

## ***Career Experience***

### **Owner**

Jan 2010 – Green Season Consulting, Franklin, TN

I am now a full time arboricultural consultant. I engage in assignments throughout North America.

### **CEO**

Apr. 2005 – 2011 Happy Tree, Inc. Franklin, TN

Company founder. Green Industry landscape contracting company featuring landscape design, installation and maintenance. I also performed tree work and land management services including land use assessments, tree inventories and arboricultural consulting. I grew the company from \$0 to \$550,000 in sales and production. This was accomplished with an original investment of only \$75,000.

### **President**

Apr. 1996 – Nov 2004 TIPCO, Inc. Knoxville, TN

Before I took over in 1996, this company struggled to achieve \$90,000 gross after 20 years of existence. In just 7 years, I created new missions, strategies, and tactics to reinvent the company and place it on a track for growth and profit. I was responsible for all company activities, including administrative, financial, marketing, sales, production, and staffing. As of October 2004, the company is projected to have sales in excess of \$1.3 million and profits of over \$60,000. The company continues to out-perform similar companies within the industry.

### **Tree & Shrub Manager**

Jan. 1993 – Apr. 1996 Barefoot Grass Knoxville, TN

I successfully spearheaded a new Tree & Shrub Care division in the Knoxville market. I was responsible for sales, administration, customer service, and production. After 3 years, the division had a gross annual revenue projection of over \$200,000 with a net profit of \$60,000. This new division had the highest performance rating of any new division in the history of Barefoot Grass Lawn Service, nationally.

### ***Areas of Arboricultural Consulting Expertise***

- Tree Accident Reconstructions
- Expert Witness and Litigation- Forensic Investigations
- Tree Safety Policy
- Tree Appraisals, Tree Management
- Land Assessments and Surveys
- Diagnosis and Management of Tree/Landscape Problems
- Municipal Ordinance Development
- Training and Education
- Golf Courses and Nurseries - Inventories
- Plant Health Care Programs
- Contract Preparation and Supervision
- Tree Protection and Analysis

Registered Consulting Arborist, member of ASCA , company founder/CEO. Authored many articles; conducted seminars throughout country. Worked with thousands of arborists; served many years on the Urban Forestry Council. I have consulted with tree municipalities, utility companies, extension services, country clubs, colleges and many others.

### ***Recent Arboricultural Consulting Experience Past 3 Years***

High value tort, personal injury, civil trespass, criminal trespass cases, formal report preparation, forensic investigations, eminent domain, tree appraisals, tree health assessments, laboratory diagnostic analysis, site evaluations, area canopy evaluations, tree hazard evaluations, tree risk assessments, tree inventories, municipal contract preparation/supervision, forensic investigations, litigation, municipal ordinances development, property management tree hazard policy development, tree management recommendations, specification development, site inspections, landscape design, contract installation, utility contract review, and many others...

### ***Conference Speaker***

Oct. 4, 2011 TRPA Annual Conference, Paris, TN

“Recognizing Tree Hazards”

Oct. 3, 2011 TRPA Annual Conference, Paris, TN

“Exotic Invasive Pests”

Nov. 3-4, 2004 PLCAA 25<sup>th</sup> Annual Conference & GIE, Charlotte, NC

“Tree & Shrub Workshop”

“Landscape Plants- Nutrients and Health”

Oct. 14, 2004 AUFA 20th Annual Convention, Hoover, AL

“Micro-injection”

“Tree Health Care Demonstration”

Jan. 8, 2004 CSRA 3<sup>rd</sup> Annual CSRA Ornamental and Turf Seminar, Augusta, GA

“Mauget fungicidal, insecticidal and nutritional trunk injections”

Feb. 12, 2003 UT Grounds Mgt. Short Course, Knoxville, TN

“Tree Growth Regulators”

Oct. 30- Nov. 1, 2000 KUFC Conference Frankfort, KY

“Soil-oriented Construction Damage”

“Pest Management w/ Micro-Injection”

Feb. 8-9 2000 UT Grounds Mgt. Short Course Knoxville, TN

“Constructing the Death of A Tree”

Jan. 25, 1999 Mississippi Urban Forestry Conference Jackson, MS

“Marketing Your Business”

“Pest Management w/ Micro-Injection”

Nov. 19, 1998 Alabama Ag. Ex. Short Course Birmingham, AL

“Tree Topping Hurts”

“Mycorrhizae”

May 21, 1998 MELPA Johnson City, TN

“Tree Health Using Micro-Injection”

Mar. 10, 1998 MELPA at ETSU Johnson City, TN

“Tree Topping Hurts”

Jan. 7, 1998 KY Ag. Ex. Winter Short Course

“Tree Health Using Micro-Injection” Lexington KY

Dec. 12, 1997 Advanced Learning Symposium Sturbridge, MA

“Marketing Micro-injection”

Apr. 15, 1997 ISA Southern Conference Chattanooga, TN

“Arboriculture on the Internet”

And others...

## ***Education***

February 03, 2009

Registered Member #470 American Society of Consulting Arborists

April 23, 2002 ASCA Academy ASCA

Certificate

Dec. 1992 – Oct. 1993 University of Tennessee Knoxville, TN

Credits

31, May 1983 Tennessee High School Bristol, TN

High School Diploma

What I lack in academic exposure has been offset by the rigorous requirements of the RCA credential which (I competed over 10 years), and the vast experience I have gained in the preparation of dozens of formal consulting reports. My largest case was the advocacy role defense of a client who was sued for \$10,000,000.00 punitive damages due to a hazard tree failure. The case settled for far less.

My real world experience and Continuing Education have given me the equivalent of a PhD Degree in Arboriculture.

## *Certifications*

Jun. 1, 1999 KY Commercial Pesticide Applicator License/Certification State of Kentucky

Oct. 10, 1998 NAA Home Study 1 NAA

May 30, 1998 TN Commercial Pesticide Applicator Certification D&R State of Tennessee

Feb. 1, 1998 TN Certified Nursery Professional TNLA

Jan. 21, 1998 Commercial Pesticide Applicator Certification State of North Carolina

Jan 30, 1995 ISA Certified Arborist

March 1, 1994 Commercial Pesticide Applicator State of Tennessee Cat. 3

June 24, 1994 Commercial Pesticide Applicator License State of Tennessee HLT

## ***Publications***

Oct. 2001 Arbor Age “Dealing with Damage What to Do when Roots Are Injured”

Fall 2000 Tennessee Green Times “Trees vs. Irrigation”

Summer 2000 Tennessee Green Times “Microinjection”

May 2000 Irrigation & Green Industry “Avoid Pitfalls That Damage and Kill Trees”

Aug. 1999 Arbor Age “Tree Nutrition”

Jun. 1999 Landscape Management “Tree Injection 101”

May 1999 Arbor Age “To Fert or Not Fert”

Feb. 1999 Landscape Management “Injecting Palms Made Easy”

Jan. 1999 Arbor Age “Gumwood Stirring Up A Mess”

Oct. 1998 Arbor Age “Surviving Tree Stress”

Sep. 1998 Davey Tree Research “Management of Elm Yellows Disease Using Oxytetracycline”

Sep. 1998 TCI “Not Last Word on Leaf Scorch”

Sep. 1998 Arbor Age “Does Organic Soil Matter?”

Mar. 1998 Arbor Age “Tree Nutrition 101”

Spring 1997 ISA So. Ch. News “Micro-injection The Missing Link in Your IPM”

May-Jun. 1997 Through The Green “Micro-injection The Missing Link in Your IPM”

Apr. 1997 Arbor Age “More Points on Injections”

Jan. 1997 Arbor Age “Microinject Profits Into Your Business”

Dec. 1996 Landscape Management “Tree Injection – A Neat, Clean Method”

And Many Others...



## ***Memberships***

Amateur Athletic Union

American Horticulture Society

American Society of Consulting Arborists, Registered Member

Christian Executive Officer

Christian Leadership Concepts

Franklin Tree Commission

Franklin First United Methodist Church

Georgia Green Industry Association

Gideons International

International Society of Arboriculture

International Society of Arboriculture, Southern Chapter

Kentucky Arborist Association

Mauget Advisory Board

Micro-injection Research Review Board

National Arborist Association

North American Mycological Association

Southern Nurseryman's Association

Tennessee Nursery and Landscape Association

Tennessee Urban Forestry Council

And others...

## ***Endorsements***

Alabama Cooperative Extension Service

Arkansas State University

Bellemeade Country Club

City of Franklin Parks Department

Cortese Tree Specialists

Dave Leonard RCA #346

Empire Tree & Turf

Fred Morgan RCA #327

ISA Southern Chapter

Kentucky Arborists Association

Mississippi Urban Forestry Council

Piedmont Tree Service

South Carolina Urban & Community Forestry

Tennessee Technological University

Tennessee Urban Forestry Council

Tusculum College

University of Tennessee

Wake Forest University

And many others...

***Offices Held***

1998

Tennessee Urban Forestry Council

Board Member

2001

Tennessee Urban Forestry Council

Vice President

2002

Tennessee Urban Forestry Council

President

2003

Mauget Advisory Board

Member

2004

Hemlock Wooley Adelgid Advisory Board

Founder

2005

CEO Fellowship

Board Member

Mentoring and Accountability Chairman

2006

Franklin Tree Commission

Green Industry Board Member

Chairman Arbor Day Celebration, Education Committee

2008-Present

Franklin First United Methodist Church

Spiritual & Nurture Committee Member

Church Evangelism Committee Member

And Others...

*Cases Testified*

DEPOSITION MAY 11, 2010,

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE  
AT NASHVILLE.

No. 09C1122 JURY DEMAND

LAURIE PROFFITT, surviving spouse  
and next of kin of Jason Proffitt,  
deceased, individually and on behalf of  
her minor children, Kailey Proffitt and,  
Mitchell Proffitt,

and,

JENNIFER LYNN CARTER, surviving  
spouse and next of kin of Joseph Carter,  
deceased, individually and on behalf of  
her minor child, Jason Lee Carter,

Plaintiffs,

vs.

HERMITAGE GOLF COURSE, INC.,  
and DANNER-ELLER GOLF  
PROPERTIES, INC.,

Defendants.

Personal injury case in which two golfers were killed when a massive oak tree fell suddenly onto their golf cart in windy conditions. Case settled out of court.

DEPOSITION NOVEMBER 15, 2011

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE  
COUNTY OF SACRAMENTO

No. 34-2010-00081391

JOSEPH DAGNINO AND MARCELLA DAGNINO,

Plaintiffs,

vs.

NURSTECH, INC. a California Corporation and DOES 1 through 50, inclusive,

Defendant(s),

Personal injury case where a security guard was on patrol at a nursery when a massive container of soil failed and fell suddenly on him. Case settled out of court.

DEPOSITION APRIL 30, 2012

IN THE DISTRICT COURT 95<sup>TH</sup> JUDICIAL DISTRICT DALLAS COUNTY TEXAS,  
TEXAS

Cause No. DC-11-00438-D

BERHANU HAILE and MESERET KEBEDE, Individually and on Behalf of the Estate of  
MATTHIAS BERHANU

Plaintiffs,

vs.

SKY RANCHES INC., SKY RANCH VAN, INC., SKY RANCH FOUNDATION, ALEN  
HINCKLEY, BRANDON COTTER, AND WALT BYERLY,

Defendants.

Personal injury case where a 5<sup>th</sup> grade boy was guest at a children's camp undergoing orientation at an outdoor classroom when a dead pine tree snapped at the top, fell suddenly and without warning and struck him in the head causing massive head injuries. He later died from his injuries. Case settled out of court.

Deposition and Trial November December 2012  
IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF  
TENNESSEE NASHVILLE DIVISION

NO. 3:11-cv-0311  
Judge Wiseman

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY  
Plaintiff,

v.

AN EASEMENT AND  
RIGHT OF WAY  
OVER 2.49 ACRES OF LAND MORE OR  
LESS, IN SUMNER COUNTY, TENNESSEE

MARY KATHERINE LORANCE, SUMNER  
BANK & TRUST and RICHARD HUTCHINSON

Case involved deposition and trial testimony of CTLA Cost of Cure Appraised Value of trees in support of a million dollar Real Estate Market Appraisal diminution where TVA took land for transmission line installation. Decision was handed down in April of 2013.

Deposition August 16, 2013  
In The State Court of Fulton County  
State of Georgia

Civil Action File No. 11EV012443B

Ingrid L. Hason as the Executrix and  
Clair J. Hanson as the Trustee of  
The Estate of Lois Gillam Hanson  
Plaintiffs,

Vs.

Boutte Tree, Inc.  
Defendant.

Case is ongoing- involves the deposition of a Cost of Cure Appraised Value loss related to tree work performance by a tree service contractor and a residential homeowner.