

IN THE COURT OF APPEALS OF TENNESSEE  
AT NASHVILLE  
July 11, 2013 Session

**JENNIFER E. PATTERSON V. NATALIE D. GRANT-HERMS**

**Appeal from the Circuit Court for Davidson County  
No. 11C2977 Joseph P Binkley, Jr., Judge**

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**No. M2013-00287-COA-R3-CV - Filed October 8, 2013**

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PATRICIA J. COTTRELL, P.J., M.S., concurring in part, dissenting in part.

I concur in the majority's holding affirming the trial court's dismissal of Ms. Patterson's claim for defamation. However, I dissent from the holding reversing the trial court's dismissal of the claim based upon false light invasion of privacy.

As the majority clearly sets out, one of the necessary elements of that cause of action is that public statements by the defendant place the plaintiff in a false light that would be highly offensive to a reasonable person. Therefore, the relevant test herein is whether the statements by Ms. Grant-Herms placed Ms. Patterson in a light the would be "highly offensive to a reasonable person."

Just as this court found that the statements at issue were not defamatory as that term is defined in case law, I would find that the statements did not present Ms. Patterson in a light that a reasonable member of the public would find highly offensive.

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PATRICIA J. COTTRELL, JUDGE