

WSMV4 Investigates: Judge considers unsealing lawsuit against former Nashville Predators owner

Lawsuit claimed Herb Fritch paid \$400,000 to conceal ties to children born outside of marriage.

By Jeremy Finley

A 2022 lawsuit, obtained by WSMV4 Investigates, accused the former majority owner of the Nashville Predators, Herb Fritch, of paying bribes to conceal his paternity of two illegitimate children and defraud the Texas child support system.

Actor Frank Monroe said Fritch, who is now a minority owner of the team, paid him approximately \$400,000 through multiple settlement agreements to prevent disclosure that Fritch is the biological father of two children born during Monroe's marriage to his ex-wife, Tiffany Monroe.

"I'm not lying. I'm not scared of these individuals," Monroe said in an interview with WSMV4 Investigates in Atlanta, where he now lives with his fiancée and child.

The lawsuit and corresponding court records are currently under seal, but WSMV4 Investigates obtained a publicly filed copy.

A motion to unseal the lawsuit and corresponding court records has been filed by the Nashville Banner.

A clerk for Judge Amanda McClendon, who originally sealed the records, said that the judge will make her determination on the Banner's motion based on the pleadings filed with the court, not in a hearing.

A tangled web of allegations

Monroe, who is an actor with small parts in the Black Panther movies, tells WSMV4 Investigates that when he first married Tiffany Monroe, he found out she had an

older family friend who had employed her mother.

“But I’m like, he’s an older white dude. I’m a young, virile guy. Like, I’m not gonna worry about this guy,” Monroe said.

After the birth of two children, Monroe, who is Black, said he couldn’t help but notice the lighter skin of the children, and that Fritch, who is white, would bring her gifts on Mother’s Day.

“So do you just come out and ask her at some point? Is he the father of these children?” asked WSMV4 Investigates.

“No, she told me,” Monroe said. “(She said Fritch) is a breadwinner.”

“Why in the world would you have stayed in this marriage?” asked WSMV4 Investigates.

“Because you love somebody and you don’t quit on them,” Monroe said.

The lawsuit claimed Fritch approached him with payments and bribes, to “prevent any actions that could potentially reveal the children’s true paternity and to keep Fritch from becoming legally responsible for the children.”

The lawsuit alleged that Fritch’s attorney at

the time, Aubrey Harwell, also approached Monroe with three settlement agreements, in 2016, 2019 and 2020. Monroe provided those settlement agreements to WSMV4 Investigates.

One of the settlements read that Monroe would agree “to do nothing to prevent his name from being on the birth certificate.”

Monroe signed all of the agreements. In letters exchanged between Monroe’s then attorney, Cody Galaher, and Harwell, the agreements were worth an estimated \$400,000.

Monroe said that Fritch even paid for him to go to college.

“I get money to be a father and forgive my wife,” Monroe said.

“I have to wonder, is this your endgame, Frank? Is your end game to continue making money off this powerful man’s secrets?”

“Oh, no,” Monroe said. “He’s going to give me what he owes me, though.”

Allegations of child support fraud

The lawsuit claimed Fritch defrauded the Texas child support system, which is operated by the Texas Attorney General, in

two ways. First, according to the lawsuit, by having Monroe appear as the father, Fritch failed to pay adequate child support based on his true income. Second, the suit alleged Fritch logged into Monroe's child support portal and made payments on Monroe's behalf without approval.

Monroe said he was astonished to learn that a \$43,000 child support payment had been made under his name while he wasn't working.

"It says \$43,000 was paid at one time. I was getting unemployment at that time," Monroe said.

WSMV4 Investigates reached out repeatedly to the Texas Attorney General but has not yet received a response.

Settlement agreements and payments

Monroe also obtained a 2018 investigation by the family district court in Harris County, Texas, where Tiffany Monroe lived.

The investigation was launched into a custody dispute over another child whom Tiffany Monroe had with another man.

In that investigation, Tiffany Monroe was interviewed and said that Frank Monroe is not the biological father of her other two

children. The man who is, according to Tiffany Monroe, is Herbert Fritch.

The investigation also stated that Fritch wired \$7,000 to her bank account a month and estimated he has provided her with \$300,000 in cash and gifts over the years.

Expert analysis

Karen Rosenthal, a family law attorney in New York who authored the book "Cracking the Custody Code," about navigating the high-stakes battles within child support cases, told WSMV4 Investigates there is one real distinction between what the general public and the rich can do when it comes to circumventing the child support system.

"They can just hire better lawyers. Really. That's it," Rosenthal said.

Rosenthal said the lawsuit is about one thing: money.

"I'm sure Mr. Fritch never expected this kind of lawsuit. Never," Rosenthal said.

Monroe's background and credibility

While Monroe believes he was taken advantage of, this is not the first time he's been involved in something suspicious.

Monroe acknowledged his criminal history, including stealing from drug dealers and committing violent crimes, including abusing Tiffany Monroe. He has also been institutionalized, after he said he had a breakdown after divorcing Tiffany Monroe and relinquishing his rights to see the children, and wrote in the lawsuit that his family ostracized him for allowing himself to be manipulated into “raising a wealthy white man’s children as his own.”

“(Fritch) may say that this is a mentally ill man who is simply trying to take advantage of a rich man,” WSMV4 Investigates asked.

“More demonization,” Monroe said.

“What responsibility do you take? You were in on this from the very beginning,” WSMV4 Investigates asked.

“I take the responsibility of trusting them,” Monroe said.

In a statement to WSMV4 Investigates, Jeff Eller, spokesman for Aubrey Harwell, wrote in part, “For nearly a decade, (Monroe) has accused Herb Fritch of inappropriate personal conduct. He threatened to harm Mr. Fritch’s reputation, repeatedly saying he would go public with his claims. To protect his reputation, Mr. Fritch entered into three confidential

agreements with Frank Monroe. Frank Monroe freely signed all three.”

Court proceedings and dismissal

After being institutionalized, Monroe sued in civil court for more than \$6 million, citing severe emotional harm.

Attorney Jay Harbison, representing Fritch in court, argued in a recording of a hearing that despite allegations of biological paternity, Fritch “has never been declared or adjudicated as their legal parent or guardian.”

In 2021, letters to Monroe’s then attorney, Gody Galaher, Harwell called claims of defrauding Texas child support services “outrageous.”

“My client agreed to pay substantial sums of money to the plaintiff in exchange for his promises not to bring this very case,” Harbison said in the hearing.

According to Galaher, Judge Amanda McClendon ultimately dismissed the civil suit, enforcing the non-disclosure agreements and ruling that Monroe had waived all claims by signing them. The case was then sealed, but WSMV4 Investigates found a publicly filed copy of the lawsuit.

Harwell wrote in letters to Galaher that his client would not pay Monroe additional money, stating Fritch “did not get confidentiality, which is that for which he bargained.”

Harwell’s spokesman wrote in a statement, “Mr. Harwell gave legal advice to Mr. Fritch. Mr. Harwell not only followed the law but also the same ethical standards he’s applied to his work for more than forty years. Since the case is sealed, he is prohibited from commenting on the facts of the case. That’s the law. Frank Monroe has no credibility.”

For two weeks, we reached out to Fritch and Tiffany Monroe by email and text.

Fritch did not respond and Tiffany Monroe ultimately did not respond to our request for an interview.

Currently, the Nashville Banner has filed a motion to unseal the records, and a clerk for McClendon told WSMV4 Investigates that a hearing is in the works to hear the Banner’s arguments for making the records public. We will keep you posted on the judge’s ruling.

Here is Harwell’s spokesman’s full statement:

“Frank Monroe is a convicted felon,

has a history of drug abuse and medical records show he has been diagnosed with significant psychiatric problems. For nearly a decade, he has accused Herb Fritch of inappropriate personal conduct. He threatened to harm Mr. Fritch’s reputation, repeatedly saying he would go public with his claims. To protect his reputation, Mr. Fritch entered into three confidential agreements with Frank Monroe. Frank Monroe freely signed all three. That wasn’t enough for Monroe. He filed a lawsuit against Mr. Fritch. A judge in Nashville ruled it had no merit and was dismissed. That case was sealed from public view by Frank Monroe. Frank Monroe has now set out to knowingly harm the reputations of Mr. Fritch and his lawyer, Aubrey Harwell. Mr. Harwell gave legal advice to Mr. Fritch. Mr. Harwell not only followed the law but the same ethical standards he’s applied to his work for more than forty years. Since the case is sealed, he is prohibited from commenting on the facts of the case. That’s the law. Frank Monroe has no credibility.”

Jeff Eller, spokesman for Aubrey Harwell.■