Fergus Nolan

RE: Tennessee Real Estate Commission
Complaint Number 201604873

Dear Fergus Nolan:

Enclosed, please find a copy of the response, which was received by BERLIN FITZGERALD BOYD.

At this time, the complaint, response, and supporting documentation will be forwarded to legal counsel for review and presentation to the Commission. If the Commission believes there is probable cause for a violation of their laws and rules, then the matter will proceed to a formal hearing. Otherwise, the Commission may dismiss the complaint with no further action. Notification of the Commission’s decision will be provided to you at the earliest possible and appropriate time.

If necessary, please submit any additional information or documentation to the Tennessee Real Estate Commission at the address or email address listed below.

Sincerely,

Complaint Coordinator
Tennessee Real Estate Commission
September 26, 2016

Tennessee Real Estate Commission
500 James Robertson Parkway 4th Floor
Nashville, TN 37243

RE: Response to Official Complaint and Affidavit Filed August 18, 2016

To whom it may concern,

I would like to begin by apologizing to the Commission for having to investigate the false alleged allegations made by Fergus Nolan as it pertains to a willful misrepresentation allegedly made by me. In 2010 I was a Realtor for Garland Company. I was a licensed agent selling houses and commercial real estate under my Broker Gary Garland. At the time I was a member of Memphis Area Realtors Association (MAAR).

According to Mr. Nolan’s claim that I was misleading or untruthful in my advertising is false. Whereas I’ve never advertised nor used any insignias stating that I was still an active member of MAAR. As my records reflect in your office I was only an Affiliate Broker with Garland Company for a year. After returning to Solvis and Associates I presumed selling commercial real estate only. Also, Mr. Nolan provided a screen shot from my LinkedIn page showing that I still worked for Solvis and Associates that information has been updated. I will admit this was an honest oversight on my part as I do not go on LinkedIn.

Further, the Bio Mr. Nolan is referencing on the City of Memphis website was my Bio when I was appointed to serve on the Memphis City Council in 2011. I have asked my assistant to remove any mention and/or information regarding MAAR. I think it is important for the Commission to know that this is a personal attack by Mr. Nolan who adamantly disagrees with my recent position and resolve on an issue regarding council deliberation and vote on the Greensward and Overton Park project, which dealt with parking concerns at the Memphis Zoo. The discussions ensued for months and were very controversial causing Mr. Nolan’s disdain for me to become inflammatory. In fact, Mr. Nolan was arrested at a recent protest regarding his group’s opposition to the cities decision on the matter. Subsequently he has been removed from City Council Chambers due to further verbal attacks and his behavior toward councilmembers, me included.

Thank you for allowing me an opportunity to address these false allegations. I look forwarded to being cleared.

Sincerely,

Berlin F. Boyd
Berlin Boyd
Business Development & Government Relations Specialist (O) 901-351-6916 901-331-7212 (E)
BerlinBoyd@gmail.com
Greater Memphis Area | Government Relations

Current
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People Similar to Berlin
Achievements:

- Developed the Whithaven neighborhood redevelopment plan which the City of Memphis approved in 2011.
- Helped facilitate the investment of $70 M from Graceland Enterprises for the development of the new Heart Break Hotel.

Serve as research & public policy consultant to public/private sector clients
- Provide site selection, acquisition and project management for various clients
- Develop and review documentation for neighborhood revitalization projects
- Successfully secured a $51M grant through the Memphis Area Transit Authority
- Gather/analyze information using qualitative & quantitative research techniques
- Provide business development services for Logistical Service Company, LLC to secure a $80 million contract with Electrolux Memphis
- Restructured, rebranded, and reorganized Metro Cab Company to become the second largest cab company in the city of Memphis
- Responsible for developing business proposals, negotiating contracts, and facilitating process improvement sessions

Commercial Real Estate Agent
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April 2008 - July 2014 (6 years 4 months) | West Tennessee

Achievements:

- Lead developer for an $80M condo development
- Advise clients on the suitability and value of the property they are visiting
- Understand client needs and provide appropriate commercial real estate plans
- Provide site selection, site acquisition, and lease negotiations services for various clients throughout the country and arrange meetings between buyers and sellers when details of transactions need to be negotiated
- Develop, sell, and locate commercial real estate for potential buyers and sellers after thorough research and examination

Summary

I am a native Memphian with a long history of reinventing the city’s cultural beauty. I take pride in my city and in my work. In my current role as Owner of Boyd and Associates I work with a little over 20 different clients in various capacities in order to help them expand their market share.

Let me help you discover new ways to grow your company, reallocate budget and create new revenue streams.

We help businesses, do business BETTER!

Call me today to schedule a date and time to talk about your business. (801) 351.6916 (E)
berlinboyd@gmail.com

Skills

Top Skills

- Strategic Planning
- Project Management
- Public Relations
- Government
- Public Speaking
- Nonprofits
- Team Building
- Event Management
- Policy

Two protesters arrested in standoff with police at greensward

May 30, 2016 - Maureen Spain is arrested by Memphis officers during an act of civil disobedience at Overton Park. A crowd of protesters gathered in opposition to the continued use of the Greensward by the Memphis Zoo for overflow parking where two people were arrested. (Jim Weber/The Commercial Appeal)

By Kayleigh Skinner of The Commercial Appeal
May 30, 2016

Two protesters were arrested Monday during a standoff with Memphis police over zoo parking at Overton Park.

The confrontation came on a sunny Memorial Day that caused a swell in zoo attendance and ended a period of relative quiet in the long-running battle over use of the park's greensward for overflow parking.
Two protesters arrested in standoff with police at greensward

May 30, 2016 - Maureen Spain is arrested by Memphis officers during an act of civil disobedience at Overton Park. A crowd of protesters gathered in opposition to the continued use of the Greensward by the Memphis Zoo for overflow parking where two people were arrested. (Jim Weber/The Commercial Appeal)

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Two protesters were arrested Monday during a standoff with Memphis police over zoo parking at Overton Park.

The confrontation came on a sunny Memorial Day that caused a swell in zoo attendance and ended a period of relative quiet in the long-running battle over use of the park's greensward for overflow parking.
Prior to either person being taken into custody, officers told the protesters they would be charged with trespassing if they didn't leave the greensward area they were blocking by 12:30. A few men and women argued with the officers, saying it was not private property and that they had a right to be there.

Police arrested protester Fergus Nolan just after 12:20 p.m. Minutes later, officers also arrested Maureen Spain. Officers wrestled her to the ground, handcuffed her and put her in a separate police car.

Police said that Spain sat down on gravel, then had her two sons, ages 9 and 11, join her. Police said they worried that the heat would affect the children, although they were later given water and put under a canopy.

Officers then moved to arrest Spain, police said, but she tried to run. An officer grabbed her arm, police said, but Spain jerked away and began yelling. Officers took her to the ground, police said, when she continued trying to pull away.

Nolan was charged with disorderly conduct. Spain was charged with criminal trespass, disorderly conduct, obstructing highway/passageway, reckless endangerment and resisting official detention. Both were released from jail later Monday night.

Spain and some of the other protesters said earlier they originally came to the park for a "Cop Stop," a stand set up by Save the Greensward supporters at the Doughboy statue to hand out food and drinks to police, veterans and first responders during the Memorial Day holiday.

Save the Greensward supporters have protested the parking situation for months, spending their weekends in bright green T-shirts and holding protest signs behind the metal barriers used by the zoo to block off its designated section of the greensward.

The Overton Park Conservancy and Memphis Zoo are currently in mediation over the zoo’s use of the greensward for parking on peak attendance days. The Memphis City Council won’t vote on an ordinance
cementing the Overton Park greensward compromise until July, after mediation ends.

Memphis Mayor Jim Strickland has given the mediation until the end of June to produce results. At his direction, and with the OPC and zoo's approval, he had city crews re-stripe North Parkway earlier this month to create on-street parking spaces to help relieve some of the demand for greensward parking.

"People decided to do this today because they're tired of waiting on the mediation. They don't necessarily trust that the mediation is going to preserve this public open space," said Jessica Buttermore, chairwoman of the Citizens to Preserve Overton Park. "So they decided to not let cars park there today."

The City Council approved a resolution earlier this spring to give the zoo control of a portion of the greensward.

"This is the city-approved footprint that we're using. We're sticking to the original agreement," said Laura Doty, zoo spokeswoman.

Doty said the protesters were forcing the zoo to direct visitors to park elsewhere after the regular lots filled.

Their actions affected "children wanting to come to the zoo on Memorial Day. I bet some parents were off and promised their children that they could come and now they can't due to protesters blocking the path," Doty said.

Naomi Van Tol, board member with Citizens to Preserve Overton Park, disagreed.

"This event was announced three weeks ago. We felt that was plenty of time for the zoo to make alternate arrangements, whether it be shuttles or letting patrons know parking would not be available this day," Van Tol said.

At least seven police cars and one Blue CRUSH vehicle surrounded the parking entrance where the protesters set up their tent. Officers also
Two protesters arrested in standoff with police at greensward

sectioned off the area with crime scene tape to keep zoo visitors and reporters out of the immediate vicinity.

After the two protesters were detained, the remaining 30 or so chanted, "Let her go," referring to Spain. They then left the Greensward and parking resumed immediately.

Staff reporter Jody Callahan contributed to this story.

About Kayleigh Skinner
Kayleigh Skinner is a general assignment reporter for The Commercial Appeal. She covers breaking news, current events, and everything in between. She is a graduate of The University of Mississippi.
@kayanneskinner  kayleigh.skinner@commercial...  901-529-2492

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