



KEVIN C. BALTZ

P (615) 651-6714 | F (615) 651-6701

kevin.baltz@butlersnow.com

OVERVIEW

Kevin Baltz is an experienced business counselor and trial attorney. He routinely handles all manners of business disputes and consumer claims, including contract disputes, real estate litigation, disputed dissolutions, business torts, products liability, and warranty claims. Additionally, Mr. Baltz is a Rule 31 Listed Mediator in the field of General Civil Litigation under Rule 31 of the Tennessee Supreme Court.

PRACTICE AREAS

- [Alternative Dispute Resolution](#)
- [Commercial Litigation](#)
- [Business Torts & Unfair Competition](#)
- [Financial Services Litigation](#)
- [Real Estate Litigation](#)
- [Products, Catastrophic & Industrial Litigation](#)
- [Professional Liability](#)
- [Class Actions](#)

INDUSTRY

[Construction](#)

ABOUT

Kevin Baltz is best described as a problem solver. He is passionate about the processes and procedures of litigation and has been described as “committed,” “invested,” “dedicated,” level-headed,” “appropriately aggressive,” and “at the forefront of emerging legal trends.” As a former Division I collegiate wrestler, Kevin had to rely on hard work and strategy to achieve success on the mat. Those same skills – hard work and strategy – have led him to similar success in the courtroom.

Kevin had the opportunity (and fortune) to try several bench and jury trials as a young lawyer. Since then, he’s gained additional trial experience, while increasing the scope and complexity of the matters he handles. Kevin has tried cases in state and federal courts, the American Arbitration Association (“AAA”) and the Financial Industry Regulatory Authority (“FINRA”). Disputes Kevin has tried include breach of contract, fraud, construction defects and personal injury. Many matters have also involved injunctive relief, receiverships, collection, bankruptcy and declaratory relief. Kevin’s wide range of procedural litigation and trial experience makes him well-suited to handle just about any dispute.

Kevin is also a Rule 31 Listed Mediator by the Tennessee Supreme Court Alternative Dispute Resolution Commission. As a mediator, Kevin uses his legal expertise and practical experience to assist litigants in resolving complex and, often times, bitterly contested matters. In 2021, Kevin was also named an “Attorney for Justice” by the Tennessee Supreme Court and the Access to Justice Commission as a result of his dedication to *pro bono* representation.

Kevin obtained his J.D., *cum laude*, from University of Tennessee College of Law and his B.S., *cum laude*, from University of Tennessee at Chattanooga.

EXPERIENCE

- Prevailed before the Tennessee Supreme Court in highly-publicized case addressing Tennessee’s motion for summary judgment standard and the unique concept of contract “novation.” *TWB Architects, Inc. v. Braxton, LLC*, 578 S.W.3d 879 (Tenn. 2019); [Tennessee Supreme Court Finds Case With Conflicting Evidence Cannot Be Decided Without Trial - Chattanooga.com](#).
- Defense counsel in class action dispute under the Telephone Consumer Protection Act. See *Advanced Rehab & Med., P.C. v. Amedisys Holding, LLC*, No. 1:17-cv01149-JDB-JAY, 2020 WL 4937790 (W.D. Tenn. Aug. 24, 2020); [6th Circuit Court Allows Chevron Deference to FCC Amerifactors \(natlawreview.com\)](#)
- Arbitrated matters before the American Arbitration Association (AAA), the International Centre for Dispute Resolution (ICDR), Judicial Arbitration and Mediation Services, Inc. (JAMS) and the Financial Industry Regulatory Authority (FINRA).
- Defended bad faith claims arising from Hurricane Sandy in New York and New Jersey federal courts.
- Litigated and/or advised clients in numerous matters related to contractual obligations and defenses arising from COVID-19 pandemic and significant weather events.
- Represented and advised numerous commercial clients on real property disputes, including quiet title actions, landlord-tenant disputes, construction disputes and lien issues.
- Successfully vacated and voided an arbitration award. *The Braxton, LLC v. TWB Architects, Inc. et al.*, Chancery Court for Davidson County, Tennessee, Case No. 09-1670-III(IV) (May 2012).

DISTINCTIONS

- Attorney for Justice Pro Bono Honor Roll, Tennessee Supreme Court, 2021
- Rule 31 Listed Mediator, Tennessee Supreme Court, 2021
- *Martindale-Hubbell*®
 - AV®-Preeminent™ Peer Review Rated, 2012-2017
- *Best Lawyers in America*®
 - Commercial Litigation, 2024
 - Litigation - Real Estate, 2024
- Fellow, Nashville Bar Foundation
- International Association of Defense Counsel Trial Academy, Stanford, 2008

BAR ADMISSIONS

- Tennessee, 2003
- U.S. District Courts
 - Tennessee: Western, Middle, Eastern
- U.S. Bankruptcy Courts - Tennessee: Western, Middle, Eastern

EDUCATION

- University of Tennessee College of Law, J.D., *cum laude*, 2003
 - Editor, *Tennessee Law Review*
 - Phi Kappa Phi Honor Society
- University of Tennessee at Chattanooga, B.S., *cum laude*, 2000
 - 2000 Academic All-American (Wrestling)
 - Dayle-May Award Winner

ASSOCIATIONS

- American Bar Association
- Tennessee Bar Association
- Nashville Bar Association
- Defense Research Institute (DRI)
- Belmont University College of Law American Inn of Court
 - Past President

PAPERS, PRESENTATIONS & PUBLICATIONS

- Author, "Doctrine, Doctrine ... Give Me the News," *Bizlitnews.com*, July 2017
- Author, "Three Stripes and You're Out: adidas Seeks to Protect its Mark," *Bizlitnews.com*, March, 2017
- Author, "Puff ... Puff ... Sue? Distinguishing an Aggressive Sales Pitch from an Actionable Misrepresentation," *Bizlitnews.com*, January, 2017
- Author, "Anything is (Im)Possible: Applying the "Impracticability" Defense to the Tennessee Wildfires," *Bizlitnews.com*, December, 2016
- Author, "Arbitration Agreements: Make Your Own Rules of Civil Procedure," *Bizlitnews.com*, May, 2016
- Author, "False Advertising? Not if Just One Expert Says It's Not," *Bizlitnews.com*, June, 2015
- Author, "Careful What You Wish For: Court Affirms Award of Attorney's Fees Based Upon Arbitration Rules," *Bizlitnews.com*, January, 2015
- Author, "I Want My Selfie Back!!!," *Bizlitnews.com*, September, 2014
- Author, "Is There A Right To Be Forgotten? The Court of Justice of the European Union Says 'Yes!'," *Bizlitnews.com*, May, 2014
- Author, "Arbitration Provisions: The Effect of Applying The AAA Rules," *Bizlitnews.com*, December, 2013
- Author, "Business Litigation: Is Expert Testimony Required?," *Bizlitnews.com*, November, 2013
- Author, "Enforcing an Electronic Contract? SGM^T* (*Sounds Good to Me!)," *Bizlitnews.com*, March, 2013
- Author, "The Tennessee Consumer Protection Act is Inapplicable to Wrongful Foreclosure Actions," *Bizlitnews.com*, November, 2012
- Author, "Promissory Note Payment: Courts are Strictly Construing the 'Place of Payment' Identified in the Note," *Bizlitnews.com*, September, 2012
- Co-Presenter, "Ethics for In-House Counsel, Adapting to a Changing World: A CLE for In-House Counsel," November 2014
- Presenter, "Achieve Your Poker Face: Tips to a Successful Mediation," DRI Webcast, Chicago, IL, 2010
- Presenter, "Overcoming Common Challenges in Discovery Practice," Nashville, TN, 2009
- Presenter, "The Tennessee Products Liability Act of 1978 and State Law Products Liability Concepts," Southeast Products Liability Forum, 2009
- Presenter, "Deposition Ethics," Nashville, TN, 2008
- Author, "Deposition of the Corporate Representative: The Scope of Rule 30(b)(6) Depositions," *For the Defense*, February, 2008
- Author, "Depositions of In-House Counsel - Maintaining and Protecting Evidentiary Privileges," DRI, *Evidentiary Privileges for Corporate Counsel*, 2008
- Author, "Settlement Negotiations: What is Protected from Discovery and Admission at Trial," *For the Defense*, February, 2007
- Presenter, "Claims Liability Workshop," Loss Prevention Conference, Atlanta, GA, 2006
- Author, "The Apex Deposition: Protecting High-Level Executives from Burdensome or Harassing Discovery," *For the Defense*, April, 2006

CIVIC INVOLVEMENT

- East Nashville Football Stadium Foundation, Inc.
 - Director/Secretary (2017-Present)
- Christ the King School, School Council
 - President (2020-Present)
 - Vice-President (2018-2020)
 - Secretary (2017-2018)
- Legal Aid Society of Middle Tennessee and the Cumberlands
 - Pro Bono Counsel (2004-Present)
 - Volunteer
- Special Olympics Tennessee, Inc., Volunteer