

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name:** State full name (include any former names used).  
  
William Lynn Campbell, Jr.
2. **Position:** State the position for which you have been nominated.  
  
U.S. District Judge for the Middle District of Tennessee
3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.  
  
Frost Brown Todd, LLC  
150 3rd Ave. South, Suite 1900  
Nashville, TN 37201
4. **Birthplace:** State year and place of birth.  
  
1969  
Nashville, Tennessee
5. **Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.  
  
University of Alabama School of Law, 1998–2001, J.D., 2001  
  
University of West Florida, 1993, no degree awarded  
  
United States Naval Academy, 1987–1991, B.S. in Political Science, 1991
6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

Affiliations (Compensated):

2011–Present

Frost Brown Todd, LLC  
150 3rd Ave. S., Suite 1900  
Nashville, TN 37201  
Member

2003–2011

Riley Warnock & Jacobson, PLC (formerly Bowen Riley Warnock & Jacobson, PLC)  
1906 West End Ave.  
Nashville, TN 37203  
Member (2010–2011)  
Associate (2003–2010)

2000–2003

Maynard Cooper & Gale  
1901 Sixth Ave. N.  
Regions Harbert Plaza  
Suite 2400  
Birmingham, AL 35203  
Summer Associate (2000)  
Associate (2001–2003)

Summer 2000

Lightfoot Franklin & White  
400 20th St. N.  
Birmingham, AL 35203  
Summer Associate

1999, 2000

Stokes & Bartholomew (now Adams & Reese)  
424 Church St., Suite 2400  
Nashville, TN 37219  
Summer Associate (1999)  
Law Clerk (December 1999, May 2000)

1991–1998

United States Marine Corps  
Headquarters US Marine Corps  
3000 Marine Corps Pentagon  
Washington DC 20350  
Commissioned Officer

Other Affiliations (Uncompensated):

2012--2014  
The Covenant School  
33 Burton Hills Blvd.  
Nashville, TN 37215  
Chairman, Board of Trustees

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I registered for Selective Service at age 18. I have served in the following capacities:

1991 – 1998  
United States Marine Corps  
Commissioned Officer (Highest Rank: Captain)  
Honorable Discharge from Active Duty (1998)  
Honorable Discharge from Inactive Reserves (2000)

1987 – 1991  
United States Navy  
Midshipman  
Graduated from United States Naval Academy (1991)

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Military Awards and Honors:  
Air Medal (with Three Stars)  
Navy/Marine Corps Achievement Medal  
NATO Medal  
National Defense Service Medal  
Sea Service Deployment Ribbon (with Star)  
Armed Forces Service Medal

Academic Honors and Scholarships:  
Order of the Coif, University of Alabama School of Law  
*Summa Cum Laude*, the University of Alabama School of Law  
Editor in Chief, *Alabama Law Review*  
Hugo L. Black Scholar  
Dean's Leadership Award  
Bench & Bar Legal Honor Society  
Honor Court Justice

Partial Academic Scholarship, University of Alabama School of Law

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association  
Member (2001–Present)

Alabama Bar Association  
Member (2001–Present)

Tennessee Bar Association  
Member (2003–Present)

Nashville Bar Association  
Member (2003–Present)

Birmingham Bar Association  
Member (2001–2003)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Alabama, 2001  
Tennessee, 2003

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States Court of Appeals for the Eleventh Circuit, 2007  
United States Court of Appeals for the Sixth Circuit, 2004  
United States District Court for the Middle District of Alabama, 2001  
United States District Court for the Northern District of Alabama, 2001  
United States District Court for the Middle District of Tennessee, 2003  
United States District Court for the Western District of Tennessee, 2011  
United States District Court for the Eastern District of Tennessee, 2010  
All Alabama State Courts, 2001  
All Tennessee State Courts, 2003

I have also been admitted, *pro hac vice*, in various federal courts for certain cases, but have not maintained a list of the various courts to which I have been admitted *pro hac vice*.

I allowed my admission to the United States District Court for the Middle District of Alabama to lapse in 2014 because my practice did not involve cases in that District. Other than allowing the one admission to lapse, there have been no lapses in membership.

**11. Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Military Officers Association of America, Middle Tennessee Chapter  
Member (approximately 2010–Present)

Old Natchez Country Club  
“Limited Golf” Member (2013–2016)

Sequoia Swim & Tennis Club  
Member (approximately 2005–2014)

Practical Law Company  
Litigation Advisory Board (2013–Present)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

**12. Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

*A Recent Federal Law that Protects Trade Secrets Is Not All Carrot for Employers*, Frost Brown Todd Resources (September 27, 2016). Copy supplied.

*Civil Seizure of Trade Secrets: Swinging a Risky Hammer*, LinkedIn Pulse (June 22, 2016). Copy supplied.

*Did They Need to Make a Federal Issue Out of It? A Brief Overview of the Newly-Enacted Defend Trade Secrets Act and a Few Reasons Businesses May Care*, LinkedIn Pulse (May 10, 2016). Copy supplied.

*How Can Businesses Explore Using Drone Technology Without Breaking the Bank?*, LinkedIn Pulse (May 27, 2016). Copy supplied.

*One FAA Rule That Will Impact the Way Businesses Can Use Drones*, LinkedIn Pulse (April 19, 2016). Copy supplied.

*Does Drone Technology Present New Threats to Privacy?*, LinkedIn Pulse (March 17, 2016). Copy supplied.

*Whose Airspace Is It, Anyway?*, LinkedIn Pulse (March 4, 2016). Copy supplied.

*Where Can Drones Do Some Good (and Gain Community Acceptance)?*, LinkedIn Pulse (February 16, 2016). Copy supplied.

*What Is All the Buzz About Drones?*, LinkedIn Pulse (January 29, 2016). Copy supplied.

*A Common Question: Is This a Trade Secret?*, LinkedIn Pulse (November 9, 2015). Copy supplied.

*Don't Forget to Lock Up*, LinkedIn Pulse (September 16, 2015). Copy supplied.

*Loose Lips Sink Ships*, LinkedIn Pulse (August 5, 2015). Copy supplied.

*Risky Business: The Importance of Protecting Trade Secrets*, Frost Brown Todd Resources (July 22, 2015). Copy supplied.

*CIETAC Updates Its Arbitration Rules*, Frost Brown Todd International Services Blog (February 17, 2015). Copy supplied

*The Blank Personal Guaranty: Just Asking for a Fight*, Frost Brown Todd

Financial Services Blog (March 27, 2013). Copy supplied.

*"Quality of Care" False Claims Act Litigation Since Mikes v. Strauss: Has Anything Changed?*, American Health Lawyers Association - Health Law Weekly, Vol. 11, Issue 7 (February 22, 2013), available at LinkedIn Pulse. Copy supplied.

*Location, Location, Location: Understanding How Contract Provisions Can Impact Where Litigation Takes Place and What Law Applies*, Frost Brown Todd Financial Services Blog (January 22, 2013). Copy supplied.

*I Could Tell You, But Then I'd Have to Kill You: The Confidentiality of Suspicious Activity Reports*, Frost Brown Todd Financial Services Blog (September 28, 2012). Copy supplied.

*Expanding Enforcement to Target False Claims*, Frost Brown Todd Resources (February 28, 2012). Copy supplied.

*Planning for Mission Accomplishment*, Frost Brown Todd Resources (January 13, 2012). Copy supplied.

*Alabama Code §25-5-11: A Narrow Cause of Action Against Co-Employees*, Co-Author with Kevin W. Patton, *The Alabama Lawyer* (January 2003). Copy supplied.

*Moving Against the Tide: An Analysis of Home School Regulation in Alabama*, 52 Ala. L. Rev. 649 (2000). Copy supplied.

I also maintain a Twitter page: <https://twitter.com/chipcampbell91>.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

None.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

September 2016: Co-Presenter, "What You Should Know about IP before Manufacturing Your Product," Frost Brown LLC Webinar, Nashville, Tennessee. Audio file supplied.

December 2015: Speaker, "Helping Clients Protect and Enforce Trade Secrets," Tennessee Bar Association. Copy of the presentation slides supplied.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

*First Lawsuit to Clarify the Rights of Drone Operators and Property Owners Filed in Federal Court*, LinkedIn Pulse (January 5, 2016). Copy supplied.

*Checking In*, Practical Law The Journal (December 2013). Copy supplied.

*On the Move: Covenant Extends Graham Contract*, The Nashville City Paper (June 2013). Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have not held judicial office. I was, however, appointed to preside over a Summary Court Martial in 1998 while serving with 1st Battalion, 2nd Marines, Camp Lejeune, North Carolina. That case involved a Marine who became intoxicated with his friends while already on restriction for previous conduct violations.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?

1

- i. Of these, approximately what percent were:



jury trials:	0%
bench trials:	100% [total 100%]
civil proceedings:	0%
criminal proceedings:	100% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.

None.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

None.

- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

None.

- e. Provide a list of all cases in which certiorari was requested or granted.

None.

- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

None.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

None.

- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

None.

- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

None.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have not held public office. I have had no unsuccessful candidacies for public office or unsuccessful nominations for appointed office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

None.

16. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a clerk to a judge.

ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced law alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

2001–2003

Maynard Cooper & Gale  
1901 Sixth Ave. N.  
Regions Harbert Plaza, Suite 2400  
Birmingham, AL 35203  
Associate

2003–2010

Riley Warnock & Jacobson, PLC (formerly Bowen Riley Warnock & Jacobson, PLC)  
1906 West End Ave.  
Nashville, TN 37203  
Member (2010–2011)  
Associate (2003–2010)

2011–Present

Frost Brown Todd, LLC  
150 3rd Ave. S., Suite 1900  
Nashville, TN 37201  
Member

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

None.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

In private practice, from 2001 until 2003, I was an associate with Maynard Cooper & Gale in that firm's Birmingham, Alabama office. My practice primarily dealt with litigating labor and employment cases, with some state and federal administrative agency cases involving coal companies.

After moving to Nashville in 2003, I joined Bowen Riley Warnock & Jacobson (now known as Riley Warnock & Jacobson) as an associate. In that position, I had a general business and commercial litigation practice. I handled a wide variety of cases for plaintiffs and defendants, including cases involving claims of fraud, breach of contract, copyright infringement, restrictive covenants, unfair competition, consumer protection, patent infringement, and employment discrimination. I was elected to the firm's partnership in early 2010.

In July 2011, I joined Frost Brown Todd as a Member. Since that time, my practice has largely involved the same types of cases I have been handling since 2003. Many of my clients, both individuals and corporations, have required a range of services, including litigation, transactional issues, and general legal counseling. I have litigated matters in the state courts of Alabama and Tennessee, as well as the Federal courts, predominantly those in Tennessee. My appearances in court included arguing motions, conducting full evidentiary hearings and trials, and briefing and arguing appeals. Given the nature of a modern corporate litigation practice, however, many cases were resolved without actual litigation or without a trial, and therefore are not reported.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

I have represented a broad range of clients, including individuals, partnerships, small and large corporations, and local governmental entities. My representation of those clients has involved a wide variety of legal issues consistent with the description of my practice provided above.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

I have maintained an active litigation practice throughout my career. During some periods, appearances in court were frequent, and in some periods, appearances in

court were occasional, depending on the nature of cases in which I was involved.

i. Indicate the percentage of your practice in:

- |                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 60% |
| 2. state courts of record:  | 38% |
| 3. other courts:            | 1%  |
| 4. administrative agencies: | 1%  |

ii. Indicate the percentage of your practice in:

- |                          |      |
|--------------------------|------|
| 1. civil proceedings:    | 100% |
| 2. criminal proceedings: | 0%   |

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried eight jury trials to verdict or judgment; I have tried three bench trials to a verdict. I served as associate counsel in six of the jury trials and one bench trial, and served as chief counsel in two jury trials and two bench trials. I also tried approximately three administrative law judge matters to a final decision.

i. What percentage of these trials were:

- |              |     |
|--------------|-----|
| 1. jury:     | 60% |
| 2. non-jury: | 40% |

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have never appeared before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- the date of representation;
- the name of the court and the name of the judge or judges before whom the case was litigated; and
- the individual name, addresses, and telephone numbers of co-counsel and of

principal counsel for each of the other parties.

1. *Zomba Enterprises, Inc. v. Panorama Records, Inc.*, 491 F.3d 574 (6th Cir. 2007) *aff'g* Case. No. 3:03-CV-00042, M.D. Tenn.

My former firm represented two music publishing companies, Zomba Enterprises, Inc. and Zomba Songs, Inc., in a lawsuit seeking damages from a karaoke company for copyright infringement. I served as associate counsel. The federal trial court entered summary judgment in our clients' favor as to liability and awarded \$806,000 in damages. The defendant, Panorama Records, Inc., appealed the verdict, primarily on the grounds that its infringing conduct constituted "fair use" of the copyrighted works. The Sixth Circuit affirmed the District Court's verdict; the Supreme Court denied the appellant's petition for a writ of certiorari.

Presiding Judges:

The Honorable Todd Campbell, U.S. District Court for the Middle District of Tennessee;  
The Honorable Karen Nelson Moore, Alice M. Batchelder, Richard Mills

Opposing Counsel:

Lawrence E. Feldman  
Lawrence E. Feldman & Associates  
432 Tulpehocken Ave.  
Elkins Park, PA 19027  
(215) 885-3302

Co-Counsel:

Tim Warnock  
Riley Warnock & Jacobson, PLC  
1906 West End Ave.  
Nashville, TN 37203  
(615) 320-3700

2. *ACS Transport Solutions, Inc. v. Nashville Metropolitan Transit Authority*, Case No. 13-1725-I, Chancery Court for Davidson County, Tennessee.

I served as lead trial counsel for ACS Transport Solutions, a division of Xerox Business Solutions, in a contract dispute with the Nashville Metropolitan Transit Authority. The case involved competing claims arising from two contracts that involved technology used for the automated dispatch, arrival announcements and control of city buses. After a two-week jury trial in October 2015, the jury awarded our client damages and found against the opposing party on its claims.

Presiding Judge:

The Honorable Claudia C. Bonnyman, Chancery Court for Davidson County, Tennessee.

Opposing Counsel:

Joseph Welborn, Jason Callen and Lauren Patton  
Butler Snow LLP  
150 3rd Ave. South, Suite 1600  
Nashville, TN 37201  
(615) 651-6700

Co-Counsel:

Tonya Austin  
Frost Brown Todd, LLC  
150 3<sup>rd</sup> Ave. South, Suite 1900  
Nashville, TN 37201  
(615) 251-5568

3. *Baker & Taylor, Inc. v. David Griffin*, Case No. No. 3:12-cv-00553-MOC, U.S. District Court for the Western District of North Carolina.

I served as co-lead trial counsel with my law partner, Grant Cowan, for defendant David Griffin in a two-week jury trial in October 2014. The case involved a multi-million dollar claim on a personal guaranty of a line of credit taken by a business in which Mr. Griffin was an indirect owner. The jury found in favor of the lender.

Presiding Judge:

The Honorable Max O. Cogburn, Jr., United States District Court for the Western District of North Carolina.

Opposing Counsel:

Stephen G. Rinehart  
Troutman Sanders, LLP  
875 Third Ave.  
New York, NY 10022  
(212) 704-6000

Gavin Parsons  
Troutman Sanders, LLP  
434 Fayetteville St., Suite 1900  
Raleigh, NC 27601  
(919) 835-4100

Co-Counsel:

Grant Cowan  
Frost Brown Todd, LLC  
301 East Fourth St.  
Great American Tower Suite 3300  
Cincinnati, OH 45202  
(513) 651-6800

Brad Gatehouse  
Rayburn Cooper & Durham, PA  
227 W Trade St., # 1200  
Charlotte, NC 28202  
(704) 334-0891

4. *TV One, LLC, v. BET Networks et al., LLC*, Case No. No. 11-CV-08983-MMM  
(United States District Court for the Central District of California)

Our firm represented two of the defendants, a music publishing and entertainment company and its owner, in a lawsuit filed in a Los Angeles federal court, alleging copyright infringement. The District Court granted our motion to dismiss based on the failure to plead actionable conduct under the Copyright Act. That dismissal led to the plaintiff filing an amended complaint, but soon thereafter the parties reached a settlement that was satisfactory to our client.

Presiding Judge:

The Honorable Margaret M. Morrow, United States District Court for the Central District of California.

Opposing Counsel:

Thaddeus J. Stauber, Sarah Erickson Andre  
Nixon Peabody LLP,  
555 West Fifth St., 46th Floor  
Los Angeles, California 90013  
(213) 629-6000

Co-Counsel:

David Marmorstein  
Freedman & Taitelman, LLP  
1901 Avenue of the Stars, Suite 500  
Los Angeles, CA 90067  
(310) 201-0005

5. *Zayo Group, LLC v. The City of Chattanooga*, Case No. 1:16-cv-00466 (U.S. District Court for the Eastern District of Tennessee)

Our firm represented the City of Chattanooga in a lawsuit involving telecommunications franchise and arguments that the City cannot charge a provider for use of the public rights-of-way while installing telecommunications infrastructure. After effectively defeating an early injunction motion, the parties resolved the case on terms satisfactory to our client. This case involved city governance rights, state telecommunications laws and federal regulation of telecommunications providers and facilities.



Presiding Judge:

The Honorable Pamela L. Reeves, United States District Court for the Eastern District of Tennessee.

Opposing Counsel:

Misty Smith Kelley  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
633 Chestnut St.  
Chattanooga, Tennessee 37450  
(423) 756-2010

Co-Counsel:

Tom Lee  
Frost Brown Todd, LLC  
150 3rd Ave. South, Suite 1900  
Nashville, TN 37201  
(615) 251-5575

6. *LaPrade v. Energy Automation Systems, Inc.*, Case No. 3:03-0469 (U.S. District Court for the Middle District of Tennessee)

My former firm represented a defendant company in this lawsuit, as well as a series of related lawsuits, involving claims of fraud, breach of contract and consumer protection law violations. I served as associate counsel. In addition to the common law claims, the case involved issues concerning whether the federal franchise regulations impacted state consumer protection laws in a state that did not have franchise or business opportunity disclosure requirements. After a lengthy jury trial in 2005 in which I examined several witnesses, the jury returned a verdict in our client's favor on all claims. We also received jury verdicts in our client's favor in several of the related cases.

Presiding Judge:

The Honorable Robert Echols, United States District Court for the Middle District of Tennessee.

Opposing Counsel:

Rick Sforzini (deceased)  
Michael D. Hornback  
Currently with Wyatt Tarrant & Combs  
250 West Main St., Suite 1600  
Lexington, KY 40507  
(859) 288-7661

Co-Counsel:

John Jacobson  
Riley Warnock & Jacobson, PLC  
1906 West End Ave.

Nashville, TN 37203  
(615) 320-3700

7. *Holmes v. TeleCheck Intern., Inc.*, Case No. 3:05-0633 (U.S. District Court for the Middle District of Tennessee)

My former firm represented a check verification company in a lawsuit filed against it under the Fair Credit Reporting Act. I served as associate counsel, handling most of the depositions and numerous lengthy discovery dispute hearings. This case involved detailed research into and understanding of the regulations and policies underlying credit reports and opinions from a leading FCRA experts involved in the crafting of that law years earlier. After the case was transitioned to another firm shortly before trial, I stayed on the trial team through a lengthy trial because of my prior involvement in the case. The jury returned a verdict in our client's favor in 2008.

Presiding Judge:

The Honorable Todd Campbell, United States District Court for the Middle District of Tennessee.

Opposing Counsel:

Martin Holmes  
Stewart, Estes & Donnell, PLC (now Dickinson Wright)  
424 Church St., Suite 1401  
Nashville, TN 37219  
(615) 244-6538

Co-Counsel:

Steve Riley and Greg Reynolds  
Riley Warnock & Jacobson, PLC  
1906 West End Ave.  
Nashville, TN 37203  
(615) 320-3700

Wally Dietz  
Bass Berry & Sims, PLC  
150 3<sup>rd</sup> Ave. South, Suite 2800  
Nashville, TN 37201  
(615) 742-6200

8. *In re Evolved Digital Solutions, Inc.*, No. 3:09-bk-01269 (U.S. Bankruptcy Court for the Middle District of Tennessee)

My former firm represented Petersburg Hospital Company, which had contracted with Evolved Digital Solutions to store radiological images off-site for access by physicians at the client's various hospitals. I served as associate counsel. Evolved Digital Solutions filed for bankruptcy protection; we quickly sought appointment of a receiver to safeguard

and return the electronic medical records of our client's patients. The bankruptcy court appointed a receiver, resulting in successful recovery of our clients' patient records before those records were destroyed.

Presiding Judge:

The Honorable George C. Payne II, United States Bankruptcy Court for the Middle District of Tennessee.

Opposing Counsel:

Elliott Jones  
Currently with Emerge Law, PLC  
2021 Richard Jones Rd., Suite 240  
Nashville, TN 37215  
(615) 244-6538

Co-Counsel:

John Jacobson  
Riley Warnock & Jacobson, PLC  
1906 West End Ave.  
Nashville, TN 37203  
(615) 320-3700

9. *Performance Business Forms v. The Reynolds & Reynolds Co.*, Case No. No. 3:03-0931 (U.S. District Court for the Middle District of Tennessee)

My former firm filed suit against a business forms seller for unfair competition and antitrust violations. I served as associate counsel. The opposing party counterclaimed for copyright and patent infringement. Following lengthy discovery, including extensive expert discovery, the opposing party abandoned the copyrights over which it had countersued. The District Court held an evidentiary hearing on the patent infringement counterclaim, resulting in an order that significantly narrowed the scope of the opposing party's patent such that it no longer applied to the types of products then in the marketplace (multi-layer, carbonless business forms) and its value was significantly diminished. Following that ruling, the parties resolved their remaining claims on terms satisfactory to our client.

Presiding Judge:

The Honorable Todd Campbell, United States District Court for the Middle District of Tennessee.

Opposing Counsel:

Susan G. Faller, Matthew Blickensderfer  
Frost Brown Todd, LLC  
301 East Fourth Street  
Great American Tower Suite 3300  
Cincinnati, OH 45202

(513) 651-6800

Co-Counsel:

Greg Reynolds  
Riley Warnock & Jacobson, PLC  
1906 West End Ave.  
Nashville, TN 37203  
(615) 320-3700

10. *Vision Healthcare Systems (International) Pty Ltd. v. Vision Software Technologies, Inc.*, Case No. No. 3:15-cv-00175 (U.S. District Court for the Middle District of Tennessee)

I served as lead arbitration counsel for an Australian company that sought payment under a contract that involved the international licensing and service of software used by hospitals for patient meal ordering and preparation. Our client is also defending against counterclaims. The arbitration hearing took place in February 2017, and the arbitrator awarded damages to our client on June 14, 2017. Post-arbitration motions are pending before the arbitrator.

Presiding Judges:

The Honorable Todd Campbell, United States District Court for the Middle District of Tennessee, subsequently submitted to arbitration before the William Ramsey of Neal & Harwell, Nashville, Tennessee.

Opposing Counsel:

Ames Davis  
Waller Lansden Dortch & Davis  
511 Union Street, Suite 2700  
Nashville, TN 37219  
(615) 244-6380

Co-Counsel:

Adam Dietrich  
Frost Brown Todd, LLC  
150 3<sup>rd</sup> Ave. South, Suite 1900  
Nashville, TN 37201  
(615) 251-5580

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

In addition to the matters described above, early in my career, when practicing with Maynard Cooper & Gale in Birmingham, I was involved in a matter for which I did not participate on the trial due to my relocation to Nashville in 2003. A firm client suffered a tragic accident in one of its coal mines that took the lives of thirteen miners. I was part of the team that worked with the company to investigate the accident and coordinate with state and federal investigators. That work included multiple visits into the mines, as well as working with industry experts. More recently, I had the privilege of serving on my law firm's Recruiting Committee for three years; that role allowed me to interact with bright young law students while also being an ambassador for our firm. Following that service, I have served on my firm's Ethics Committee. In that capacity, I serve as the first person in our office to field questions from colleagues to ensure that they comply with ethics rules, firm policies and best practices. Finally, for the past several years, I have served, in effect, as outside general counsel for a local company founded and owned by a longstanding friend. This role allowed me to participate in key business strategies as the company grew quickly and expanded its products and customer base. It is now known as one of the best barbeque restaurants in Tennessee and has expanded into other products, all of which have found loyal customers and helped the business expand.

I have never acted or registered as a lobbyist.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

None.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

None.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items

exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached Financial Disclosure Report.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

I anticipate the most likely potential conflicts would involve cases involving my current law firm; I would recuse myself from cases in which members of that firm are counsel of record for an appropriate period of time. I would also determine whether any cases involving current or former clients justify recusal.

Additionally, my wife, Anastasia P. Campbell, is an attorney employed by the Office of Legal Services of the Tennessee General Assembly. In the event the State of Tennessee is a party to an action assigned to me, I would determine whether it involved matters in which my wife played a direct role. If so, I would evaluate recusal in that case.

Lastly, I will evaluate any other real or potential conflict, or relationship that could give rise to appearance of conflict, on a case by case basis and determine appropriate action with the advice of parties and their counsel including recusal where necessary.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If confirmed, I would resolve potential conflicts of interest by reviewing applicable canons, including the Code of Conduct of United States Judges, ethics opinions and rules, as well as other materials necessary to determine whether a conflict of interest exists.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

I understand the importance of attorneys volunteering their time and giving back to their communities. While in private practice, I made the time to provide legal services *pro bono*. This service has included representing a group of churches against several lawsuits filed by a former church member. In that matter, I was successful in having the trial court dismiss the initial lawsuit and a second lawsuit, both of which decisions were affirmed on appeal. I also represented a senior citizen of limited income in preventing her insurance alimony from being eliminated.

**26. Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

There is no commission in our district for nominations for federal courts. When I learned of a vacancy on the U.S. District Court for the Middle District of Tennessee in November 2016, I communicated with the staff working in the office of Senators Alexander and Corker to express my interest in seeking a nomination for that vacancy. When a second vacancy was announced in January 2017, I advised the same staff of my interest in either position. From November 2016 through March 2017, I communicated periodically with the aforementioned staff about my continuing interest in the open positions. On March 28, 2017, I met with counsel from the White House Counsel's Office and the Department of Justice. Following that meeting, I visited the offices of Senators Alexander and Corker. Since March 28, 2017, I have communicated with attorneys from the Department of Justice. On July 13, 2017, the President submitted my nomination to the Senate.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.