

SUPREME COURT OF TENNESSEE

CCD Oldsmith Henry, LLC v. Town of Nolensville

CCD Oldsmith Henry, LLC v. Town of Nolensville · No. M2024-01102-SC-R11-CV · Decided March 16, 2026

SUMMARY

The Tennessee Supreme Court held that a circuit court could not certify under Tennessee Rule of Civil Procedure 54.02(1) an order denying a motion to join prospective counterclaim defendants. Because the order did not adjudicate the rights and liabilities of existing parties or dispose of a claim before the court, the Supreme Court vacated the Court of Appeals' decision for lack of jurisdiction and remanded the case.

CASE DETAILS

COURT	Supreme Court of Tennessee
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Supreme Court of Tennessee
DECIDED	March 16, 2026
DOCKET	M2024-01102-SC-R11-CV
DISPOSITION	vacated
PROCEDURAL POSTURE	The Supreme Court of Tennessee granted CCD Oldsmith Henry, LLC's application for permission to appeal to review the Court of Appeals' reversal in part of a Rule 54.02(1) certification ruling.
STANDARD OF REVIEW	The interpretation of the Tennessee Rules of Civil Procedure is reviewed de novo with no presumption of correctness.
PRECEDENTIAL VALUE	Published Tennessee Supreme Court order designated for publication.
PARTIES	CCD Oldsmith Henry, LLC v. Town of Nolensville

TOPICS

- appellate jurisdiction
- final judgment rule
- joinder
- civil procedure
- appellate procedure

PRACTICE AREAS

- Civil procedure
- Appellate procedure
- Municipal law
- Construction law

QUESTIONS PRESENTED

1. Whether the Circuit Court had authority to certify its order denying the Town's motion to join prospective counterclaim defendants as a final, appealable partial judgment under Tennessee Rule of Civil Procedure 54.02(1).
2. Whether the Court of Appeals had jurisdiction to decide the appeal from that certified order.

HOLDINGS

1. An order denying joinder of persons who were never parties to the litigation and whose proposed counterclaims were not before the trial court does not conclusively adjudicate a party's rights and liabilities or a claim present in the action; therefore, the order is not eligible for certification under Rule 54.02(1).
2. Because the Circuit Court's order was not eligible for certification under Rule 54.02(1), the Court of Appeals lacked jurisdiction to decide the appeal.

KEY QUOTATIONS

“Thus, for an order to be eligible for certification under Rule 54.02(1), it “must be dispositive of an entire claim or party.”” (at 1)

“The Circuit Court’s order denying the Town’s motion to join Olderman and Smith as counterclaim defendants does not satisfy either condition for certification under Rule 54.02(1).” (at 2)

“Because the Circuit Court’s order denying the Town’s joinder motion was not certifiable as final and appealable under Rule 54(b), we grant review, vacate the Court of Appeals’ opinion and judgment for lack of jurisdiction, and remand the case to the Circuit Court for further proceedings.” (at 2)

FACTUAL BACKGROUND

Oldsmith brought a civil action alleging that Nolensville wrongfully refused to issue building permits promised as part of a development project. The Town asserted counterclaims alleging that Oldsmith failed to fulfill a promise to help pay for intersection improvements. The Town later sought to join Olderman and Smith as additional counterclaim defendants based on alleged misrepresentations concerning Oldsmith's willingness to pay for the improvements.

PROCEDURAL HISTORY

Oldsmith sued the Town of Nolensville in the Williamson County Circuit Court concerning the Town's alleged refusal to issue promised building permits. The Town asserted counterclaims and moved to join John Olderman and Christopher Smith as additional counterclaim defendants. The Circuit Court denied joinder, certified its order as final under Tennessee Rule of Civil Procedure 54.02(1), and the Court of Appeals decided the appeal. The Tennessee Supreme Court concluded that the order was not eligible for Rule 54.02(1) certification, vacated the Court of Appeals' opinion and judgment for lack of jurisdiction, and remanded to the Circuit Court.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The case is remanded to the Williamson County Circuit Court for further proceedings. The Court of Appeals' opinion and judgment are vacated for lack of jurisdiction.

CASES CITED

- Fair v. Cochran, 418 S.W.3d 542, 544 (Tenn. 2013)
- Bayberry Assocs. v. Jones, 783 S.W.2d 553, 558-59 (Tenn. 1990)
- Bridges v. Dep't of Md. State Police, 441 F.3d 197, 207 (4th Cir. 2006)
- Kahn v. Chase Manhattan Bank, N.A., 91 F.3d 385, 388 (2d Cir. 1996)

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