



SHERRARD
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M. ALEX CARVER

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Alex represents businesses, individuals, and state and local governments in high-stakes litigation. The cases he handles span many subject areas, including business disputes, real estate disputes, antitrust law, constitutional law, and statutory interpretation. Alex focuses on appeals and critical motions presenting novel questions of state and federal law. He has represented clients in the U.S. Supreme Court, U.S. Court of Appeals for the Sixth Circuit, and all of Tennessee's appellate courts (the Tennessee Supreme Court, Tennessee Court of Appeals, and Tennessee Court of Criminal Appeals).

Alex previously worked in the Tennessee Solicitor General's Office, where he practiced appellate litigation at all levels of the federal and state appellate courts. Among other wins, he persuaded the U.S. Supreme Court to summarily reverse a Sixth Circuit decision and convinced the Sixth Circuit to grant a rare initial hearing en banc in which his clients prevailed. In addition to writing briefs and presenting oral arguments, Alex advised state officials on significant legal matters

Alex was a law clerk for Chief Judge William H. Pryor Jr. of the U.S. Court of Appeals for the Eleventh Circuit and Judge R. David Proctor of the U.S. District Court for the Northern District of Alabama. He graduated *Order of the Coif* from Vanderbilt Law School, where he was Editor in Chief of the *Vanderbilt Law Review*. He is a *summa cum laude* graduate of Carson-Newman University, where he majored in biochemistry, religion, and philosophy.

Education

- Vanderbilt University Law School, J.D.
 - Member, *Order of the Coif*
 - Editor in Chief, *Vanderbilt Law Review*
 - Myron Penn Laughlin Note Award
 - Lightfoot Franklin & White Best Oral Advocate Award
- Carson-Newman University, B.S., B.A., *summa cum laude*
- Oxford University, Regent's Park College, Tutorial, British Baptist History

Bar Admissions

- Tennessee
- Supreme Court of the United States
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Middle District of Tennessee

Practice Areas

- Appellate Practice
- Business & Commercial Litigation
- Litigation & Dispute Resolution

Representative Experience

Appellate Litigation

U.S. Supreme Court

- *Mays v. Hines*, 592 U.S. 385 (2021) (convinced U.S. Supreme Court to summarily reverse Sixth Circuit decision granting habeas relief)
- *Atkins v. Williams*, 141 S. Ct. 2512 (2021) (defeated petition for writ of certiorari in case challenging hepatitis C treatment protocol in Tennessee prisons)

U.S. Court of Appeals for the Sixth Circuit

- *Bristol Reg'l Women's Ctr., P.C. v. Slatery*, 7 F.4th 478, 481 (6th Cir. 2021) (en banc) (convinced Sixth Circuit to grant a rare initial hearing en banc in which clients ultimately prevailed)
- *Hill v. Shoop*, 11 F.4th 373 (6th Cir. 2021) (en banc) (drafted amicus brief on behalf of 12 states in habeas case before the en banc Sixth Circuit)

Tennessee Supreme Court

- *Newsom v. Tennessee Republican Party*, 647 S.W.3d 382 (Tenn. 2022) (represented candidate in congressional ballot-access litigation)
- *State v. Booker*, 656 S.W.3d 49 (Tenn. 2022) (represented the State of Tennessee before Tennessee Supreme Court in constitutional challenge to sentencing laws)
- *Trentham v. Mid-America Apartments*, No. M2021-01511-SC-R11-CV (filed amicus brief on behalf of local government amici in significant premises liability case at both the Rule 11 and merits stages)

Tennessee Court of Appeals

- *Manookian v. Office of Legislative Administration*, No. M2024-00159-COA-R3-CV (appointed by Governor as outside counsel to the Attorney General to defend the General Assembly's Office of Legislative Administration and its Director in litigation under the Tennessee Public Records Act)
- *BFI Waste Systems of Tennessee, LLC v. Central Tennessee Regional Solid Waste Planning Board*, No. M2023-01431-COA-R3-CV (representing the City of Murfreesboro as intervenor in landfill expansion litigation)
- *OldSmith Group, LLC v. Mosby Cool Springs, LLC*, No. M2022-01584-COA-R3-CV (representing buyer of commercial property in real estate dispute).
[Oral argument.](#)
- *The Wise Group, Inc. v. Holland*, 2024 WL 2103436, at *8 (Tenn. Ct. App. May 10, 2024) (successfully obtained reversal of judgment against clients in case presenting question of first impression under the Tennessee Uniform Fraudulent Transfer Act) [Oral argument.](#)
- *Pirtle v. The Tunney Group, LLC*, No. M2023-01830-COA-R3-CV (hired as appellate counsel to represent general contractor in construction litigation appeal)
- *Spangler v. McClung*, No. M2024-00055-COA-R3-CV (representing business owner in dispute with business partner)
- *GENash, LLC v. Rose Legacy, LLC*, M2024-00186-COA-R3-CV (representing appellee to defend trial victory in commercial lease dispute)
- *Houston Humphreys LLC v. Houston St. Partners, LLC*, 2022 WL 3573404, at *1 (Tenn. Ct. App. Aug. 19, 2022) (represented seller of commercial property in appeal of real estate dispute)

Commercial Litigation

- *In re: RealPage Antitrust Litigation*, in federal court in Nashville (representing defendant property manager in antitrust multidistrict litigation)
- *Wirtgen America, Inc. v. Hayden-Murphy Equipment Company*, in federal court in Nashville (successfully obtained summary judgment for distributor of construction equipment in litigation to terminate distribution agreement with dealer)
- *Houston Humphreys, LLC v. Houston Street Partners, LLC*, in Chancery Court for Davidson County, Tennessee (representing owners of large commercial property in litigation involving \$30+ million real estate transaction)
- *HM 523 W Thompson Lane, LLC v. McPherson*, in Chancery Court for Davidson County, Tennessee (representing real estate purchaser in suit for specific performance)
- *Whitely v. Whitely*, in Chancery Court for Davidson County, Tennessee (representing party in dispute concerning ownership of commercial property in Nashville)
- *Hendrickson v. Williams*, in the Chancery Court for Davidson County, Tennessee (Business Court) (represented owner of physical therapy practice in dispute with business partner)
- *FKP Advisors, LLC v. Premier Parking*, in the Chancery Court for Davidson County, Tennessee (Business Court) (represented partnership in lawsuit alleging breach of contract and fraud)
- *GENash LLC v. Rose Legacy, LLC*, in the Chancery Court for Davidson County, Tennessee (represented downtown Nashville restaurant in week-long jury trial resulting in award of lost profits in commercial lease dispute)
- *Fox Hardwood Lumber Company v. Jackson*, in the Chancery Court for Dickson County, Tennessee (prevailed in breach-of-contract bench trial and obtained lost profits award for lumber company)
- *TZ Realty, LLC v. ABC Technologies, Inc.*, in the Circuit Court for Sumner County, Tennessee (represented owner of large commercial warehouse in dispute with tenant)

Advertising material – prior results do not guarantee a similar outcome. Representative matters may include engagements before joining Sherrard Roe Voigt & Harbison, PLC

Recognition

- *Best Lawyers in America* "One to Watch," Appellate Practice, Commercial Litigation (2023- present)

Speaking Engagements

- CLE Presenter, SCOTUS Update, Tennessee Attorney General's Office (October 27, 2023)
- CLE Presenter, SCOTUS Update, Nashville Bar Association Government Practice & Professionalism Institute (December 11, 2020)

Publications

- Note, [Rethinking Conspiracy Jurisdiction in Light of Stream of Commerce and Effects-Based Jurisdictional Principles](#), 71 Vand. L. Rev. 1333 (2018)
- Symposium Introduction (with Susanna Rychlak), [The Least Understood Branch: The Demands and Challenges of the State Judiciary](#), 70 Vand. L. Rev. 1701 (2017)
- [Tennessee Abolishes Agency Deference](#), Sherrard Roe Voigt & Harbison Blog (2023)

Professional Activities

- Co-Chair, Appellate Practice Committee, Nashville Bar Association
- Member, Tennessee Bar Association
- Member, Nashville Bar Association
- Member, The Federalist Society, Nashville Lawyers Chapter

Civic Activities

- Member, Parks Church, PCA