

IN THE COURT OF APPEALS OF TENNESSEE  
AT KNOXVILLE

**KATHY GORDON v. BY-LO MARKETS, INC., DBA BY-LO #10**

**Appeal from the Circuit Court for Grainger County**  
**No. 8368-111 Rex Henry Ogle, Judge**

---

**No. E2009-02436-COA-R3-CV - FILED OCTOBER 5, 2010**

---

CHARLES D. SUSANO, JR., concurring.

I concur in the result reached by the majority opinion.

---

CHARLES D. SUSANO, JR., JUDGE