

IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE
FOR THE TWENTIETH JUDICIAL DISTRICT AT NASHVILLE

STEPHEN ELLIOTT and FW
PUBLISHING, LLC,

Petitioners,

v.

WILLIAM LEE, in his official capacity
Governor of Tennessee, and

JUAN WILLIAMS, in his official capacity
as Commissioner of the Tennessee
Department of Human Resources,

Respondents.

No. _____

**PETITION FOR ACCESS TO PUBLIC RECORDS AND
TO OBTAIN JUDICIAL REVIEW OF DENIAL OF ACCESS**

Pursuant to the Tennessee Public Records Act, Tenn. Code Ann. § 10-7-503, *et seq.* (the “TPRA”), Petitioners Stephen Elliott and FW Publishing, LLC hereby petition this Court for access to public records, judicial review of Respondents’ decisions to deny access to those public records, and for attorneys’ fees and costs. Petitioner also seeks declaratory relief pursuant to the TPRA and Tenn. Code Ann. § 1-3-121. A memorandum of law and declarations in support of this Petition are filed contemporaneously.

PARTIES

1. Petitioner Stephen Elliott is a journalist and a resident of Davidson County, Tennessee. He has been a journalist since 2014. Mr. Elliott is currently

employed by FW Publishing as the interim editor for the *Nashville Post* and a reporter for the *Nashville Scene*. His work focuses on covering Tennessee state government. Mr. Elliott is also a member of the Tennessee Capitol Hill Press Corp. (Elliott Decl. ¶4 (attached as Exhibit A).)

2. Petitioner FW Publishing LLC is Tennessee Limited Liability Company with its principal place of business in Nashville, Tennessee. FW Publishing is the parent company for four publications that cover Nashville and Williamson County: *Nashville Scene*, *Nfocus Magazine*, *Nashville Post*, and *HomePage Media Group*.

3. Respondent William Lee is the 50th Governor of Tennessee. He is being sued in his official capacity. Service of process upon Governor Lee will be made by emailing a cover letter, a copy of the summons, this Petition, and the accompanying Memorandum of Law and the declarations in support of this Petition to tnattygen@ag.tn.gov, pursuant to Tennessee Rule of Civil Procedure 4.04(6) and the Office of the Attorney General’s advisory on service of process during the COVID-19 pandemic.¹

4. Respondent Juan Williams is the Commissioner for the Tennessee Department of Human Resources (“TDHR”). Commissioner Williams is being sued in his official capacity. Service of process upon Commissioner Williams will be made by emailing a cover letter, a copy of the summons, this Petition, and the accompanying Memorandum of Law and the declarations in support of this Petition

¹ Available at <https://perma.cc/5V88-NNVW>.

to tnattygen@ag.tn.gov, pursuant to Tennessee Rule of Civil Procedure 4.04(6) and the Office of the Attorney General’s advisory on service of process during the COVID-19 pandemic.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this petition and venue is proper in this Court under Tenn. Code Ann. § 10-7-505(b). This Court also has subject matter jurisdiction over this petition pursuant to Tenn. Code Ann. § 1-3-121.

FACTUAL ALLEGATIONS

The McKinsey Contract

6. Effective April 13, 2020, the State entered into contract number 66331 (the “McKinsey Contract”) with McKinsey and Company (“McKinsey”), a global management consulting firm. (Elliott Decl. Attach. 1 at 1, 4, 22.)²

7. According to the State’s contracts database, the McKinsey Contract was a sole source contract. (McAdoo Decl. ¶4, Attach. 1 (attached as Exhibit B).)

8. Paragraph A.1.a of the McKinsey Contract provides a general description of the work to be done under the agreement: “[t]he Contractor shall provide government efficiency assessment and review to identify potential performance improvements and assist the State’s response to the COVID-19 pandemic including but not limited to cost efficiency, citizen and State employee experience, overall government effectiveness, State government department review, and fiscal benchmarking and forecasting.” (Elliott Decl. Attach. 1 at 1.)

² Pincites are to the pagination of the underlying document and do not take into account the exhibit cover page.

9. The McKinsey Contract includes three Statements of Work (“SOW”), all of which have an umbrella heading of “COVID-19 Response Execution Support,” (*id.* at 24-34), two of which were to support the activities of the COVID-19 Unified Command Group & Economic Recovery Group (“UCG/ERG”), which were created by Governor Lee as part of the Office of the Governor, in response to the COVID-19 pandemic.

10. “These three SOWs contain activities and deliverables designed to assist the State [in] addressing the effects of COVID-19 and the State’s response.” (*Id.* at 4.)

11. The first SOW (“SOW #1”), entitled “Re-Opening Tennessee,” is intended “to provide data and best practices to inform the choices that the State will need to make as it re-opens Tennessee’s economy, while still working to minimize further spread of COVID-19.” “[T]he activities will begin with a rigorous assessment of Tennessee’s current situation and will proceed with developing a strategy and implementation approach to support State decision-making, deeply informed by case studies and integrated healthcare, economic, and government services data from Tennessee and elsewhere.” (*Id.* at 23.)

12. The “Key Deliverables” for SOW #1 are:

- Baseline of COVID-19 and economy in Tennessee with a range of possible scenarios;
- Initial strategy options for State decision-making on the approach to economic re-opening, including interdependencies and enablers; and
- Ongoing data and reports on the re-opening situation across Tennessee.

(*Id.* at 24.)

13. McKinsey’s invoices refer to the work performed under SOW #1 as “supporting the Economic Recovery Group.” (Elliott Decl. Attach. 2 at 1-2.)

14. According to McKinsey’s invoices, the work on SOW #1 lasted from April 20, 2020 until June 26, 2020 and cost the State \$1,046,000. (*Id.*)

15. The second SOW (“SOW #2”), entitled “Tennessee State Government Operations,” is described in the “Approach & Deliverables” section of the McKinsey Contract as

The State government is the largest employer in Tennessee (with 48,000+ State employees), and it is a major provider of public-facing services (drivers licenses, unemployment benefits, etc.). While the COVID-19 amending of services has significantly changed the way that State employees work and that services are delivered to Tennessee residents, the full effects and implications are still not clear. As the State looks to re-open the broader economy, therefore, it will be important to ensure that the two domains in which it has the most direct role – as an employer and a service provider – are operating in a safe and efficient manner.

(Elliott Decl. Attach. 1 at 27.)

16. The items listed in the “Activities” section for SOW #2 include “designing and beginning to implement a coordinated and well-communicated plan to return to pre-COVID levels of service (and beyond) without introducing unnecessary risk and while capturing efficiencies,” building “a fact base on the current state of remote government employee work,” building “a fact base of public-facing service delivery across Tennessee (before and during the COVID-19

shutdown),” and identifying “possible opportunities for efficiencies and innovation.”
(*Id.* at 27-28.)

17. The “Key Deliverables” for SOW #2 are:

- Analysis of governance structure for returning to traditional government operations, including a checklist of actions and analysis of those actions to safely return employees to traditional operations.
- Analysis of existing State employee remote work across State government and providing of options for consideration for maintaining state operations with differing levels of employees working remotely for differing periods of time.
- Analysis of existing data and practices on physical service delivery locations and providing of options for consideration for maintaining state operations with few necessary in-person interactions between individuals in those centers to decrease the risk of illness spread.
- Draft case examples on State office operations, including a list of efficiency options that build off already completed analysis during the State’s existing efficiency engagement.
- Case studies for physical service delivery locations.
- Identification and proposed options for consideration for efficiencies and innovation.

(*Id.* at 28.)

18. According to the invoices for the McKinsey Contract, the work related to SOW #2 lasted from April 13, 2020 until October 27, 2020, was referred to as the “Team Supporting Task Force Reimagine” and “Tennessee State Government Efficiency Phase 2,” and cost the State \$1,934,000. (Elliott Decl. Attach. 2 at 1-3.)

19. The third SOW (“SOW #3”), entitled “Support to Unified Command Group,” is described in the “Approach & Deliverables” section of the McKinsey Contract as:

The [Unified Command Group] has had a positive impact on the management and coordination of Tennessee's response to COVID-19 in the weeks since it was established. The State sees a high likelihood that the [Unified Command Group] will need to continue for some time and expects that the [Unified Command Group's] role and the topics it covers will continue to evolve. The State therefore has a desire to secure support for the developing role and operations of the [Unified Command Group].

(Elliott Decl. Attach. 1 at 31.)

20. The "Key Deliverables" for SOW #3 are:

- Fact-based options to facilitate [Unified Command Group] decision making in selected topics.
- Targeted analyses in selected deep dive topics.
- Access to the outputs from McKinsey modeling, tools, and assets.

(*Id.* at 32.)

21. According to invoices for the McKinsey Contract, the work related to SOW # 3 lasted from April 20, 2020 until June 12, 2020, and cost the State \$836,000. (Elliott Decl. Attach. 2 at 1-2.)

22. All three SOWs, contain a section entitled "Working Guidelines," that are identical and further describe the work that McKinsey was to do for the State.

(Elliott Decl. Attach. 1 at 26, 29-30, 33.)

23. These "Work Guidelines" state, in part: "McKinsey will provide fact-based, independent analysis that the State can use to develop its own work and recommendations. The State will develop and will own its work and recommendations both internally and externally. McKinsey is not registered as a lobbyist and will not provide advice, opinions, or recommendations on policy or

political matters nor will it be involved in, or support, any advocacy, policy or lobbying efforts. McKinsey's services cannot be for the principal purpose of supporting, promoting, influencing, modifying, opposing, delaying, or advancing any legislative or administrative action." (*Id.* at 26, 30, 33.)

24. The McKinsey Contract includes a number of other statements and disclaimers regarding what McKinsey would or would not do under the contract, including:

- "Contractor cannot and will not give medical, regulatory, public health or legal advice. The State must consider this context and secure appropriate legal, medical and other relevant advice prior to making any decisions in connection with the Services." (*Id.* at 1.)
- "The information included in the Deliverables is intended to inform the State's management and business judgment only and will not contain, nor are the Deliverables provided for the purpose of constituting or informing, policy judgments or advice." (*Id.* at 4.)
- "The Services are not (and will not be interpreted as) medical, investment, legal, tax, accounting or other regulated advice, and do not constitute policy advice. Contractor's Services do not supplant the State's management, policy-making, or decision-making functions and do not guarantee results. The State remains solely responsible for its decisions (including policy decisions), actions, use of the Deliverables and any other materials received pursuant to this agreement, and compliance with applicable laws, rules and regulations." (*Id.* at 11-12.)

25. The McKinsey Contract also includes an "Independent Contractor" clause, which provides that "[t]he Parties shall not act as employees, partners, joint venturers, or associates of one another. The Parties are independent contracting entities. Nothing in this Contract shall be construed to create an

employer/employee relationship or to allow either Party to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services. The employees or agents of one Party are not employees or agents of the other Party.” (*Id.* at 11.)

The Public Records Requests At Issue

The UCG/ERG Public Records Requests

26. Mr. Elliott made two requests to the UCG/ERG for public records related to the McKinsey Contract, one on May 15, 2020, and another on January 8, 2021 (hereinafter, the “UCG/ERG Records”).

27. First, on May 15, 2020, Mr. Elliott made a public records request to the UCG/ERG for “any deliverables associated with contract #66331 with vendor McKinsey and Company beginning 4/13/2020?” (Elliott Decl. ¶7, Attach. 3 at 4.)

28. Legal Counsel for UCG/ERG Todd Skelton denied Mr. Elliott’s request on May 29, 2020, claiming that “the requested records are protected from disclosure on the basis of the deliberative process privilege.” (Elliott Decl. ¶ 8, Attach. 3 at 1.)

29. On August 14, 2020, the undersigned responded to the denial, urging the UCG/ERG to reconsider its assertion of a deliberative process privilege as justification for denying Mr. Elliott’s May 15, 2020 public records request. (McAdoo Decl. ¶5, Attach. 2 at 1-3.)

30. Mr. Skelton responded on behalf of the UCG/ERG on September 2, 2020, stating that “we will re-examine the relevant documents to determine whether any records ... are not covered by the deliberative process privilege and

otherwise subject to disclosure. These documents may be provided to you on an installment basis beginning no later than September 21, 2020.” (McAdoo Decl. ¶ 6, Attach. 3 at 1.)

31. The UCG/ERG produced a first batch of documents, which contained no redactions, on September 21, 2020. (McAdoo Decl. ¶ 7, Attach. 4 at 1.)

32. A second batch of documents was produced by the UCG/ERG on October 6, 2020, with a cover email indicating that “[c]ertain portions of these records have been redacted on the basis of the deliberative process privilege.” (McAdoo Decl. ¶ 8, Attach. 5 at 1.) Thirteen of the twenty-five files produced by UCG/ERG included redactions. (McAdoo Decl. ¶ 9.)

33. A third batch of documents was produced by the UCG/ERG on October 15, 2020, with a cover email stating that “[c]ertain portions of these records have been redacted on the basis of the deliberative process privilege or for HIPAA/privacy reasons. Six records have been withheld on the basis of the deliberative process privilege.” (McAdoo Decl. ¶ 10, Attach. 6 at 1.)

34. On October 16, 2020, the undersigned notified Mr. Skelton that Petitioners objected to any redactions or omissions based on “HIPAA/privacy reasons.” (McAdoo Decl. ¶ 11, Attach. 7 at 1.)

35. Thereafter, on October 27, 2020, Mr. Skelton produced an updated version of the third batch of documents that, he stated, only included redactions “on the basis of the deliberative process privilege.” (McAdoo Decl. ¶ 12, Attach. 8.)

36. Eighteen of the twenty-nine files produced by the UCG/ERG in the updated third batch of documents included redactions. (McAdoo Decl. ¶ 13.)

37. On January 8, 2021, Mr. Elliott submitted a second public records request to the UCG/ERG seeking “any deliverables associated with contract #66331 with vendor McKinsey and Company beginning 6/13/2020 (date of last produced document).” (Elliott Decl. ¶ 9, Attach. 4 at 1.)

38. On January 30, 2021, Mr. Skelton produced to the undersigned, via email, documents responsive to Mr. Elliott’s January 8, 2021 public records request. According to Mr. Skelton, “[l]imited portions were withheld on the basis of the deliberative process privilege.” (McAdoo Decl. ¶ 14, Attach. 9 at 1.)

39. Five of the one hundred pages produced by the UCG/ERG on January 30, 2021 included redactions. (McAdoo Decl. ¶15.)

The McKinsey Efficiency Records

40. On June 15, 2021, and again on August 17, 2021, Mr. Elliott made public records requests to TDHR for the “McKinsey & Company efficiency report re: buyouts,” (hereinafter, the “McKinsey Efficiency Records”). (Elliott Decl. ¶ 10.)

41. On September 24, 2021, Andrew Puryear, Associate General Counsel for TDHR, denied Mr. Elliott’s public records requests for the McKinsey Efficiency Records, claiming that “[t]he documents requested are subject to the deliberative process privilege and contain confidential information that is subject to the exception for information regarding operational vulnerabilities pursuant to Tenn. Code Ann. § 10-7-504(i)(1)(B).” (Elliott Decl. ¶11, Attach. 5 at 1.)

The Requested Public Records

42. The requested public records fall into two categories: (1) the UCG/ERG Records related to Mr. Elliott's May 15, 2020, and January 8, 2021, public records requests; and (2) the McKinsey Efficiency Records Mr. Elliott requested on June 15, 2021, and again on August 17, 2021. (Elliott Decl. ¶¶ 7, 9-10.)

43. Upon information and belief, both the withheld and redacted UCG/ERG Records and the McKinsey Efficiency Records are not excepted from disclosure by any recognized exemption to the TPRA.

44. Moreover, upon information and belief, both the withheld and redacted UCG/ERG Records and the McKinsey Efficiency Records contain facts, are not deliberative in nature, and therefore are not covered by any asserted deliberative process privilege.

45. Upon information and belief, there are, at least, portions of both the withheld and redacted UCG/ERG Records and the withheld McKinsey Efficiency Records that are postdecisional and not covered by any asserted deliberative process privilege.

46. Neither Respondent provided an affidavit or declaration detailing grounds for asserting that withheld and/or redacted records were subject to a deliberative process privilege.

47. Neither Respondent has provided a detailed privilege log related to the requested public records.

48. There is significant public interest in the requested public records, which all relate to the three-million-dollar no-bid contract awarded to McKinsey. The public has a right to know what the State received for the millions of dollars spent on the McKinsey Contract.

49. The public has an equal interest in knowing the entirety of the information provided to Governor Lee and the UCG/ERG to assist them in responding to the COVID-19 pandemic. Without a complete picture of the information provided, questions asked, and any possible recommendations made by McKinsey to Governor Lee and the UCG/ERG, the public cannot fully evaluate the State's response to the pandemic.

50. Similarly, the McKinsey Efficiency Records, which involve the restructuring of the executive branch of the Tennessee State Government and relates to the impact the COVID-19 Pandemic has had on the provision of State government services to the public, is also a matter of significant public interest.

51. In fact, the McKinsey Efficiency Records have garnered significant public interest. Natalie Allison, *Tennessee is offering state employees buyouts as part of a \$20 million 'efficiency' program*, *Tennessean*, July 21, 2021, <https://www.tennessean.com/story/news/politics/2021/07/21/tennessee-offers-some-state-employees-buyouts-after-mckinsey-study/8021179002/> (discussing "voluntary separation program" by the State related to the McKinsey Efficiency Records).

52. According to *The Tennessean*, Lieutenant Governor Randy McNally has both received a copy of the McKinsey Efficiency Records and called for them to

be released to both the public and the legislature. Natalie Allison, *Gov. Bill Lee should release secret report on government efficiency, Lt. Gov. McNally says*, Tennessean, March 19, 2021,

<https://www.tennessean.com/story/news/politics/2021/03/19/lt-gov-mcnally-says-governor-should-release-report-efficiency/4750598001/>.

53. In addition, at least one member of the General Assembly has requested additional information from Governor Lee on the McKinsey Contract as well as the McKinsey Efficiency Records. Sam Stockard, *Lawmakers delve into no-bid contracts with eye on McKinsey deal*, *Tennessee Lookout*, Nov. 4, 2021,

<https://tennesseelookout.com/2021/11/04/lawmakers-delve-into-no-bid-contracts-with-eye-on-mckinsey-deal/>;

see also Blaise Gainey, *The pandemic led Tennessee to issue large, no-bid contracts, but some Tennessee lawmakers want more oversight*,

WPLN, Dec. 8, 2021, <https://wpln.org/post/the-pandemic-led-tennessee-to-issue-large-no-bid-contracts-but-some-tennessee-lawmakers-want-more-oversight/>.

CLAIMS FOR RELIEF

Count I – Failure to Provide Access to the UCG/ERG Records Against Governor Lee

54. Petitioner incorporates the allegations in paragraphs 1 through 53.

55. Pursuant to the TPRA, Petitioners requested the UCG/ERG Records from Governor Lee, who oversees the UCG/ERG.

56. Governor Lee denied Petitioners' public records requests for the UCG/ERG Records by redacting some of the UCG/ERG Records and withholding at

least six other UCG/ERG Records in their entirety based on an asserted deliberative process privilege.

57. The UCG/ERG Records are public records because they were received by Governor Lee pursuant to law or ordinance or in connection with the transaction of Governor Lee's official business.

58. No exemption applies to bar production of the UCG/ERG Records to Petitioners.

59. The asserted deliberative process privilege has not been established by statute, binding case law, or other state law, and is not an exception to the TPRA.

60. Alternatively, to the extent the Court finds that a deliberative process privilege has been established in Tennessee and is an exception to the TPRA, such a privilege would not apply to the UCG/ERG Records because they were prepared by an outside consulting firm.

61. Alternatively, to the extent the court finds that a deliberative process privilege has been established in Tennessee and is an exception to the TPRA, such a privilege would not apply to some or all of the UCG/ERG Records because some or all of the information in the UCG/ERG Records is factual and not deliberative in nature and because some or all of the information in the UCG/ERG Records is postdecisional and not predecisional.

62. Alternatively, to the extent the court finds that a deliberative process privilege has been established in Tennessee and is an exception to the TPRA, such a privilege would not apply to the UCG/ERG Records because Governor Lee did not

assert the privilege in a detailed affidavit and no detailed privilege log was provided to Petitioners in support of withholding those records.

63. Alternatively, to the extent the court finds that a deliberative process privilege has been established in Tennessee and is an exception to the TPRA, such a privilege would not apply to the UCG/ERG Records because the public interest in these records outweighs any interests in secrecy.

64. Petitioners are therefore entitled to receive the UCG/ERG Records they requested under the TPRA.

65. Tenn. Code Ann. § 10-7-505(g) provides that the Court may award “all reasonable costs involved in obtaining the records, including reasonable attorneys’ fees” if the government “knew the record was public and willfully refused to disclose it.”

66. Governor Lee knew that the records sought by Petitioners were public and not exempt, and willfully refused to disclose them.

67. Therefore, Governor Lee should be required to produce the UCG/ERG Records to Petitioners, and Petitioners should be awarded reasonable costs, including reasonable attorneys’ fees in this case.

**Count II – Failure to Provide Access to the McKinsey Efficiency Records
Against Commissioner Williams**

68. Petitioner incorporates the allegations in paragraphs 1 through 53.

69. Pursuant to the TPRA, Petitioners requested the McKinsey Efficiency Records from Commissioner Williams.

70. Commissioner Williams denied Petitioners' public records request for the McKinsey Efficiency Records based on an asserted deliberative process privilege and Tenn. Code Ann. § 10-7-504(i)(1)(B).

71. The McKinsey Efficiency Records are public records because they were received by Commissioner Williams pursuant to law or ordinance or in connection with the transaction of Commissioner Williams' official business.

72. No exemption applies to bar production of the McKinsey Efficiency Records to Petitioners.

73. The deliberative process privilege has not been established by statute, binding case law, or other state law, and is not an exception to the TPRA.

74. Alternatively, to the extent the court finds that a deliberative process privilege has been established in Tennessee and is an exception to the TPRA, such a privilege would not apply to the McKinsey Efficiency Records because they were prepared by an outside consulting firm.

75. Alternatively, to the extent the court finds that a deliberative process privilege has been established in Tennessee and is an exception to the TPRA, such a privilege would not apply to some or all of the McKinsey Efficiency Records because some or all of the information in the McKinsey Efficiency Records is factual and not deliberative in nature and because some or all of the information in the McKinsey Efficiency Records is postdecisional and not predecisional.

76. Alternatively, to the extent the court finds that a deliberative process privilege has been established in Tennessee and is an exception to the TPRA, such

a privilege would not apply to the McKinsey Efficiency Records because Commissioner Williams did not assert the privilege in a detailed affidavit and no detailed privilege log was provided to Petitioners.

77. Alternatively, to the extent the court finds that a deliberative process privilege has been established in Tennessee and is an exception to the TPRA, such a privilege would not apply to the McKinsey Efficiency Records because the public interest in them outweighs any interests in secrecy.

78. The other TPRA exception asserted by Commissioner Williams as a bar to production of the McKinsey Efficiency Records, Tenn. Code Ann. § 10-7-504(i)(1)(B) also does not apply.

79. Petitioners are therefore entitled to receive the McKinsey Efficiency Records they requested under the TPRA.

80. Tenn. Code Ann. § 10-7-505(g) provides that the Court may award “all reasonable costs involved in obtaining the records, including reasonable attorneys’ fees” if the government “knew the record was public and willfully refused to disclose it.”

81. Commissioner Williams knew that the McKinsey Efficiency Records sought by Petitioners were public and not exempt, and willfully refused to disclose it to them.

82. Therefore, Commissioner Williams should be required to produce the McKinsey Efficiency Records to Petitioners and Petitioners should be awarded reasonable costs, including reasonable attorneys’ fees in this case.

PRAYER FOR RELIEF

WHEREFORE, Petitioners Stephen Elliott and FW Publishing LLC pray that this Court:

- 1) Immediately issue an order, pursuant to Tenn. Code Ann. § 10-7-505(b), requiring Governor Lee and Commissioner Williams to appear before this Court and show cause, if they have any, why this petition should not be granted;
- 2) Grant Petitioners a declaratory judgment that the records sought are public records under Tennessee Law for which no exemption applies and that the Respondents' failure to grant Petitioners access to these public records constitutes a violation of the TPRA, which was knowing and willful;
- 3) If the Court does find that a deliberative process privilege exists in Tennessee and is an exception to the TPRA, order Respondents to provide the Court with the requested public records for *in-camera* review and order Respondents to produce a detailed privilege log for the requested public records to Petitioners and the Court before a second hearing to decide if the privilege applies to the requested public records;
- 4) Order Respondents to immediately provide Petitioners with copies of the public records they requested;
- 5) Grant Petitioners reasonable costs and attorneys' fees pursuant to Tenn. Code Ann. § 10-7-505(g);
- 6) Grant Petitioners discretionary costs under Tenn. R. Civ. P. 54;

- 7) Grant Petitioners such other equitable relief as may be necessary to secure the purposes and intentions of the TPRA; and
- 8) Grant Petitioners all further relief to which they may be entitled.

Respectfully submitted,

s/ Paul R. McAdoo
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