

## T. Maxfield “Max” Bahner

### In Memory

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#### In Memory of T. Maxfield “Max” Bahner

Max Bahner’s practice concentration was primarily in complex litigation and he was a Senior Member of the firm’s Litigation Section. He was an AAA arbitrator and also a Rule 31 certified mediator.

Max’s mediation experience included difficult contract disputes, some with multi-million dollars at stake, health care-related matters involving hospitals, as well as disputes between insurers and physician groups and other matters. In addition, his accomplishments consisted of achieving agreement between bitterly divided parties, sometimes in multi-party disputes, which resulted in reasonable settlements.

His trial experience included successful defense of large cases involving trade regulation, indemnity claims and other commercial lawsuits, including complex contractual issues and trade regulation matters.

Max is past president of the Chattanooga and Tennessee Bar Associations and served nearly 17 years in the American Bar Association House of Delegates, leading the Tennessee delegation for nine years. He also served on the Board of Governors of the American Bar Association for three years and on the Executive Committee of the Board of Governors during his last year on the Board. He was Chair of the Tennessee Supreme Court’s Advisory Commission on the Rules of Civil Procedure for seven years during which the Commission wrote the Tennessee Rules of Evidence, which were adopted by the Tennessee Supreme Court. Max chaired the Task Force to review and recommend changes to the Tennessee Rules of Judicial Conduct which were adopted by the Supreme Court and which have become influential in revisions in other states. Max is a founding Fellow of the Tennessee Bar Foundation and the Chattanooga Bar Foundation and a Life Fellow of the American Bar Association.

### Associations

#### Services

- Arbitration, Mediation, and Dispute Resolution
- Commercial Litigation
- Insurance Coverage and Claims
- Insurance Defense
- Litigation and Risk Management

#### Industries

- Food and Beverage
- Media, Publishing, and Entertainment

#### Admissions

- Tennessee
- Virginia
- U.S. Court of Appeals Eighth Circuit
- U.S. Court of Appeals Eleventh Circuit
- U.S. Court of Appeals Federal Circuit
- U.S. Court of Appeals Fourth Circuit
- U.S. Court of Appeals Ninth Circuit
- U.S. Court of Appeals Sixth Circuit
- U.S. Court of Appeals Third Circuit

## Professionals

- American College of Trial Lawyers
- Defense Research Institute
- Conference of Southern Bar Presidents, past Chair
- American Inns of Court, Brock-Cooper Chapter, Master
- Judicial Conference, U.S. Court of Appeals, Sixth Circuit, Life Member
- Tennessee Supreme Court Historical Society, Founding Member
- Merit Selection Panel for Bankruptcy Judges, Eastern District, Tennessee, Kingsport, and Chattanooga
- Merit Selection Panel for United States Magistrate Judge, Eastern District of Tennessee, Chattanooga Division
- American Judicature Society
- Tennessee Defense Lawyers Association
- International Association of Defense Counsel (IADC), Member; *Defense Counsel Journal*, past Board of Editors
- U.S. District Court, Eastern Division of Tennessee, Historical Society, Founding Member, President, 1997
- Tennessee Supreme Court Board of Professional Responsibility, 1982-1985
- Tennessee Supreme Court Advisory Commission on Drafting Tennessee Rules of Evidence, 1983-1989, Chair
- Tennessee Supreme Court Advisory Commission on Civil Rules, 1982-1989, Chair
- Estate Planning Council, past Board of Directors

## Bar Associations

- Founding Fellow, Chattanooga Bar Foundation
- Founding Fellow and Life Member, Tennessee Bar Foundation
- Fellow and Life Member, American Bar Foundation
- Tennessee Bar Association, Task Force on Judicial Conduct Rules, Chair
- Chattanooga Bar Association, past President, past Board of Governors
- Tennessee Bar Association, past President, past Member Board of Governors
- Association of the Bar of the City of New York
- Virginia State Bar
- American Bar Association, Senior Lawyers Division, Chair, 2009-2010; Board of Governors, 1999-2002; Executive Committee, 2001-2002; House of Delegates, 1984-1999; State Delegate, 1990-1999
- Federal Bar Association

## Noteworthy

- Fellow, American Board of Trial Advocates
- Fellow, American College of Trial Lawyers
- American Inns of Court Professionalism Award for the Sixth Circuit, 2018
- Outstanding Service Award, The University of Tennessee at Chattanooga, 2014
- Distinguished Service Award, The Kiwanis Club of Chattanooga, 2013
- Legal Aid of East Tennessee's Bruce C. Bailey Volunteer Lawyer of the Year, 2013
- Business TN's "Top 150 Lawyers in Tennessee"
- John H. Pickering Award of Achievement, American Bar Association, 2011
- *Mid-South Super Lawyers*, Business Litigation, Alternative Dispute Resolution, Antitrust Litigation, 2006 - 2019
- *Mid-South Super Lawyers*, 100 Super Lawyers in Tennessee, 2006 - 2012

- U.S. District Court Eastern District of Tennessee
- U.S. District Court Western District of Tennessee
- U.S. Supreme Court

## Education

- J.D., University of Virginia School of Law, 1960
- B.S., Carson-Newman College, 1954

- Legal Aid of East Tennessee's Pro Bono Hall of Fame, 2011
- *Best Lawyers in America*, Antitrust Litigation, Bet-the-Company Litigation, Commercial Litigation, and First Amendment Litigation
- *Best Lawyers in America* "2011 Chattanooga Bet-the-Company Litigator of the Year"
- Martindale-Hubbell® AV® Preeminent™ Peer Review Rated
- Avvo 10.0 Rating
- America's Top 100 High Stakes Litigators® for Tennessee

## Community

- Carson-Newman College, Executive Committee; Board of Trustees, past Chair for five years
- University of Chattanooga Foundation, Inc., Vice President, Board of Directors
- Community Foundation of Greater Chattanooga, Inc., Board Member, 2005-2011; Chair of Succession Planning Committee
- Chattanooga United Way, Board of Directors, 1990, former Chairman, Fund Drive Professional Division
- Chattanooga Rotary Club, past President
- Orange Grove Center, Board Member, Honorary Board Member 30 years, President 1974-75
- Chattanooga Symphony, past Board Member
- BOTA Foundation, a large private foundation, Board of Trustees and Secretary, 1985-2007, Vice Chairman, 2007-2011