



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: August 25, 2022

SUBJECT: Metro Code of Ordinances § 2.40.115(B); Report of Final Judgments

The following judgment against the Metropolitan Government became final in July of 2022:

Case Name	Court	Docket #	Amount of Judgment
<i>Frogge, Amy, et al. v. Metropolitan Government, acting by and through the Metropolitan Nashville Board of Public Education</i>	Chancery Court, Part III	20-0420-IV (III)	\$110,000.00

Description of Claims:

Three members of the Metropolitan Nashville School Board brought this suit, challenging the no disparagement clause in Dr. Joseph's separation agreement as a violation of the Board Members' First Amendment rights.

Procedural Posture:

The trial court found in favor of Plaintiffs, and the Tennessee Court of Appeals affirmed. Plaintiffs were awarded \$110,000.00 in attorneys' fees.

Parties and Counsel:

Plaintiffs: Amy Frogge, Fran Bush, Jill Speering
Defendants: Metropolitan Government of Nashville and Davidson County, Shawn Joseph
Plaintiffs' Counsel: Daniel Horwitz
Defendant Joseph's Counsel: Chuck Cagle