

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

ELIJAH “LIJ” SHAW and)	
PATRICIA “PAT” RAYNOR,)	
)	
Plaintiffs,)	
)	
v.)	Case No. <u>17-1299-II</u>
)	Hon. Anne C. Martin
)	
THE METROPOLITAN)	
GOVERNMENT OF)	
NASHVILLE AND)	
DAVIDSON COUNTY,)	
)	
Defendant.)	

PLAINTIFFS’ RESPONSE TO THE METROPOLITAN
GOVERNMENT’S STATEMENT OF UNDISPUTED FACTS
Tenn. R. Civ. P. 56.03

Plaintiffs Elijah “Lij” Shaw and Patricia “Pat” Raynor respond to Defendant Metropolitan Government’s Rule 56.03 Statement of Facts as follows:

1. Plaintiffs wish to legally operate home-based businesses that involve having clients visit their home (a beauty shop and recording studio). Complaint, ¶ 96.

RESPONSE: Plaintiffs agree this fact is undisputed.

2. Plaintiffs are prohibited from having clients visit their home-based businesses. Metro. Code § 17.16.250(D)(1).

RESPONSE: Plaintiffs agree this fact is undisputed.

3. In 2017, Councilman Scott Davis filed BL2017-719, which would have changed Mr. Shaw’s zoning from residential to SP (allowing clients to visit his home recording studio). Ordinance BL2017-719.

RESPONSE: Plaintiffs agree this fact is undisputed.

4. The Metropolitan Council did not adopt BL2018-719. Complaint, ¶ 132.

RESPONSE: Subject to the understanding that Metro is referring to “BL2017-719,” Plaintiffs agree this fact is undisputed.

5. In 2017, Councilmember Jeff Syracuse filed BL2017-798, which would have changed Ms. Raynor’s zoning from Residential to Specific Plan (allowing clients to visit her home hair salon). Ordinance BL 2017-798.

RESPONSE: Plaintiffs agree this fact is undisputed.

6. The Metropolitan Council did not adopt BL 2017-719. Complaint, ¶ 132.

RESPONSE: Subject to the understanding that Metro is referring to “BL 2017-798,” Plaintiffs agree this fact is undisputed.

Dated: August 2, 2019

Respectfully submitted,

s/ Keith E. Diggs

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Davidson County Chancery Court
***Shaw et al. v. Metro*, No. 17-1299-II**
CERTIFICATE OF E-SERVICE (Tenn. R. Civ. P. 5.02(2))

I, Keith E. Diggs, certify that I am today transmitting this two-page Response to the Metropolitan Government’s Statement of Undisputed Facts and this one-page Certificate of E-Service, via e-file and immediately thereafter via email, to:

Counsel	For
Lora Fox lora.fox@nashville.gov	Metro

I further certify that I will either confirm receipt of the foregoing or else transmit it via facsimile to Metro Legal at (615) 862-6352. If you did not receive any of these documents, please contact me immediately to receive an electronic or physical copy of the missing document(s).

Dated: August 2, 2019

Respectfully,

s/ Keith E. Diggs
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