

IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

CARL VONHARTMAN,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
<i>v.</i>	§	Case No.: 20C740
	§	
KORTNI BUTTERTON,	§	JURY DEMANDED
	§	
<i>Defendant.</i>	§	

AGREED FINAL ORDER

Come now the Parties to this action, Defendant Kortni Butterson and Plaintiff Carl Vonhartman, and jointly submit the instant Agreed Final Order for the Court’s approval. As evidenced by the signatures of adversary counsel below, all matters in controversy between the Parties have been settled and compromised, and subject to the Court’s approval, the Parties have agreed to the following conclusive resolution of this action:

1. The Plaintiff stipulates that his Complaint failed to state any cognizable claim for relief against the Defendant, and that for the reasons set forth in the Defendant’s Memorandum of Law in support of her petition to dismiss this action pursuant to the Tennessee Public Participation Act (Doc. #12), the Defendant’s *Tenn. Code Ann. § 20-17-104(a) Petition to Dismiss the Plaintiff’s Complaint Pursuant to the Tennessee Public Participation Act* (Doc. #11) should be and is hereby **GRANTED**. Accordingly, the Plaintiff’s Complaint, and all causes of action asserted within it, shall be **DISMISSED WITH PREJUDICE**.

2. Upon entry of this Order, judgment shall be **ENTERED** in favor of the

Defendant against the Plaintiff in the amount of twenty-six thousand and five hundred dollars (\$26,500.00)—inclusive of all available claims for attorney’s fees, discretionary costs, and sanctions—pursuant to Tennessee Code Annotated § 20-17-107(a), Tennessee Code Annotated § 20- 12-119(c), and Tennessee Code Annotated § 4-21-1003(c).

3. This constitutes a final and conclusive resolution of the above-captioned case. Upon entry of this Order, all other claims that were or could have been brought by the Parties against one another shall be deemed waived, released, and/or denied as moot.

4. The Plaintiff shall pay the court costs of this action, for which execution may issue if necessary.

IT IS SO ORDERED.

Entered this the ____ day _____, 2020.

JUDGE JOSEPH P. BINKLEY
Circuit Court Judge

APPROVED FOR ENTRY BY:

/s/ Daniel A. Horwitz
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of June, 2020, a copy of the foregoing was served via the Court's electronic filing system upon the following:

Wesley Clark
Frank Brazil
2901 Dobbs Avenue
Nashville, TN 37211

Counsel for Plaintiff

By: /s/ Daniel A. Horwitz
Daniel A. Horwitz, Esq.



Case Title: VONHARTMAN V BUTTERTON

Case Number: 20C740

Type: FINAL ORDER

The foregoing is hereby ORDERED, ADJUDGED
AND DECREED:

Judge Joe Binkley, Jr., Fifth Circuit