



## Clarence Risin

Shareholder

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Clarence Risin concentrates his practice in complex business litigation, financial services litigation, insurance, and complex transportation litigation.

Mr. Risin has particular experience in the areas of complex business litigation, financial services litigation, insurance, products liability, and complex personal injury litigation in multiple jurisdictions.

Mr. Risin defends cases brought against corporations in the areas of business litigation, finance, insurance, products liability, and transportation.

He has defended business litigation claims alleging breach of contract, breach of fiduciary duty, extracontractual liability claims, misrepresentation, predatory lending, and fraud, as well as those alleging violations of state and federal consumer protection statutes, including the Truth in Lending Act (TILA), claims of improper credit reporting and debt collection practices, alleged violations of the Fair Credit Reporting Act (FCRA) and Fair Debt Collection Practices Act (FDCPA). Mr. Risin has also managed a multi-state commercial litigation campaign consisting of more than 300 lawsuits involving allegations of state and federal laws relating to the wrongful interruption of telecommunication services, interference with contractual relations, unfair competition, and unjust enrichment.

Mr. Risin's personal injury experience includes defending against claims involving negligence, wrongful death and failure to provide adequate security resulting in assault and battery, sexual assault, and fatal shootings. He successfully led the defense of more than forty lawsuits against a shipping broker relating to a Hepatitis A outbreak which resulted in numerous injuries and wrongful death claims. Mr. Risin's transportation experience includes representing motor carriers in wrongful death actions and traumatic brain injury claims arising out of catastrophic accidents stemming from allegations of Department of Transportation violations, negligent hiring, retention and supervision, negligent entrustment and failure to maintain equipment properly. Mr. Risin's product liability experience includes defending manufacturers against claims alleging defective and unreasonably dangerous products, as well as failure to warn cases. He has represented automotive manufacturers, mechanical tools, toys, trailer hitches, and boating equipment.

Mr. Risin is the former chair of the Firm's Business Litigation Group (2003 – 2006), and former chair of the Firm's Diversity Committee (2002 – 2007). He is a member of the Firm's [24 Hour Motor Carrier Emergency Response Team](#), a group of attorneys dedicated to providing rapid post-accident intervention and investigation throughout the Firm's footprint and beyond, whenever and wherever you need us.

Mr. Risin has consistently been listed in *The Best Lawyers in America*<sup>®</sup>, where he is recognized for his skills in defending commercial litigation matters. He has also been recognized in *Mid-South Super Lawyers* listings of top lawyers. Mr. Risin has handled litigation cases in various jurisdiction, including Tennessee, Kentucky, Florida, Texas, Alabama, Mississippi, Virginia, Georgia, and Louisiana.

### Representative Matters

- Successfully defended a finance company in a class action suit against alleged violations of the Fair Debt Collection Practices Act, relating to debt collection notices sent to customers.

- Obtained summary judgment in favor of a nationwide life insurance and annuity company in a suit brought by a beneficiary of annuities alleging claims for breach of contract, promissory fraud, negligent misrepresentation, breach of fiduciary duty and violations of the Tennessee Consumer Protection Act. The decision was appealed, argued and affirmed by the Tennessee Court of Appeals.
- Defended a global manufacturing company in a suit in Alabama by a factoring company relating to invoices which were purchased from a broker. The suit alleged breach of contract, unjust enrichment, quantum meruit, and wrongful payment. The action was defended on the grounds that the contracting party materially breached the contract and that the plaintiff failed to provide effective notice as required by the UCC.
- Prosecuted a civil suit on behalf of a nationwide jewelry retailer in federal court alleging that the defendants improperly used plaintiffs' mark in violation of the Lanham Act, engaged in unlawful use of a counterfeit mark, created initial interest confusion, engaged in common law trademark infringement, violated the Tennessee Consumer Protection Act and were unjustly enriched, and that other defendants were party to a joint venture which engaged in improper conduct, resulting in a favorable settlement from all defendants in the case.
- Defended a finance company in disputes regarding the alleged breach of a multimillion dollar Asset Purchase Agreement and the fulfillment of a transition services agreement.
- Obtained summary judgment in federal court in favor of a nationwide insurance company against claims by the policy holder and beneficiaries asserting fraudulent concealment, constructive fraud, fraud in the inducement, negligent misrepresentation and negligent training and supervision relating to the purchase of multiple policies.
- Obtained summary judgment on behalf of a finance company, and dismissal of the action in its entirety, in a suit alleging damages as a result of the repossession of the plaintiff's vehicle by an independent contractor.
- Defended a global company in a multimillion dollar suit in federal court brought to enforce coal supply contracts for manufacturing plants located in Alabama and Georgia.
- Obtained an injunction and ultimately a judgment on behalf of a nationwide franchisor against a franchisee for breach of franchise agreements and wrongful possession of inventory.
- Obtained defense verdicts in multiple jury trials in state and federal courts involving claims of breach of contract and misrepresentations.
- Obtained jury verdicts on behalf of insurance companies involving coverage disputes, breach of contract claims and claims alleging extra contractual liability.
- Obtained defense verdicts in multiple jury trials in state and federal courts representing manufacturers and the transportation industry in complex and catastrophic litigation involving alleged negligence, product defects and DOT violations.



## Professional Honors & Activities

- Listed in *Best Lawyers in America*® in the area of Commercial Litigation (since 2008); Transportation Law (since 2015)
- Named the 2017 *Best Lawyers'* Nashville Transportation Law "Lawyer of the Year"
- Listed in *Mid-South Super Lawyers* (2011 – 2015)
- Voted a Top Attorney by his peers in *CityView* magazine (2009, 2010)
- Hearing Committee Member – Board of Professional Responsibility of the Supreme Court of Tennessee
- Board of Commissioners – Knoxville Utilities Board (2011 – 2012)
- Adjunct Professor – University of Tennessee College of Law
- Commissioner – Tennessee Human Rights Commission for the State of Tennessee (1999 – 2001)
- Board Member – Helen Ross McNabb Center (2003 – 2005)
- Member – Knoxville, Tennessee and American Bar Associations
- Member – DRI

- Member – Tennessee Defense Lawyers Association



## Education

- Southeastern Louisiana University, B.A., 1990
- University of Tennessee College of Law, J.D., 1994



## Admissions

- Tennessee, 1994