

**SUPREME COURT OF TENNESSEE  
 SUPREME COURT DISCRETIONARY APPEALS  
Grants & Denials List**

**Monday, April 27, 2009**

**GRANTS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Home Builders Association of Middle Tennessee v. Williamson County, et al M2008-00835-SC-R11-CV	Williamson County Chancery Court Judge Jeffrey S. Bivins No. 31384	Stafford, J., Affirmed	Rule 11	<b>Granted</b> - Application of Home Builders Association  <b>(Order attached hereto)</b>
Lee Medical, Inc. v. Paula Beecher, et al M2008-02496-SC-S09-CV	Williamson County Circuit Court Judge Jeffrey S. Bivins Nos. 08-146 and 08-144	Per Curiam, Rule 9 Denied	Rule 9	<b>Granted</b> - Application of Lee Medical, Inc.  <b>(Order attached hereto)</b>
<b><u>Knoxville</u></b>				

Marn Suzanne Lasen-Ball v. William Gordon Ball E2007-02220-SC-R11-CV	Knox County Chancery Court Judge Jon K. Blackwood No. 166176-2	Clement, J., Affirmed and Remanded	Rule 11	<b>Granted</b> - Applications of William Gordon Ball and Marn Suzanne Larsen-Ball <b>(Wade, J., not participating)</b>  <b>(Order attached hereto)</b>
Excel Polymers v. Richard Broyles E2008-00823-SC-WCM-WC	Washington County Circuit Court Judge Thomas J. Seely, Jr. No. 9386	Kurtz, J., Affirmed	Motion for Full Court Review	<b>Granted</b> - Motion of Excel Polymers <b>(Wade, J., not participating)</b>
Gerry G. Kinsler v. Berkline, LLC E2007-02602-SC-R11-CV	Hamblen County Circuit Court Judge Thomas J. Wright No. 06CV148	Susano, J., Vacated and Remanded	Rule 11	<b>Granted</b> - Application of Berkline, LLC <b>(Lee, J., not participating)</b>  <b>(Order attached hereto)</b>
Kimberly Powell v. National Healthcare of Cleveland, Inc., d/b/a Cleveland Community Hospital E2008-00535-SC-R11-CV	Bradley County Chancery Court Judge Jerri S. Bryant No. 05-285	Franks, J., Affirmed	Rule 11	<b>Granted</b> - Application of National Healthcare of Cleveland, Inc., d/b/a Cleveland Community Hospital <b>(Lee, J., not participating)</b>  <b>(Order attached hereto)</b>
<b><u>Jackson</u></b>				
Samuel D. Leggett, et al v. Duke Energy Corporation, et al W2007-00788-SC-R11-CV	Fayette County Chancery Court Chancellor Martha B. Brasfield No. 13847	Highers, J., Reversed and Remanded	Rule 11	<b>Granted</b> - Applications of Duke Energy Corp., et al and Reliant Energy, Inc., et al  <b>(Order attached hereto)</b>

Marcus Ward v. State of Tennessee W2007-01632-SC-R11-PC	Shelby County Criminal Court Judge Paula Skahan No. 04-06910	Glenn, J., Affirmed	Rule 11	<b>Granted</b> - Application of Marcus Ward  <b>(Order attached hereto)</b>
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**SUPREME COURT OF TENNESSEE  
SUPREME COURT DISCRETIONARY APPEALS**

**Monday, April 27, 2009**

**DENIALS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Alphonso Bradford v. State of Tennessee M2008-01317-SC-R11-HC	Davidson County Criminal Court Judge Randall Wyatt No. 95-A-491	Woodall, J., Affirmed, Per Rule 20	Rule 11	<b>Denied</b> - Application of Alphonso Bradford
Estate of Hillard Cartwright, et al v. Standard Fire Insurance Company M2007-02691-SC-R11-CV	Davidson County Circuit Court Judge Barbara Haynes No. 05C-1757	Dinkins, J., Affirmed	Rule 11	<b>Denied</b> - Application of Estate of Hillard Cartwright and Wilma C. James
Ronnie Charleston v. State of Tennessee M2007-02864-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2003-B-883	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Ronnie Charleston

Jane Chera v. Indymac, Inc., et al M2007-00043-SC-R11-CV	Davidson County Chancery Court Chancellor Claudia Bonnyman No. 04-1181-I	Bennett, J., Affirmed and Remanded (Cottrell, J., not participating)	Rule 11	<b>Denied</b> - Application of Jane Chera
Vicki Counts, et al v. Ingram Distribution Management, Inc. M2008-02643-SC-R9-CV	Rutherford County Circuit Court Judge J. Mark Rogers No. 55163	Per Curiam, Rule 9 Denied	Rule 11	<b>Denied</b> - Application of Ingram Distribution Management, Inc., et al
O. William Ferguson, Sr. v. J. Clifford Brown M2007-02590-SC-R11-CV	Sumner County Circuit Court Judge C. L. Rogers No. 28166-C	Clement, J., Reversed	Rule 11	<b>Denied</b> - Application of J. Clifford Brown
Steven Craig Fults v. State of Tennessee M2007-02570-SC-R11-PC	Rutherford County Circuit Court Judge Don R. Ash No. F-60087	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Steven Craig Fults
William Joel Haithcote, II v. State of Tennessee M2007-01579-SC-R11-PC	Bedford County Circuit Court Judge Steve Daniel No. 11123	Wedemeyer, J, Affirmed	Rule 11	<b>Denied</b> - Application of William Joel Haithcote, II
Victor W. Horadam v. Sue Stewart M2007-00046-SC-R11-CV	Rutherford County Chancery Court Chancellor Robert E. Corlew, III No. 05-1205MI	Stewart, J., Affirmed in Part; Reversed in Part; Remanded	Rule 11	<b>Denied</b> - Application of Victor W. Horadam
David Lee Kestner v. State of Tennessee M2007-02329-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2003-D-2670	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of David Lee Kestner

Dhananjaja R. Marpaka v. James A. Hefner and Tennessee State University M2007-00733-SC-R11-CV	Davidson County Chancery Court Chancellor Ellen H. Lyle No. 03-3888-III	Kirby, J., Affirmed	Rule 11	<b>Denied</b> - Application of Dhananjaja R. Marpaka
Anne McLeay v. Metropolitan Hospital Authority M2006-01369-SC-R11-CV	Davidson County Chancery Court Chancellor Ellen Hobbs Lyle No. 03-129-III	Cottrell, J., Affirmed	Rule 11	<b>Denied</b> - Application of Anne McLeay
Phillip M. Mullins v. State of Tennessee M2008-00332-SC-R11-PC	Putnam County Criminal Court Judge Leon C. Burns, Jr. No. 99-0599	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Phillip M. Mullins
Oakwell Farms Limited Partnership, et al v. Metropolitan Board of Fire & Building Code Appeals, et al M2007-00801-SC-R11-CV	Davidson County Chancery Court Judge Walter C. Kurtz No. 05-1739-I	Bennett, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Oakwell Farms Limited Partnership, et al
David H. Plemons, Jr. v. State of Tennessee M2007-00549-SC-R11-PC	Marshall County Circuit Court Judge Robert Crigler No. 17130	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of David H. Plemons, Jr.
William Robert Sattler v. Linda Gay Sattler M2007-02319-SC-R11-CV	Wilson County General Sessions Court No. 14590DV	Clement, J., Reversed	Rule 11	<b>Denied</b> - Application of Linda Gay Sattler
Tyrice L. Sawyers v. State of Tennessee M2007-02867-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 92-C-1450	McMullen, J., Affirmed	Rule 11	<b>Denied</b> - Application of Tyrice L. Sawyers
Mike Settle v. Ricky Bell M2007-02743-SC-R11-CV	Davidson County Circuit Court Judge Amanda McClendon No. 07C-2068	Susano, J., Affirmed	Rule 11	<b>Denied</b> - Application of Mike Settle <b>(Lee, J., not participating)</b>

State of Tennessee v. Demond Lamont Adkins M2007-01728-SC-R11-CD	Davidson County Criminal Court Judge Monte Watkins No. 2005-D-3299	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Demond Lamont Adkins
State of Tennessee v. Shelvy A. Baker M2005-00298-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2002-A-112	Wade, J., Affirmed	Rule 11	<b>Denied</b> - Application of Shelvy A. Baker  <b>(Wade, J., not participating)</b>
State of Tennessee v. Jarvis Antonio Clemmons M2007-02793-SC-R11-CD AND Jarvis Antonio Clemmons v. State of Tennessee M2007-02791-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2005-B-876	Witt, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Jarvis Antonio Clemmons
State of Tennessee v. Willie R. Dyer M2007-02397-SC-R11-CD	Warren County Circuit Court Judge Larry B. Stanley, Jr. No. M-10846	Smith, J., Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Willie R. Dyer
State of Tennessee v. Ricky Lynn Earls M2005-01931-SC-R11-CD	Bedford County Circuit Court Judge Lee Russell No. 14684	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Ricky Lynn Earls
State of Tennessee v. Russell Lee House M2008-00032-SC-R11-CD	Sumner County Criminal Court Judge Dee David Gay No. 496-2006	Affirmed in Part; Remanded	Rule 11	<b>Denied</b> - Application of Russell Lee House
State of Tennessee v. Reginald C. Malone M2007-02880-SC-R11-CD	Rutherford County Circuit Court Judge Robert E. Corlew, III No. F-59386	Welles, J., Affirmed in Part; Reversed in Part	Rule 11	<b>Denied</b> - Application of Reginald C. Malone; <b>Denied</b> - Motion of Reginald C. Malone for Appointment of Counsel

State of Tennessee v. Matthew Kirk McWhorter M2007-02256-SC-R11-CD	Montgomery County Circuit Court Judge John Gassaway No. 49900104	Wedemeyer, J, Affirmed	Rule 11	<b>Denied</b> - Application of Matthew Kirk McWhorter. <b>The opinion of the Court of Criminal Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4, section E.</b>
State of Tennessee v. Jeremy Lance Przybysz M2007-02169-SC-R11-CD	Sequatchie County Circuit Court Judge Thomas W. Graham No. 4575	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Jeremy Lance Przybysz
Clay B. Sullivan v. State of Tennessee M2007-02580-SC-R11-PC	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2001-D-2236	Wedemeyer, J, Affirmed	Rule 11	<b>Denied</b> - Application of Clay B. Sullivan
Anthony Dwight Washington v. State of Tennessee M2007-01366-SC-R11-PC	Davidson County Criminal Court Nos. 2003-C-2058 and 2003-B-1297	Thomas, J., Affirmed	Rule 11	<b>Denied</b> - Application of Anthony Dwight Washington; <b>Case Remanded to the Trial Court</b>
Henry Ford Williams, Jr. v. State of Tennessee M2007-02070-SC-R11-PC	Robertson County Circuit Court Judge Dee David Gay No. 00-0150	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Henry Ford Williams, Jr.
Lealon Wyatt, Jr., et al v. Trans Ash, Inc., et al M2008-02688-SC-R9-CV	Humphreys County Circuit Court Judge George Sexton No. 9248	Per Curiam, Rule 9 Denied	Rule 9	<b>Denied</b> - Application of Trans Ash, Inc.

**Knoxville**

Brunswick Acceptance Company, LLC v. MEJ, LLC, et al E2007-01819-SC-R11-CV	Knox County Circuit Court Judge Dale C. Workman No. 1-567-05	Lee, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of MEJ, LLC and Mitchell Jones  <b>(Lee, J., not participating)</b>
Cindy Goodson Harvey, et al v. Farmers Insurance Exchange, et al E2007-02152-SC-R11-CV	Hamilton County Chancery Court Judge W. Frank Brown, III No. 05-0132	Susano, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Cindy Goodson Harvey and Ronald W. Harvey, Jr.
In Re: Christopher Y. E2008-00800-SC-R11-PT	Sullivan County Juvenile Court Judge Mark Toohey No. J-32,687	Swiney, J., Affirmed	Rule 11	<b>Denied</b> - Application of Kimberly Y.
Frankie Lewis, et al v. Cleveland Municipal Airport Authority, et al E2007-00931-SC-R11-CV	Bradley County Circuit Court Judge John B. Hagler, Jr. No. V-06-857	Swiney, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Frankie Lewis and Herbert J. Haney  <b>(Lee, J., not participating)</b>
Almeer K. Nance v. State of Tennessee E2008-00857-SC-R11-PC	Knox County Criminal Court Judge Kenneth F. Irvine, Jr. No. 75969	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Almeer K. Nance
Pactech, Inc., et al v. Auto-Owners Insurance Co., et al E2007-01480-SC-R11-CV	Scott County Circuit Court Judge John McAfee No. 6624	Lee, J., Affirmed in Part, Reversed in Part, and Vacated in Part; Case Remanded	Rule 11	<b>Denied</b> - Application of PacTech, Inc. and Arthur H. Black  <b>(Lee, J., not participating)</b>
Octavian Reeves v. Howard Carlton, Warden E2007-02318-SC-R11-HC	Johnson County Criminal Court Judge Lynn W. Brown No. 5140	Thomas, J., Affirmed, Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Octavian Reeves



State of Tennessee v. Johnny Lynn Heitz E2007-02236-SC-R11-CD	Sullivan County Criminal Court Judge Robert H. Montgomery, Jr. No. S51-051	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Johnny Lynn Heitz
State of Tennessee v. Damian R. Kelly E2007-02299-SC-R11-CD	Blount County Circuit Court Judge Michael H. Meares No. C-15952	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Damian R. Kelly
State of Tennessee v. Mark Alton Mayfield E2007-01453-SC-R11-CD	Cumberland County Circuit Court Judge David Paterson No. 8966	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Mark Alton Mayfield
<b><u>Jackson</u></b>				
Leroy Brimmer v. State of Tennessee W2008-00738-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes No. 03-05597	Glenn, J., Affirmed	Rule 11	<b>Denied</b> - Application of Leroy Brimmer
Anthony Dean v. State of Tennessee W2008-02300-SC-R11-PC	Shelby County Criminal Court Judge Chris Craft No. P-26821	McLin, J., Rule 28 Denied	Rule 11	<b>Denied</b> - Application of Anthony Dean
Franklin E. Harris, Jr. v. State of Tennessee W2008-02604-SC-R11-PC	Shelby County Criminal Court Judge Paula Skahan No. P-16043	Williams, J., Rule 28 Denied	Rule 11	<b>Denied</b> - Application of Franklin E. Harris, Jr.; <b>Denied</b> - Motion of Franklin E. Harris, Jr. to proceed as a poor person on appeal; costs in this matter taxed to petitioner, Franklin E. Harris, Jr.

Paul Hayes v. State of Tennessee W2008-02457-SC-R11-PC	Shelby County Criminal Court Judge Paula Skahan No. P-27839	McMullen, J., Motion to late file notice of appeal denied	Rule 11	<b>Denied</b> - Application of Paul Hayes
Kennath Artez Henderson v. State W2008-01927-SC-R11-PD	Fayette County Circuit Court Judge W. Weber McCraw No. 4465	McMullen, J., Rule 28 Denied	Rule 11	<b>Denied</b> - Application of Kennath Henderson
Brian Christian Lautenschlager v. State of Tennessee W2008-00162-SC-R11-PC	Decatur County Circuit Court Judge C. Creed McGinley No. 412	McMullen, J., Affirmed	Rule 11	<b>Denied</b> - Application of Brian Christian Lautenschlager
Rosendo Reyna v. State of Tennessee W2007-01637-SC-R11-PC	Shelby County Criminal Court Judge Lee V. Coffee 03-06586	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Rosendo Reyna
State of Tennessee, ex rel., Robert E. Cooper, Jr., Attorney General and Reporter v. BlueHippo Funding, LLC, et al W2009-00396-SC-R7-CV	Shelby County Chancery Court Judge Walter L. Evans No. CH-08-1979-1	Kirby, J. and Stafford, J., Rule 10 Denied	Rule 10	<b>Denied</b> - Application of BlueHippo Funding, LLC and BlueHippo Capital, LLC; <b>Denied</b> - Motion of BlueHippo Funding, LLC and BlueHippo Capital, LLC for Review or in the Alternative Motion to Stay Enforcement of Order in Trial Court Pending Application for Extraordinary Appeal.
State of Tennessee v. Maurice Currie W2008-01013-SC-R11-CD	Lauderdale County Circuit Court Judge Joseph H. Walker, III No. 8109	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Maurice Currie
State of Tennessee v. Quamine Jones W2007-01111-SC-R11-CD	Shelby County Criminal Court Judge W. Otis Higgs, Jr. No. 06-00391	Glenn, J., Affirmed	Rule 11	<b>Denied</b> - Application of Quamine Jones

Pedro Valadez, et al v. Newstart, LLC, et al W2007-01550-SC-R11-CV	Shelby County Circuit Court Judge Donna M. Fields No. CT-007286-04	Highers, J., Affirmed	Rule 11	<b>Denied</b> - Application of Pedro and Griselda Valadez
Willie Watkins v. State of Tennessee W2008-00852-SC-R11-PC	Madison County Circuit Court Judge Roger A. Page No. C-08-14	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Willie L. Watkins
Troy Lee Weston v. Tony Parker, Warden (State of Tennessee) W2008-01458-SC-R11-HC	Lauderdale County Circuit Court Judge Joe H. Walker No. 6232	McMullen, J., Affirmed per Rule 20	Rule 11	<b>Denied</b> - Application of Troy Lee Weston
Kenneth Williams v. State of Tennessee W2007-01876-SC-R11-PC	Shelby County Criminal Court Judge John P. Colton, Jr. No. 04-02649	Ogle, J., Affirmed	Rule 11	<b>Denied</b> - Application of Kenneth Williams
Muhammad Ziyad v. Estate of William B. Tanner, Sr. W2007-01683-SC-R11-CV	Shelby County Probate Court Judge Karen D. Webster No. C-13142	Highers, J., Affirmed	Rule 11	<b>Denied</b> - Application of Muhammad Ziyad; <b>Denied</b> - Motion of Muhammad Ziyad to proceed as a poor person

IN THE SUPREME COURT OF TENNESSEE  
AT JACKSON

**SAMUEL D. LEGGETT ET AL. v. DUKE ENERGY CORPORATION ET AL.**

**Chancery Court for Fayette County  
No. 13847**

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**No. W2007-00788-SC-R11-CV**

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**ORDER**

Upon consideration of the applications for permission to appeal and the record before us, the applications are granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**HOME BUILDERS ASSOCIATION OF MIDDLE TENNESSEE v. WILLIAMSON  
COUNTY ET AL.**

**Chancery Court for Williamson County  
No. 31384**

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**No. M2008-00835-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of Home Builders Association of Middle Tennessee and the record before us, the application is granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE  
AT KNOXVILLE

**EXCEL POLYMERS v. RICHARD BROYLES**

**Circuit Court for Washington County**  
**No. 9386**

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**No. E2008-00823-SC-WCM-WC**

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**ORDER**

The motion for review filed by Excel Polymers, pursuant to Tenn. Code Ann. § 50-6-225(e)(5)(B), has been considered by the Court and is granted.

The parties shall submit supplemental briefs in accordance with Tenn. R. App. P. 29; the appellant's brief shall be filed within thirty (30) days of the date of this Order. The Clerk of the Court is directed to schedule this case for oral argument when the briefing is completed.

PER CURIAM

GARY R. WADE, J., not participating.

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**LEE MEDICAL, INC. v. PAULA BEECHER, ET AL.**

**Circuit Court for Williamson County**  
**No. 08-144, 08-146**

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**No. M2008-02496-SC-S09-CV**

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**ORDER**

Upon consideration of the application for permission to appeal filed by Lee Medical, Inc., and the record before us, the application is granted.

Upon the completion of briefing, the Clerk is directed to place this matter on the docket for oral argument in Knoxville, along with the case of Powell v. National Healthcare of Cleveland, Inc. d/b/a Cleveland Community Hospital, No. E2008-00535-SC-R11-CV, Chancery Court for Bradley County. Although the cases share some similar issues, they shall not be considered consolidated pursuant to Tennessee Rule of Appellate Procedure 16(a). Separate oral arguments shall be permitted pursuant to Tennessee Rule of Appellate Procedure 35(c).

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE  
AT KNOXVILLE

**KIMBERLY POWELL v. NATIONAL HEALTHCARE OF CLEVELAND, INC.  
D/B/A CLEVELAND COMMUNITY HOSPITAL**

**Chancery Court for Bradley County  
No. 05-285**

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**No. E2008-00535-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal filed by National Health Care of Cleveland, Incorporated d/b/a Cleveland Community Hospital, and the record before us, the application is granted.

Additionally, the motion of the Tennessee Hospital Association (“THA”) seeking permission to file an amicus curiae brief supporting the position of National Healthcare of Cleveland, Inc. d/b/a Cleveland Community Hospital is also granted. The Clerk is directed to file the brief THA conditionally submitted along with its motion.

Upon the completion of briefing, the Clerk is directed to place this matter on the docket for oral argument in Knoxville, along with the case of Lee Medical, Inc. v. Beecher, No. M2008-02496-SC-S09-CV, Circuit Court for Williamson County. Although the cases share some similar issues, they shall not be considered consolidated pursuant to Tennessee Rule Appellate Procedure 16(a). Separate oral arguments shall be permitted pursuant to Tennessee Rule of Appellate Procedure 35(c).

PER CURIAM

SHARON G. LEE, J., not participating.



IN THE SUPREME COURT OF TENNESSEE  
AT KNOXVILLE

**MARN SUZANNE LARSEN-BALL v. WILLIAM GORDON BALL**

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**No. E2007-02220-SC-R11-CV**

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**ORDER**

Upon consideration of the applications for permission to appeal of William Gordon Ball and Marn Suzanne Larsen-Ball, and the record before us, the applications are granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM

Gary R. Wade, J., not participating

IN THE SUPREME COURT OF TENNESSEE  
AT KNOXVILLE

**GERRY G. KINSLER v. BERKLINE, LLC**

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**No. E2007-02602-SC-R11-CV**

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**ORDER**

Upon consideration of Berkline, LLC's application for permission to appeal and the record before us, the application is granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM

LEE, J., NOT PARTICIPATING

IN THE SUPREME COURT OF TENNESSEE  
AT JACKSON

**MARCUS WARD v. STATE OF TENNESSEE**

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No. W2007-01632-SC-R11-PC

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**ORDER**

Upon consideration of Marcus Ward's application for permission to appeal and the record before us, the application is granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM