

IN THE CIRCUIT COURT FOR LOUDON COUNTY, TENNESSEE

LISA NILES, Clerk of the Circuit Court, Probate
Court, Criminal Court, General Sessions Court,
Juvenile Court and Child Support Court for
Loudon County, Tennessee,

Petitioner,

vs.

ROLLEN "BUDDY" BRADSHAW,
Loudon County Mayor,

Defendant.

NO. 2014CV-113

COPY

FILED
TIME 2:51 AM/PM

SEP 03 2014

SUMMONS

To the above-named Defendant): **ROLLEN "BUDDY" BRADSHAW,**
LOUDON COUNTY MAYOR
Loudon County Office Building
100 River Road, Suite 106
Loudon, TN 37774-1042

LISA NILES
CIRCUIT COURT CLERK
Kristina Ramsey

You are hereby summoned and required to serve upon Zachary B. Tenry, Plaintiff's attorney, whose address is 920 Volunteer Landing Lane, Suite 100, P. O. Box 2644, Knoxville, Tennessee 37915, a copy of the defense to the Complaint herewith served upon you within 30 days after service of this Summons and Complaint upon you, exclusive of the day of service. You will file the original pleading with the Court. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

Issued and tested this 3rd day of September, 2014.

LISA NILES

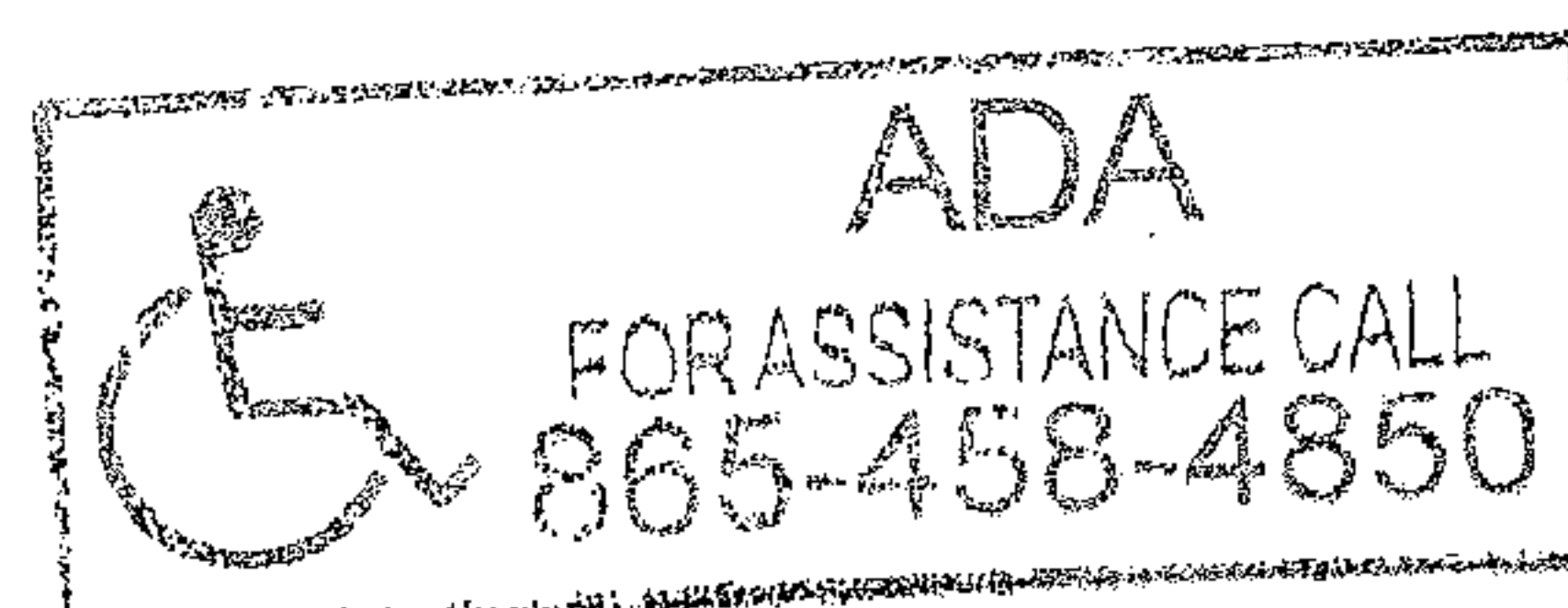
CLERK

Kristina Ramsey
DEPUTY CLERK

NOTICE

To the Defendant: **ROLLEN "BUDDY" BRADSHAW, LOUDON COUNTY MAYOR**

Tennessee law provides a Ten Thousand Dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.



SERVICE INFORMATION

To the process server: Defendant can be served at:

**ROLLEN "BUDDY" BRADSHAW,
LOUDON COUNTY MAYOR
Loudon County Office Building
100 River Road, Suite 106
Loudon, TN 37774-1042**

RETURN

I received this summons on the _____ day of _____, 2014.

I hereby certify and return that on the _____ day of _____, 2014,

[☐] served this Summons and a Complaint on Defendant _____ in the following manner:

[☐] failed to serve this summons within 30 days after its issuance because:

Process Server

Date

IN THE CIRCUIT COURT FOR LOUDON COUNTY, TENNESSEE

FILED
TIME 2:54 JAN 1964

SEP 03 2016

USA FILES
CIRCUIT COURT CLERK
Kloba-Kennedy

NO. 2014-CV-113

Defendant.

SWORN PETITION
FOR THE EMPLOYMENT OF ADDITIONAL DEPUTIES AND ASSISTANTS AND
FOR AUGMENTATIONS OF SALARIES FOR CURRENT DEPUTIES AND
ASSISTANTS

Comes the Petitioner, Lisa Niles (“Niles” or “Petitioner”), Circuit Court Clerk of Loudon County, by and through counsel and, pursuant to Tennessee Code Annotated §§ 8-20-101 *et seq.*, makes application to the Court to employ additional deputies and assistants and to augment the salaries of existing deputies and assistants. In support of said petition, Niles would show unto the Court as follows:

I. Parties

- 1) The Petitioner is a citizen and resident of Loudon County, Tennessee, and is the Circuit Court Clerk for said County. As of this date, Niles is serving in her fourth term in this elected position;
- 2) The Defendant, Rollen “Buddy” Bradshaw, is the duly-elected mayor of Loudon County. On September 1, 2014, Mr. Bradshaw succeeded the previous Mayor, Estelle Herron. Pursuant to Tennessee Code Annotated § 8-20-102, the county

executive is the proper defendant to be served with process as a party defendant to a petition to employ and pay salaries of deputies and assistants. Service is requested upon the Defendant at the office of the Loudon County Mayor, located at the Loudon County Office Building, 100 River Road, Suite 106, Loudon, Tennessee 37774-1042.

II. Jurisdiction and Venue

- 3) Jurisdiction is proper in this Court as the defendant is a citizen and resident of Loudon County and is a party to this cause of action in his capacity as mayor of Loudon County.
- 4) Venue is appropriate in this Court pursuant to Tennessee Code Annotated § 8-20-101.

III. Factual Allegations

- 5) Among Niles' duties as Circuit Court Clerk are the supervision of all services provided by the Circuit, Criminal, Probate, Juvenile, General Sessions and Child Support Courts which operate from two offices within Loudon County.
- 6) Niles devotes her entire working time to her position as Circuit Court Clerk for Loudon County.
- 7) Niles cannot properly and efficiently conduct the affairs and transact the business of her office by devoting all her working time to her position as Circuit Court Clerk for Loudon County.
- 8) As such, Niles and her predecessors have, from time-to-time, requested that the Loudon County Commission, the budget-making authority for Loudon County, approve salary funding for deputies and assistants to assist in the performance of

the numerous responsibilities incumbent upon the Circuit Court Clerk for Loudon County.

- 9) As of this date, Niles, acting as Circuit Court Clerk for Loudon County, employs thirteen full-time and four part-time deputies and assistants who assist her in the performance of the responsibilities incumbent upon the Circuit Court Clerk for Loudon County.
- 10) The office of the Circuit Court Clerk for Loudon County brings in more revenue to Loudon County than it spends.
- 11) The case volume on both the civil and criminal dockets supervised by the Circuit Court Clerk for Loudon County have increased substantially in recent years.
- 12) Despite the efficiency and skill with which these deputies and assistants help Niles discharge her duties as Circuit Court Clerk for Loudon County, due to the increased workload created by the growing dockets, Niles cannot properly and efficiently discharge these duties without the assistance of additional salaried and hourly staff and without salary and hourly pay raises for existing staff whose services Niles must compete for on the labor market.
- 13) Specifically, notwithstanding the budget approved by the Loudon County Commission, Niles alleges that she requires the assistance of deputies and assistants to carry out the functions of the Circuit Court who shall be compensated as follows:
 - a. One tenured full-time deputy to receive base compensation of \$39,164.74 per year;
 - b. One tenured full-time deputy to receive base compensation of \$32,799.94

per year;

c. One tenured full-time deputy to receive base compensation of \$31,000.00

per year;

d. Two new full-time deputies to receive base compensation of \$31,000.00

each per year;

e. One tenured part-time deputy to receive an hourly wage of \$11.25 per

hour, totaling \$13,500.00 per year; and

f. One tenured bookkeeper to receive base compensation of \$31,251.17 per

year.

14) Specifically, notwithstanding the budget approved by the Loudon County Commission, Niles alleges that she also requires the assistance of deputies and assistants to carry out the functions of the General Sessions Court who shall be compensated as follows:

a. One tenured full-time deputy to receive base compensation of \$39,164.74

per year;

b. One tenured full-time deputy to receive base compensation of \$35,282.21

per year;

c. Eight tenured full-time deputies to receive base compensation of \$31,000.00

each per year;

d. Four new full-time deputies to receive base compensation of \$31,000.00 each

per year; and

e. Three tenured part-time deputies to receive an hourly wage of \$11.25 per

hour, totaling \$36,990.30 per year.

- 15) The above-recited salaries and hourly wages do not include payments on behalf of employees such as Social Security taxes, Medicare taxes, State retirement benefits payments, payments for deputies' and assistants' surety bonds, other similar payments, payments made as required to comply the Workers' Compensation Law or the salary or benefits payable to or on behalf of Niles herself.
- 16) It has been necessary for the Petitioner to retain the assistance of legal counsel to represent her in filing and prosecuting the instant petition and the Petitioner is authorized to pay her legal counsel a reasonable sum as compensation for legal services and to pay any necessary costs of this action from Loudon County funds, which may be debited against the Petitioner's official account with the Loudon County Trustee.

WHEREFORE, Niles would request that process issue, summoning the Defendant to answer this Petition within five days, that the Court schedule an expedited hearing, the proper and efficient administration of justice requiring it, and that the Court order Niles the following relief:

- I) That the Defendant, notwithstanding the Loudon County budget as currently written and without respect to and in addition to any currently funded position which may not be discussed above, be ordered to fund base salaries and hourly rates, exclusive of benefits described above, for the following positions in the following base amounts:
 - a) With respect to Niles' responsibilities for the Circuit Court for Loudon County:
 1. One tenured full-time deputy to receive base compensation of \$39,164.74

per year;

2. One tenured full-time deputy to receive base compensation of \$32,799.94

per year;

3. One tenured full-time deputy to receive base compensation of \$31,000.00

per year;

4. Two new full-time deputies to receive base compensation of \$31,000.00

each per year;

5. One tenured part-time deputy to receive an hourly wage of \$11.25 per

hour, totaling \$13,500.00 per year; and

6. One tenured bookkeeper to receive base compensation of \$31,251.17 per

year.

b) With respect to Niles' responsibilities for the General Sessions Court for Loudon County:

1. One tenured full-time deputy to receive base compensation of \$39,164.74

per year;

2. One tenured full-time deputy to receive base compensation of \$35,282.21

per year;

3. Eight tenured full-time deputies to receive base compensation of \$31,000.00

each per year;

4. Four new full-time deputies to receive base compensation of \$31,000.00 each

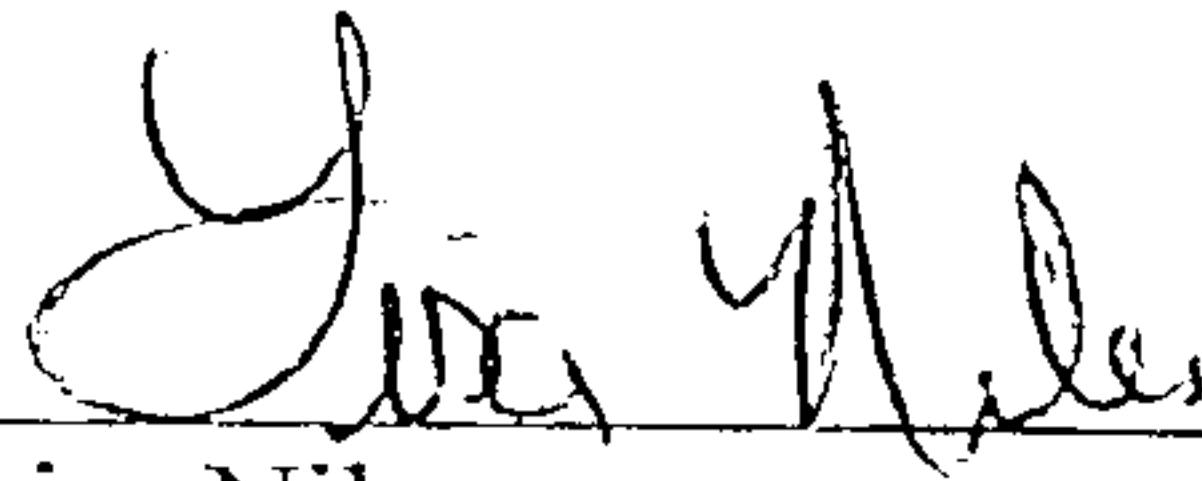
per year;

5. Three tenured part-time deputies to receive an hourly wage of \$11.25 per

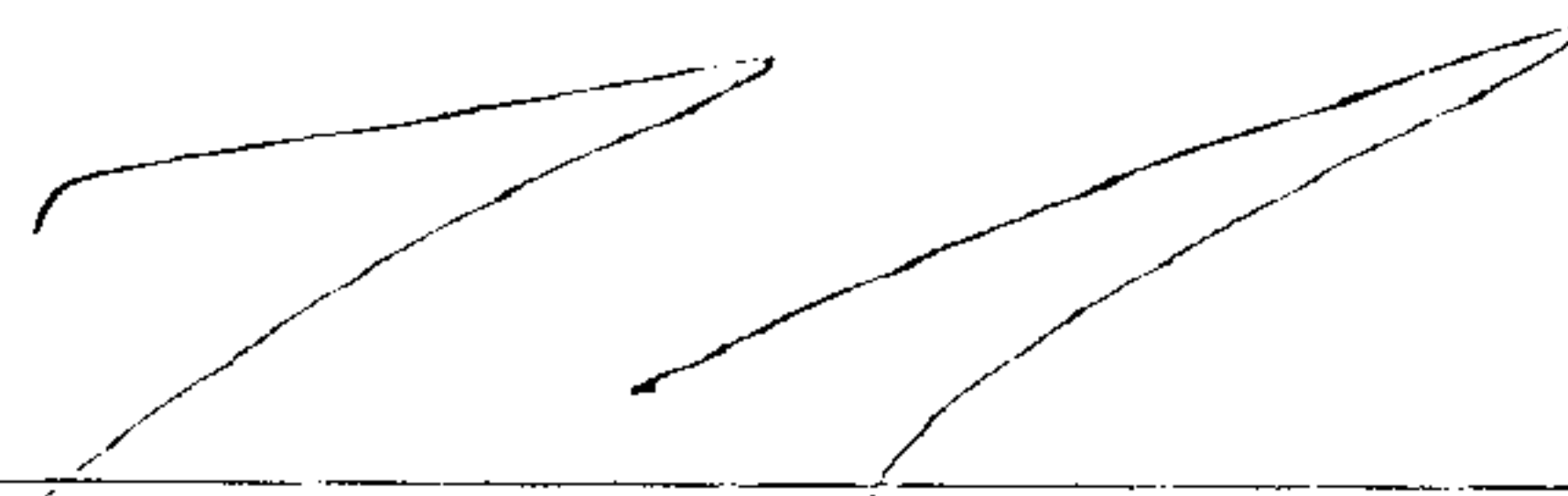
hour, totaling \$36,990.30 per year.

II) That the Petitioner be granted all other relief to which she may be entitled to under applicable law.

This the 3rd day of Sept., 2014.



Lisa Niles



Zachary B. Tenry (BPR #25724)
STOKES, WILLIAMS, SHARP & DAVIES
P.O. Box 2644
Knoxville, TN 37901
865/544-3833
Attorneys for Petitioner

OATH

STATE OF TENNESSEE)
COUNTY OF LOUDON)

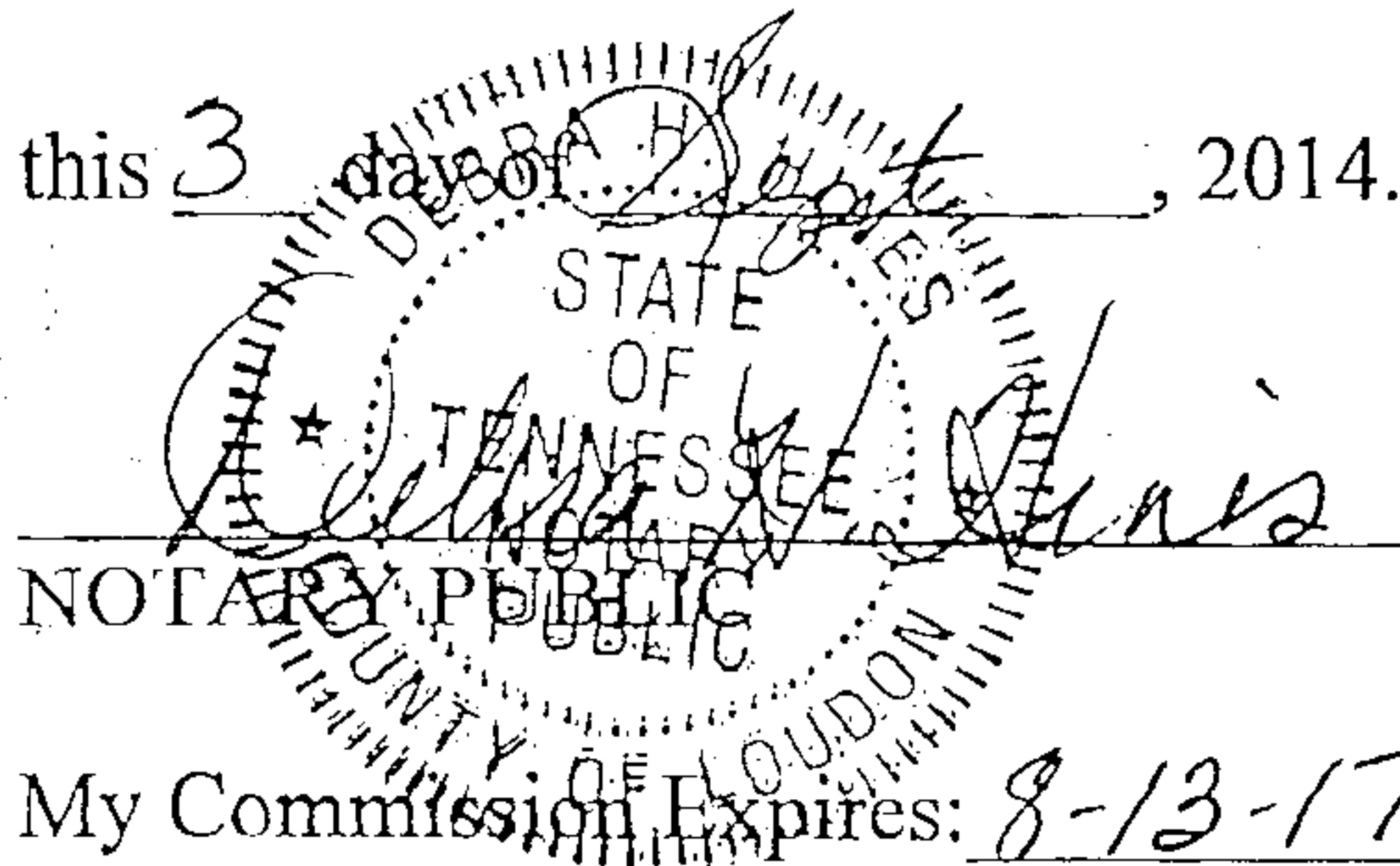
I, Lisa Niles, do solemnly swear that the facts stated in the foregoing Petition are true to the best of my knowledge, information and belief.



Lisa Niles

Sworn to and subscribed before me

this 3 day of Sept., 2014.



NOTARY PUBLIC
COUNTY OF LOUDON

My Commission Expires: 8-13-17

COST BOND

Stokes, Williams, Sharp & Davies, P.C., as Surety, is held and firmly bound unto the Clerk, Loudon County Circuit Court, for the payment of all clerk's costs awarded against the principals in this action. To that end, we bind ourselves, our heirs, executors and administrators.

The Principal is commencing legal proceeding in Loudon County Circuit Court. If the Principal shall pay all clerk's costs which are adjudged against them, then this obligation is void. If the Principal fail to pay, then the surety shall undertake to pay all costs adjudged against the Principal. Mandated at Tenn. Code Ann. §20-12-120, et seq.



Herbert B. Williams
STOKES, WILLIAMS, SHARP & DAVIES, P.C.
Surety