

IN THE CHANCERY COURT FOR
THE TWENTIETH JUDICIAL DISTRICT
DAVIDSON COUNTY, TENNESSEE

ELIJAH SHAW and PATRICIA RAYNOR,)

Plaintiffs,)

v.)

METROPOLITAN GOVERNMENT OF)
NASHVILLE AND DAVIDSON COUNTY,)

Defendant.)

No. 17-1299-II
Hon. Anne C. Martin

~~Proposed~~ ORDER ISSUING DECLARATORY JUDGMENT
(3-23-26 ACM) AND PERMANENT INJUNCTION

Plaintiffs Elijah Shaw and Patricia Raynor brought this action as an equal protection challenge to a Metro ordinance, Section 17.16.250(D)(3) of the Nashville Zoning Code, that imposes certain customer visit restrictions on their home-based businesses but not on other home-based businesses. The Court of Appeals has now held that Plaintiffs are entitled to summary judgment on their equal protection claim. *Shaw v. Metro. Gov't of Nashville*, No. M2023-01568-COA-R3-CV, 2025 Tenn. App. LEXIS 281, at *28-29 (Tenn. Ct. App. Aug. 4, 2025). The time to appeal that decision has run and the case has been remanded to this Court “for further proceedings consistent with” the Court of Appeals’ decision. *Id.* at *29. Pursuant to the Court of Appeals decision and the unopposed motion for entry of declaratory injunction and permanent injunction,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Application of Section 17.16.250(D)(3) of the Nashville Zoning Code to Plaintiffs violates the equal protection guarantee of Tenn. Const. art. I, § 8, and art. XI, § 8.
2. For the reasons given in the Court of Appeals' decision, the remaining factors for issuing a permanent injunction are met. The Court hereby **ORDERS** that Defendant Metropolitan Government of Nashville and Davidson County, along with its agents, employees, and successors in office, are permanently enjoined from enforcing Section 17.16.250(D)(3) of the Nashville Zoning Code, against Plaintiffs. This Court shall retain jurisdiction to enforce this Permanent Injunction.
3. Plaintiffs are entitled to an award of costs pursuant to Tenn. Code Ann. § 29-14-111 and Tenn. R. Civ. P. 54.04. These costs total \$2,452.25 for the depositions that occurred 12/9/18 (\$1,082), 12/26/18 (\$107.25), and 4/17/19 (\$1,263).
4. This judgment adjudicates all the claims and the rights and liabilities of all the parties.
5. Court costs are taxed to the Defendant.

DONE AND ORDERED this 23rd day of March, 2026.

s/Anne C. Martin

CHANCELLOR ANNE C. MARTIN

Respectfully submitted this 13th day of March, 2026.

/s/ Wencong Fa

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PROOF OF E-SERVICE

I certify that by filing this [proposed] Order Issuing Declaratory Judgment and Permanent Injunction through the Court's e-filing system, I caused automatic e-service on Metro counsel, who is a registered user. *See* Tenn. Sup. Ct. R. 46, §§ 1.01, 3.02, 4.01.

/s/ Wencong Fa

WENCONG FA (BPR No. 041768)