

IN THE CIRCUIT COURT OF WILSON COUNTY, TENNESSEE

NANDIGAM NEUROLOGY, PLC,

*Plaintiff,*

v.

KELLY BEAVERS

and

DEVIN YOUNT,

*Defendants.*

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Case No.: 2019-cv-663

Judge Clara W. Byrd

ORDER FILED

SEP 21 2021

DEBBIE MOSS  
Circuit Court Clerk  
WILSON COUNTY, TN

**AGREED FINAL ORDER**

Come now Plaintiff Nandigam Neurology, PLC, and Defendant Kelly Beavers, through undersigned counsel of record, and jointly submit the instant Agreed Final Order for the Court's approval. As evidenced by the signatures of adversary counsel below, all remaining matters in controversy between these 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. On March 30, 2020, this Court entered an order providing "that all further proceedings in this matter (with respect [to] Defendant Beavers) are to be stayed pending the decision of the Court of Appeals in the matter of 2020-CV-89 (appeal from General Sessions 2020-CV-152)." On June 18, 2021, the Court of Appeals issued its decision in *Nandigam Neurology, PLC v. Beavers*, No. M2020-00553-COA-R3-CV, 2021 WL 2494935 (Tenn. Ct. App. June 18, 2021), affirming the dismissal of the Plaintiff's claims against Defendant Beavers with prejudice. The Court of Appeals' Amended Mandate

ORDER LODGED  
DATE 9-17-2021  
DEBBIE MOSS  
CIRCUIT COURT CLERK  
WILSON COUNTY, TN

issued on September 15, 2021. Accordingly, the Parties are in agreement that the Court's March 30, 2020 stay of proceedings in this action should be and is hereby **LIFTED** and **DISSOLVED**.

2. Still pending before the Court are Defendant Beavers' *Tenn. Code Ann. § 20-17-104(a) Petition to Dismiss the Plaintiff's Complaint Pursuant to the Tennessee Public Participation Act* and *Motion for Award of Fees, Costs, and Sanctions Pursuant to the Tennessee Public Participation Act*. The Parties having agreed that the Court retains jurisdiction to adjudicate Defendant Beavers' Tennessee Public Participation Act Petition, the Court ordered, on March 5, 2020, that "Defendant Beavers shall set her Tennessee Public Participation Act for hearing." Given the Court of Appeals' June 18, 2021 decision in Case No. M2020-00553-COA-R3-CV, the Parties are in agreement that a hearing is no longer necessary. Accordingly, the Parties stipulate and agree that:

i. For the reasons set forth in Defendant Beavers' papers, Defendant Beavers' *Tenn. Code Ann. § 20-17-104(a) Petition to Dismiss the Plaintiff's Complaint Pursuant to the Tennessee Public Participation Act* should be and hereby is **GRANTED**, and the Plaintiff's Complaint, and all causes of action asserted within it, shall be **DISMISSED WITH PREJUDICE** pursuant to Tenn. Code Ann. § 20-17-105(b), Tenn. Code Ann. § 20-17-105(c), and Tenn. Code Ann. § 20-17-105(e); and

ii. Defendant Beavers' *Motion for Award of Fees, Costs, and Sanctions Pursuant to the Tennessee Public Participation Act* should be and hereby is **GRANTED**. It is therefore **ORDERED, ADJUDGED, AND DECREED** that pursuant to Tenn. Code Ann. § 20-17-107(a), **JUDGMENT SHALL ISSUE** in favor of Defendant Beavers against Plaintiff Nandigam Neurology, PLC, and Plaintiff Nandigam Neurology, PLC is hereby **ORDERED** to pay Defendant Beavers **TWENTY-FIVE THOUSAND**

**DOLLARS** (\$25,000.00), inclusive of all claims for reasonable attorney's fees, discretionary costs, expenses incurred, and sanctions, for which execution may issue against the Plaintiff if necessary.

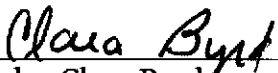
3. This constitutes a final and conclusive resolution of the above-captioned case between Plaintiff Nandigam Neurology, PLC and Defendant Beavers. Upon entry of this Order, all other claims that were or could have been brought by these Parties against one another in Case No.: 2019-cv-663 shall be deemed waived, withdrawn, and/or denied as moot. These Parties additionally waive all rights of appeal in Case No.: 2019-cv-663.

4. All claims between Plaintiff Nandigam Neurology, PLC and Defendant Beavers having been resolved, and there being no just reason for delaying entry of judgment, this Order constitutes a final judgment, and a final judgment shall be **ENTERED** pursuant to Tenn. R. Civ. P. 58 and/or Tenn. R. Civ. P. 54.02.


5. The court costs of this action are taxed against the Plaintiff, Nandigam Neurology, PLC, for which execution may issue if necessary.

**IT IS SO ORDERED.**

**ENTERED** on this the 21 day of September, 2021.

  
\_\_\_\_\_  
Judge Clara Byrd  
Circuit Court Judge

**APPROVED FOR ENTRY BY:**



Daniel A. Horwitz, BPR #032176  
HORWITZ LAW, PLLC  
4016 Westlawn Dr.  
Nashville, TN 37209  
[daniel@horwitz.law](mailto:daniel@horwitz.law)  
(615) 739-2888

*Counsel for Defendant Kelly Beavers*

Angello L. Huong (w/ permission DAH)

Angello L. Huong  
435 Park Avenue, Professional Building  
Lebanon, Tennessee 37087  
[angellohuong@hotmail.com](mailto:angellohuong@hotmail.com)

*Counsel for Plaintiff Nandigam Neurology, PLC*

**CERTIFICATE OF SERVICE**

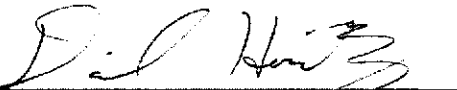
I hereby certify that on this 17 th day of September, 2021, a copy of the foregoing was served via UPS mail, postage prepaid, and/or e-mailed to the following parties:

Angello L. Huong  
435 Park Avenue, Professional Building  
Lebanon, Tennessee 37087  
angellohuong@hotmail.com

*Counsel for Plaintiff*

John Nefflen  
SHACKELFORD, BROWN, MCKINLEY, & NORTON  
47 Music Square East  
Nashville, TN 37203

*Counsel for Defendant Yount*

By:   
Daniel A. Horwitz, Esq.