FN Ford & Nichols

Joseph R. Ford
Brian E. Nichols

Kristopher D. Frye

Attorneys at Law
P.O. Box 905
501 Mulberry Street
Loudon, TN 37774

Phone: (865) 458-4301
Fax: (865) 458-4302
www.ford-nichols.com

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FACSIMILE TRANSMISSION COVER SHEET

TO TELECOPIER NO.: 458-1784

DATE: 1/12/2016

PLEASE DELIVER TO:

NAME: Mayor Buddy Bradshaw

FROM: Joseph R. Ford

REGARDING: Lisa Niles, Clerk of the Circuit Court et al. v. Rollen Bradshaw, Loudon County Mayor
Loudon County Chancery Court No.: 12267

NO. OF PAGES: 4

ORIGINAL(S): Not Mailed.

OPERATOR: Debbie Daub

MESSAGES: Attached find the Response to the Motion to Clarify. Please contact me to discuss.

IN THE CHANCERY COURT FOR LOUDON COUNTY, TENNESSEE

LISA NILES, Clerk of the Circuit Court, Probate Court, Criminal Court, General Sessions Court, Juvenile Court and Child Support Court for Loudon County, Tennessee,	)	
Petitioner,	)	
v.	)	**No.: 12267**
ROLLEN "BUDDY" BRADSHAW, Loudon County Mayor,	)	
Defendant.	)	

RESPONSE TO MOTION FOR POST-TRIAL CONFERENCE FOR CLARIFICATION

The Defendant, Mayor Rollen "Buddy" Bradshaw, by and though counsel, responds to the Petitioner's Motion for Post-Trial Conference as follows:

1. The Tennessee Rules of Civil Procedure do not provide for a Motion for Post-Trial Conference for Clarification and no Rule is cited in the Motion. It appears that the Petitioner is attempting to alter or amend the judgment, however, no judgment has been entered. Accordingly, the Motion should be disallowed.

2. The Petitioner's Motion states that proof was submitted "in support of additional pay increases for her current employees." This request sought a total of $57,000.00 in raises for current employees, including retroactive county raises of 2% for the 2014-2015 and 2015-2016 budget years. The Motion then states that "the Court did not include any ruling regarding approval or denial of additional adjustment raises for current employees."

3. The Memorandum Opinion, by explicitly granting some of the relief sought by the Petitioner, implicitly denies the request for additional adjustment raises and therefore no

clarification is necessary. For illustration, the Memorandum Opinion, by explicitly granting the Petitioner's request to hire four (4) additional deputies, implicitly denied the request to hire six (6) additional deputies.

4. In the alternative, the Petitioner failed to introduce any proof at trial that would allow the Court to make an informed ruling on the salary adjustments. No testimony was heard on the salaries currently paid to Ms. Niles' staff or the amount of raises each was to receive. In fact, the relief allegedly sought, a total of $57,000, was only presented in a closing brief without any foundational support. Prior to her oral amendment to the Petition at trial, the only request the Defendant was aware of sought $31,000.00 annually for each of her deputies currently earning less than that sum. However, the Court was not informed of the amount each deputy is currently earning and therefore cannot determine whether they are currently earning more or less than that amount. Likewise, following her amendment of the Petition to request $25,500 annually, the Court is unable to speculate as to the amount her deputies are currently earning and therefore what, if any, adjustments are needed.

WHEREFORE, the Defendant respectfully requests that the Petitioner's Motion be denied without a conference, or in the alternative, that it be set for hearing on the docket at the Loudon County Courthouse.

Respectfully submitted this 12th day of January, 2016.

Joseph R. Ford, (BPR # 014313)
Kristopher D. Frye (BPR #030940)
FORD & NICHOLS
501 Mulberry Street
Loudon, Tennessee 37774
(865) 458-4301

CERTIFICATE OF SERVICE

I, Joseph R. Ford, hereby certify that a true and exact copy of the foregoing *Response to Motion for Post-Trial Conference* has been served upon all parties at the address listed below by placing a copy of same in the United States mail, postage prepaid the 12th day of January, 2016.

Zachary B. Tenry
Stokes, Williams, Sharp, Cope & Mann
P.O. Box 2644
Knoxville, Tennessee 37901

Joseph R. Ford, (BPR # 014313)