

Civil Litigation Division
Status of Closed Litigation
10-1-11 - 9-30-12

Agency: SOUTH CENTRAL DRUG TASK FORCE

Plaintiff(s): SHAD EVERETTE THOMPSON

Attorney: PRO SE

Defendant(s): LT. FRANKIE MCJUNKINS; ROBERT
GENTRY; BRAD ABBOTT; DETECTIVE
JIMMY COURTNEY; TOM FISHER; OFFICER
DALE DORPLE AND NURSE LORI JONES

Attorney: Colin R. Jorgensen

Court: USDC

Docket: 4:07CV04012

Filed:

Relief Sought: MONETARY

Issue: We have been retained to represent Robert Gentry as a member of the South Central Drug Task Force in connection with a lawsuit filed by Inmate Shad Thompson who alleges mistreatment during his arrest resulting in injuries to his mouth requiring dental expenses.

Case History: Motion for Summary Judgment granted.

Current Status: CLOSED

Agency: Arkansas Building Authority

Plaintiff(s): Arkansas Building Authority

Attorney: Chris Parker

Defendant(s): Dave Grundfest Company and Shiffler Architects, PLC

Attorney: Collin R. Jorgensen

Court:

Docket:

Filed:

Relief Sought: Monetary or Specific Performance of Contract

Issue: Mediation with the American Arbitration Association, possibly followed by binding arbitration or litigation, regarding Arkansas Building Authority's warranty claim against general contractor arising out of general contractor's flooring work on state-owned building at 900 West Capitol Avenue.

Case History: Case settled. Arkansas Building Authority received \$85,000.00

Current Status: CLOSED

Agency: State of Arkansas, Department of Finance and Administration, Department of Workforce Services

Plaintiff(s): Joann Chatwood

Attorney: PRO SE

Defendant(s): State of Arkansas, Department of Finance and Administration, and Department of Workforce Services

Attorney: Patricia V. Bell

Court: United States District Court

Docket: 4:10CV169

Filed: 3/17/2010

Relief Sought: Money Damages

Issue: Plaintiff African-American female claims that Workforce Services denied her a pay raise and denied her a promotion due to her race.

Case History: Case settled. (\$21,911.84)

Current Status: CLOSED

Agency: Arkansas Insurance Department

Plaintiff(s): Arkansas Surgical Hospital, LLC, et al.

Attorney: Samuel Perroni, Shelly Hogan,
Charles A. Gall, James W. Bowen

Defendant(s): Jay Bradford, Arkansas Insurance
Commissioner

Attorney: Mark N. Ohrenberger

Court: Pulaski County Circuit Court

Docket: CV-08-4335

Filed:

Relief Sought: Injunctive/Declaratory

Issue: Petitioners are several "specialty" hospitals who seek judicial review of two administrative adjudications by the Insurance Commissioner which interpreted the application of the "Any Willing Provider" Act, Ark. Code Ann. § 23-99-201 et seq, to payments from an insurer to a hospital. The two decisions have now been consolidated into one case and the major health insurers in Arkansas and the Arkansas Hospital Association have intervened.

Case History: Non-state parties settled; State defendants dismissed.

Current Status: CLOSED

Agency: Arkansas Insurance Department

Plaintiff(s): Arkansas Medical Society

Attorney: David L. Ivers, Emily
Sneddon, Robert Wright,
Mitchell Blackstock

Defendant(s): Jay Bradford, Arkansas Insurance
Commissioner

Attorney: Mark N. Ohrenberger

Court: Pulaski County Circuit Court

Docket: CV-08-7442

Filed:

Relief Sought: Declaratory Relief

Issue: Petitioner seeks to appeal a decision by the Insurance Commissioner which interpreted the application of the "Any Willing Provider" act, A.C.A. § 23-99-201 et seq, to payments from an insurer to a hospital. The Commissioner refused to allow the Medical Society to intervene in the proceedings involving hospitals under the reasoning that no physicians were affected. Petitioner is currently seeking to consolidate this case with the ongoing appeal of the hospital proceedings, Arkansas Surgical Hospital, et al. v. Jay Bradford, Arkansas Insurance Commissioner. Petitioner also seeks an order declaring that the Commissioner's interpretations of the AWP statute at issue in the ASH proceedings are incorrect.

Case History: Consolidated with CV-08-5335. (Non-state defendants settled; State defendants dismissed).

Current Status: CLOSED

Agency: Arkansas Insurance Department

Plaintiff(s): Arkansas Surgical Hospital, LLC

Attorney: Timothy O. Dudley, Danny Crabtree, Samuel A. Perroni

Defendant(s): United Healthcare of Arkansas, Inc., et al.,

Attorney: Mark N. Ohrenberger

Court: Pulaski County Circuit Court

Docket: CV2010-1748

Filed: 4/2/2010

Relief Sought: Compensatory/Punitive

Issue: Former Commissioner of the Arkansas Insurance Department presided over an administrative hearing in which the plaintiffs were involved. Plaintiffs alleged that the Commissioner accepted bribes from other parties to the administrative matter in exchange for a ruling favorable of the other parties.

Case History: Non-state parties settled; State defendants dismissed.

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Richard O. McGowan

Attorney: NOT APPLICABLE

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Crittenden County Circuit Court

Docket: CV2011-426

Filed: 8/1/2011

Relief Sought: Judicial Review

Issue: Plaintiff petitions for a judicial review of assessment of Community Notification Level 3.

Case History: Case dismissed because Petitioner McGowan did not file a timely appeal.

Current Status: CLOSED

Agency: Secretary State of Arkansas

Plaintiff(s): Green Party Of Arkansas; Mark Swaney and Rebekah Kennedy

Attorney: Holly Dickson, Bryan Sells, and Laughlin McDonald

Defendant(s): Charlie Daniels, Secretary of State

Attorney: Scott P. Richardson

Court: USDC

Docket: 4:09CV695 JLH/HLJ

Filed:

Relief Sought: Injunctive Relief

Issue: This is a challenge by the Green Party of Arkansas to the State's requirements for a minor political party to be certified for participation in elections.

Case History: Motion for Summary Judgment granted.

Current Status: CLOSED

Agency: Jefferson County Circuit Court Judge, Jefferson County Prosecuting Attorney's Office

Plaintiff(s): Billy Batemon

Attorney: PRO SE

Defendant(s): State of Arkansas; Tri County Drug Task Force; Jefferson County Sheriff, Gerald Robinson; Captain Bernard Adams; Judge Robert Wyatt; Rod Shelby; Bryan Alcorn And Stevan Dalrymple

Attorney: Melanie W. Hoover

Court: United States District Court

Docket: 5:10CV10

Filed: 1/11/2010

Relief Sought: Compensatory/Punitive

Issue: Plaintiff alleges unlawful search of his residence and malicious prosecution.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Russell Falls

Attorney:

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0161-CC

Filed: 9/22/2011

Relief Sought: Disability benefit

Issue: State Highway Police officer seeks disability benefits as a result of suffering permanent heart damage from a heart attack that occurred immediately after a training exercise.

Case History: Claims Commission awarded \$10,000.00

Current Status: CLOSED

Agency: Arkansas State Claims Commission

Plaintiff(s): Charles R. Harp

Attorney: Pro se

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0102-CC

Filed: 8/8/2011

Relief Sought: Disability benefits

Issue: Firefighter fell while exiting fire truck, injuring his left shoulder and neck. He seeks disability benefits.

Case History: Claims Commission awarded \$10,000.00

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): John Harvey Teekell

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 11-0796-CC

Filed: 6/21/2011

Relief Sought: Disability Benefits

Issue: Fayetteville fire fighter seeks disability and scholarship benefits as a result of numerous injuries that occurred over a 10 year period.

Case History: Claims Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Portia Patrick

Attorney: Pro se

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0134-CC

Filed:

Relief Sought: Death benefits.

Issue: Surviving children of Trumann police officer killed in a shootout seek death and scholarship benefits.

Case History: Commission awarded \$90,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Andrea Nicole Schmidt, Individually and as Guardian of Keaton Richard Schmidt

Attorney:

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: State Claims Commission

Docket: 12-0270-CC

Filed: 10/3/2011

Relief Sought: Death and Educational Benefits

Issue: Surviving spouse and child of Trumann police officer killed in a shootout seek death and educational benefits.

Case History: Claims Commission awarded \$90,000.00 plus scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Steven Daniel Layne

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas State Claims Commission

Docket: 12-0227-CC

Filed: 9/12/2011

Relief Sought: Disability and Scholarship Benefits

Issue: Hartford Police Chief was injured during the foot pursuit of a fleeing suspect and later during a domestic disturbance Call. He seeks disability and scholarship benefits.

Case History: Claims Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Christopher Denton

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0224-CC

Filed: 9/12/2011

Relief Sought: Disability and Scholarship Benefits

Issue: Fayetteville police officer injured his back while disarming and arresting a suspect.

Case History: Claims Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Rose A. Gardner

Attorney: The McNeely Law Firm

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 11-0771-CC

Filed: 6/15/2011

Relief Sought: Compensatory

Issue: ADC Employee was injured (knee) when she went to assist two other correctional officers in restraining an inmate

Case History: Claims Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Bruce W. Woolsey

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: Claim # 12-0166-CC

Filed: 8/24/2011

Relief Sought: Disability Benefits

Issue: El Dorado firefighter/EMT seeks disability benefits as a result of back injury sustained while lifting an obese patient who was stuck in a bathtub

Case History: Claims Commission awarded \$10,00.00 and scholarship benefits.

Current Status: CLOSED

Agency: Arkansas State Claims Commission

Plaintiff(s): Pamela Hager

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 11-0742-CC

Filed: 6/1/2011

Relief Sought: Compensatory

Issue: Conway Police Officer was injured during routine traffic stop when driver suspected of being impaired and possessing drugs became combative.

Case History: Claims Commission awarded \$10,000.00.

Current Status: CLOSED

Agency: Arkansas Towing and Recovery Board

Plaintiff(s): Glover's Transmission & Rear-End, Inc. DBA
Glover's Truck Parts & Equipment

Attorney: Sam Hillburn & Quentin E. May

Defendant(s): Arkansas Towing and Recovery Board

Attorney: Meredith Rebsamen

Court: Pulaski County Circuit Court

Docket: 60CV09-5117

Filed:

Relief Sought: Reverse Bd. decision with fine

Issue: Judicial Review under the APA for towing without a license.

Case History: Parties filed joint motion to dismiss.

Current Status: CLOSED

Agency: ARKANSAS TOWING & RECOVERY BOARD

Plaintiff(s): Asher Wrecker Service, Inc.

Attorney: Clifford P. Block

Defendant(s): Arkansas Towing & Recovery Board

Attorney: Meredith Rebsamen

Court: Pulaski County Circuit Court

Docket: CV2006-14231

Filed:

Relief Sought:

Issue: Administrative appeal to Circuit Court of Towing Board Order issuing \$500.00 for over pricing.

Case History: Circuit Court remanded case to Board.

Current Status: CLOSED

Agency: Arkansas Towing and Recovery Board

Plaintiff(s): Glover's Transmission & Rear-End, Inc. DBA
Glover's Truck Parts & Equipment

Attorney: Sam Hillburn & Quentin E. May

Defendant(s): Arkansas Towing and Recovery Board

Attorney: Meredith Rebsamen

Court: Pulaski County Circuit Court

Docket: CV09-5118

Filed:

Relief Sought: Reverse Bd. decision with fine

Issue: Judicial Review under the APA for towing without a license.

Case History: Parties filed Joint Motion to Dismiss

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Christopher Burgess, ADC # 117049

Attorney: NOT APPLICABLE

Defendant(s): Sex Offender Screening and Risk Assessment
Committee

Attorney: Amy L. Ford

Court: Pulaski County Circuit Court

Docket: 60CV2011-1985-9

Filed: 4/21/2011

Relief Sought: Judicial Review

Issue: Plaintiff petitions for judicial review of assessment of Community Notification Level 3.

Case History: Motion to Dismiss granted.

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Current Status: CLOSED

Agency: Arkansas State Board of Embalmers and Funeral Home Directors

Plaintiff(s): Kenya Richardson, Derrick Gunn, Adrienne Love and Gunn Funeral Home **Attorney:** Kris M. Boyd

Defendant(s): Arkansas State Board of Embalmers and Funeral Home Directors **Attorney:** Arnold M. Jochums

Court: Pulaski County Circuit Court **Docket:** CV2008-4594
Filed:

Relief Sought: Stay of Decision

Issue: Petitioner Kenya Richardson, manager of Gunn Funeral Home violated the licensing law by allowing Derrick Gunn, who is not a licensed funeral director to make funeral arrangements. Petitioner Adrienne Love, owner of Gunn Funeral Home violated the licensing law by allowing an embalmer who is not a licensed funeral director to make funeral arrangements at Gunn Funeral Home. Petitioner Derrick Gunn, who holds only an embalmer's license has violated the Funeral Director Licensing law by making funeral arrangements. His actions constitute violations of Board Rule II (1). The Board suspended Derrick Gunn's Embalmer's License and Kenya Richardson's Funeral Director's License and placed the funeral home on probation and imposed civil penalties.

Case History: Circuit Court reversed agency decision, but Arkansas Supreme Court reversed Circuit Court.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Eric Gavin **Attorney:** Todd Griffin

Defendant(s): War Memorial Stadium Commission/State of Arkansas **Attorney:** Lori L. Freno

Court: Arkansas Claims Commission **Docket:**
Filed: 4/8/2011

Relief Sought: Compensatory

Issue: Plaintiff claims that he was injured at War Memorial Stadium where he went to sit down and his seat broke, causing him to fall to the concrete, injuring his back and tailbone

Case History: Settled for \$4,075.00

Current Status: CLOSED

Agency: Arkansas Department of Community Correction

Plaintiff(s): Dianna C. Walker

Attorney: Chalk Mitchell

Defendant(s): Arkansas Department of Community Correction

Attorney: Mark N. Ohrenberger

Court: USDC

Docket: 3:08CV131

Filed:

Relief Sought: COMPENSATORY/INJUNCTIVE

Issue: Former ADCC employee, Dianna Walker, alleges she was terminated on the basis of her sex and alleges that two male employees were not terminated for violating the same policies and her. Walker also alleges she was terminated for whistle blowing.

Case History: Motion for Summary Judgment granted.

Current Status: CLOSED

Agency: Department of Veterans Affairs

Plaintiff(s): Yvonne Dowden

Attorney: NOT APPLICABLE

Defendant(s): Department of Veterans Affairs

Attorney: Dennis R. Hansen

Court: Arkansas Claims Commission

Docket: 12-00430CC

Filed: 7/20/2011

Relief Sought: Money Damages

Issue: Claimant seeks payment of 10 year career service bonus.

Case History: Claims Commission awarded \$600.00.

Current Status: CLOSED

Agency: Arkansas Department of Correction

Plaintiff(s): James E Parker

Attorney: Pro se

Defendant(s): Arkansas Department of Correction

Attorney: Christine A. Cryer

Court: USDC

Docket: 2:11CV00043

Filed: 3/3/2011

Relief Sought: Compensatory

Issue: Plaintiff alleged that he has been discriminated against due to his race by his supervisor and coworkers.

Case History: Voluntary dismissal by Plaintiff Parker.

Current Status: CLOSED

Agency: Arkansas State Claims Commission

Plaintiff(s): Jarrett, Chad and Paul Sandy

Attorney: Pro se

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Docket: 12-0095-CC

Court: Arkansas Claims Commission

Filed:

Relief Sought:

Issue: Firefighter suffered a fatal heart attack while responding to a house fire. Family seeks death and scholarship benefits.

Case History: Claims Commission awarded \$200,000.00.

Current Status: CLOSED

Agency: Arkansas State Claims Commission

Plaintiff(s): Patrick Sullivan

Attorney: Pro se

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Docket: 12-0126-CC

Court: Arkansas Claims Commission

Filed:

Relief Sought: Money Damages

Issue: Bella Vista firefighter seeks disability benefits as a result of shoulder injury sustained on the job.

Case History: Claims Commission awarded \$10,000.00.

Current Status: CLOSED

Agency: Arkansas State Claims Commission

Plaintiff(s): Kelvin Wilson

Attorney: Pro se

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Docket: 11-0723-CC

Court: Arkansas Claims Commission

Filed: 5/23/2011

Relief Sought: Compensatory

Issue: Blytheville Police Officer was injured while pursuing a fleeing suspect on foot.

Case History: Claims Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): State of Arkansas

Defendant(s): Rodney Eggerson

Court: Pulaski County Circuit Court

Attorney: NOT APPLICABLE

Attorney: Brandon R. Robinson

Docket: 60CV11-0866

Filed: 2/25/2011

Relief Sought:

Issue: State seeks reimbursement from inmate representing funds owed for his time in the ADC.

Case History: Defendant awarded \$3,650.00.

Current Status: CLOSED

Agency: Arkansas Lottery Commission

Plaintiff(s): Bridgette Frazier

Defendant(s): Arkansas Lottery Commission, Ernie
Passallaigue and Ernestine
Middleton

Court: United States District Court

Attorney: John Walker

Attorney: Mark N. Ohrenberger

Docket: 4:10CV1762

Filed: 11/18/2010

Relief Sought: Compensatory/Injunctive

Issue: Plaintiff, who was terminated from employment with the Arkansas Lottery Commission, alleges due process and First Amendment violations, along with related state law claims, including a claim under the Arkansas Whistle-Blower Act.

Case History: Motion to Dismiss granted,

Current Status: CLOSED

Agency: Arkansas Board of Private Investigators

Plaintiff(s): APX Alarm Security Solutions, Inc.

Defendant(s): Ricky Briggs, Administrator and
Arkansas Board of Private
Investigators

Court: Pulaski County Circuit Court

Attorney: Herbert C. Rule, III

Attorney: Warren T. Readnour

Docket: CV-2009-6994

Filed:

Relief Sought:

Issue: Private investigatory and security agency board brings disciplinary action against licensee appeals action in Circuit Court and seeks stay of payment of fine pending outcome of appeal.

Case History: Case settled. (Case got remanded for modifications).

Current Status: CLOSED

Agency: Capitol Zoning District Commission

Plaintiff(s): Dan Cook

Attorney: Joshua D. Gillispie

Defendant(s): Capitol Zoning District Commission

Attorney: Warren T. Readnour

Docket: 60CV2011-91-3

Court: Pulaski County Circuit Court

Filed: 11/7/2010

Relief Sought: Judicial Review

Issue: Petitioner seeks judicial review of a decision of the Commission to grant variances and approve an application to construct a five story office building and parking structure.

Case History: Circuit court remanded decision back to Commission.

Current Status: CLOSED

Agency: Lonoke County Prosecutor's Office; Circuit Judge Sandy Huckabee

Plaintiff(s): Alberta Rose Jones

Attorney: Pro se

Defendant(s): Eli Lilly, et al.

Attorney: Brandon R. Robinson

Docket: 4:11cv000256 SWW

Court: United States District Court

Filed: 1/12/2011

Relief Sought: Compensatory/Punitive

Issue: Plaintiff alleges that her civil rights were violated by officials while her son was incarcerated, that he was "force medicated", that visitation was not allowed, and that officials wanted to "neutralize" the plaintiff and her son.

Case History: Case dismissed because plaintiff lacked standing.

Current Status: CLOSED

Agency: Arkansas Towing and Recovery Board

Plaintiff(s): John Payne, d/b/a Payneless Towing

Attorney: Humbert W. Alexander

Defendant(s): Arkansas Towing and Recovery Board

Attorney: Meredith Rebsamen

Docket: 60cv2011-2487

Court: Pulaski County Circuit Court

Filed: 5/19/2011

Relief Sought: Reversal of Board Decision under APA

Issue: ATRB fined Petitioner for towing two cars without proper safety license and permits and for continuing to operate out of compliance.

Case History: Circuit Court affirmed agency decision.

Current Status: CLOSED

Agency: Arkansas Towing and Recovery Board

Plaintiff(s): Blue Hill Wrecker Service, Inc.

Attorney: Clifford P. Block

Defendant(s): Arkansas Towing and Recovery Board

Attorney: Meredith Rebsamen

Court: Pulaski County Circuit Court

Docket: CV08-12469

Filed:

Relief Sought: Judicial Review/Declaratory Judgment

Issue: Plaintiff seeks declaratory judgment that A.C.A. Sec. 27-50-1203 does not require sales tax to be itemized on invoice and that Sec. 27-50-1208 does not require notice to consumer's actual address but only to the address in the record of the Office of Motor Vehicles, the A.C.I.C. or records of another state, if known.

Case History: Agency decision reversed by Circuit Court.

Current Status: CLOSED

Agency: Arkansas State Police

Plaintiff(s): Yvonne Dockery

Attorney: Pro se

Defendant(s): Miller County Sheriff's Department, et al

Attorney: C. Joe Cordi, Jr.

Court: United States District Court

Docket: 4:10CV4070 PKH/ELS

Filed: 4/1/2010

Relief Sought: Damages/Injunctive Felief

Issue: Plaintiff alleges that her 4th Amendment rights have been violated.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: Arkansas Department of Correction

Plaintiff(s): Patty Greenleaf

Attorney: Harrill Sutter / Lucien R. Gillham

Defendant(s): Kevin Murphy, et al.

Attorney: Brandon R. Robinson

Court: United States District Court

Docket: 4:11-cv-00032 DPM

Filed: 1/12/2011

Relief Sought: Reinstatement and damages

Issue: Plaintiff brings suit for wrongful termination of employment under the Americans with Disabilities Act, Family Medical Leave Act, and Arkansas Civil Rights Act.

Case History: Case settled (\$48,000.00).

Current Status: CLOSED

Agency: State Circuit Court Judge

Plaintiff(s): Kristen Brimley

Attorney: Robert A. Newcomb

Defendant(s): Pulaski County, Arkansas and,
Willard Proctor, Jr.

Attorney: Patricia V. Bell

Court: United States District Court

Docket: 4:11cv45 SWW

Filed: 1/19/2011

Relief Sought: Compensatory

Issue: Plaintiff alleges violations of the FMLA in connection with her termination.

Case History: Case settled.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Kenneth Joe May, et al.

Attorney: Richard Mays

Defendant(s): Debra Akers-Lang, et al.

Attorney: Scott P. Richardson

Court: Circuit Court of White County, Arkansas

Docket: CV 2010-325-1

Filed: 4/1/2010

Relief Sought: Declaratory/Injunctive

Issue: This an illegal exaction case. The State of Arkansas entered this matter in an amicus brief for the state.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: Governor of the State, AR Department of Emergency Management, Arkansas State Board of Education, Arkansas Department of Education

Plaintiff(s): Friends of the Welner School District, et al. **Attorney:** Kim Kelley

Defendant(s): The State of Arkansas, et al. **Attorney:** Scott P. Richardson

Court: United States District Court

Docket: 3:10CV138 JMM

Filed: 6/30/2010

Relief Sought: Declaratory and Injunctive Relief

Issue: Plaintiff's brings a commerce clause challenge to the consolidation of the Welner and Harrisburg School Districts.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: Arkansas Department of Heritage/Historic Arkansas Museum

Plaintiff(s): Michael Langford **Attorney:** Dale K. Ramey

Defendant(s): Arkansas Department of Heritage **Attorney:** Melanie W. Hoover

Court: Claims Commission

Docket: 12-0316-CC

Filed: 10/17/2011

Relief Sought: Compensatory

Issue: Claimant alleges a breach of contract because he was not paid for work that was done in constructing a building for the Historic Arkansas Museum.

Case History: Commission awarded plaintiff \$20,000.00.

Current Status: CLOSED

Agency: Arkansas Department of Correction

Plaintiff(s): Kay L. Wade **Attorney:** Sheila F. Campbell

Defendant(s): Arkansas Department of Correction. **Attorney:** Melanie W. Hoover

Court: United States District Court

Docket: 5:10CV0082

Filed: 3/26/2010

Relief Sought: Money damages/injunctive

Issue: Plaintiff ADC employee alleges race discrimination, unlawful retaliation, and hostile work environment in violation of Title VII and 42 U.S.C. § 1983.

Case History: Case settled. (\$10,551.00 and reinstatement).

Current Status: CLOSED

Agency: Arkansas Attorney General's Office

Plaintiff(s): Juan C. Hernandez, et al.

Attorney: Kent Hirsch

Defendant(s): Simpson Housing Solutions, LLC, et al.;

Attorney: Melanie W. Hoover

Court: Washington County Circuit Court

Docket: CV 04-1510-4

Filed:

Relief Sought: Act 649 of 2003 be declared unconstitutional

Issue: This is a purported class action concerning certain alleged problems that occurred in apartment complexes in Springdale, Arkansas. The Attorney General was named as a party in the suit because the Plaintiffs' are challenging the constitutionality of Act 649 of 2003 (an Act to provide comprehensive and uniform civil justice reform). The Attorney General is only required to be noticed on a constitutional challenged.

Case History: Case dismissed against Attorney General.

Current Status: CLOSED

Agency: Arkansas Department of Correction

Plaintiff(s): Linda Ireland

Attorney: James N. Miller

Defendant(s): James T. Banks

Attorney: Mark N. Ohrenberger

Court: United States District Court

Docket: 5:09CV337

Filed: 10/29/2009

Relief Sought: Money damages/reinstatement

Issue: Former ADC employee alleges race discrimination in violation of Title VII, 42 U.S.C. 42. U.S.C. § 1983, the Arkansas Civil Rights Act. She also alleges disability discrimination in violation of the Americans with Disabilities Act.

Case History: Motion for Summary Judgment granted.

Current Status: CLOSED

Agency: Arkansas Public Defender Commission

Plaintiff(s): Kenneth Hunt

Attorney: Elton A. Rieves, III

Defendant(s): Harold Smith, Officer, Marianna, AR, et al.

Attorney: C. Joe Cordi, Jr.

Court: USDC

Docket: 2:03CV00194

Filed:

Relief Sought: Compensatory, Punitive Damages, Injunctive Relief

Issue: 42 U.S.C. Sec. 1983 and Sec. 1985 suit for deprivation of constitutional rights stemming from DWI prosecution and DF&A driver's license suspension.

Case History: Motion for Summary Judgment granted.

Current Status: CLOSED

Agency: Department of Human Services

Plaintiff(s): Toni Bone

Attorney: Lucien Gillham

Defendant(s): G4S Youth Services, LLC, Mary Steele,
Valencia Pumphrey, Arkansas
Department of Human Services &
Todd Spelght

Attorney: Sherri L. Robinson

Court: USDC

Docket: 4:09CV685 BSM

Filed:

Relief Sought: Money damages, reinstatement, fees and costs.

Issue: Plaintiff alleges that she was improperly terminated under several theories – discrimination for race, age and retaliation under FMLA. Plaintiff seeks money damages, reinstatement, fees and costs.

Case History: Motion for Summary Judgment granted.

Current Status: CLOSED

Agency: Prosecuting Attorney, Circuit Judge, District Judge

Plaintiff(s): Eddle S. Morse

Attorney: Pro Se

Defendant(s): Gary Vinson, Oscar E. Jones, Tom Allen, Scott Stalker, Linda Boone, Don McSpadden, Chaney Taylor, Tim Weaver, Municipal Court Clerks Claudia Nobles, Ann McCarthy, Keith Bowers, Sgt. Mike Munday, Unknown County Jail Personnel

Attorney: Dennis R. Hansen

Court: USDC

Docket: 3:09CV153 JMM

Filed:

Relief Sought:

Issue: Plaintiff claims lawyers and public officers in Independence County have defrauded him of his property and rights due to corruption and obstruction of justice, mail and wire fraud, conspiracy, aiding and abetting, accessory after the fact, and misprision of a felony. His complaints began in 2003 as a result of a domestic dispute.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: Black River Technical College

Plaintiff(s): Tiffany Casillas

Attorney: Larry J. Steele

Defendant(s): Arkansas State University-Jonesboro and Black River Technical College

Attorney: Dennis R. Hansen

Court: Arkansas Claims Commission

Docket: 06-1326-CC

Filed:

Relief Sought: Damages for Mental Anguish, Negligence, Pain/Suffering

Issue: Claimant, who alleges she was attending an anatomy class at Black River Technical College, alleged that her instructor inappropriately touched her breast.

Case History: Case held in abeyance pending Casillas's lawsuit against instructor in Federal Court. When Federal case settled, Commission dismissed claim.

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Jimmy Edwards

Attorney: John Steiner

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Faulkner County Circuit Court

Docket: 23CV11-1220-2

Filed: 12/19/2011

Relief Sought: Judicial Review

Issue: Plaintiff petitions for a judicial review of assessment of Community Notification Level 3.

Case History: SOAC decision upheld by Circuit Court.

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Aubrey Bagley

Attorney: NOT APPLICABLE

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Sebastian County Circuit

Docket: CV-2011-1841-1

Filed: 12/19/2011

Relief Sought:

Issue: Plaintiff petitions for a judicial review of assessment of Community Notification Level 3.

Case History: Motion to Dismiss granted. (SOAC never properly served).

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Joseph Eugue Heiss

Attorney: Naif Samuel Khoury

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Sebastian County Circuit Court

Docket: CV2011-896-I

Filed: 5/16/2011

Relief Sought: Judicial Review

Issue: Plaintiff petitions for a judicial review of assessment of Community Notification Level 3.

Case History: SOAC decision upheld by Circuit Court.

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Benjamin McCarter

Attorney: Jeff Rosenzweig

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Pulaski County Circuit Court

Docket: 60CV2011-598-6

Filed: 2/11/2011

Relief Sought: Judicial Review

Issue: Plaintiff petitions for a judicial review of assessment of Community Notification Level 3.

Case History: SOAC decision upheld by Circuit Court.

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Richard Phillip Wargo

Attorney: R.T. Starken

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Sharp Count Circuit Court

Docket: CV2007-145

Filed:

Relief Sought: Reduction in Community notification level

Issue: Petitioner was convicted of lewd and lascivious act upon a child (2 counts) in 1994 and (2 counts) in 1993 involving minors between the ages of 9 and 12. SOSRA assessed him as a Community Notification Level 4, sexually violent predator. The SOAC Administrative Review upheld the SVP status and Level 4 Community Notification Level. Petitioner seeks a reduction of his community notification level.

Case History: SOAC decision upheld by Circuit Court.

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Michael L. McKamey

Attorney: John G. Hall

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Circuit Court of Boone County, Arkansas

Docket: CV-2010-246-1

Filed: 9/7/2010

Relief Sought: Review of Community Notification Level 2

Issue: Plaintiff petitions for a judicial review of his Notification Level 2.

Case History: SOAC decision affirmed by Circuit Court.

Current Status: CLOSED

Agency: SEX OFFENDER ASSESSMENT COMMITTEE

Plaintiff(s): State of Arkansas

Attorney: MATTHEW LUND

Defendant(s): Carl Chandler

Attorney: Amy L. Ford

Court: Poinsett County Circuit Court

Docket: CR-92-32

Filed: 12/8/2009

Relief Sought: Review of assessment

Issue: Defendant Carl Chandler, who was assessed as a sex offender, has filed a petition for judicial review in his criminal case.

Case History: SOAC decision affirmed by Circuit Court.

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): Charles Herrick

Attorney: NOT APPLICABLE

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Crawford County Circuit Court

Docket: CV2011-26-I

Filed: 1/18/2011

Relief Sought: Judicial Review

Issue: Plaintiff petitions for a judicial review of assessment of Community Notification Level 3.

Case History: SOAC decision affirmed by Circuit Court.

Current Status: CLOSED

Agency: Arkansas Appraiser Licensing and Certification Board

Plaintiff(s): Shawn Looper

Attorney: Pro Se

Defendant(s): Arkansas Appraiser Licensing and Certification Board

Attorney: C. Joe Cordi, Jr.

Court: Sebastian County Circuit Court

Docket: CV2011-94-G

Filed: 2/14/2011

Relief Sought: Judicial Review

Issue: Plaintiff filed suit seeking to have a consent agreement that he entered into with the Board declared void.

Case History: Settled (Consent Agreement Voided).

Current Status: CLOSED

Agency: Arkansas Economic Development Commission

Plaintiff(s): Clean Smile, Inc., Anton D. Glassco, Jerome A. James, II **Attorney:**

Defendant(s): Arkansas Economic Development Commission, Pat Brown **Attorney:** C. Joe Cordi, Jr.

Court: United States District Court

Docket: 4:11CV566 BRW

Filed: 7/18/2011

Relief Sought: compensatory/punitive

Issue: Plaintiffs allege discrimination and retaliation against Defendants in violation of their constitutional rights.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: State of Arkansas, Governor Mike Beebe, and Economic Development Commission

Plaintiff(s): Anton D. Glassco and Jerome A. James, II **Attorney:** Anton D. Glassco and Jerome A. James, II

Defendant(s): State of Arkansas, et al.; **Attorney:** C. Joe Cordi, Jr.

Court: USDC

Docket: 4:11CV860 JLH

Filed: 12/2/2011

Relief Sought: Compensatory/Punitive

Issue: Plaintiffs allege discrimination against Defendants in violation of their constitutional rights.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: Arkansas Veteran's Home

Plaintiff(s): Marilyn G. Compton

Attorney: Rickey Hicks

Defendant(s): Arkansas Veteran's Home

Attorney: Sherri L. Robinson

Court: United States District Court

Docket: 4:09CV814 JMM

Filed: 10/20/2009

Relief Sought: Money damages and reinstatement

Issue: Ex-employee of the Arkansas Veteran's Home alleges she was terminated in violation of the Family and Medical Leave Act, the Americans with Disabilities Act. She also alleges she was terminated for exercising protected conduct.

Case History: Motion for Summary Judgment granted.

Current Status: CLOSED

Agency: Southern Arkansas University

Plaintiff(s): All Electric Supply, Inc.

Attorney: Jordan Beard

Defendant(s): RLI Insurance Company, Southern Arkansas University, and Stonebridge Construction, LLC

Attorney: Mark N. Ohrenberger

Court: Columbia County Circuit Court

Docket: CV2011-195

Filed: 12/5/2012

Relief Sought: Compensatory

Issue: Plaintiff is a materialman who supplied to a subcontractor working on a project on Southern Arkansas University Campus. Subcontractor went into bankruptcy, and plaintiff is making a claim on contractor's payment bond. SAUS is also named as a defendant.

Case History: Non-State parties settled. Case dismissed against State.

Current Status: CLOSED

Agency: ARKANSAS DEPARTMENT OF CORRECTION

Plaintiff(s): Barbara Frazier

Attorney: NOT APPLICABLE

Defendant(s): Arkansas Department of Correction, et al.

Attorney: Sherri L. Robinson

Court: United States District Court

Docket: 5:10CV106

Filed: 4/15/2010

Relief Sought: Money damages/reinstatement

Issue: ADC corrections officer alleged that her supervisor and co-worker sexually harassed her, discriminated against her on the basis of her race and gender, and retaliated against her. She alleges that ADC did nothing to remedy the situation. Plaintiff also alleges that she was suspended and terminated in retaliation for complaining of sexual harassment.

Case History: Case settled (\$1,000.00)

Current Status: CLOSED

Agency: Senator Jerry Taylor, Representative Ann Clemmer, Auditor of the State, Treasurer of the State and Arkansas State Senate

Plaintiff(s): Katharine Wells

Attorney: Bettina e. Brownstein and John L. Burnett

Defendant(s): Jerry Taylor, Ann Clemmer, Charlie Daniels, Martha Shoffner, Ann Cornwell, Angie Clingmon, and Buddy Johnson

Attorney: C. Joe Cordi, Jr.

Court: Pulaski County Circuit Court

Docket: 60CV11-4688-2

Filed: 9/26/2011

Relief Sought: Declaratory Relief/Injunctive and Reimbursement

Issue: Plaintiff challenged legislators' expense reimbursement for their home office travel expenses, etc.

Case History: Case settled (Agreement on certain changes in procedures for expense reimbursement).

Current Status: CLOSED

Agency: Arkansas State Police

Plaintiff(s): LaFrance Colbert

Attorney: Austin Porter, Jr.

Defendant(s): The City of Monticello, et al.

Attorney: C. Joe Cordi, Jr.

Court: United States District Court

Docket: 5:11CV114 BMS

Filed:5/9/2011

Relief Sought: injunctive Relief/compensatory/punitive

Issue: Plaintiff alleges that he was illegally arrested and that excessive force was applied to him.

Case History: Plaintiff voluntarily dismissed Arkansas State Police defendant.

Current Status: CLOSED

Agency: Arkansas Department of Human Services

Plaintiff(s): Sam Lamey

Attorney: NOT APPLICABLE

Defendant(s): Tonya Russell and Arkansas
Department of Human Services

Attorney: Melanie W. Hoover

Court: United States District Court

Docket: 4:09CV909

Filed: 12/4/2009

Relief Sought: Money damages, reinstatement

Issue: Plaintiff alleges that defendants interfered with his rights under the Family and Medical Leave Act, and then retaliated against him for trying to exercise his FMLA rights. He also alleges wrongful termination under Arkansas law.

Case History: Case settled (\$49,000.00)

Current Status: CLOSED

Agency: Arkansas State Police

Plaintiff(s): Carolyn Harding

Attorney: Coy J. Rush, Jr.

Defendant(s): Arkansas State Police

Attorney: C. Joe Cordi, Jr.

Court: Arkansas Claims Commission

Docket: 06-1682-CC

Filed:

Relief Sought: compensatory Damages

Issue: Plaintiff filed a claim as Administratrix of the estates of both Bridgett Denise Sing and her fetus in which she alleges that Ms. Sing, was driving on Hwy. 71 when the car she was driving was struck by a car driven by Robert Hyatt, who was being pursued Arkansas State Police Officer Ron Hilt. Plaintiff alleges that Ms. Sing and her fetus were killed as a result of the accident.

Case History: Commission awarded claimant \$250,000.00.

Current Status: CLOSED

Agency: Arkansas Department of Labor

Plaintiff(s): Kathleen A. Dilbeck

Attorney: NOT APPLICABLE

Defendant(s): Arkansas Department of Labor

Attorney: Sherri L. Robinson

Court: USDC

Docket: 4:12cv00065

Filed: 1/30/2012

Relief Sought: Compensatory

Issue: Plaintiff claims termination due to sex discrimination/refusal of sexual advances by superior.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: State of Arkansas and Arkansas Crime Information Center

Plaintiff(s): Idumange T Idumange

Attorney: Darrell F. Brown, Jr.

Defendant(s): State of Arkansas, Arkansas Crime Information Center, and Little Rock Police Department

Attorney: Shawn J. Johnson

Court: USDC

Docket: 4:11cv812 SWW

Filed: 11/14/2011

Relief Sought: Injunctive Relief

Issue: Plaintiff requests removal from State Sex Offender Registry.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: Arkansas Department of Correction Sex Offender Assessment Committee

Plaintiff(s): David P. Scott

Attorney: Derick Allison

Defendant(s): Arkansas Department of Correction Sex Offender Assessment Committee Sex Offender Screening & Risk Assessment

Attorney: Amy L. Ford

Court: Sabastian County Circuit Court

Docket: CV2011-269-G

Filed: 5/16/2011

Relief Sought: Judicial Review

Issue: Plaintiff petitions for judicial review of a assessment of Community Notification Level 3.

Case History: SOAC decision upheld by Circuit Court.

Current Status: CLOSED

Agency: Saline County District Court Bauxite Department

Plaintiff(s): Brenda Hendrix

Attorney: F. Parker Jones

Defendant(s): Saline County District Court Bauxite
Department

Attorney: Mark N. Ohrenberger

Court: Saline County District Court

Docket: CR 2009419

Filed: 7/29/2011

Relief Sought: Compensatory

Issue: Plaintiff alleges she performed work as district court clerk for which the City of Bauxite refused to pay her. She alleges breach of contract against the Saline County District Court - Bauxite Department.

Case History: Plaintiff Hendrix voluntarily dismissed case.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Rhonda L. Hance

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Claims Commission

Docket: 12-0769-CC

Filed: 4/20/2012

Relief Sought: Disability Benefits

Issue: This is disability claim.

Case History: Claims Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Kelsie Carmean

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Claims Commission

Docket: 12-0695-CC

Filed: 3/19/2012

Relief Sought: death benefits/scholarship benefits

Issue: claimant seeks scholarship benefits.

Case History: Claims Commission dismissed due to plaintiff's failure to prosecute.

Current Status: CLOSED

Agency: Arkansas Attorney General's Office

Plaintiff(s): Donald A. Bryant

Attorney: Pro se

Defendant(s): Internal Revenue Service, Arkansas Attorney General Dust (sic) McDaniel, Texas Lottery Administrator Director, Mike Fernandez, Janis Harrison, Department of Finance & Administration, Debra Buckner, Pulaski County Treasurer and Martha Hunt, Department of Finance and Admnsitration

Attorney: Denrls R. Hansen

Court: Pulaski County Circuit Court

Docket: 60CV011-3918

Filed: 8/11/2011

Relief Sought: UNKNOWN

Issue: Pro se plaintiff claims he is being over taxed by the IRS on monies he inherited from his parents who at one time won the Texas Lottery.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: Sex Offender Assessment Committee

Plaintiff(s): John Robert Serio

Attorney: George B. Morton

Defendant(s): Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Washington County Circuit Court

Docket: CV2011-419-2

Filed: 2/11/2011

Relief Sought: Judicial Review

Issue: Plaintiff petitions for judicial review of assessment of Community Notification level.

Case History: SOAC decision affirmed by Circuit Court.

Current Status: CLOSED

Agency: Arkansas Burial Association Board
Plaintiff(s): Higginbotham Burial Association and Mary Jo Higginbotham **Attorney:** NOT APPLICABLE
Defendant(s): Arkansas Burial Association Board **Attorney:** Arnold M. Jochums
Court: Pulaski County Circuit Court **Docket:** 60CV07-7213
Filed:
Relief Sought: Judicial Review
Issue: Plaintiff seeks judicial review of the board's decision.
Case History: Circuit Court affirmed Board decision.
Current Status: CLOSED

Agency: Arkansas Motor Vehicle Commission
Plaintiff(s): Winnebago Industries **Attorney:** Thomas S. Stone
Defendant(s): New Hope RVs, Arkansas Motor Vehicle Commission **Attorney:** Arnold M. Jochums
Court: Pulaski County Circuit Court **Docket:** 60CV-10-2339
Filed: 4/29/2010
Relief Sought: Writ of Mandamus
Issue: Petitioner Winnebago Industries seeks reversal of a Commission finding that it violated the repurchase requirements of the Motor Vehicle Act, Ark. Code Ann. § 23-112-403(A)(k). The Commission ordered Winnebago to repurchase four recreational vehicles and to pay interest on the floor plan for the recreational vehicles from July 2009 until the vehicles are repurchased.
Case History: Agency decision reversed by Circuit Court.
Current Status: CLOSED

Agency: Arkansas State Treasurer, Arkansas Department of Finance and Administration, and Arkansas Department of Education
Plaintiff(s): P.A. Gould, T.L., Campbell and N.L. Cobb **Attorney:** Eugene G. Sayre
Defendant(s): Martha Shoffner, Richard Weiss, Tom W. Kimbrell, B. Alan Sugg **Attorney:** C. Joe Cordi, Jr.
Court: Circuit Court of Pulaski County, Arkansas **Docket:** 60CV10-4111
Filed: 7/16/2010
Relief Sought: Restitution and Injunctive relief
Issue: Illegal exaction suit against State officials and employees alleging unreimbursed personal use of state vehicles.
Case History: Motion to Dismiss granted.
Current Status: CLOSED

Agency: Arkansas Towing and Recovery Board

Plaintiff(s): Bill Bartholomew d/b/a ABC Towing

Attorney: Kathryn E. Platt

Defendant(s): Arkansas Towing and Recovery Board

Attorney: Meredith Rebsamen

Court: Washington County Circuit

Docket: CV 2011-3434-2

Filed: 12/6/2011

Relief Sought:

Issue: ATRB fined Petitioner for towing cars without proper safety license and permits and for continuing to operate out of compliance.

Case History: Circuit Court affirmed agency decision.

Current Status: CLOSED

Agency: Arkansas State Claims Commission

Plaintiff(s): Matt Raeburn

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: State Claims Commission

Docket: Claim # 12-0585-CC

Filed: 2/7/2012

Relief Sought: Disability Benefits

Issue: Conway police officer seeks disability and educational benefits as a result of a back injury sustained during the arrest of an intoxicated man.

Case History: Claims Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Billy Reed

Attorney: Billy Reed

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0734-CC

Filed: 4/11/2012

Relief Sought: Disability Benefits

Issue: Pine Bluff police officer seeks disability benefits as a result of an ankle injury sustained in the line of duty.

Case History: Claims Commission awarded \$10,000.00.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Tracey L. Treece

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0355-CC

Filed: 10/26/2011

Relief Sought: Compensatory and scholarship

Issue: Searcy firefighter injured his knee while responding to a structural fire and seeks disability and scholarship benefits.

Case History: Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: Arkansas Professional Bail Bondsman Licensing Board

Plaintiff(s): Renee Shepherd

Attorney: Debra J. Reece

Defendant(s): Arkansas Professional Bail Bond
Company and
Professional Bail Bondsman
Licensing Board

Attorney: Amanda L. Gibson

Court: Pulaski County Circuit Court

Docket: NO. 60CV-11-4630

Filed: 9/22/2011

Relief Sought: Injunctive Relief

Issue: Petitioner seeks reversal of Board's decision to revoke petitioner's bail bond agent license.

Case History: Petitioner voluntarily dismissed case.

Current Status: CLOSED

Agency: Arkansas State Parks & Tourism

Plaintiff(s): Rebecca Wilson

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas
Arkansas State Parks & Tourism

Attorney: Jay O. Howe

Court: Claims Commission

Docket: 12-0289-CC

Filed: 10/6/2011

Relief Sought: Money Damages

Issue: Claimant states fell on gumballs and ankle-high grass made it difficult to see/slippery. Did not report the accident at that time. Claims lost job because of absences related to broker foot sustained in fall.

Case History: Motion to dismiss granted.

Current Status: CLOSED

Agency: Arkansas Department of Workforce Services

Plaintiff(s): Rufus Garlington

Attorney: Morgan E. Welch

Defendant(s): Arkansas Department of Workforce Services

Attorney: Sherri L. Robinson

Court: United States District Court

Docket: 4:11cv00548

Filed: 7/6/2011

Relief Sought:

Issue: Plaintiff brings suit for employment discrimination based on race and disability.

Case History: Case settled. (Job transfer, \$3,000.00 attorney fees).

Current Status: CLOSED

Agency: Arkansas State Hospital

Plaintiff(s): Darla Duncan, Johnathan Duncan, individual with similarities

Attorney: Luther Oneal Sutter

Defendant(s): Charles Smith, Steve Doman, James Scogins, Arkansas State Hospital

Attorney: Gary L. Sullivan

Court: United States District Court

Docket: 4:11cv-325

Filed: 4/15/2011

Relief Sought: Compensatory/Punitive

Issue: Plaintiff challenges the care and services provided at the Arkansas State Hospital as violating the Americans With Disabilities Act and his federal constitutional rights.

Case History: Motion to dismiss granted.

Current Status: CLOSED

Agency: Arkansas Board of Hearing Instrument Dispensers

Plaintiff(s): Dan DeLong

Attorney: J.E. Sanders

Defendant(s): Arkansas Board of Hearing Instrument Dispensers

Attorney: Amanda L. Gibson

Court: Garland County Circuit Court

Docket: CV-2011-1212-III

Filed:

11/14/2011

Relief Sought: reversal of board decision

Issue: Petitioner seeks judicial review of Board decision to extend his externship and put on probation.

Case History: Petitioner voluntarily dismissed case.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Bryan Keith Jones

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Claims Commission

Docket: 12-0521-CC

Filed: 1/11/2012

Relief Sought: Compensatory

Issue: Osceola Police Officer seeks disability and scholarship benefits for a back injury sustained while on bicycle patrol.

Case History: Claims Commission awarded \$10,000.00.

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Travis Dale Eddings

Attorney: Travis Dale Eddings

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0749-CC

Filed: 4/11/2012

Relief Sought: Monetary and educational

Issue: Claimant seeks disability and educational benefits as a result of PTSD caused by working fire and accident scenes including death.

Case History: Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: Arkansas Crime Information Center and Larry Jegley, Prosecuting Attorney for Pulaski County

Plaintiff(s): Joshua Everett Hill

Attorney: Stephen E. Morley

Defendant(s): Arkansas Crime Information Center and Larry Jegley, Prosecuting Attorney for Pulaski County

Attorney: Gary L. Sullivan

Court: Pulaski County Circuit Court

Docket: 60CV-2011-3232

Filed: 6/30/2011

Relief Sought: Injunctive Relief

Issue: Suit to remove name from sex offender registry.

Case History: Circuit Court ordered name removed.

Current Status: CLOSED

Agency: Arkansas Department of Correction

Plaintiff(s): Richard Cornellier

Attorney: Stephany Rush Slagle

Defendant(s): Sheri Luenemann/Arkansas
Department of Correction

Attorney: Gary L. Sullivan

Court: Garland County Circuit

Docket: PR-2012-251-1

Filed: 5/8/2012

Relief Sought: Injunctive Relief

Issue: Putative father seeks guardianship of unborn child of an inmate. He seeks restraining order against Arkansas Department of Correction so that ADC will not prevent him from being present at the child's birth.

Case History: State's motion to dismiss granted.

Current Status: CLOSED

Agency: Arkansas Real Estate Commission

Plaintiff(s): Bruce Bennett

Attorney: Pro se

Defendant(s): Arkansas Real Estate Commission

Attorney: Mark N. Ohrenberger

Court: Benton County Circuit Court

Docket: CIV2011-1661-6

Filed: 6/30/2011

Relief Sought: Judicial Review

Issue: Mr. Bennett appeals from the Commission decision not to let him become a license real estate agent. Applicant has had his law license suspended.

Case History: Circuit Court remanded to Commission.

Current Status: CLOSED

Agency: Pulaski County Circuit Judge

Plaintiff(s): Marilyn M. Norwood

Attorney: Pro se

Defendant(s): Mary Spencer McGowan

Attorney: Ali M. Brady

Court: United States District Court

Docket: 4:11cv298 BRW

Filed: 4/21/2011

Relief Sought:

Issue: Judge McGowan has been served with a civil lawsuit related to a psychiatric commitment order she issued.

Case History: Motion to Dismiss granted.

Current Status: CLOSED

Agency: Dept. of Finance and Administration

Plaintiff(s): Fat Pipe, Inc.

Attorney: Herbert C. Rule

Defendant(s): State of Arkansas, Arkansas Department of Finance and Administration, Office of Procurement

Attorney: Ali M. Brady

Court: Pulaski County Circuit Court

Docket: 60-CV-2011-1091

Filed: 3/9/2011

Relief Sought:

Issue: State contract was awarded to Ecessa Corporation. Fat Pipe, a supplier to an unsuccessful bidder, filed a timely protest with the Office of State Procurement, and when its appeal was denied, filed the present lawsuit.

Case History: Motion for Judgment on the pleadings granted.

Current Status: CLOSED

Agency: Arkansas Judicial Discipline and Disability Commission

Plaintiff(s): Samuel A. Perroni

Attorney: Timothy O. Dudley

Defendant(s): David Stewart and Arkansas Judicial Discipline and Disability Commission

Attorney: Colin R. Jorgensen

Court: Pulaski County Circuit Court

Docket: 60CV11-4904

Filed: 10/31/2011

Relief Sought: Declaratory Relief

Issue: Plaintiff seeks records related to JDDC investigation of Circuit Judge under the Freedom of Information Act.

Case History: Circuit Court ordered records released. No appeal taken.

Current Status: CLOSED

Agency: Cleburne County District Court

Plaintiff(s): Harvey Cullum

Attorney: NOT APPLICABLE

Defendant(s): John C. Aldworth, District Court of Clinton, Van Buren County, District Court of Cleburne County

Attorney: Colin R. Jorgensen

Court: United States District Court

Docket: 4:11CV831

Filed: 11/21/2011

Relief Sought: Compensatory

Issue: Plaintiff seeks compensation from district court judge and court for denial of jury trial on misdemeanor charges in district court.

Case History: Dismissed by District Court. Plaintiff appealed to U.S. Court of Appeals for the Eighth Circuit which upheld the District Court.

Current Status: CLOSED

Agency: Department of Veterans Affairs

Plaintiff(s): Angela Harvey

Attorney: NOT APPLICABLE

Defendant(s): Department of Veterans Affairs

Attorney: Meredith Rebsamen

Court: Arkansas Claims Commission

Docket: Claim No. 12-0475-CC

Filed: 12/16/2011

Relief Sought: Compensatory

Issue: Plaintiff alleges Human Resources of ADVA has incorrect years of service in her personnel file, and is due a career service bonus for 2 years.

Case History: Commission awarded \$1,200.00

Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Bryan Keith Jones

Attorney: Bryan Keith Jones

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0521-CC

Filed: 1/11/2012

Relief Sought: Disability benefits, scholarship benefits

Issue: Osceola Police Officer seeks disability and scholarship benefits for a back injury sustained while on bicycle patrol

Case History: Commission awarded \$10,000.00

Current Status: CLOSED

Agency: Arkansas State Police

Plaintiff(s): Marcus Leon Russell

Attorney: NOT APPLICABLE

Defendant(s): Johnson County Sheriff's Office and Trooper George Summerline

Attorney: Jay O. Howe

Court: USDC

Docket: 2:11-CV-02242

Filed: 12/12/2011

Relief Sought: compensatory and punitive

Issue: Claims lost wages and future earnings and trauma/medical expenses after DUI arrest and license suspension.

Case History: Dismissed on ASP's Motion to Dismiss. No appeal taken.

Current Status: CLOSED

Agency: Arkansas Securities Commission

Plaintiff(s): A. Heath Abshure, Arkansas Securities Commission

Attorney: NOT APPLICABLE

Defendant(s): Nick Lynn Technologies, Inc. and Lendell Earl Hillhouse, Sr.

Attorney: Colin R. Jorgensen

Court: USDC

Docket: 5:12CV5020

Filed: 2/6/2012

Relief Sought:

Issue: Counterclaimants/Third Party Plaintiffs allege that Securities Commission officials brought malicious securities fraud complaint against them.

Case History: Actions against Security Commission non-suited.

Current Status: CLOSED

Agency: Arkansas Department of Correction/Sex Offender Assessment Committee

Plaintiff(s): William Rickert

Attorney: Quinncy W. McKinney

Defendant(s): Arkansas Department of Correction/Sex Offender Assessment Committee

Attorney: Amy L. Ford

Court: Faulkner County Circuit Court

Docket: 23CV12-127-2

Filed: 2/9/2012

Relief Sought: Judicial Review

Issue: Plaintiff petitions for judicial review of assessment of Community Notification Level 3.

Case History: Circuit Court upheld Level 3 notification. No appeal taken.

Current Status: CLOSED

Agency: Arkansas Department of Correction

Plaintiff(s): Lathan Ester

Attorney: NOT APPLICABLE

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0609-CC

Filed: 2/21/2012

Relief Sought: Compensatory

Issue: Claimant's wife was stabbed to death by an inmate while on duty at EARU. Claimant claims death benefit of \$50,000, additional \$150,000 to surviving spouse if officer was employee of ADC whose death occurred in line of duty as result of criminal action of another person.

Case History: Commission awarded \$200,000.00

Current Status: CLOSED

Agency: White County Circuit Court

Plaintiff(s): Rodney Dean Thompson

Attorney: Rodney Dean Thompson

Defendant(s): Craig Hannah, Robert Hudgins, Thomas Hughs, Buck Gibson, Robert Abney and Paul A Schmidt, Sr.

Attorney: Dennis R. Hansen

Court: USDC

Docket: 4:11CV694

Filed: 9/19/2011

Relief Sought:

Issue: State court litigant challenges state judge's rulings in this collateral federal court action.

Case History: Motion to Dismiss filed on behalf of Circuit Court Judge granted. Plaintiff Thompson appealed. U.S. Court of Appeals for the Eighth Circuit upheld dismissal.

Current Status: CLOSED

Agency: Arkansas State Agency for Surplus Property and Arkansas Department of Emergency Management.

Plaintiff(s): Ruthle Johnson, Director, We Care Adult Daycare Center, Inc.; We Care Adult Daycare Center, Inc. (d/b/a We Care ADC)

Attorney: Corey E. Thomas

Defendant(s): James Ray, Compliance Eligibility, Marketing Manager, Arkansas State Agency for Surplus Property; Arkansas State Agency for Surplus Property; Arkansas Department of Emergency Management

Attorney: Mark N. Ohrenberger

Court: Pulaski County Circuit Court

Docket: 60CV2012-112

Filed: 1/5/2012

Relief Sought: Temporary Restraining Order

Issue: ADEM facilitates a program through which surplus federal property is donated to eligible donors in Arkansas. GSA has determined that the plaintiff, who has received property under the program, is not an eligible donee. Plaintiff is seeking an injunction to prohibit ADEM from recovering conditionally-donated property from We Care Adult Day Care.

Case History: Parties agreed to attempt to settle property rights outside of court. Continue seeking to facilitate discussions between daycare and Federal GSA.

Current Status: CLOSED

Agency: Arkansas Department of Correction

Plaintiff(s): Reginald Mitchell

Defendant(s): Ray Hobbs, Director, ADC

Court: Lee County Circuit Court

Attorney: Robert E. Kinchen

Attorney: Patricia V. Bell

Docket: CV 2012-28-1

Filed: 3/28/2012

Relief Sought: Compensatory/Injunctive

Issue: Plaintiff claims termination was a result of racial discrimination in violation of the Arkansas Civil Rights Act.

Case History: Plaintiff voluntarily dismissed the case.

Current Status: CLOSED

Agency: Arkansas Claims Commission

Plaintiff(s): David B. Bryant

Defendant(s): State of Arkansas

Court: Arkansas Claims Commission

Attorney: NOT APPLICABLE

Attorney: Amanda L. Gibson

Docket: 12-0798-CC

Filed: 5/8/2012

Relief Sought: disability benefits

Issue: Conway police officer seeks disability benefits as a result of hearing loss sustained when concussion grenade detonated near him.

Case History: Commission awarded \$10,000.00 and scholarship benefits.

Current Status: CLOSED

Agency: Arkansas Claims Commission/State of Arkansas

Plaintiff(s): Elizabeth Wheeler

Defendant(s): State of Arkansas

Court: Arkansas Claims Commission

Attorney: Elizabeth Wheeler

Attorney: Amanda L. Gibson

Docket: 12-0863-CC

Filed: 6/4/2012

Relief Sought:

Issue: Daughter of permanently injured Boone County Sheriff Deputy seeks scholarship benefits

Case History: Claims Commission awarded scholarship benefits.

Current Status: CLOSED

Agency: State of Arkansas
Plaintiff(s): Marx Mitchell **Attorney:** NOT APPLICABLE
Defendant(s): State of Arkansas **Attorney:** Amanda L. Gibson
Court: Claims Commissioner **Docket:** 12-0868 CC
Filed: 6/5/2012

Relief Sought: Disability Benefits
Issue: Former Pine Bluff Police Officer seeks disability benefits.
Case History: Claims Commission awarded \$10,000.00 and scholarship benefits.
Current Status: CLOSED

Agency: State of Arkansas
Plaintiff(s): William Phelan **Attorney:** NOT APPLICABLE
Defendant(s): State of Arkansas **Attorney:** Amanda L. Gibson
Court: State Claims Commission **Docket:** 12-0870 CC
Filed: 6/6/2012

Relief Sought: Disability Benefits
Issue: Former Fayetteville police officer seeks disability and educational benefits as a result of back injury sustained while on duty.
Case History: Commission awarded \$10,000.00 and scholarship benefits.
Current Status: CLOSED

Agency: Arkansas Department of Workforce Services
Plaintiff(s): Erma J. Earnest **Attorney:** Erma J. Earnest
Defendant(s): Dept. of Workforce Services **Attorney:** Colin R. Jorgensen
Court: United States Bankruptcy Court **Docket:** 4:11-bk-10638
Filed: 6/1/2012

Relief Sought: Money Damages
Issue: Bankruptcy debtor alleges constitutional and tort violations against creditor state agency.
Case History: Motion to Dismiss granted.
Current Status: CLOSED

Agency: State of Arkansas

Plaintiff(s): Joseph M. Forthman

Attorney: Joseph M. Forthman

Defendant(s): State of Arkansas

Attorney: Amanda L. Gibson

Court: Arkansas Claims Commission

Docket: 12-0933-CC

Filed: 6/29/2012

Relief Sought: Disability benefits, scholarship benefits

Issue: West Memphis police officer seeks disability and scholarship benefits as a result of being injured when his gun accidentally discharged.

Case History: Claims Commission awarded \$10,000.00.

Current Status: CLOSED

Agency: Arkansas Professional Bail Bond Licensing Board

Plaintiff(s): John E. Kiesling, Jr.

Attorney: John E. Kiesling, Jr.

Defendant(s): Arkansas Professional Bail Bond Association, et al.

Attorney: Colin R. Jorgensen

Court: Pulaski County Circuit Court

Docket: 60CV-12-3320

Filed: 7/12/2012

Relief Sought: Injunctive and Declaratory

Issue: Bail bondsman challenges the constitutionality of Arkansas statute requiring bondsmen to complete continued education and be members of a private bond association for licensure.

Case History: Board's motion to dismiss granted.

Current Status: CLOSED

Agency: Arkansas Sex Offender Risk Assessment Committee

Plaintiff(s): Adam P. Jimenez

Attorney: Kathryn L. Hudson

Defendant(s): Sex Offender Risk Assessment Committee

Attorney: Amy L. Ford

Court: Pulaski County Circuit Court

Docket: 60CV2012-3526-2

Filed: 7/23/2012

Relief Sought: Judicial Review

Issue: Plaintiff petitions for judicial review of Community Notification Level 2.

Case History: Court reduced Community Notification to Level 1.

Current Status: CLOSED

Agency: Mike Beebe, Governor of the State of Arkansas

Plaintiff(s): Carl A. Redus

Attorney: Gene E. McKissic

Defendant(s): Mike Beebe, et al.

Attorney: Scott P. Richardson

Court: Jefferson County Circuit Court

Docket: CV2012-502-2

Filed: 9/7/2012

Relief Sought: Injunctive Relief

Issue: Plaintiff petitions for injunctive relief from conducting a mayoral election in the 2012 election

Case History: Plaintiff voluntarily dismissed Governor's Office.

Current Status: CLOSED

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