OUR MISSION
TO PROVIDE EXCELLENCE IN LEGAL
ADVOCACY FOR THOSE IN NEED
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19 2015
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MALS BOARD OF DIRECTORS AND OFFICERS

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A long and rewarding journey for Memphis Area Legal Services (MALS) hit new heights as the firm completed its 45th anniversary year of serving individuals and communities in Shelby, Fayette, Lauderdale and Tipton Counties.

Throughout that time, our Board of Directors, staff and volunteers have demonstrated an undiminished capacity to give life to our vital mission of providing legal services to those in need.

MALS, a nonprofit legal services organization, often is one of few resources individuals and families can turn to when they face barriers that may have catastrophic impact on their lives. It is our vision to give them justice, but that can’t be guaranteed when so many members of our community lack access to skilled civil and legal advice.

In our service area the poverty statistics are staggering. In 2014 Memphis was number one in overall poverty and child poverty in comparison to other metropolitan areas with populations over one million. In Shelby County 20.8 percent of residents live below the poverty line. In the rural counties of Fayette, Lauderdale and Tipton, the numbers are 14, 26 and 13.4 percent, respectively. These are harsh indicators of the systemic issues facing our communities.

We also find that access to justice is intertwined with access to decent and affordable housing, the ability to escape domestic violence or to overcome homelessness. Legal representation, though, can make the difference between a mother being evicted from her home due to violence or abuse, or that same mother being given the opportunity to maintain employment, stable housing and safety for her family.

For 45 years MALS has designed and implemented programs that strengthen families and communities. In this special report you will read about how we do that. You will learn, for instance, about the area’s first medical-legal partnership that grew from a collaboration between MALS and its partners Methodist Le Bonheur Children’s Hospital and the University of Memphis Cecil C. Humphreys School of law.

This partnership joins more than 200 similar collaborations across the country seeking to address the legal obstacles that adversely affect patients’ health outcomes.

You will learn, too, about our Partnership for Educational Advocacy and Parity, that provides training and legal assistance in the areas of special education and disability law.

MALS programs cover areas of consumer law, fair housing, domestic violence, veteran homelessness and benefits, income maintenance and tax law. As stewards of this great organization, we are honored to be part of creating real solutions for those we serve. Thanks to our Board of Directors, dedicated staff, tireless volunteers and our contributors. We also thank our clients for placing their trust in us. Their perseverance, dignity and strength inspire us daily as we embark on the next 45 years of service to ensure access to justice for all.

JUSTIN M. ROSS, ESQ.
BOARD PRESIDENT

HARRISON D. MCIVER, III, ESQ.
EXECUTIVE DIRECTOR/CEO
IN MEMORIAM

Mary Wolff, who led our Board of Directors during our 45th anniversary year, died on Christmas Eve, 2015. A Memphis attorney specializing in complex financial lawsuits, Ms. Wolff donated many hours of her time to clients who couldn’t pay and helped lead several nonprofit organizations. Her law partner, Patrick M. Ardis, Esq. said, “She was brilliantly capable and completely compassionate.”

Our current Board President Justin Ross said: “I was fortunate to work closely with Mary in my role as Vice-President of the MALS Board. I was immediately drawn to Mary the moment I met her. When Mary spoke, everyone listened because she always gave wise and prudent advice, whether it was for professional or personal reasons. The first time I met Mary, it was a handshake; but every time after that it was a big hug. That sums up Mary’s personality. She was family to all of us.”
The Memphis Fair Housing Center, founded in 1998, focuses on Fair Housing discrimination. The MFHC represents tenants facing eviction and homeowners who face foreclosure due to mortgage default. Its purpose is to help residents secure and maintain decent, affordable housing through education, outreach and enforcement of fair housing principles.

While there are no income restrictions for its services, most clients are low-income individuals who reside in the City of Memphis. All services are free to recipients.

In addition to day-to-day fair housing case management activities, the Center conducts educational outreach through group presentations and through the distribution of printed materials. During the past year, the Center reached approximately 750,000 households through its fair housing outreach efforts, including radio and television messages.

We don’t do this work alone. The MFHC has developed cooperative partnerships with the Shelby County Department of Housing, the Community Development Corporation Council, the City of Memphis, and the Veteran’s Administration. Memphis Area Legal Services serves as the fair housing enforcement agent for city and county governments. The Center aggressively addresses housing discrimination against victims of domestic violence, race discrimination, and discrimination against the disabled. The Center, for example, represented a biracial couple who were informed by a landlord that she didn’t want the African American girlfriend to live in her rental property. A lawsuit was filed in federal court alleging violations of the Fair Housing Act.

The long-term strategies for the Center are to continue to educate the public and agencies providing housing about all the forms of housing discrimination. MFHC’s mortgage programs seek to reduce the number of people entering into abusive lending agreements, make consumers aware of the loan process, alternatives to subprime lending, and to reduce the number of area foreclosures.
Robert was a 12-year-old fifth-grade student failing in school and having trouble at home.

He had been denied disability benefits when administered tests showed him to be physically healthy and of average intelligence. His family, certain that something was wrong, contacted MALS. We met with the child, reviewed his records and attended a meeting at his school.

We learned that the fifth-grader was reading at a first-grade level and had been placed in a special education program developed solely by the school. The plan merely required him to read more books but didn’t attempt to determine the cause of his reading problem. The school placed the blame on his “lack of effort” and on his mother’s supposed lack of instruction at home.

Determined to get to the truth, we referred the family to a specialist at Methodist Le Bonheur Children’s Hospital, which willingly accepted TennCare for payment. Hospital testing and evaluation revealed that our young client had dyslexia and required special instruction to catch up on his reading. That evidence was submitted to the Office of Disability Adjudication and Review and a favorable decision followed.

Result: Robert received benefits allowing him to get special care and instruction. A retroactive award was placed in a special account with part of the money used to provide transportation for his appointments. Robert’s educational development was back on track.
It was the hottest part of August. Latino Memphis, one of our community partners, asked for our guidance in what could have been a disaster — the loss of utilities, including air conditioning and water for 65 low-income families in a local trailer park community.

Moving quickly against a hard and fast-approaching deadline, and in a collaborative effort between our Consumer and Housing law units, we were able to avert disaster through swift court action blocking the utility cutoff until a buyer could acquire the property and restore services.

At nearly the same time, our Consumer Law group went before the Sixth Circuit Court of Appeals and successfully argued a case with major positive implications for students with disabilities and their families.

That is typical of the Consumer Law group: preparing cases that take months or even years, or responding at a moment’s notice. Four attorneys and two paralegals handled more than 800 cases benefitting more than 2,500 of the most vulnerable members of our community in a year’s time. We also partnered with private attorneys and The University of Memphis Legal Clinics to maximize our impact.

We protect consumers regularly against shoddy home repairs, unfair used car sales practices, identity theft and contracts and warranties disputes. In a two-day trial we obtained relief for a woman in her eighties who was victimized twice — first when her house caught fire, and then by a contractor who failed to make proper repairs.

We assist children in state custody who need medical treatment, as well as moms who find themselves suddenly out of work and without income and need unemployment benefits to tide them over during a job search. We help parents whose children have disabilities and students who need individual education plans. We represent taxpayers’ rights before the IRS. In fact, our Low Income Tax Credit (LITC) program is funded by a grant from the IRS.

The following case makes a strong point. A grandmother was able to obtain a refund from a 2009 tax return thanks to help from our attorneys. The refund allowed the woman to purchase a bed for her new granddaughter.

Simply providing citizens access to the promises of our legal system is what our Consumer Law group provides every day.
MALS joined the national call to end homelessness among veterans in 2013. We implemented the Supportive Services for Veteran Families (SSVF) program with funding from the U.S. Department of Veterans Affairs, and over the course of two years, we assisted more than 250 veterans and their families in exiting or avoiding homelessness.

We do this important work by combining the expertise of attorneys, social workers, outreach coordinators and technology specialists. This enables us to create a diverse professional team that is skilled in addressing the complicated legal, social and economic needs of military families.

Our staff is trained to assist with many of the special needs of veterans. Still, we strive to identify opportunities for collaboration to build stronger support networks for these clients. We partner with the local VA Medical Center, the county’s homeless continuum of care, government housing agencies, faith-based organizations and other nonprofits. MALS’ mission in this area is to minimize the barriers that impede veterans’ housing stability and to mitigate the legal issues that can have catastrophic effects on the lives of vets and their families.

MALS provides representation in landlord-tenant disputes and foreclosure actions. MALS also addresses other civil, legal needs including issues such as child support arrearages, consumer debt, lost benefits and a host of other legal matters. The SSVF program participates in a monthly veterans legal clinic and provides ongoing training to pro-bono volunteers interested in representing veterans. During the past year one veteran approached the SSVF program for help. He had been sleeping in an abandoned house that was scheduled to be torn down due to fire damage. He transitioned to an underpass, where he lived with a stray dog he had rescued.

He insisted he would not move anywhere without his dog. “I won’t abandon her,” he said, “because she is all I have in the world.” His dog was a large breed, but MALS diligently worked to locate housing that would accept large dogs. Our client’s health has steadily improved since then, and while in the program he was able to obtain a permanent supportive housing voucher, which finally stabilized his living conditions. Every veteran’s case is unique and we are committed to providing the legal and housing services that they need.

A veteran addresses MALS’ supporters and recounts his successful participation in the Supportive Services for Veteran Families.
The mission of the Family/Elder Law unit is to protect and empower some of the most vulnerable members of our community: victims of domestic violence — including immigrants — and the elderly who are subject to abuse and neglect.

Consisting of two attorneys and a social worker — and thanks to a grant from the Office of Violence Against Women (OVW) — the unit collaborates with the Family Safety Center of Memphis and Shelby County, the YWCA and the Community Legal Center to provide legal assistance to victims of domestic violence and immigrant members of the community. Many of our clients have limited English proficiency. We are fortunate to have strong relationships with certified court interpreters who provide translation services for our clients.

One such client was a mother with five young children from Guatemala. Her husband was physically abusive to her and her children until they were forced to leave home with no resources.

The mother spoke a dialect native to her country but no English or Spanish. A MALS attorney coordinated the necessary interpreters and obtained an order of protection. The husband then filed for emergency custody of the children, alleging that the mother was the abusive party. Our attorney successfully defended her and the man’s lawsuit was dismissed. The mother and five children now are living independently of the abuser and are thriving.

As part of its work, the Family and Elder Law unit established an ongoing clinic on how to obtain an order of protection. The seminars are offered at the Family Safety Center in both English and Spanish. The clinic informs survivors of domestic violence on safety planning, evidence collection (retaining text messages, emails and photographs) and other issues that impact their families’ well-being and the legal process.

We also utilize the expertise of highly trained social workers who work closely with victims and assist clients in regaining independence from abuse. Our staff members provide short and long-term case management and legal services, allowing families the time to acquire the skills they need for self-sufficiency.

We began an exciting journey with the Plough Foundation, launching the Coordinated Response to Elder Abuse (CREA) program, which is a comprehensive plan addressing elder abuse in Shelby County. By partnering with other agencies we provide an organized response to clients’ needs to ensure they have access to all the resources available in the community. These services include advocacy in emergency housing, and legal and healthcare issues.

The Aging Commission of the Mid-South, with funding from the Older Americans Act, continued to provide funds to MALS. With the funds we provide free legal assistance to seniors who need help with advanced directives, wills, long-term care, and Medicaid and Medicare problems. Many of our clients are homebound or living in nursing homes. We conduct home visits and ensure that they are receiving the services they need.
WE BELIEVE
IN THE POWER OF COMMITMENT,
COMMUNITY AND COLLABORATION

CLIENT STORIES

PROVEN THREATS LEAD TO COURT ORDER
This wasn’t the first time Samantha needed an Order of Protection against her husband, but he vigorously contested the need. The problem for the accused was a prior incident in which he had threatened his wife with a gun. This, our attorneys knew, was a “lethality indicator” demonstrating the woman was likely to be harmed or even killed by the man in the future.

After a long hearing, ample proof was provided that the respondent had made many threats towards our client and had attempted to kidnap her and her small children to his home country of El Salvador.

Result: an Order of Protection was granted; the man was ordered to pay $600 in MALS attorney’s fees.

DISABLED GIRL’S RIGHTS RESTORED
Genevieve is a mother of a child with disabilities. Her daughter needed nursing services while at school, but the charter school she attended and the school system disagreed about who was responsible to provide the needed services.

Memphis Area Legal Services filed a complaint with the U.S. Department of Education’s Office of Civil Rights and a ruling was obtained showing both the school and the school system were responsible for the child’s services.

Result: the young girl receives an education without her health being at risk.

SHODDY CONTRACTOR’S CASE REVERSED
A storm caused damage to Miriam’s home. She hired a contractor to perform the repair work. As the work progressed, Miriam could clearly see the work was faulty and ordered the contractor to stop. He sued for the remainder of the agreed amount.

Upon learning of her plight, we took the case and counter-sued for fraud and violation of our client’s consumer protection rights. MALS later defended Miriam at trial.

Result: a judgment was handed down in Miriam’s favor.

Bill Nichol with Evans Petree, David Cook with the Hardison Law Firm and Tucker Marshburn with the University of Memphis Cecil C. Humphreys School of Law Public Action Law Society.

The Medtronic Legal Department participates in a pro bono outreach event in Orange Mound.
The growing Memphis Area Legal Services Pro Bono Project greatly expands the number of requests for service that the firm can meet. In 2013 MALS was able to serve slightly more than 40 percent of the more than 20,000 requests for service we received. The following year followed a similar trend. That year, a total of 3,987 cases were opened. Of those, 1,114 were handled through the Pro Bono Project.

Our Saturday Legal Clinic, Attorney of the Day, Courthouse Advice and Counsel Project and other clinics handled 706 of the pro bono cases. During the 12 months of that year, MALS sponsored five CLE programs for volunteer attorneys, 55 legal clinics, one alternative spring break and three recognition events.

A total of 148 different attorneys were assigned cases through the Pro Bono Project, and those lawyers reported donating 1,095 hours of free legal work.

MALS staff served on the Tennessee Bar Association and the Memphis Bar Association Access to Justice committees, wrote articles for publication in Memphis Lawyer Magazine and in the TBA’s Volunteer Attorney newsletter.

Our staff members also served on the Tennessee Supreme Court Access to Justice Commission subcommittees for Pro Bono development, Pro Se Divorce forms, Faith Based Initiatives and Mediation. We assisted the Commission by helping to staff the clergy training program at Christ United Methodist Church, and we served as one of the presenters.

MALS sponsored four high school student interns — two from Lausanne, one from White Station and one from Central. MALS mentored more than 20 volunteer law students in 2014 who either donated time or served as externs, and that did not include the law student volunteers who donated time at the Saturday Legal Clinics.
Medical-legal partnerships, known as MLPs, are vehicles for hospitals, attorneys, social workers and other professionals to assess the health and legal needs of individuals and families and provide targeted legal interventions leading to improved healthcare outcomes.

The National Center for Medical Legal Partnerships reported that one in six people live in poverty and that of those who live in poverty, two-thirds have at least one civil legal need. If that assessment is applied to Shelby County’s impoverished population, the 30.2 percent of children residing within the county and living below the poverty level are in need of some form of civil legal assistance, as are their families.

MALS entered into a partnership with Methodist Le Bonheur Children’s Hospital and the Cecil C. Humphreys School of Law to form this region’s first MLP to answer these needs. Methodist Le Bonheur Children’s Hospital is the only comprehensive pediatric health care institution in the Mid-South and is a leader in identifying children’s health needs and available community resources. The hospital recently published a study showing social determinants to children’s health are difficult to ameliorate. The study reported that “the pre-determinants of health — poverty, unemployment, education and crime — are all drivers impacting access to care so they all held equal weight in the list of (the hospital’s) priorities.”

The hospital expressed its commitment to “meeting the healthcare needs of the varied communities it serves by maintaining, expanding, transforming existing services, developing new programs and aligning with other regional and national partners in health.” Aligned with that goal is our MLP, which will be supported by a robust attorney volunteer base.

To get started, in April, 2014, hospital, law school and MALS staff members hosted the Atlanta HeLP MLP for an event that started with grand rounds at Methodist Le Bonheur and then moved to a four-hour presentation by the guests from Atlanta. The rounds highlighted clinical issues faced by patients and analyses of the best approaches to care. The session gave MALS and our partners valuable insight for constructing our MLP. By utilizing existing funding sources and leveraging additional resources, the Memphis CHiLD MLP opened its doors in the fall of 2015.

A MALS attorney and case manager provide onsite legal and social services to hospital patients who are referred to the new MLP from various hospital departments. A law school clinical professor and law students are part of the team. In order to ensure the effective administration of the program, each partner agency provides staff that works collaboratively in an interdisciplinary approach. As the Memphis CHiLD MLP expands, the partners will look for new ways to engage the community and potential stakeholders.
People who live at or below 125 percent of the poverty level, and the elderly, have very limited access to quality legal services in civil matters. Moreover, civil legal aid is not a constitutionally protected or guaranteed right.

This is why for more than four decades, MALS has developed innovative programs to address the unmet legal needs of communities throughout West Tennessee. Because individuals and families residing in rural areas are faced with the same legal challenges of residents of metropolitan areas, MALS made a commitment to increase access to legal services in Fayette, Tipton and Lauderdale counties.

Our office located in Covington, Tenn. serves those counties. The staff in the Covington office provide advocacy in the same substantive areas of legal practice as in Memphis. Many who seek our assistance feel isolated by geography as well as because of the reduced number of resources available in some rural communities. Our office understands the unique challenges and opportunities in non-urban areas. We focus our representation to minimize barriers and to maximize opportunities to benefit clients.

For example, we often serve as a liaison between our client communities and other organizations who can help but are not easy for clients to contact. We regularly explain how to contact the U.S. Departments of Labor, Housing and Urban Development, as well as the Office of U.S. Attorney General and other agencies. Unlike other legal offices, we practice law in a manner that acknowledges the importance of community and personal relationships.

One attorney may give advice and provide representation on several issues for a client, allowing the individual an ongoing relationships with one attorney, instead of being referred to several. We consider this a major strength of our generalist practice.

In 2015 the rural office processed 448 applications. We also engage in outreach through joint efforts with local bar associations. We can provide immediate information and advice at our Saturday Legal Clinics held every other month. The clinics served approximately 100 individuals in Tipton County alone during one calendar year — clients who would not have had the advantage of a licensed attorney otherwise. We provide multiple community trainings and distribute printed educational materials.

It is expected that the need for legal services in rural communities will increase in years to come as more people and resources move to cities and suburbs.

Our trained, legal advocates will continue to give clients peace of mind and service when needed. We make sure they know they are not alone.
MALS IN ACTION

MALS recognizes outstanding volunteers pictured from left to right standing: Adam Johnson, Amber Floyd, Ben Sissman, Gail Williams, Melissa Abbott, and Christa Wininger. Pictured seated: Judge Deborah Henderson and Mary Vickers.

Staff attorney Craig Barnes receives award for special education advocacy from Support and Training for Exceptional Parents (STEP) Executive Director Karen Harrison.

Attorneys support MALS and A Step Ahead with a seersucker suit flash mob.

Runners support MALS in the annual Race Judicata. The event is sponsored by the University of Memphis’ Cecil. C. Humphrey’s School of Law Student Bar Association.
Runners support MALS in the annual Race Judicata. The event is sponsored by the University of Memphis’ Cecil. C. Humphrey’s School of Law Student Bar Association.

U.S. Representative Steve Cohen provides opening remarks to guests at MALS’ open house at the Falls Building.

Guests attend an open house event for MALS’ new office location at the Falls Building.

Attendees support MALS at Napa Café Event. Photo (left to right) Anne Mathes and Carla Peacher-Ryan.

Family attend the dedication of the Lloyd C. Kirkland Conference Room at MALS. Front Row (Left to Right): Lloyd C. Kirkland, Jr. and his wife, Ann Kirkland Back Row: (Left to Right): Steve Shelton (son-in-law); Dabney Kirkland Shelton (daughter); Nicholas (Nic) Lloyd Vescovo (grandson); the Honorable Diane Kirkland Vescovo (daughter); and Mike McLaren (son-in-law)

U.S. Representative Steve Cohen provides opening remarks to guests at MALS’ open house at the Falls Building.

Harrison D. McIver, III and Board member, Mike Fletcher, join supporters at MALS’ annual Campaign for Equal Justice celebration and kick-off.

Guests attend an open house event for MALS’ new office location at the Falls Building.

Photo (left to right) Anne Mathes and Carla Peacher-Ryan.
## Statement of Income and Expenditures

### Selected Source of Funds

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<thead>
<tr>
<th>Source of Funds</th>
<th>2015</th>
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<tr>
<td>Legal Services Corporation (LSC)</td>
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<td><strong>Total LSC</strong></td>
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<td><strong>Total IOLTA</strong></td>
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<td>City and County Governments</td>
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<td>Fair Housing Ordinance</td>
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<td>CDBG (Comm. Dev. Block Grant)</td>
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<td>Shelby County Fair Housing</td>
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<td>Filing Fee/Bail Bonds AOC</td>
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<td>GRIER (State Dept. of Children Services)</td>
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<td>TALS Family First</td>
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<td>THDA/ Mortgage Foreclosure</td>
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<td>STOP Grant</td>
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<td><strong>Total State of Tennessee</strong></td>
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### Federal Grants

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<td>LAV (Legal Assist. For Victims of DV)</td>
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<td>LITC (Low Income Taxpayer Project)</td>
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<td>HUD (Housing Counseling)</td>
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<td>Title III (Older American’s Act)</td>
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<td>Hardest Hit Fund - NFMC</td>
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<td>SSVF (Veteran’s Grant)</td>
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<td>THDA Medical Hardship</td>
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### Foundations

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<td>Assisi Foundation</td>
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<td>Plough Foundation</td>
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### 2014 Funding

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<td>LSC</td>
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<td>IOLTA</td>
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<td>City and County Governments</td>
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<td>State of Tennessee</td>
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