



2011 STATE GOVERNMENT ATTORNEYS CONTINUING LEGAL EDUCATION SEMINARS

In Partnership with
the State of Tennessee
Department of Human Resources
and the
Nashville Bar Association

The Nashville Bar Association's CLE programs are nationally recognized, having received several of the highest awards for excellence in education from the American Society of Association Directors and the Tennessee Society of Association Directors. The NBA CLE Director is recognized as an expert legal educator by her peers in the international Association of Continuing Legal Education – elected to serve on the Board of Directors, participating as faculty at conferences, and serving in various leadership roles on committees and task forces.

Featuring practiced, nationally recognized faculty from the Nashville area and “far away” places, our CLE faculty are skilled at sharing their knowledge and expertise to keep you current on practice issues in state government, the nuts and bolts of the law, local rules and customs, ethics and professionalism, winning practice strategies and key practice procedures. You can trust that the NBA offers you the highest quality seminars in a variety of formats at convenient times and locations.

CLE | CONTINUING
LEGAL
EDUCATION
NASHVILLE BAR ASSOCIATION

SLS
DIVISION OF DOHR
Strategic Learning Solutions
“Integrating Knowledge & Performance”

REGISTRATION FORM

Name: _____ BPR#: _____
Agency: _____
Address: _____
City/Zip: _____
Phone: _____ Fax: _____
Edison Employee ID: _____ E-mail Address: _____
Edison Agency Billing Code: _____

ENROLLED IN THE PACKAGE? (CIRCLE ONE) YES NO

NOTE: Package price covers the August 12, 2011 6-hour CLE seminar, the December 2, 2011 3-hour CLE seminar, plus six (6) additional hours of CLE training. (Special Seminar Package and Individual Seminar pricing does not include ALI-ABA CLE Video seminars offered by the Nashville Bar Association; the videos are priced at a discounted rate of \$179.00 per video seminar.) Registration form must be completed in its entirety before registration will be accepted or confirmed for seminars. Any form missing the Edison Employee ID or the Edison Agency Billing Code will be returned to the agency's human resource office for completion. E-mail reminders with seminar title, location and time will be sent to each participant registered for CLE training a minimum of 24 hours before each CLE seminar.

INDIVIDUAL SEMINAR(S) ARE AT THE RATE OF \$42.00 PER CLE HOUR

- | | | | |
|--------------------------|--------------------|---------------|---|
| <input type="checkbox"/> | September 16, 2011 | 2.0 CLE | Administrative Procedures: Contested Case Hearings |
| <input type="checkbox"/> | September 27, 2011 | 3.0 CLE | Mediation Institute |
| <input type="checkbox"/> | September 28, 2011 | 1.0 CLE | Damages under Tort Reform |
| <input type="checkbox"/> | October 6, 2011 | 4.0 CLE | Family Law Institute |
| <input type="checkbox"/> | October 11, 2011 | 4.0 CLE | Estate Planning & Probate Practice Institute |
| <input type="checkbox"/> | October 20, 2011 | 4.0 CLE | Employment Law Institute |
| <input type="checkbox"/> | October 27, 2011 | 6.0 CLE | Trial Practice Institute: Trials of the Century II - Depositions and Witness Examinations |
| <input type="checkbox"/> | November 2, 2011 | 3.0 CLE | Introduction to Federal Court Practice |
| <input type="checkbox"/> | November 16, 2011 | 1.0 CLE | Summary Judgment |
| <input type="checkbox"/> | December 2, 2011 | 3.0 CLE- Dual | Ethics & Professionalism in State Government Practice |
| <input type="checkbox"/> | December 6, 2011 | 3.0 CLE- Dual | Ethics & Professionalism with the Nashville Shakespeare Festival |
| <input type="checkbox"/> | December 6, 2011 | 3.0 CLE- Dual | Ethics & Professionalism with the Nashville Shakespeare Festival |
| <input type="checkbox"/> | December 9, 2011 | 3.0 CLE- Dual | Ethics and Professionalism: Ethics, Lies & Videotape, Part IX |
| <input type="checkbox"/> | December 15, 2011 | 1.0 CLE | Health Law |
| <input type="checkbox"/> | December 15, 2011 | 1.0 CLE | Topic to be Announced |
| <input type="checkbox"/> | December 15, 2011 | 1.0 CLE | Trial Practice |
| <input type="checkbox"/> | December 15, 2011 | 1.0 CLE- Dual | Ethics & Professionalism: Risk Management |
| <input type="checkbox"/> | December 15, 2011 | 1.0 CLE- Dual | Ethics & Professionalism: Document Retention |
| <input type="checkbox"/> | December 15, 2011 | 1.0 CLE- Dual | Ethics & Professionalism: Ethics, Lies & Videotape |

Additional Courses will be Announced

PLEASE RETURN FORM BY FAX: 615-532-0728 OR E-MAIL: Sharon.Buwalda@tn.gov

CANCELLATION POLICY: Additional charges will be incurred by your agency if cancellations are not made 2 business days before the seminar date. Charges will be assessed at the Individual Seminar rate of \$42.00 per CLE hour. Substitutions are permitted after the cancellation deadline without penalty; however, DOHR should be notified before the seminar.

STATE GOVERNMENT ATTORNEYS CLE SEMINAR DESCRIPTIONS

SEMINAR DESCRIPTION UPDATES WILL BE DISTRIBUTED TO YOU AS THEY ARE FINALIZED.

SEMINAR DESCRIPTIONS ARE POSTED ON THE NBA WEBSITE.
YOU CAN VIEW THE 2011 SEMINARS AT: WWW.NASHVILLEBAR.ORG - CLICK ON THE CLE TAB
ADDITIONAL SEMINARS WILL BE ANNOUNCED.

SEPTEMBER 16, 2011

ADMINISTRATIVE PROCEDURES: CONTESTED CASE HEARINGS

REGISTRATION: 1:30 p.m.

SEMINAR: 2:00 – 4:15 p.m.

LOCATION: TENNESSEE STATE UNIVERSITY, Downtown, Avon Williams Campus, Room 353,
330 10th Avenue, North, Nashville, TN

PARKING: Free parking available next to the building at the reserved spaced on YMCA Way (formerly McLemore St.) between Charlotte Ave. and Church St. - next to the TSU building. Additional parking located in the TSU parking lot (enter from 10th Avenue) - park only in the white lined parking spaces. DISPLAY PARKING PASS. Provide e-mail address when you pre-register to receive parking pass the day before the seminar.

REGISTER BY: SEPTEMBER 14, 2011

CREDIT: 2.0 CLE HOURS- General

2:00 - 3:00 p.m. WHAT DO THE JUDGES WANT?

Led by Judge Marion Wall, a panel of administrative law judges describes what they consider to be “best practice” procedures for a successful contested case hearing. This session will prepare both private and public attorneys for a contested case that will meet the expectations of the administrative law judges.

1. Pre-hearing practices
2. Contested case hearings: expectations and strategies
3. The UAPA (as we see it) and using it to your advantage
4. Rules, regulations, do’s and don’ts
5. Observations on successful contested cases

3:00 – 3:15 p.m. BREAK

3:15 – 4:15 p.m. PRACTICE WHAT WE PREACH

Put your contested case insights into practice by casting your vote on key evidence, procedural and discovery issues! Producer Catherine Caster presents scenarios that best illustrate the panel’s discussion on evidence, objections and discovery in contested case hearings. Your job is to simply agree or disagree with the judge’s ruling. A word of warning: don’t be led by the judge’s ruling... he or she may be testing your knowledge and understanding of the previous session!

FACULTY: HON. MARION WALL
Judge, Administrative Procedures Division
Tennessee Department of State

HON. THOMAS G. STOVALL
Judge, Administrative Procedures Division
Tennessee Department of State

MODERATOR: CATHERINE CASTER, Esquire

PRODUCERS: CATHERINE CASTER, Esquire
HON. MARION WALL
Judge, Administrative Law Division, Tennessee Department of State

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SEPTEMBER 27, 2011

MEDIATION INSTITUTE: ACHIEVING POSITIVE RESULTS FOR YOUR CLIENTS THROUGH MEDIATION
(Co-sponsored with the NBA Alternative Dispute Resolution Committee)

REGISTRATION: 1:00 p.m.

SEMINAR: 1:30 - 4:50 p.m.

LOCATION: NASHVILLE BAR ASSOCIATION Conference Center, One Nashville Place,
150 Fourth Avenue North, Suite 1050 (615-242-9272)

REGISTER BY: SEPTEMBER 23, 2011

CREDIT: 3.0 CLE Hours - 2.0 General and 1.0 CLE Dual
3.0 Hours Rule 31 CME - 2.0 General and 1.0 Dual

OVERVIEW: Two areas in which mediation is being effectively used to resolve disputes are construction disputes and family law disputes. This seminar features presenters who are very experienced in those two areas of the law. Todd Panther practices primarily in the area of construction and lien law litigation and is certified as a Rule 31 General Civil Mediator. Rosemary Phillips is certified as a Family Mediator and performs several mediations every week in domestic relations cases in Davidson County.

Because there are so many Rule 31 certified mediators and because mediation is being used so widely now, attorneys are increasingly confronted with ethical issues in mediation. Our third speaker, Larry Bridgesmith, will discuss the ethical rules applicable in mediations and the manner in which they are enforced by the Alternative Dispute Resolution Commission.

1:30 - 2:30 p.m. EFFECTIVE USE OF MEDIATION IN FAMILY LAW CASES
FACULTY: ROSEMARY E. PHILLIPS
Law Office of Rosemary E. Phillips

2:30 - 2:40 p.m. BREAK

2:40 - 3:40 p.m. EFFECTIVE USE OF MEDIATION IN CONSTRUCTION CASES
FACULTY: TODD E. PANTHER
Tune, Entrekin & White, P.C.

3:40 - 3:50 p.m. BREAK

3:50 - 4:50 p.m. ETHICAL ISSUES IN MEDIATION
FACULTY: LARRY W. BRIDGESMITH
Miller & Martin, PLLC
Director, Lipscomb Institute for Conflict Management

PRODUCERS: JOHN P. WILLIAMS, Tune, Entrekin & White, PC
JONATHAN L. STEIN, The Law Office of Jonathan L. Stein

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SEPTEMBER 28, 2011

APPLYING THE NEW TORT REFORM BILL TO PERSONAL INJURY AND DEATH CASES

REGISTRATION: 11:30 a.m.

SEMINAR: 12:00 – 1:00 p.m.

LOCATION: NASHVILLE BAR ASSOCIATION Conference Center, One Nashville Place,
150 Fourth Avenue North, Suite 1050 (615-242-9272)

REGISTER BY: SEPTEMBER 26, 2011

CREDIT: 1.0 CLE Hour – General

Overview: The law of tort damages changes substantially starting October 1, 2011 under the new tort reform passed by the legislature. Find out how it will affect your clients' cases, both for plaintiffs and defendants. This seminar will help all lawyers who handle injury and death cases prepare their practice as the new laws take hold.

You will benefit knowing:

1. Limits on recovery of compensatory damages
2. Limits on punitive damages
3. The type of cases the new law will affect, and what cases will be outside of the new damage caps
4. How the new law affects employers' liability for damages caused by their employees

FACULTY:

JOHN A. DAY

Law Offices of John Day, PC

PRODUCER: ED LANQUIST, Waddey & Patterson

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THURSDAY, OCTOBER 6, 2011

FAMILY LAW INSTITUTE

REGISTRATION: 11:30 a.m.

SEMINAR: 12:00 – 4:20 p.m.

LOCATION: AT&T BUILDING
2nd Floor Theater, Economic Development Center
333 Commerce Street
Nashville, TN

REGISTER BY: OCTOBER 4, 2011

CREDIT: 4.0 CLE HOURS - General

Family law practitioners will gain knowledge, insights and strategies from experienced practitioners from the bench and bar and from financial professionals who work specifically with divorcing parties and their counsel. Join your colleagues for critical updates in case law and statutes that affect how you advise your clients. Learn practical approaches and practice essentials to stay current, as well as pointers and tips that will assist you in your practice. Hear from local family law trial judges regarding their perspectives and preferences.

12:00 – 1:00 p.m. CASE LAW AND STATUTORY UPDATE
FACULTY: GREGORY D. SMITH, *Stites & Harbison, PLLC*

1:00 – 1:10 p.m. BREAK

1:10 – 1:40 p.m. BANKRUPTCY AND DIVORCE
FACULTY: ROSEMARY FRANK, *MBA, CDFA, CFDP*

1:40- 2:30 p.m. CHILD CUSTODY AND VISITATION
FACULTY: GRANT C. GLASSFORD, *Glassford Law Office*

2:30 – 2:40 p.m. BREAK

2:40 – 3:20 p.m. CIVIL VS. CRIMINAL CONTEMPT
FACULTY: HON. JAMES G. MARTIN, III, *Judge, 21ST Judicial District, Div. II, Franklin, TN*
HON. PHILIP E. SMITH, *Judge, 20TH Judicial District, Div. IV, Nashville, TN*

3:20 – 4:20 p.m. VIEW FROM THE BENCH

MODERATOR: JAMES “JAY” DRESCHER, *Drescher Heller Pieper Martin, PC*

PANEL:

HON. DON R. ASH, *Judge, 16th Judicial District, Part III, Murfreesboro, TN*
HON. CLARA BYRD, *Judge, 15th Judicial District, Div. 1, Lebanon, TN*
HON. TIMOTHY L. EASTER, *Judge, 21st Judicial District, Div. IV, Franklin, TN*
HON. JAMES G. MARTIN, III, *Judge, 21st Judicial District, Div. II, Franklin, TN*
HON. PHILIP E. SMITH, *Judge, 20th Judicial District, Div. IV, Nashville, TN*
HON. CAROL L. SOLOMAN, *Judge, 20th Judicial District, Div. VIII, Nashville, TN*

PRODUCER: JAMES (JAY) DRESCHER, *Drescher Heller Pieper Martin, PC*

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TUESDAY, OCTOBER 11, 2011

ESTATE PLANNING & PROBATE PRACTICE INSTITUTE

REGISTRATION: 11:30 a.m.

SEMINAR: 12:00 – 4:20 p.m.

LOCATION: AT&T BUILDING
1st Floor Auditorium
333 Commerce Street
Nashville, TN

REGISTER BY: OCTOBER 7, 2011

CREDIT: 4.0 CLE HOURS - General

Featuring practical strategies and cutting-edge developments, this year's program will keep you up-to-date in your probate and estate planning practice. Find out the latest developments in statutory, case law and federal taxation. Learn how to identify and handle conflicts of interest and ways to minimize the likelihood of probate litigation. Hear about key probate and estate practice issues from Clerk and Master Elaine Beeler, Judge Clement, Judge Kennedy, and Jeff Mobley

12:00 – 12:50 p.m. RECENT TENNESSEE LEGISLATIVE AND CASE LAW DEVELOPMENTS PERTAINING TO ESTATE PLANNING AND PROBATE PRACTICE

FACULTY: PAUL A. GONTAREK, *Howard & Mobley, PLLC*
BLAINE SMITH, *Bass, Berry & Sims, PLC*

12:50 – 1:50 p.m. CONFLICTS OF INTEREST IN ESTATE PLANNING AND PROBATE

FACULTY: RALPH Z. LEVY, JR., *Dickinson Wright, PLLC*

1:50 – 2:00 p.m. BREAK

2:00 – 2:50 p.m. A LITIGATOR'S PERSPECTIVE OF ESTATE PLANNING AND PROBATE ADMINISTRATION

FACULTY: REBECCA C. BLAIR, *The Blair Law Firm*

2:50 – 3:00 p.m. BREAK

3:00 – 4:20 p.m. VIEW FROM THE BENCH AND THE BAR

PANEL: HON. ELAINE BEELER, *Clerk & Master, Williamson County*
HON. FRANK CLEMENT, *Middle Section, Tennessee Court of Appeals*
HON. RANDY KENNEDY, *Seventh Circuit Court, Davidson County*

MODERATOR: JEFF MOBLEY, *Howard & Mobley, PLLC*

PRODUCERS: PAUL GONTAREK, *Howard & Mobley, PLLC*
BLAINE SMITH, *Bass, Berry & Sims, PLC*

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THURSDAY, OCTOBER 20, 2011

EMPLOYMENT LAW INSTITUTE

REGISTRATION: 11:30 a.m.

SEMINAR: 12:00 – 4:20 p.m.

LOCATION: AT&T BUILDING
2nd Floor Theater, Economic Development Center
333 Commerce Street
Nashville, TN

REGISTER BY: OCTOBER 18 2011

CREDIT: 4.0 CLE HOURS - General

Find out the latest Federal and State decisions in key cases impacting gender discrimination, arbitration, summary judgment, immigration and other key employment law issues. Stay up to date on emerging issues in compliance and social media.

12:00 – 1:00 p.m. HOT TOPICS IN FEDERAL LAW
FACULTY: JENNIFER B. ROBINSON, *Little Mendelson, PC*
C. ERIC STEVENS, *Little Mendelson, PC*

1:00 – 1:10 p.m. BREAK

1:10 – 2:10 p.m. HOT TOPICS IN STATE LAW
FACULTY: DAVID L. JOHNSON, *Miller & Martin, PLLC*
JUNAID ODUBEKO, *Miller & Martin, PLLC*

2:10 – 3:10 p.m. EMERGING COMPLIANCE ISSUES UNDER GINA, ADA AND RELATED WORKERS' COMPENSATION ISSUES
FACULTY: FREDRICK "FRED" J. BISSINGER, *Wimberly, Lawson, Wright, Davis & Jones, PLLC*

3:10 – 3:20 p.m. BREAK

3:20 – 4:20 p.m. SOCIAL MEDIA: LEGAL ISSUES AND BEST PRACTICES
FACULTY: TIM K. GARRETT, *Bass, Berry & Sims, PLC*

PLANNING COMMITTEE:

CHARLES K. GRANT, *Baker, Donelson, Bearman, Caldwell & Berkowitz, PC*
SAMUEL D. PAYNE, *Rudy, Wood, Winstead & Williams, PLLC*
MARY ROBERTS-KRAUSE, *Tennessee Treasury Department*

PRODUCERS:

CHARLES K. GRANT, *Baker, Donelson, Bearman, Caldwell & Berkowitz, PC*
SAMUEL (SAM) PAYNE, *Rudy, Wood, Winstead & Williams, PLLC*

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THURSDAY, OCTOBER 27, 2011

PRACTICE INSTITUTE: TRIALS OF THE CENTURY II

Guest Faculty, **TODD WINEGAR, Esquire** – Practicing attorney and acclaimed CLE instructor

REGISTRATION: 8:00 a.m.

SEMINAR: 8:30 a.m. – 4:15 p.m.

LOCATION: AT&T BUILDING
1st Floor Auditorium
333 Commerce Street
Nashville, TN

REGISTER BY: OCTOBER 25, 2011

CREDIT: 6.0 CLE HOURS – General (Including 1.0 CLE Hour Dual)

FEATURING: **TODD WINEGAR, Esq.** One of America's Highest Rated CLE Speakers

LEARN QUESTIONING TECHNIQUES, INCLUDING --

1. **BRICK BY BRICK:** Alone each piece is weak or meaningless, together they form a solid wall of evidence
2. **THE ART OF THE QUESTION** - The 12 Rules
3. **THE 5 TYPES OF QUESTIONS AND WHEN TO USE EACH**
4. **THE "ROOM METHOD" OF DEPOSING AND INTERVIEWING** - Get All the Info
5. **ASKING THE IMPORTANT "COULDA, WOULD, SHOULD" QUESTIONS**
6. **101 GREAT DEPOSITION/EXAMINATION TIPS**
7. **CAN YOU SPOT THE LIAR?** Understand the indications of a liar, then watch an actual experiment and vote

8:30 a.m. – 11:45 a.m. - MORNING SESSION

- **PAULA JONES V. PRESIDENT CLINTON**
- **CHICAGO SEVEN** - Likely the most unusual trial of the century
- **TRIAL ETHICS**

11:45 a.m. – 1:00 p.m. - LUNCH (on your own)

1:00 – 4:15 p.m. - AFTERNOON SESSION

- **TED BUNDY** - Bright law student/notorious serial killer
- **WATERGATE** - The scandal that changed the world

COURSE MATERIALS

Your registration includes the deposition workbook, *101 Deposition Tips*. You will also receive the *Ultimate Discovery Notebook*.



The notebook contains 37 sections of checklists, outlines, and forms to assist you with depositions and discovery every day. Material includes guides on video depositions, discovery of electronic documents, correct objections in depositions, and actual question outlines for common depositions, including experts such as the economist, the treating physician and the accident reconstructionist.

The course material will be a valuable desk reference for the rest of your career.

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NOVEMBER 2, 2011

INTRODUCTION TO FEDERAL COURT PRACTICE: Insider Tips for Lawyers Practicing in the U.S. District Court for the Middle District of Tennessee (Co-sponsored with the NBA Federal Court Committee)

REGISTRATION: 1:00 p.m.

SEMINAR: 1:30 – 4:45 p.m.

LOCATION: NASHVILLE BAR ASSOCIATION Conference Center, One Nashville Place,
150 Fourth Avenue North, Suite 1050 (615-242-9272)

REGISTER BY: OCTOBER 31, 2011

CREDIT: 3.0 CLE Hour – General

FIRST SESSION MEETS THE TRAINING REQUIREMENT FOR ELECTRONIC FILING IN THE MIDDLE DISTRICT OF TENNESSEE.

OVERVIEW: This Introduction to Federal Court Practice seminar, presented by the NBA Federal Court Committee, the Clerk of Court's office, and two federal judges, will teach you what you need to know about electronic case filing, the differences between the Federal and Tennessee Rules of Civil Procedure, and how to avoid the missteps other lawyers in federal practice commonly make. This seminar will improve the quality of your practice in federal district court and give you the inside track to a successful practice in the U.S. District Court for the Middle District of Tennessee.

1:30 – 2:15 p.m.

ELECTRONIC CASE FILING (“ECF”) ESSENTIALS

Ann Frantz reviews the Court's practices and procedures for mandatory electronic filing in the CM/ECF system. Through the use of examples, Ms. Frantz demonstrates how to file documents electronically in the CM/ECF system. Participation in this session will meet the training requirement for electronic filing in the Middle District of Tennessee.

FACULTY: **ANN FRANTZ**

Operations Manager, U.S. District Court for the Middle District of Tennessee

2:15 – 2:30 p.m.

INSIDER TIPS TO NAVIGATING THE COURTHOUSE

Ann Frantz provides information on the attorney registration process, common mistakes lawyers make, services provided to attorneys, and the Court's website.

FACULTY: **ANN FRANTZ**

Operations Manager, U.S. District Court for the Middle District of Tennessee

2:30 – 3:00 p.m.

TIPS FOR PRACTITIONERS IN CRIMINAL CASES

A veteran criminal litigator shares insights that every new lawyer in the Middle District practicing in the federal criminal law arena should know.

FACULTY: **HENRY MARTIN**

Federal Public Defender, Middle District of Tennessee

3:00 – 3:15 p.m.

BREAK

3:15 – 4:15 p.m.

DIFFERENCES BETWEEN THE FEDERAL AND TENNESSEE RULES OF CIVIL PROCEDURE -- AND A VIEW FROM THE BENCH

Judge Joe B. Brown and Will Helou, former law clerk to Judge Thomas A. Wiseman, Jr., discuss the key differences between the Federal and Tennessee Rules of Civil Procedure. Topics include case management, discovery procedures, expert disclosures, and trial practice, as well as specific practice tips designed for practitioners in federal court. Judge Brown also shares his personal federal practice do's and don'ts and takes your questions.

FACULTY: **HON. JOE B. BROWN**
Magistrate Judge, U.S. District Court for the Middle District of Tennessee
WILLIAM N. HELOU
MGLAW, PLLC

4:15 – 4:45 p.m.

THOUGHTS FROM THE BENCH

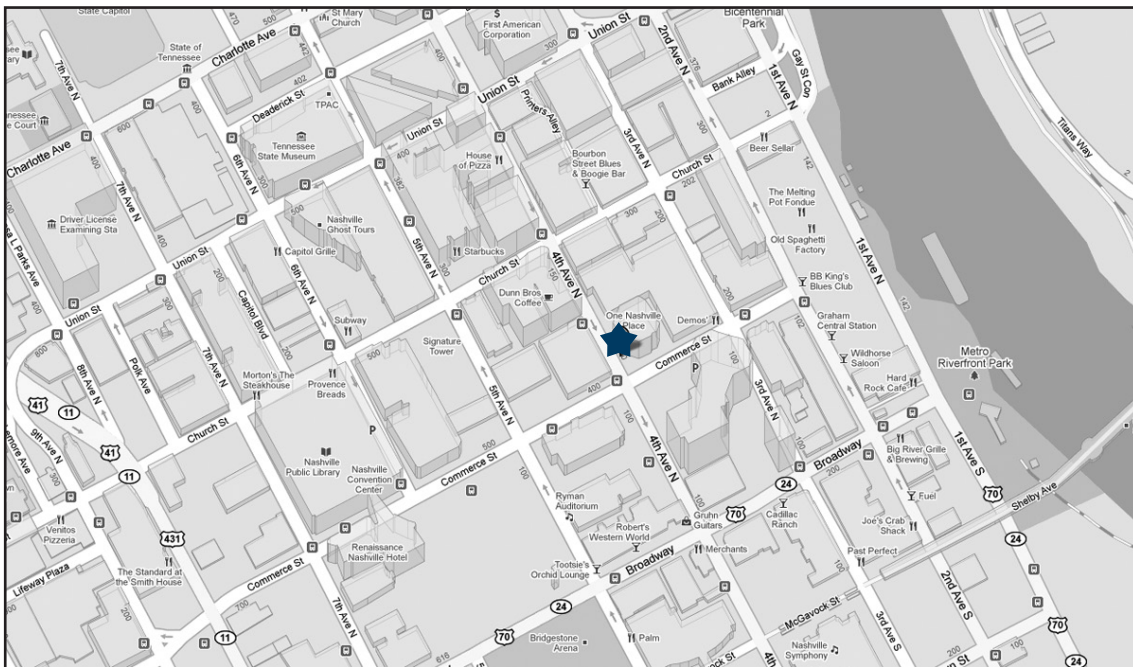
Judge Kevin Sharp, an experienced litigator who has seen it all and the Middle District's most recent appointment to the federal bench, discusses his practices and procedures and shares his advice for building a successful federal practice.

FACULTY: **HON. KEVIN H. SHARP**
Judge, U.S. District Court for the Middle District of Tennessee

PRODUCERS:

JOSEPH A. KELLY
MGLAW, PLLC
C. DANIEL LINS
MGLAW, PLLC

Nashville Bar Association
CONFERENCE CENTER, One Nashville Place
150 FOURTH AVENUE, Suite 1050
Nashville, TN 37219
615-242-9272



Parking is available in the garage next to One Nashville Place (4th Avenue entrance). “GARAGE FULL” sign does not apply to NBA visitors. Alternative parking available in garages on 4th Avenue (across the street from One Nashville Place), Commerce Street and Main Library on 7th Avenue.