

**IN THE CHANCERY COURT OF SUMNER COUNTY, TENNESSEE
AT GALLATIN**

PASCAL JOUVENCE,)
)
Plaintiff,)
)
v.)
)
PAIGE BROWN, in her official capacity)
as mayor of the City of Gallatin, and)
THE CITY OF GALLATIN)
)
Defendants.)

Case No: 25-CV-263

MOTION TO STRIKE MAYOR PAIGE BROWN AS A DEFENDANT

Mayor Paige Brown (this “Defendant”), in her official capacity as Mayor of the City of Gallatin, by and through her undersigned counsel, respectfully moves this Court for entry of an order striking her as an individually named Defendant in this action. She is not sued in her personal capacity, and, therefore, it is unnecessary for her to be named as a Defendant in this action for Declaratory Judgment and Injunctive Relief against the City of Gallatin.

This action is a Petition for Declaratory Judgment and Injunctive Relief in which the Plaintiff requests that the Court invalidate a City Ordinance, issue Declaratory Judgments relating to parliamentary procedure during City Council meetings, and provide injunctive relief pertaining to those same procedures.

This action against the City of Gallatin requires allegations against agents of the City, and the Petition for Declaratory Judgment and Injunctive Relief names multiple individuals, including the Mayor, to do so. However, it is not necessary for this Defendant to be named as an individual Defendant. Other members of the City of Gallatin government referenced in the Petition are not specifically named as Defendants in this action, and there is no reason for this Defendant to be treated differently. This Defendant sufficiently articulates in her Memorandum in Support of her

Motion to Dismiss the context of the unfounded claims in the Petition, and how the Plaintiff is using this action as an illegitimate means to influence City Council procedure and policy. That context also illustrates the Plaintiff's motivations and incentives to list the Mayor individually despite doing so being unnecessary.

For these reasons, this Defendant respectfully asks this Court strike Mayor Paige Brown as an individually named Defendant in this action.

Respectfully submitted,

*/s/ **Emmerson Y. Marlatt***
Robert M. Burns, #15383
Emmerson Y. Marlatt, #42797
HOWELL & FISHER, PLLC
3310 West End Avenue, Suite 550
Nashville, TN 37203
rburns@howell-fisher.com
emarlatt@howell-fisher.com
(615) 244-3370
Attorneys for Defendants

(Certificate of Service on Next Page).

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document, unless indicated otherwise below, has been served upon all remaining parties' counsel of record via this Court's CM/ECF system on January 8th, 2026.

Kirk Clements
Clements Law Firm, PLC
105 Broadway, St. 2
Nashville, TN 37201
615-964-8000
615-953-1902 (fax)
kirk@kirkclementslaw.com

/s/ *Emmerson Y. Marlatt*