

IN THE CHANCERY COURT OF COCKE COUNTY, TENNESSEE

GREGORY FODNESS,
CHANCERY COURT
FILED

PLAINTIFF

MAY 03 2006

VS.

TIME: 10:00 Am
COCKE CO, TN
CRAIG WILD, C & M

NO. 03-076

NEWPORT AND COCKE COUNTY ECONOMIC
DEVELOPMENT COMMISSION, INC.,

DEFENDANT

J U D G M E N T

THIS cause came on to be further and finally heard the 3rd day of MAY, 2006, by the Honorable Telford E. Forgety, Jr., Chancellor upon the Judgment of the Tennessee Court of Appeals, Eastern Section, remanding this case for further proceedings consistent with the Opinion of the Court of Appeals dated March 16, 2005 and it appearing to the Court that the Newport and Cocke County Economic Development Commission has the characteristics of a governmental agency and by the definitive relevant determinative factors set forth in Memphis Publishing Company vs. Cherokee Children and Family Services, Inc., 87 SW 3rd 67 (Tenn 2002), is the functional equivalent of a governmental agency, thereby precluding it from asserting the public records exclusion set forth in T.C.A. 10-7-503(d)(1).

IT IS, THEREFORE, ORDERED that Newport and Cocke County Economic Development Commission is subject to Tennessee Open

ENTERED May 3, 06
Minute BOOK 84
Craig Wild, Clerk and Master

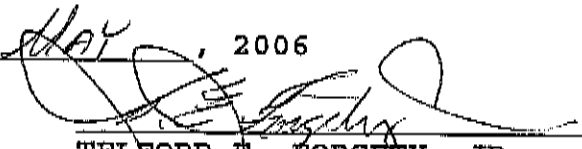
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Records Law, and further, that Newport and Cocke County Economic Development Commission's reliance upon the statutory exception was founded in good faith.

Each party shall bear their own costs and attorney fees.

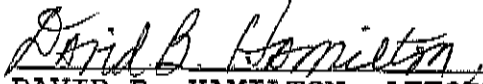
The Court costs only are assessed against the defendant for which let execution issue if necessary.

Enter this 3rd day of May, 2006

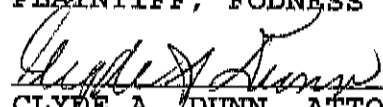


TELFORD E. FORGETY, JR.,
CHANCELLOR

APPROVED FOR ENTRY:

By C.A.D.
 *Permit*

DAVID B. HAMILTON, ATTORNEY FOR
PLAINTIFF, FODNESS



CLYDE A. DUNN, ATTORNEY FOR
DEFENDANT, N&CCEDC