

Michael F. Rafferty*Of Counsel*

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Concentration:

- Business and Corporate Law
- Commercial Litigation
- Intellectual Property
- Labor and Employment Law

Michael Rafferty focuses his practice in the area of commercial litigation including contract disputes, claims for insurance coverage, claims involving environmental issues, intellectual property matters and employment matters, such as enforcement or defense of non-compete agreements and representation of employers in discrimination claims. Mr. Rafferty began his law career with an appellate clerkship for the Honorable W. Frank Crawford at the Tennessee Court of Appeals. He joined Harris Shelton in 1983, where he has worked as an associate, a partner, a member and, currently, of counsel. Mr. Rafferty is an "AV"-rated lawyer with the Martindale Hubbell Law Directory.

As a member of three state bars, Mr. Rafferty has tried cases in Tennessee, Arkansas and Mississippi and is a member of the federal district courts of these states as well as in Missouri and Texas. He has an active appellate practice, having appeared in all the appellate courts of Tennessee, the United States Court of Appeals for the Sixth Circuit in Cincinnati and the Fifth Circuit in New Orleans. In addition, he is a member of the Bar of the Supreme Court of the United States.

Professional Honors and Activities

- Arkansas Bar Association, member
- Memphis Bar Association, member
- State Bar of Mississippi, member
- Tennessee Bar Association, member
- Martindale Hubbell rating – AV[®] Preeminent[™]

Clerkship

- Law Clerk, Hon. W. Frank Crawford, Tenn. Ct. of App., 1982-83

Bar Admission

- Tennessee, 1982
- Arkansas, 1985
- Mississippi, 1990

Representative Cases

Supreme Court of Tennessee:

- *US Bank v. Tennessee Farmers Mutual Insurance Co.*, 277 S.W.3d 381 (Tenn. 2009)
- *Cross v. City of Memphis*, 20 S.W.3d 642 (Tenn. 2000)
- *Bellamy v. Federal Express Corp.*, 749 S.W.2d 31 (Tenn. 1988)

Court of Appeals of Tennessee:

- *US Bank v. Tennessee Farmers Mutual Insurance Co.*, 2012 WL 5985097 (Tenn. Ct. App. 2012)
- *US Bank v. Tennessee Farmers Mutual Insurance Co.*, 2007 WL 4463959 (Tenn. Ct. App. 2007)
- *Duke v. Browning-Ferris Industries of Tennessee, Inc.*, 2006 WL 1491547 (Tenn.Ct.App. 2006)
- *First State Bank of Holly Springs, Miss. v. Wyssbrod*, 124 S.W.3d 566 (Tenn. Ct. App. 2003)
- *Thornton v. Countrywide Home Loans, Inc.*, 2000 WL 33191366 (Tenn.Ct.App. 2000)
- *Citizens for Collierville, Inc. v. Town of Collierville*, 977 S.W.2d 321 (Tenn.Ct.App. 1998)
- *Reliance Insurance Co. v. WSN Leasing, Inc.*, 1997 WL 396835 (Tenn.Ct.App. 1997)
- *Drexel Chemical Co. v. Bituminous Insurance Co.*, 933 S.W.2d 471 (Tenn. Ct. App. 1996)
- *Browning-Ferris Industries of Tennessee, Inc. v. The Metropolitan Government of Nashville*, 1991 WL 219383 (Tenn.Ct.App. 1991)
- *Kirksey v. Overton Pub, Inc., d/b/a East End Grill*, 804 S.W.2d 68 (Tenn. Ct. App. 1990)
- *Richards Mfg Co. v. Great American Ins. Co.*, 773 S.W.2d 916 (Tenn. Ct. App. 1989)
- *Kirksey v. Overton Pub, Inc., d/b/a East End Grill*, 739 S.W.2d 230 (Tenn. Ct. App. 1987)
- *Kelley v. National Home Life Assurance Co.*, 1987 WL 7725 (Tenn.Ct.App. 1987)

Court of Criminal Appeals of Tennessee:

- *State of Tenn. v. Leonard Franklin*, No. W2002-3008-CCA-R3-CD (Tenn. Ct. Crim. App. 2003)

United States Court of Appeals for the Sixth Circuit:

- *Drexel Chemical Co. v. Albaugh*, 489 Fed. App'x 63 (6th Cir. 2012)
- *Culver v. CCL Label, Inc.*, 455 Fed. App'x 625 (6th Cir. 2012)
- *Provident Bank v. Tennessee Farmers Mut'l Ins. Co.*, 234 Fed.Appx. 393 (6th Cir. 2007)

- *Andrew Hedgepeth v. State of Tennessee*, 215 F.3d 608 (6 th Cir. 2000)
- *Baptist Memorial Hospital v. Emma Marsaw*, 208 F.3d 212 (6 th Cir. 2000)
- *World Color Press, Inc., v. Forcum-Lannom Associates, Inc.*, 205 F.3d 1343, (6th Cir. -2000)
- *Baptist Memorial Hospital v. Pan American Life Ins. Co.*, 45 F.3d 992 (6 th Cir. 1995)
- *Velsicol Chemical Corp. v. Enenco, Inc. and Browning-Ferris Industries of Tenn., Inc.*, 9 F.3d 524 (6th Cir. 1993)
- *Nicholas M. Patton v. Richard Bearden*, 8 F.3d 343 (6th Cir. 1993)

United States District Court for the Western District of Tennessee

- *Varsity Brands, Inc. v. Star Athletica, LLC*, 2014 WL 819422 (W.D. Tenn., March 1, 2014)
- *Baptist Memorial Hospital v. Marsaw*, 13 F.Supp.2d 696 (W.D. Tenn. 1998)
- *Snow v. Aetna Ins. Co.*, 998 F.Supp. 852 (W.D. Tenn. 1998)
- *US v. Velsicol Chemical Corp.*, 1991 WL 533765 (W.D. Tenn. 1991)

United States Court of Appeals for the Fifth Circuit:

- *Barhanm v. Ry-Ron, Inc.*, 121 F.3d 198 (5th Cir. 1997)
- *Vulcan Constr'n Materials, LP, v. McLea Developers, Inc.*, 252 Fed.App'x 607 (5th Cir. 2007)
- *Chase-Cavett Services, Inc. v. Baptist Memorial Hospital*, 7 F.3d 229 (5th Cir. 1993)

Supreme Court of Mississippi:

- *Briggs & Stratton Corp., Automotive Electric Corporation d/b/a Engine Power -Distributors, v. Johnny Smith*, 854 So.2d 1045 (Miss. 2003)

Arkansas Court of Appeals:

- *James Tyrone v. Marcus Dennis*, 73 Ark. App. 209, 39 S.W.3d 800 (2001)

Education

- Tulane University School of Law, J.D., 1982
- Rhodes College, B.A. in history, 1978