

CLIFTON N. MILLER

Managing Member

PRACTICE AREAS:

Commercial and Business Litigation
Federal and State Trial Practice
Business Law
Education Law
Banking Law
Construction Law
Appellate Practice

EDUCATION:

University of Tennessee College of Law, J.D., 1991
University of Tennessee at Martin, B.S., 1988

BAR AND COURT ADMISSIONS:

All Tennessee state courts
U.S. Court of Appeals for the Sixth Circuit
U.S. District Court for the Eastern District of Tennessee
U.S. District Court for the Middle District of Tennessee
U.S. Bankruptcy Court for the Eastern District of Tennessee
U.S. Bankruptcy Court for the Middle District of Tennessee

RECOGNITION:

Named a 2014 Top Rated Lawyer in the area of Litigation by The American Lawyer.

Mr. Miller has been awarded an AV Rating for his professionalism and the quality of his legal work from Martindale-Hubbe, the premier directory of legal professionals. Henry & McCord is included in the Martindale-Hubbe Bar Register of Preeminent Lawyer, the definitive guide to the most distinguished law firms in America.

LITIGATION OF INTEREST:

Bratten, et.als. v. Tyson, et.als., Circuit Court of Warren County, Tennessee (2014); defense of poultry producer in nuisance and trespass action.

Manchester Board of Education v. Coffee County, TN, Circuit Court of Coffee County, Tennessee (2014); represent board of education in sales tax revenue litigation.

KSHN Hospitality v. Casa Mexico Bar & Grill, Inc., Circuit Court of Coffee County, Tennessee (2014); defense of restaurant group in civil litigation.

Harris v. United State of America, et.als., U.S. District Court for the Eastern District of Tennessee (2014); represent widow in wrongful death medical malpractice action.

Minor v. Lee, Chancery Court of Coffee County, TN (2014); defense insurance agency in contract litigation.

McElroy v. Covidien, et.als., U.S. District Court for the Eastern District of Tennessee (2013); defense verdict for pharmaceutical manufacturer in products liability case.

Casebolt v. Tennessee Valley Ready Mix, LLC, Circuit Court of Coffee County, Tennessee (2013); defense verdict for concrete company in nuisance, trespass and violation of environmental statutes.

Stan McNabb Chevrolet, Inc. v. Westall Architects, Inc., U.S. District Court for the Eastern District of Tennessee (2013); represent automobile dealership in construction litigation.

Southern Community Bank v. Moore, Circuit Court of Coffee County, Tennessee (2013); represent local community bank in civil litigation.

Floyd v. Marsee, Circuit Court of Coffee County, Tennessee (2012); represent widow in wrongful death action.

Executive Protection Bureau Training & Investigation, Inc. v. Bianco, Circuit Court of Coffee County (2012); represent personal security company in civil litigation.

Tullahoma Board of Education v. Coffee County, TN, Circuit Court of Coffee County, Tennessee (2010); represent board of education in sales tax revenue litigation.

American Construction Development, Inc., et.als. v. Kairos Construction, Inc., Circuit Court of Coffee County, Tennessee (2010); represent hotel development group in construction litigation.

Veteto and The Fairmont Group, LLC v. Coffee Medical Group, LLC, Chancery Court of Coffee County, Tennessee (2010); member derivative suit against hospital.

Nutt Construction, LLC v. Eagle Ridge Investments, LLC, Circuit Court of Williamson County, Tennessee (2010); represent irrigation construction company in civil litigation.

Presley v. Coffee County, TN, U.S. District Court for the Eastern District Court of Tennessee (2010); 1983 action for the wrongful death of inmate.

Opti-Logic Corp. v. Mitcham, U.S. District Court for the Eastern District of Tennessee (2009); represent optic manufacturer in civil litigation.

Mingle v. Aycock Fence, Inc., Circuit Court of Warren County, Tennessee (2009); represent shareholder in business dissolution action.

Tri-State Rental Services v. Ambulatory Surgical Associates, U.S. District Court for the Eastern District of Tennessee (2007); defense of surgical group in contract litigation.

Sheaks v. Prichards' Distillery, Inc., Chancery Court of Lincoln County (2006); shareholder derivative action against distillery.

APPELLATE PRACTICE:

First Community Financial Services v. Simmons, 2011 WL 2416680 (TN Court of Appeals 2011)

Friends of Tims Ford v. TVA, et.als, 585 F.3d 955 (6th Circuit 2009)

Brady v. Gugler, 2008 WL 836089 (TN Court of Appeals 2008)

Rogers v. Winchester Utilities, 2007 WL 715487 (TN Court of Appeals 2007)

Shahan v. Franklin County, TN, 2003 WL 23093836 (TN Court of Appeals 2003)

Vakili v. Hawksmith, 2001 WL 1173285 (TN Court of Appeals 2001)

State v. Norman, 1999 WL 695565 (TN Court of Criminal Appeals 1999)

Sherrel v. Food Lion, Inc., 1997 WL 5170 (TN Court of Appeals 1997)

PROFESSIONAL
CERTIFICATIONS:

Rule 31 Certified Mediator in the areas of General Civil Law and Family Law.

Federal Mediator for the U.S. District Court for the Eastern and Middle District of Tennessee.

Hearing Officer Panel Member for the Tennessee School Board Association

PUBLICATIONS:

Client Alert, AG Issues Opinion Re: Sex Offender's Attendance at School Events (April 2014).

Client Alert, Community Banks – Senate Passes Legislation To Raise The 500 Shareholder Threshold For SEC Registration (March 2012)

Client Alert, Banks May Be Liable For Accepting Checks Made Payable To A Principal That Are Deposited By A Fiduciary Into The Fiduciary's Personal Account (February 2012)

Client Alert, The Impact Of The Red Flag Clarification Act On The Fair And Accurate Credit Transactions Act (January 2012)

Seminar, School Support Organization Financial Accountability Act (August 2011).

Client Alert, School Support Organizations; Investigative Audit By Comptroller of the Treasury (August 2011)

Client Alert, Materialmen's Lien; Priority Over Mortgageholder (July 2010)

PROFESSIONAL
ASSOCIATIONS:

American Bar Association (Sections on Litigation and Business Law)

Tennessee Bar Association (Sections on Litigation and Business Law)

Tennessee Council of School Board Attorneys

National School Board Association/Council of School Attorneys

Coffee County Bar Association (President 1996-1998)

CIVIC AND COMMUNITY
SERVICE:

Tulahoma Noon Rotary Club (President 2012-2013; Board of Directors 2007-2014; member 1997-present)

First United Methodist Church (Lay Leader 2008-2014 and serves on its Administrative Council, Board of Trustees and Staff Parish Committee).

Former member of the Tullahoma Kiwanis Club and Tullahoma Sunrise Rotary Club.