

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Public Employees for Environmental Responsibility)
Plaintiff)
v.)
Gerald Nicely, et al.)
Defendant)

Case No. 3:09-cv-00276

APPEARANCE OF COUNSEL

To: The clerk of court and all parties of record

I am authorized to practice in this court, and I appear in this case as counsel for:

Public Employees for Environmental Responsibility, Plaintiff herein

Date: 09/15/09

David Randolph Smith
Attorney's signature

David Randolph Smith, BPR No. 011905
Printed name and bar number

Law Offices of David Randolph Smith
& Edmund J. Schmidt III
1913 21st Avenue South
Nashville, TN 37212
Address

drs@drslawfirm.com
E-mail address

(615) 742-1775
Telephone number

(615) 742-1223
FAX number

CERTIFICATE OF SERVICE

I hereby certify that on this the 15th day of September, 2009, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

James D.R. Roberts, Jr.
Janet L. Layman
Roberts & Layman
1700 Hayes Street, Suite 303
Nashville, TN 37203
(615) 242-2002
Fax (615) 242-2042
jim.roberts@robertsandlayman.com
jillyman@juno.com

Raymond T. Throckmorton, III
1700 Hayes Street, Suite 303
Nashville, TN 37203
(615) 242-2002
(615) 242-2042
rttiii@bellsouth.net

Larry Michael Teague
Tennessee Attorney General's Office
P.O. Box 20207
Nashville, TN 37202
(615) 741-3491
Fax (615) 741-8151
Larry.Teague@ag.tn.gov

s/David Randolph Smith
David Randolph Smith