

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 20, 2022

**SUBJECT:** M.C.L. § 2.40.115; 2021 4th Quarter Reports of Significant Litigation

**ATTACHMENT:** (1) 2021 4th Quarter Report of Significant Litigation: Damage Amount Specified

1. The “2021 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. No judgment was entered against the Metropolitan Government this quarter.

3. Acronyms that may be used in the Attachment:

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

### 2021 4th Quarter Report of Significant Litigation: Damage Amount Specified

Case Name	Court	Docket #	Initial Demand
<i>Keister, Francis v. Metro Nashville Police Department, et al.</i>	U.S. Dist. Ct. M.D. Tenn.	3:21-cv-0738	\$245,000,000.00

Damages: Plaintiff alleges various illegible civil rights claims and seeks damages totaling \$245,000,000.

Plaintiff (Pro Se)	Keister, Francis
Defendant	Metro Nashville - Police Department
Defendant	Metro Nashville - Davidson County Sheriff's Office
Defendant	Doe, John
Defendant	"Officer Goggle"
Defendant	Swindell, Matthew

<i>Zahn, Fred v. Metro Gov't, et al.</i>	Circuit Court - Eighth	21C1398	\$750,000.00
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Damages: Plaintiff alleges wrongful termination, breach of contract, and myriad state law claims arising from his discipline and termination from the Metro Historical Commission. He seeks damages totaling \$750,000.

Plaintiff	Zahn, Fred
Defendant	Zeigler, Robin
Defendant	Walker, Timothy
Defendant	Metropolitan Government of Nashville and Davidson County
Opposing Counsel	Hargiss, William S.