



**State of Arkansas
Bureau of
Legislative Research**

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 Kevin Anderson, Assistant Director
 for Fiscal Services
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State Agency Litigation Notification Form

Dear Agency Director:

Arkansas Code § 10-3-312 requires that any agency or institution that is not represented by the Attorney General shall notify the Director of the Bureau of Legislative Research of pending litigation so that the appropriate legislative committee may "determine the action that may be deemed necessary to protect the interests of the General Assembly and the State of Arkansas in that matter."

In order to submit a report regarding pending litigation pursuant to Arkansas Code § 10-3-312, please complete the following form for each pending lawsuit, along with a cover letter to the Director of the Bureau of Legislative Research, and submit to williamsa@blr.arkansas.gov.

DATE REPORTING:	
Agency:	Phone:
E-mail:	Contact:
1. STYLE OF THE CASE BEING LITIGATED : Ramon P. Hansberry, Sr. v. Arkansas State Highway + Transportation Department	
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT) U.S. District Court - Eastern District of Arkansas	
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED SEE ATTACHED	
3A. OTHER DESCRIPTION INFORMATION	
Docket Number	2:16-CV-158-KGB
Date Filed	11-23-16
Defendant	Arkansas State Highway + Transportation Department
Defendant Attorney	Carolyn B. Witherspoon
Plaintiff	Ramon P. Hansberry, Sr.
Plaintiff Attorney	Austin Porter, Jr.
4. ANY OTHER RELEVANT INFORMATION	
4A. OTHER RELEVANT INFORMATION	
Case History	
Relief Sought	Declaratory judgment; injunction; promotion/pay adjustment; back pay; and punitive damages, attorneys fees and costs.
Current Status	Pending litigation

compensatory
 and punitive damages, attorneys fees and costs.

3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED

Mr. Hansberry voluntarily retired from the AHTD after filing his lawsuit in federal district court. Mr. Hansberry alleges that he was subjected to employment discrimination based on his age and race when he was not selected for several supervisory positions and later demoted for making threatening and/or intimidating remarks which would cause a reasonable fear of injury by another employee. Mr. Hansberry also alleges that he was retaliated against for filing a grievance complaining of race discrimination. Mr. Hansberry alleges that the adverse employment action was a written counseling for unauthorized personal use of a state vehicle, which is a violation of the AHTD's policies and procedures. The AHTD responded to the Complaint with a Motion to Dismiss for insufficient service of process because Mr. Hansberry failed to serve the Summons and Complaint in a timely manner. The court denied the AHTD's Motion to Dismiss. The AHTD has since responded to the Complaint with a Partial Motion to Dismiss denying a portion of his claim(s) and an Answer responding to the remaining claim(s). The proposed trial date is October 29, 2018. It is too early in the case to determine the likelihood of an unfavorable outcome or an estimate of the amount or range of potential loss.