In my general practice, I handled both civil and criminal matters in Florida state courts. I also handled administrative matters before the Florida Division of Administrative Hearings.

While operating my solo-practice, I served as the General Counsel for the Miramar-Pembroke Pines Regional Chamber of Commerce, where I handled all legal matters for the Executive Committee of the Chamber. I began working to the State of Florida's Department of Economic Opportunity hearing unemployment appeals, as an Administrative Law Judge. I heard, on average, 30 second-level appeals per week, which totaled approximately 1,200 appeals during my tenure.

My family relocated to Tennessee, where I began to volunteer with Memphis Area Legal Services where I assisted indigent individuals every Thursday afternoon, as well as some pro bono representation in Probate Court.

After leaving the Memphis area and moving to the Nashville area, I began working for the Tennessee Department of Health, handling various administrative matters for the health related boards I was assigned. While with the Department, I have handled approximately 250 disciplinary matters.

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

Dept. of Health v. Grant Hall, APRN/RN: Doc. No. 17.19-147850A; I served as primary counsel on this disciplinary hearing that was tried before the Board of Nursing; Mr. Hall was revoked from the practice of nursing in Tennessee.

Dept. of Health v. Tracie Todd, APRN/RN: Doc. No. 17.19-154244A: I served as primary counsel on this disciplinary hearing that was tried before the Board of Nursing. Ms. Todd was suspended from nursing practice.

Dept. of Health v. Morgan Winton, CNA: Doc. No. 17.38-158980J: I served as primary counsel and Ms. Winton was found to have abused a vulnerable individual, which resulted in her placement on the Vulnerable Person Abuse Registry.

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

I have no additional information to add.

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

I have submitted only one prior application and it was for the United States Magistrate Judge position in the Eastern District of Tennessee. The application was submitted on February 25, 2021.

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.

Loyola University Chicago- School of Law, 2018-2020, *Master of Laws*- Health Care

Nova Southeastern University, 2008-2016, *Juris Doctor* and *Master of Business Administration*- Management. I served on the Moot Court Executive Committee, as well as the Nova Trial Association Executive Committee. Dean's List- Fall, 2010; Recipient of Gold Cord- Volunteer Hours; Book Award: Mediation

University of Miami, 2005-2008, *Bachelor of Arts*, Political Science, Minor- Business Law. While at UM, I was an undergraduate intern for the Center for Ethics and Public Policy in the UM School of Law.

University of West Florida, 1999-2004, *Associate of Arts*- General Education

PERSONAL INFORMATION

12. State your date of birth.

██████████ 1982

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

6 years

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

2 years

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

Robertson 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.

I do not have military experience.

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.

Not to my knowledge.

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)?

No.

22. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court

and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

Meghann Chilcott v Nathaniel Flinchbaugh; Chancery Court of Williamson County, Tennessee; Case No. 47807; Marital Dissolution Agreement; May 2019.

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.

None.

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.

No.

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.

Broward County Bar Association, Member, 2011-2014

Tennessee Bar Association, Member

American Health Lawyers Association, Member

Health Care Compliance Association, Member

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.

Miramar-Pembroke Pines Regional Chamber of Commerce: Pinnacle Award- 2014

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.

None.

ESSAYS/PERSONAL STATEMENTS

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

Since my initial licensure 10 years ago, I have grown professionally and personally. I have assisted clients who were at their most vulnerable. I have held hearings and issued decisions that had life-altering effects. I believe the legal profession is a noble profession that requires practitioners to be their best. If selected, I know I can ensure everyone that appears before me is treated with the dignity and respect our profession demands.

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 applying to become a Circuit Court Judge in the 19th Judicial District, which covers Montgomery and Robertson counties. The Circuit Court of the 19th Judicial District is served by 4 judges and includes both Civil and Criminal matters.

Over the course of my 10-year legal career, I have handled various types of criminal, civil, and administrative matters, which has provided a well-rounded understanding of the legal field. I am accustomed to having heavy workloads and I pride myself on my professional demeanor. If I am selected to serve as Judge, I would ensure the citizens of Montgomery and Robertson County, as well as attorneys that appear before me, are treated with dignity and respect. Over my career, I have never missed a hearing, or a trial and I would ensure the time of anyone that appears before me is respected.

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. As an Administrative Law Judge, I had to issue Orders that I disagreed with personally.

However, the law was clear and my obligations to the Office were tantamount in reaching my decision. I had to deny an unemployment appeal where the individual could not come to work due to a cancer diagnosis. While heartbreaking to hear, the reason for the separation prevented a reversal of the denial of unemployment. Additionally, I held a hearing where the individual's behavior was abhorrent, but he satisfied all of the legal requirements to receive unemployment; therefore, I reversed the denial of the appeal and granted the benefits.

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. Lisa Williams, Legal Assistant, [REDACTED] Springfield, Tennessee 37172, [REDACTED] [REDACTED]
B. Taylor Gregory, Legal Assistant, [REDACTED] Austin, TX 78701, [REDACTED] [REDACTED]
C. Christie Taylor, Administrative Judge, [REDACTED] Nashville, TN 37243, [REDACTED] [REDACTED]
D. Ashley Fine, Attorney, [REDACTED] Nashville, TN 37243; [REDACTED] [REDACTED]
E. Megan Gottschall, Attorney, [REDACTED] Nashville, TN 37243; [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 19th Judicial District- Circuit Court, of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: April 15, 2021.


Signature

When completed, return this questionnaire to Ceesha Lofton, 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.

Nathaniel Ray Flinchbaugh
Type or Print Name


Signature

April 15, 2021
Date

034233
BPR #

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

The Florida Bar, Lic. No.: 88623

TN Board of Pharmacy: 52258
