

IN THE COURT OF APPEALS OF TENNESSEE  
AT KNOXVILLE  
September 14, 2009 Session

**CHRIS YOUSIF, d/b/a QUALITY MOTORS v. NOTRIAL CLARK and  
THE CIRCUIT COURT OF KNOX COUNTY**

**Direct Appeal from the Circuit Court for Knox County  
No. 1-565-07 Hon. Dale Workman, Judge**

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**No. E2008-02626-COA-R3-CV - FILED JANUARY 13, 2010**

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John W. McClarty, J., dissenting.

I respectfully dissent. Based upon the factual history present in this case, I would affirm the trial court's dismissal of the writ.

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JOHN W. McCLARTY, JUDGE