

## Paul Davidson

### PARTNER



(615) 850-8942  
paul.davidson@wallerlaw.com

Assistant: C. Denise Guye  
(615) 850-8747  
denise.guye@wallerlaw.com

511 Union Street, Suite 2700  
Nashville, TN 37219  
615.244.6380  
615.244.6804

Paul Davidson's practice focuses on trial work and high value corporate and business litigation. He has served as lead trial counsel for plaintiffs and defendants in courts across the country, including Tennessee, California, New York, Utah, Ohio, Michigan, Alabama and Washington, D.C. Clients rely on Paul for the high level insight and strategy he brings to every case. He helps private and public companies, accounting firms, private equity firms, and individuals effectively and efficiently resolve disputes in a broad array of areas, including antitrust, securities, trade secrets, breach of fiduciary duty and trusts and estates.

Paul is recognized in Chambers USA (Business Litigation), Super Lawyers and The Best Lawyers in America (Commercial Litigation, Securities, Antitrust and Intellectual Property; and was named 2020 Lawyer of the Year in Litigation and Antitrust).

Some of Paul's recent successes include:

- Selection by Tennessee's Attorney General to represent a number of nonprofit healthcare organizations in complex fraud and breach of fiduciary duty cases against two public healthcare companies that resulted in the recovery of nearly \$90 million;
- Representation of bondholders in the municipal bankruptcies of Jefferson County, Alabama and Detroit, the largest U.S. municipal bankruptcies ever filed, resulting in the recovery of billions of dollars;
- Defense of a Big 4 accounting firm in litigation with the SEC and related federal court class action securities litigation;
- Representation of a law firm in arbitration in New York, resulting in a multimillion-dollar verdict for his client;
- Achievement of a 100% victory for his client in a shareholder's dissenter's rights case at trial and in argument before the Tennessee Supreme Court that resulted in establishing a new rule of law for business valuations in Tennessee.

Paul has also assisted clients in a variety of pro bono matters, including the representation of death

row inmates, obtaining orders of protection for clients through the Nashville Aid Society, and advising nonprofit boards of directors such as the board of the Salvation Army and the board of Cheekwood, a botanical and art museum.

## EXPERIENCE

- **Jim Reed Automotive disputes tenant's right of first refusal claims**

Representing Jim Reed Automotive, a former Nashville automotive dealership, in a complex dispute regarding a prime real estate parcel in downtown Nashville, TN worth in excess of \$82 million.

- **Scheme to raid Virtue Capital Management of sales advisors shut down following arbitration**

Successfully represented Virtue Capital Management, LLC in protecting its top investment adviser representatives, investment clients and its confidential and trade secret information from competing advising firms.

- **Nashville Airport Authority defense in breach of easement, negligence lawsuit**

Representing the Nashville Airport Authority in a lawsuit with Colonial Pipeline Company regarding a punctured pipeline involving complex and novel issues of governmental immunity, allocation of fault under the Oil Pollution Act, and more.

- **Duke Energy defeats class action challenging elimination of accumulated sick time**

Defended Duke Energy and Piedmont Natural Gas in a putative class action alleging that the companies unlawfully stripped individual union members of hundreds of hours of accumulated sick time in violation of the parties' labor contract and federal law is dismissed by federal court.

- **Toy company battles allegations of trademark infringement**

Defended a toy company against allegations of trademark infringement.

- **Payment processor seeks coverage relating to a D&O dispute**

Successfully represented a payment processor in a D&O dispute against insurer after the insurer denied coverage for a third-party claim.

- **Company prevails in appeals of securities fraud claims brought by former employees**

Represented a privately-held company in two related appeals involving securities fraud claims brought by former employees and the separate legal nature of parent and subsidiary corporations.

- **Insured seeks and obtains coverage for large-loss auto accident after insurer denied coverage**

Represented an insured individual in a 7-figure claim against an auto insurance carrier after the insurance company completely denied coverage following an automobile accident.

- **Represented indenture trustee in City of Detroit's Chapter 9 proceeding**

Represented the indenture trustee for the approximately \$5.3 billion water and sewer bonds connected to Detroit's Chapter 9 bankruptcy proceeding.

- **Athlon Sports Communications prevails in trial and appeal following shareholder litigation suit**

Represented Athlon at trial and on appeal in a rare case under Tennessee's dissenters' right statute involving shareholder challenge to the price at which the Board of Directors approved a merger.

- **KPMG reaches settlement in audit dispute**

Represented KPMG in audit dispute, reaching a \$35 million settlement

- **Jefferson County defaults on approximately \$3.2 billion in pledged revenue bonds**

Represented an appointed Indenture Trustee in connection with litigation that arose from Jefferson County, Alabama defaulting on approximately \$3.2 billion in pledged revenue bonds.

## EDUCATION

- J.D., Vanderbilt University Law School
- LL.M., University College - London England, London School of Economics and Political Science
- B.A., Syracuse University

## BAR ADMISSIONS

- Tennessee

## RECOGNITIONS

### Chambers USA

- Litigation: General Commercial (Tennessee), 2008-2022

### The Best Lawyers in America© (BL Rankings)

- Commercial Litigation, 2006-2023
- Litigation - Antitrust, 2011-2023
- Litigation - Intellectual Property, 2011-2023
- Litigation - Mergers and Acquisitions, 2011-2023
- Litigation - Securities, 2011-2023

### The Best Lawyers in America© (BL Rankings), 2022

- Lawyer of the Year, Litigation - Mergers and Acquisitions (Nashville)

### Mid-South Super Lawyers (Thomson Reuters)

- Business Litigation, 2006-2021

## PROFESSIONAL INVOLVEMENT

- Fellow, Nashville Bar Foundation
- Fellow, Tennessee Bar Foundation
- Member, Sedona Conference Working Group on Electronic Document Retention and Production
- Member, American Health Law Association
- Member, Litigation and Business sections of the American Bar Association
- Member, Antitrust, Securities Litigation, Healthcare Litigation and Business Torts subsections of the American Bar Associations
- Member, Nashville, Tennessee, District of Columbia and American Bar Associations
- Hearing Committee Member, Tennessee Board of Professional Responsibility, 1997-2003; twice appointed to three-year terms by the Tennessee Supreme Court
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- Former Member, Harry Phillips American Inn of Court

## COMMUNITY INVOLVEMENT

- Member, Board of Directors, Salvation Army
- Former Member, Board of Directors, O'More College of Design
- Former Trustee and Member of Executive Committee, Cheekwood Botanical Garden and Museum of Art