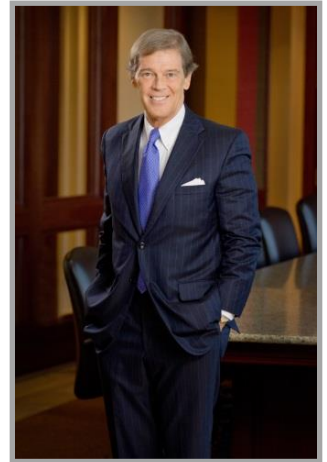


RANDALL D. NOEL

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Randy Noel is engaged in a civil trial practice with an emphasis on commercial, banking, antitrust, data security, and products liability matters.

PRACTICE AREAS AND INDUSTRY TEAMS

- Commercial Litigation
- Antitrust, Competition & Trade Regulation
- Financial Service Litigation
- Business Torts and Unfair Competition
- Data Security and Privacy

EXPERIENCE

- *Williams v. Union Carbide Corporation*, 479 U.S. 992, 107 S.Ct. 591.
- *Boudra v. Humana Health Insurance Co. of Florida, Inc.*, 730 F.Supp. 1432.
- *Schaeffer v. American Honda Motor Co., Inc.*, 976 F.Supp. 736.
- *Farmer v. Taco Bell Corp.*, 242 B.R. 435.
- *Zaroufie v. Lance, Inc.*, 2008 WL 2669105, W.D. Tenn. (No. 07-2016).
- *Municipal Securities, Inc. v. Insurance Company of North America*, 829 F.2d 7.
- *Joe Brown, et al v. Amsouth Bank and Regions Mortgage*, 2018 WL 1319169 and 2948418.
- *Memphis Biofuels, LLC v. Chickasaw Nation Industries, LLC*, 585 F.3d 917.
- *Morris v. Canadian Imperial Bank of Commerce*, 2009 WL 4931324 (Tenn.Ct.App. Dec 22, 2009).
- *Coppock v. DaimlerChrysler Corp.*, 2007 WL 2471723, E.D. Tenn. (No. 4:06-CV-26).
- *McConkey v. McGhan Medical Corp.*, 144 F.Supp.2d 958.
- *Williams v. Austin*, 687 So.2d 766.

- *Carrington v. Methodist Medical Center, Inc.*, 740 So.2d 827.
- *Joe Brown, et al v. Amsouth Bank and Regions Mortgage, et al*, 2016 WL 4271874.
- *Inventory Locator Service v. PartsBase Inc.*, WL 2179185.
- *Inventory Locator Service v. PartsBase*, Jury verdict for world's largest internet marketer of aviation parts in six week trial of Computer Fraud and Abuse Act suit. and successfully defended \$20 million counterclaim.
- *Saino v. LifeBlood*, obtained dismissal of \$50 billion identity theft class action claim after removal pursuant to Class Action Fairness Act and defeat of remand efforts.
- *Tyson v. 3M*, Tennessee trial counsel in silicone gel breast implant litigation. Jury verdict for 3M after 5 week trial.
- *Miller, et al. v. Union Carbide Corp.*, obtained jury verdict for Union Carbide in 3 week trial of consolidated toxicity cases stemming from cellulose plant start up.
- *Southwind Country Club v. PGA Tour*, Obtained summary judgment in favor of PGA Tour in breach of contract action by members opposing dues payments during course and club renovations.
- *Spirou Group v. Stoneville Pedigreed Seed Company*, Represented publicly-traded cottonseed distributor in Geneva-based International arbitration of claim for breach of distribution agreement.
- *John Doe, et al. v. Tenet Healthcare Corp.*, Defended Tenet Healthcare in 47 related suits filed on behalf of minors alleging improper child psychiatric care.
- *Presley v. JP/Politikens HUS, et al.*, 2014 U.S. App. LEXIS 25061 – Obtained dismissal of Danish publishing company and its editor from RICO related action brought by the alleged “real” Lisa Marie Presley.
- *Memphis Biofuels v. Chickasaw Nation Industries, Inc.*, represented defendant in a \$20 million suit alleging breach of a biofuels production agreement. Obtained dismissal of the case in the U.S. District Court on the grounds of sovereign immunity, and dismissal was affirmed by the U.S. Court of Appeals for the Sixth Circuit.
- *Zaroufie v. Lance, Inc.*, Defended Lance, Inc. in suit for breach of sandwich cracker production and distribution agreement, obtaining summary judgment and sanctions against plaintiff.
- *Willis v. American Honda Finance Corp.*, Defended American Honda in class action alleging discriminatory lending practices.
- *Ashcraft, et al. v. Kester, et al.*, Represented Northrop Grumman subsidiary in several multi-plaintiff toxicity cases which were dismissed following venue objections.

- *Brown v. Regions Mortgage*, Obtained Sixth Circuit Court of Appeals, two Tennessee Court of Appeals and Bankruptcy Court decisions and dismissal of all claims against Regions Mortgage and Amsouth Bank in protracted real property litigation spanning 7 different courts in 11 actions.
- *McEwen v. Community Connect, Inc.*, Obtained dismissal for New York-based website of lawsuit alleging defamation and violation of Tennessee Personal Rights Protection Act.
- *Willis, et al. v. Taco Bell*, Obtained summary judgments for Taco Bell in several companion cases alleging age discrimination.

BAR ADMISSIONS

- Tennessee, 1979
- Mississippi, 1978
- U.S. District Courts
 - Tennessee: Western, Eastern, Middle
 - Mississippi: Northern, Southern
 - Arkansas: Eastern, Western
- U.S. Courts of Appeals
 - 5th Circuit
 - 6th Circuit
- U.S. Supreme Court

DISTINCTIONS

- America's Top 100 Bet-the-Company Litigators
- *Chambers USA: America's Leading Lawyers for Business*
 - Litigation: General Commercial - Tennessee, 2005-2017
- *Best Lawyers in America*[®]
 - Commercial Litigation, 2006-2020
 - Litigation – Banking and Finance, 2011-2020
- *Super Lawyers*[®]
 - Mid-South Super Lawyers, Business Litigation, 2006-Present
 - Top 100: Tennessee Super Lawyers, 2006, 2009-2013
 - Top 50: Memphis Super Lawyers, 2006-2007, 2009- 2013
- *Martindale-Hubbell*[®]
 - AV[®]- Preeminent[™] Peer Review Rated
- Top 150 Lawyers in Tennessee, *Business Tennessee Magazine*
- *Lawdragon* 3000, 2010
- 2019 Power Players List, *Inside Memphis Business*
- The Player's List, Business Litigation, *Memphis Business Quarterly*
- Power Players List, *Memphis Business Quarterly*
- *Who's Who in American Law*
- *Who's Who in America*
- Fellow, American Bar Foundation

- Fellow, Tennessee Bar Foundation
- Fellow, Memphis Bar Foundation
- Leadership Memphis
- Selected, 1,000 Leaders and Influencers in Legal Business List, Association of International Law Firm Networks

ASSOCIATIONS

- American Counsel Association
 - President, 1996-1997
- Tennessee Bar Association
 - President, 1999-2000
- Tennessee Legal Community Foundation
 - President, 2000-2001
- Southern Conference of Bar Presidents
 - President, 1999-2000
- American Bar Association
 - House of Delegates, 2001-Present
 - State Delegate, 2008-2017
 - Board of Governors, 2017-Present
 - Litigation Section
 - Council Member, 2003-2006, 2017-Present
 - Standing Committee on Federal Judiciary, 2003-2006
- American Bar Foundation
 - Fellows
 - State Chair, 2010-2016
- 6th Circuit Judicial Conference
 - Life Member
- American Judicature Society
 - Board of Directors, 1992-1995
- ALI-ABA CLE Board, 1993-1995
- Tennessee Supreme Court Historical Society
 - Board of Directors, 2005-2011
- International Association of Defense Counsel (IADC)
- Commission on the Future of Legal Services, 2014-2016
- Fellows, ABA Young Lawyers Division
 - President, 2011

EDUCATION & HONORS

- University of Mississippi, J.D., 1978
- University of Mississippi, B.S., Business Administration, *with distinction*, 1975

PAPERS, PRESENTATIONS & PUBLICATIONS

- Co-Author, “A Practitioner’s Guide to Class Actions, 2d. Ed.,” Tennessee Chapter (ABA Publishing 2017).
- Author, “Cybersecurity: The Bad Guys Can’t Get That, Right?,” Memphis Bar Association Bench Bar Meeting, Destin, Fla., September 2016.
- Author, “Data Privacy - the Transatlantic Perspective,” Conference of the European Circuit of the Bar of England and Wales, Vienna, Austria, November, 2012.
- Author, “Data Privacy,” Butler Snow’s General Counsel Seminar, Memphis and Nashville, Tenn. and Jackson, Miss., 2013.
- Author, “Bribery and Foreign Corrupt Practices,” American Counsel Association and European Circuit Conference Geneva, Switzerland, 2011.
- Author, “Trial Practice: Discovery,” Tennessee Bar Association, 2009.
- Author, “Managing Discovery of Electronically Stored Information,” Tennessee Bar Association, Nashville, Tenn., 2007.
- Author, “E-Discovery Seminar,” Bench/Bar Conference, Memphis Bar Association, Destin Fla., 2007.
- Author, “What’s New in U.S. Litigation?,” Outer Temple Chambers and ACA London, England, 2004.
- Author, “Tennessee Uniform Trade Secrets Act: Tennessee’s Best Kept Secret,” Lawyers Journal Club of Memphis, 2002.
- Author, “Amendments to Federal Rules of Civil Procedure,” Federal Bar Association and the U.S. District Court of WD of TN, 2001.
- Author, “Products Liability Seminar,” Tennessee Bar Association, 1997.
- Author, “Discovery Seminar – Using and Responding to Interrogatories,” Memphis Bar Association, 1987.

CIVIC INVOLVEMENT

- Governor’s Council for Judicial Selection, 2015-2019
 - Chair, 2018
- Carnival Memphis
 - President, 1997
- Christ United Methodist Church
 - Administrative Board, Chair, 2011
- Access to Justice Campaign
 - Chair, 2006