



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

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MEMORANDUM

TO: Vice Mayor Jim Shulman
Metropolitan Council

FROM: Allison Bussell, Associate Director of Law

DATE: January 26, 2021

SUBJECT: M.C.L. § 2.40.115; 2020 4th Quarter Reports of Significant Litigation

ATTACHMENTS: (1) 2020 4th Quarter Report of Significant Litigation: Damage Amount Specified
(2) 2020 4th Quarter Report of Significant Litigation: Damage Amount Not Specified

1. The “2020 4th Quarter Report of Significant Litigation: Damage Amount Specified” lists new cases filed in this quarter in which the *ad damnum* clauses in the complaints request damages greater than \$300,000. (Attachment 1)

2. The “2020 4th Quarter Report of Significant Litigation: Damage Amount Not Specified” lists new cases filed in this quarter in which liability is not limited to \$300,000 by the TGTLA. (Attachment 2)

3. No judgment was entered against the Metropolitan Government this quarter.

4. Acronyms that may be used in the Attachments:

ADA: Americans With Disabilities Act, as amended, 42 U.S.C. §§ 12101, *et seq.*

FMLA: Family and Medical Leave Act, 29 U.S.C. §§ 2601, *et seq.*

IDEA: Individuals With Disabilities Education Act, 20 U.S.C. §§ 1400, *et seq.*

IIED: Intentional Infliction of Emotional Distress

NIED: Negligent Infliction of Emotional Distress

PLRA: Prison Litigation Reform Act, 28 U.S.C. § 1915, 42 U.S.C. § 1997e

RLUIPA: Religious Land Use and Institutionalized Persons Act, 2 U.S.C. §§ 2000cc, *et seq.*

Sec. 504: Section 504 of the Rehabilitation Act, 29 U.S.C. §§ 794, *et seq.*

STRUA: Short-Term Rental Unit Act, Tenn. Code Ann. §§ 13-7-601, *et seq.*

TCPA: Tennessee Consumer Protection Act, Tenn. Code Ann. § 47-18-101

TDA: Tennessee Disability Act, Tenn. Code Ann. §§ 8-50-103, -104

TGTLA: Tennessee Governmental Tort Liability Act, Tenn. Code Ann. §§ 29-20-101, *et seq.*

THRA: Tennessee Human Rights Act, Tenn. Code Ann. §§ 4-21-101, *et seq.*

TITDA: Tennessee Identity Theft Deterrence Act, Tenn. Code Ann. §§ 47-18-2101, *et seq.*

Title VI: Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d, *et seq.*

Title VII: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.*

Title IX: Title IX, Education Amendments of 1972 to the Civil Rights Act of 1964, 20 U.S.C. §§ 1681, *et seq.*

TPPA: Tennessee Public Protection Act, Tenn. Code Ann. § 50-1-304

TRFRA: Tennessee Religious Freedom Restoration Act, Tenn. Code Ann. § 4-1-407

ATTACHMENT 1

2020 4th Quarter Report of Significant Litigation: Damage Amount Specified

Case Name	Court	Docket #	Initial Demand
Key, Aaron Steven v. MNPD, <i>et al.</i>	U.S. Dist. Ct. M.D. Tenn.	3:20-cv-00565	\$10,000,000.00
<p>Damages Asserted: 42 U.S.C. § 1983: 4th and 14th Amendments. Plaintiff alleges that defendants' unwarranted suspicions that Plaintiff is a sex offender denied him the right to be left alone and treated like everyone else.</p>			
Plaintiff	Key, Aaron Steven		
Defendant	Metro Nashville - Police Department		
Defendant	Tennessee Bureau of Investigation		
Defendant	Federal Bureau of Investigation		
Defendant	Carthage, TN Police Department		
Opposing Counsel	Pro Se		
Radley, Demonse v. MNPD, <i>et al.</i>	U.S. Dist. Ct. M.D. Tenn.	3:20-cv-00677	\$8,000,000.00
<p>Damages Asserted: 42 U.S.C. § 1983: 4th Amendment (excessive force and false arrest). Prisoner alleges that defendant MNPD officer arrested him without probable cause, that arrest warrants didn't exist, and that he was tased and beaten without provocation.</p>			
Plaintiff	Radley, Demonse M		
Defendant	Thomas, Eric		
Opposing Counsel	Pro Se		
Al-Amin, Shakur v. State of Tennessee, <i>et al.</i>	U.S. Dist. Ct. M.D. Tenn.	3:20-cv-00413	\$6,600,000.00
<p>Damages Asserted: 42 U.S.C. § 1983: 14th Amendment (excessive force). Prisoner alleges that he was struck in the mouth and slammed to the floor by two individual correctional officers.</p>			
Plaintiff	Al-Amin, Shakur		
Defendant	Noble, Katherine		
Defendant	McIntyre, Levi		
Opposing Counsel	Pro Se		
Jordan, Adrienne v. Meharry Med. College, <i>et al.</i>	U.S. Dist. Ct. M.D. Tenn.	3:20-cv-00861	\$5,600,000.00
<p>Damages Asserted: ADEA; Title VII; THRA; ADA; TDA; IIED and NIED: age, gender, race discrimination, retaliation, sexual harassment, hostile work environment, intentional and negligent infliction of emotional distress. Seeks compensatory and punitive damages. First-year resident at Meharry Medical College alleges that she was not promoted to second-year resident and ultimately terminated because Meharry believed she was a substandard resident. Plaintiff asserts that she was an adequate medical resident, even while suffering Meharry's misconduct. No acts alleged against the Hospital Authority or its agents and nonsuit pending.</p>			
Plaintiff	Jordan, Adrienne		
Defendant	Kalliny, Medhat		
Defendant	Meharry Medical Group		
Defendant	Ngo, Paul		
Defendant	Nashville General Hospital		
Opposing Counsel	Small, Michael R.		

Glover, Mikesha v. Metro Gov't, *et al.* Circuit Court - Eighth 20C2539 \$1,000,000.00

Damages Asserted: TGTLA: Wrongful death, filial consortium, compensatory damages. Custodial parent alleges that her daughter's suicide was a result of MNPS administration's failure to stop her daughter from being bullied at her junior high school.

Plaintiff	Glover, Mikesha Sledge
Defendant	Weaver, Denisia
Defendant	Metro Nashville - Public Schools
Defendant	Hayes, Mackenzie Devyn
Defendant	Metropolitan Government of Nashville and Davidson County
Defendant	Bailey, Brea
Opposing Counsel	Peppe, Vincent H.
Opposing Counsel	Gordon, Robin J.

Sullivan, Carrie & Robert v. Metro. Gov't Circuit Court - Fifth 16C2487 \$300,000.00

Damages Asserted: TGTLA: negligence, compensatory damages, consortium. Plaintiff C. Sullivan alleges injuries resulting from tripping on the sidewalk at Division St. & Music Circle East and asserts that the defect was caused by a damaged telephone pole. Plaintiff C. Sullivan's initial prayer for relief demanded \$300,000 in damages, but Plaintiff R. Sullivan has also asserted a separate loss of consortium claim.

Plaintiff	Sullivan, Robert
Plaintiff	Sullivan, Carrie
Defendant	Metropolitan Government of Nashville and Davidson County
Opposing Counsel	Baker Law Group

ATTACHMENT 2

2020 4th Quarter Report of Significant Litigation: Damage Amount Not Specified

Case Name	Court	Docket #	Initial Demand
Doe, John v. MNPS, <i>et al.</i>	U.S. Dist. Ct. M.D. Tenn.	3:20-cv-00947	\$0.00
Damages Asserted: 42 U.S.C. § 1983, 14th Amendment (Equal Protection), Title VI, and state law negligence. Plaintiff seeks damages on behalf of her son, which are not expressly limited to \$300,000, for emotional distress, pain and suffering, physical and emotional harm, as well as attorney fees and costs, allegedly arising from a student teacher having taught her fourth-grade son a lesson titled “How To Make A Slave.”			
Plaintiff	Doe, John		
Defendant	Herman, Andrew		
Defendant	Metro Nashville - Public Schools		
Opposing Counsel	Salonus, Jessica Farris		
Doe, Jane v. Metro. Gov’t, <i>et al.</i>	U.S. Dist. Ct. M.D. Tenn.	3:20-cv-01023	\$0.00
Damages Asserted: 42 U.S.C. § 1983, 1st Amendment retaliation, Title VI retaliation, THRA, Tennessee Teacher’s Tenure Act, Tenn. Code Ann. §§ 49-5-501, <i>et seq.</i> , and sex discrimination. Plaintiff alleges that she was terminated from her MNPS executive position because she complained about the “How To Make A Slave” lesson that her fourth-grade son was taught and filed a lawsuit on his behalf. Plaintiff seeks unspecified damages not expressly limited to \$300,000.			
Plaintiff	Doe, Jane		
Defendant	Battle, Adrienne		
Defendant	Metropolitan Government of Nashville and Davidson County		
Opposing Counsel	Steiner, Ann Buntin		