

CASE SUMMARY

CASE NO. 15-0643-I

Richland Creek Watershed Alliance, Inc. vs. The Metropolitan Government of Nashville and Davidson County Tennessee

Case Type: **Appeal From Administrative Hearing**
 Subtype: **Writ Certiorari**
 Date Filed: **05/27/2015**
 Location: **- Part I**
 Judicial Officer: **Bonnyman, Claudia C**
 Case Number History: **15-0643-II**

PARTY INFORMATION

Defendant	The Metropolitan Government of Nashville and Davidson County Tennessee	Lead Attorneys Lora Barkenbus Fox <i>Retained</i> 615-862-6341(W)
Plaintiff	Richland Creek Watershed Alliance, Inc.	Sharon O. Jacobs <i>Retained</i> 615-238-6300(W)

EVENTS & ORDERS OF THE COURT**OTHER EVENTS AND HEARINGS**

05/27/2015 **Complaint/Petition**
Petitioner's Brief in Support of its Petition for Writ of Certiorari with attached Exhibits 1 & 2. (Note: Exhibit 2 Not Scanned)

05/27/2015 **Pauper's Oath**
Affidavit of Indigency

05/27/2015 **Proposed Order**
Writ of Certiorari

05/27/2015 **Writ of Certiorari**
Writ of Certiorari

05/27/2015 **Writ Issued**
Writ of Certiorari

05/28/2015 **Summons - Service**
Serve: Director of Law, Saul Solomon, Metropolitan Government of Nashville - Service Rec'd 5-28-15 by Margaret O. Darby. Writ of Certiorari rec'd 5-28-15 by Margaret O. Darby.

06/12/2015 **Complaint/Other**
Petition for Declaratory Judgment and/or Amend Writ of Certiorari with attached Exhibits 1 thru 4.

07/10/2015 **Motion**
St Thomas Hospitals, LLC's Motion to Intervene and Memorandum in Support

07/15/2015 **Notice of Hearing**
Notice of Resetting Hearing on St Thomas Hospitals, LLC's Motion to Intervene

07/21/2015 **Notice of Filing**
Notice of Filing a Certified Copy of Chapter 15.64 and Title 17 of the Metro Code (Not Scanned Bound together)

07/21/2015 **Motion to Dismiss**
Respondent's Motion to Dismiss

07/21/2015 **Brief/Memorandum in Support of Motion**
Memorandum in Support of Respondent's Motion to Dismiss

08/10/2015 **Response to Motion**
Petitioner's Response and Limited Objection to St Thomas Hospitals, LLC's Motion to Intervene and Memorandum in Support

08/10/2015 **Response to Motion**
Petitioner's Response to Respondent's Motion to Dismiss

08/12/2015 **Reply to Response to Motion**
Respondent's Reply (re: Motion to Dismiss)

08/14/2015 **Motion Hearing** (9:00 AM) (Judicial Officers McCoy, Carol L, McCoy, Carol L)
St Thomas Hospitals, LLC's Motion to Intervene
07/24/2015 Reset by Court to 08/14/2015
08/14/2015 Reset by Court to 08/14/2015

08/14/2015 **Motion to Dismiss Hearing** (9:00 AM) (Judicial Officers McCoy, Carol L, McCoy, Carol L)
Respondent's Motion to Dismiss
08/14/2015 Reset by Court to 08/14/2015
08/14/2015 Reset by Court to 08/14/2015
08/14/2015 Reset by Court to 08/14/2015
08/21/2015 Reset by Court to 08/14/2015

08/19/2015 **Proposed Order**
Agreed Order Granting Motion to Intervene

08/20/2015 **Order**
Agreed Order Granting Motion to Intervene

09/30/2015 **Complaint/Other**

Amended and Restated Petition for Declaratory Judgment with 7 Exhibits

10/09/2015 **Notice**
Petitioner's Notice of Corrected Caption to Amended and Restated Petition

10/20/2015 **Proposed Order**
Agreed Order Correcting Caption to Amend and Restated Petition

10/29/2015 **Order**
Agreed Order Correcting Caption to Amended and Restated Petition - St. Thomas Network and St. Thomas West added as Intervening Defendants

10/30/2015 **Answer**
Answer of St. Thomas Network and St. Thomas West Hospital

11/02/2015 **Proposed Order**
Order Denying Defendant's Motion to Dismiss

11/03/2015 **Answer**
Answer of The Metropolitan Government

11/06/2015 **Order**
Order Denying Defendant's Motion to Dismiss

11/12/2015 **Notice**
Rule 24.04 Notice to the Tennessee Attorney General and reporter with attached Exhibits A and 1 thru 7

11/13/2015 **Motion**
Deft's Motion for Scheduling Order

12/03/2015 **Motion to Set**
Agreed Motion to Set Trial Date

12/04/2015 **Motion Hearing** (9:00 AM) (Judicial Officers McCoy, Carol L, McCoy, Carol L)
Deft's Motion for Scheduling Order
12/04/2015 Reset by Court to 12/04/2015

12/04/2015 **Proposed Order**
Proposed Agreed Scheduling Order - Attys. Lora Fox, James Murphy & Sharon Jacobs

12/10/2015 **Order**
Agreed Scheduling Order

12/15/2015 **Motion**
Petitioner's Motion for Separate Trials in Accordance with Tenn. R. CIV. P. 1 and 42.02

12/15/2015 **Brief/Memorandum in Support of Motion**
RCWA's Memorandum of Law in Support of its Motion for Separate Trials

12/18/2015 **Motion Hearing** (9:00 AM) (Judicial Officers McCoy, Carol L, McCoy, Carol L)
Agreed Motion to Set Trial Date
12/18/2015 Reset by Court to 12/18/2015

01/11/2016 **Response to Motion**
Intervening Defts' Response to Petitioner's Motion for Separate Trials

01/11/2016 **Response to Motion**
Metropolitan Government's Response to Petitioner's Motion for Separate Trials

01/13/2016 **Reply to Response to Motion**
Petitioner's Reply to the Responses in Opposition to the Motion for Separate Trials

01/15/2016 **Motion Hearing** (9:00 AM) (Judicial Officer Young, William E.)
Petitioner's Motion for Separate Trials in Accordance with Tenn. R. CIV. P. 1 and 42.02
01/15/2016 Reset by Court to 01/15/2016

01/15/2016 **Proposed Order**
Proposed Order Denying Motion for Separate Trials - Atty. Lora Fox

01/26/2016 **Order**
Order Denying Motion for Separate Trials

04/04/2016 **Order**
Order Granting Agreed Motion to Set Trial Date- case shall be set for trial beginning August 2, 2016

05/06/2016 **Motion for Summary Judgment**
Pltf's Motion for Summary Judgment

05/06/2016 **Brief/Memorandum in Support of Motion**
Memorandum in Support of Pltf's Motion for Summary Judgment

05/06/2016 **Statement of Facts**
Pltf's Statement of Undisputed Material Facts in Support of Its Motion for Summary Judgment

05/06/2016 **Notice of Filing**
Pltf's Notice of Filing in Support of Its Motion for Summary Judgment with 19 Exhibits

05/13/2016 **Motion for Summary Judgment**
Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Motion for Summary Judgment with 15 Exhibits

05/13/2016 **Brief/Memorandum in Support of Motion**
Memorandum in Support of Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Motion for Summary Judgment

05/13/2016 **Statement of Facts**
Rule 56 Statement of Undisputed Material Facts in Support of Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Motion for Summary Judgment

05/16/2016 **Notice of Hearing**
Notice of Hearing (re: Pltf's Motion for Summary Judgment)

05/16/2016 **Motion for Summary Judgment**
Deft's Motion for Summary Judgment

05/16/2016 **Brief/Memorandum in Support of Motion**
Memorandum in Support of Deft's Motion for Summary Judgment

05/16/2016 **Statement of Facts**
Metro's Statement of Undisputed Material Facts

05/16/2016 **Notice of Filing**
Deft's Notice of Filing Exhibits in Support of Summary Judgment with four Exhibits

05/19/2016 **Miscellaneous**
Supplement to Pltf's Motion for Summary Judgment

06/17/2016 **Response to Motion**

06/17/2016 *Def'ts Response to Pltf's Motion for Summary Judgment*
Response

06/17/2016 *Def'ts Response to Pltf's Statement of Undisputed Material Facts*
Response to Motion

06/17/2016 *Intervening Defts' Response to Pltf's Motion for Summary Judgment*
Notice of Filing

06/17/2016 *Intervening Defts' Notice of Filing (in Support of Their Motion for Summary Judgment and in Response to Pltf's Motion for Summary Judgment) with two Affidavits*

06/17/2016 **Response**
Intervening Defts' Response to Pltf's Statement of Undisputed Material Facts in Support of Its Motion for Summary Judgment

06/17/2016 **Statement of Facts**
Intervening Defts' Statement of Additional Undisputed Material Facts in Support of Its Motion for Summary Judgment

06/17/2016 **Notice of Filing**
Pltf's Notice of Filing Second Affidavit of Monette Rebecca in Support of Its Motion for Summary Judgment

06/17/2016 **Response**
Pltf's Response to Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Statement of Undisputed Material Facts

06/17/2016 **Response**
Pltf's Response to Metro's Statement of Undisputed Material Facts

06/17/2016 **Motion**
Pltf's Motion to Strike Certain Paragraphs Contained in the Affidavit of Dawn Rudolph and Memorandum of Law in Support

06/17/2016 **Motion**
Pltf's Motion to Strike Certain Paragraphs Contained in the Affidavit of Jason Holleman and Memorandum of Law in Support

06/17/2016 **Motion**
Pltf's Motion to Strike the Affidavit of Bruce Bender with one Exhibit

06/17/2016 **Brief/Memorandum in Support of Motion**
Memorandum of Law in Support of Pltf's Motion to Strike Affidavit of Bruce Bender

06/20/2016 **Notice of Filing**
Notice of Filing Metro Stormwater Manual with Attachment

06/20/2016 **Response to Motion**
Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Initial Response to Petitioner's Motions to Strike the Affidavits of Dawn Rudolph, Jason Holleman and Bruce Bender; fax filed

06/20/2016 **Response to Motion**
Petitioner's Memorandum Brief in Opposition to Respondent's and Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Motions for Summary Judgment

06/20/2016 **Notice of Filing**
Petitioner's Notice of Filing in Support of Its Response to Respondent's and Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Motions for Summary Judgment

06/21/2016 **Declaration**
Rule 56.07 Declaration of Sharon O. Jacobs

06/22/2016 **Reply to Response to Motion**
Petitioner's Reply in Support of Pltf's Motion for Summary Judgment with two Exhibits

06/22/2016 **Reply to Response to Motion**
Reply in Support of Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Motion for Summary Judgment

06/22/2016 **Response**
Pltf's Response to Intervening Defts' Statement of Additional Undisputed Material Facts in Support of Its Motion for Summary Judgment

06/23/2016 **Response to Motion**
Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Further Response in Opposition to Petitioner's Motions to Strike the Affidavits of Dawn Rudolph, Jason Holleman and Bruce Bender; fax filed

06/23/2016 **Response**
Intervening Defts St. Thomas Networks and St. Thomas West Hospital's Objection to the Late-Filed Rule 56.07 Declaration of Sharon O. Jacobs; fax filed

06/24/2016 **Motion Hearing** (9:00 AM) (Judicial Officer Young, William E.)
Pltf's Motion to Strike Certain Paragraphs Contained in the Affidavit of Dawn Rudolph
06/24/2016 Reset by Court to 06/24/2016

06/24/2016 **Motion Hearing** (9:00 AM) (Judicial Officer Young, William E.)
Pltf's Motion to Strike Certain Paragraphs Contained in the Affidavit of Jason Holleman
06/24/2016 Reset by Court to 06/24/2016

06/24/2016 **Motion Hearing** (9:00 AM) (Judicial Officer Young, William E.)
Pltf's Motion to Strike the Affidavit of Bruce Bender
06/24/2016 Reset by Court to 06/24/2016

06/27/2016 **Order**
Order of Recusal

07/01/2016 **Order**
Order transferring case from Part II to Part I

07/18/2016 **Notice of Hearing**
Agreed Notice of Hearing (re: All Motions for Summary Judgment)

07/28/2016 **Notice of Hearing**
Notice of Resetting Hearing (re: All Motions for Summary Judgment - by Agreement)

08/02/2016 **Non-Jury Trial** (9:00 AM) (Judicial Officer McCoy, Carol L)

09/02/2016 **Miscellaneous**
Intervening Defts' Summary of Responses to Undisputed Material Facts in Support of Its Motion for Summary Judgment

09/07/2016 **Motion**
Pltf's Motion to Strike Summary Responses to Undisputed Material Facts of Intervening Defts St. Thomas Networks and St. Thomas West Hospital in Support of Motion for Summary Judgment with two Exhibits

09/07/2016 **Motion**
Pltf's Motion for Expedited Hearing on Their Motion to Strike Summary Responses to Undisputed Material Facts of Intervening Defts St. Thomas Networks and St. Thomas West Hospital in Support of Motion for Summary Judgment

09/07/2016 **Response to Motion**
Response of Intervening Defts in Opposition to Pltf's Motion to Strike Summary Responses to Undisputed Material Facts of Intervening Defts

St. Thomas Networks and St. Thomas West Hospital in Support of Motion for Summary Judgment; fax filed

- 09/22/2016 **Notice of Hearing**
Notice of Resetting Hearing (re: Petitioner, Respondent and Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Motions for Summary Judgment)
- 10/21/2016 **Motion for Summary Judgment Hearing** (9:00 AM) (Judicial Officer Bonnyman, Claudia C)
Intervening Defts Saint Thomas Networks and Saint Thomas West Hospital's Motion for Summary Judgment
06/24/2016 Reset by Court to 06/24/2016
06/24/2016 Reset by Court to 08/26/2016
08/26/2016 Reset by Court to 09/09/2016
09/09/2016 Reset by Court to 09/09/2016
09/09/2016 Reset by Court to 10/21/2016
- 10/21/2016 **Motion for Summary Judgment Hearing** (9:00 AM) (Judicial Officer Bonnyman, Claudia C)
Pltf's Motion for Summary Judgment
06/24/2016 Reset by Court to 06/24/2016
06/24/2016 Reset by Court to 08/26/2016
08/26/2016 Reset by Court to 09/09/2016
09/09/2016 Reset by Court to 09/09/2016
09/09/2016 Reset by Court to 10/21/2016
- 10/21/2016 **Motion for Summary Judgment Hearing** (9:00 AM) (Judicial Officer Bonnyman, Claudia C)
Def't's Motion for Summary Judgment
06/24/2016 Reset by Court to 06/24/2016
06/24/2016 Reset by Court to 08/26/2016
08/26/2016 Reset by Court to 09/09/2016
09/09/2016 Reset by Court to 09/09/2016
09/09/2016 Reset by Court to 10/21/2016

Unofficial Record