

Litigation and Appellate Forum 2019 Faculty Biographies

Producers

Mary Taylor Gallagher

Mary Taylor Gallagher serves as Chair of the TBA's Litigation Section. She is a trial lawyer in GSRM's Litigation and Labor and Employment sections. Mary Taylor has tried jury and nonjury cases in state and federal courts throughout Tennessee. In addition to general business litigation, Mary Taylor focuses her practice on the defense of employers in the railroad, transportation and healthcare industries.

Mary Taylor advises clients on issues of labor and employment law compliance, including the Age Discrimination in Employment Act (ADEA), National Labor Relations Act (NLRA), Fair Labor Standards Act (FLSA), Family Medical Leave Act (FMLA), Americans with Disabilities Act (ADA) and the Civil Rights Act of 1964 (Title VII). She also works with clients to resolve wrongful discharge, harassment, discrimination, whistleblower and retaliation claims, as well as wage and hour dispute and class action litigation. Mary Taylor has argued orally before the Sixth Circuit Court of Appeals and the Tennessee Court of Appeals, and authored briefs before the Tennessee Supreme Court. She is admitted to practice before all state and federal courts in Tennessee.

Kyle Wilson

Kyle Wilson serves as Chair of the TBA's Appellate Section. He is an Assistant United States Attorney, Criminal Division.

Speakers

T. Leigh Hearn Rushton

T. Leigh Hearn-Rushton is originally from Alabama, where she graduated Auburn University and achieved her J.D. from the Cumberland School of Law in Birmingham, AL. She is a member of the Alabama State Bar, the Tennessee Bar Association, the Nashville Bar Association, the United States District Court for the Middle District of Tennessee, and the United States District Court for the Middle District of Alabama. After many years teaching at law schools all over the country, she founded The Rushton Law Firm, PLLC in Nashville, Tennessee where she works side-by-side with her law partner and spouse, Harold. T. Leigh focuses her practice primarily on family law, consumer protection and breach of contract. When she is not lawyering or tutoring students for the bar exam, she enjoys gardening, traveling and spending non-work time with her husband.

William "Bill" Roach Jr.

Bill Roach, Jr., is an Assistant United States Attorney in the Eastern District of Tennessee who prosecutes white-collar crimes, with a particular emphasis on healthcare and financial fraud. Prior to joining the office's criminal division in 2018, Bill spent two years in the office's Appellate Division, where he briefed and argued numerous

criminal appeals in the Sixth Circuit. Before joining the United States Attorney's Office, Bill was an Associate at Winston & Strawn LLP in Washington, D.C., where he focused on healthcare antitrust litigation, including defending hospitals and healthcare systems in merger enforcement proceedings, FTC and DOJ investigations, class-action defense, and white-collar criminal investigations. Bill is an East Tennessee native, and he graduated from the University of Memphis Cecil C. Humphrey's School of Law in 2009. Bill attended Tulane University as an undergraduate.

Tiffany Fox

Tiffany Fox joined Legality in 2014 from Counsel on Call, where she was an attorney in the eDiscovery division. She has also worked as a legal hold and eDiscovery consultant. While working as a project leader for three years on the contract/review side she was able to develop a superior knowledge of review workflows and coordinated complex productions for her clients. She is experienced in multiple eDiscovery platforms and assists clients with all aspects of a project from forensics and data collection through production. She has worked on numerous Predict projects and is a Certified Predict Specialist as well as expert in Catalyst, Venio, and Everlaw. She is a cum laude graduate of Pepperdine University School of Law.

Sarah Miller

Sarah Miller is an attorney in the Bradley's Litigation Practice Group and Information Systems Department. She brings a strong background in litigation readiness and electronic discovery to Bradley and has managed extensive document review projects for several Fortune 500 companies. Her experience includes advising on litigation holds and litigation readiness, including information governance policies and preservation and identification of data in preparation for litigation. She also advises clients and attorneys regarding in-house and outside vendor review platforms and consults on relevance and privilege determinations on ESI.

With experience on numerous trial teams, Sarah represents clients as a subject matter expert for e-discovery. Sarah is designated as an ANSI Certified Information Privacy Professional (CIPP/US) by the International Association of Privacy Professionals

Edmund Sauer

Edmund Sauer is an appellate lawyer in Bradley's Nashville, Tennessee office. His practice focuses on handling appeals throughout the country, particularly in the U.S. Court of Appeals for the Sixth Circuit, where he clerked for two judges, and in Tennessee and Kentucky appellate courts. Edmund is the past chair of the Tennessee Bar Association's Appellate Practice Section. He regularly advises clients and trial counsel on litigation strategy to maximize the prospects of success at trial and on appeal. Edmund has particular experience serving as the appellate lawyer embedded with trial teams in complex civil litigation. In the last two years, Edmund has obtained a reversal for a corporate client in an interlocutory appeal to the Sixth Circuit; persuaded the Sixth Circuit to reject loan-securitization claims for a financial services client; obtained a reversal on an issue of first impression in another Sixth Circuit appeal; successfully represented clients in an ERISA appeal in the Third Circuit and a bankruptcy appeal in the Eleventh Circuit; and handled more than two dozen other appeals before the Tennessee

and Kentucky Courts of Appeals and other appellate courts. Also, in the last two years, he has filed three amicus briefs in the United States Supreme Court and two in the Tennessee Supreme Court. Over the course of his career, Edmund has handled appeals involving a variety of legal issues, including commercial and contractual disputes, insurance, preemption, intellectual property, labor and employment, ERISA, product liability, financial services, arbitration, pharmaceuticals, class action, federal and state constitutional law, civil rights, environmental law, the Federal Tort Claims Act, white-collar crime, bankruptcy, consumer fraud, antitrust, and the Federal Employers Liability Act. In addition to his appellate practice, he has authored dispositive and critical motions in a variety of federal and state trial matters, including cases involving breach of contract, insurance, product liability, ERISA, pharmaceuticals, pharmaceuticals, federal and state constitutional law, class actions, and construction law. Before joining Bradley Arant Boult Cummings, Edmund worked as an appellate lawyer at Mayer Brown in Washington, D.C. He also served as Deputy General Counsel to Kentucky Governor Steven L. Beshear, representing the Governor in federal and state courts and helping coordinate executive-branch litigation. A Fulbright and Truman Scholar, Edmund received his J.D. from the University of Virginia School of Law, M.A. from Queen's University (Canada), and B.A. from Centre College.

Misty Decker

Misty has more than 15 years of experience assisting clients and counsel with complex financial, accounting, and damages matters, including fraud investigations, forensic accounting and valuation consulting services. She has provided consulting services, including both disputes and investigations, with issues involving business valuations, lost profits, insolvency, contracts, fiduciary duties, risk management, employment, investments and white-collar crime. Misty has experience in performing fraud risk assessments and developing anti-fraud programs. She has also developed an expertise in intellectual property issues involving patents, trademarks and copyrights.

Misty is a Certified Public Accountant, Accredited in Business Valuation, Certified in Financial Forensics, and a Chartered Global Management Accountant by the American Institute of Certified Public Accountants. Additionally, she is a Certified Fraud Examiner and a Certified Licensing Professional.

Prior to joining Elliott Davis, Misty was a Principal at a financial advisory, consulting and litigation support firm based in Birmingham, AL. She was the Market Managing Partner of the Nashville office and Co-Leader of the Intellectual Property Group. Prior to becoming involved in the consulting industry, Misty served as a Controller of a large non-profit organization and provided attestation services in a public accounting firm.

Mike Costello

Mike has more than 30 years of experience in business valuations, forensic accounting, business acquisitions and divestitures, exit planning and related fields. His experience includes extensive consulting work and testimony in tax, accounting, financial, economic and business issues of complex commercial litigation, with emphasis on business valuation, economic damage and forensic accounting issues.

Mike provides expert testimony in lost profit, fraud, bankruptcy, patents and licenses, personal injury, wrongful death, wrongful termination litigation and marital dissolution. He is qualified to serve as an expert witness in U.S. District Courts, Circuit Courts, and Chancery Courts. He has been appointed by the Hamilton County (Tenn.) Circuit Court as a Special Master and as a Custodian to liquidate a business; by the Hamilton County Chancery Court as a Custodian/Receiver to manage and sell a medical practice; and by a Federal Bankruptcy Trustee to sell a business. Mike's appraisals have been used in various courts and in connection with buy-and-sell transactions between corporate shareholders. He also serves as adjunct faculty at the University of Tennessee at Chattanooga.