



State of Arkansas
Bureau of
Legislative Research

Marty Garrity, Director
 Kevin Anderson, Assistant Director
 for Fiscal Services
 Tim Carlock, Assistant Director
 for Information Technology
 Matthew Miller, Assistant Director
 for Legal Services
 Richard Wilson, Assistant Director
 for Research Services

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:	University of Arkansas
Phone:	479-575-5401
E-mail:	joecordi@uark.edu
Contact:	Joe Cordi
1. STYLE OF THE CASE BEING LITIGATED	
Fryberger v. The University of Arkansas Fayetteville, et al	
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)	
United States District Court for the Western District of Arkansas	
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED	
Plaintiff alleges violation of Title IX.	
3A. OTHER DESCRIPTION INFORMATION	
Docket Number	5:16-cv-05224
Date Filed	August 22, 2016
Defendant	The University of Arkansas, Fayetteville & Board of Trustees of The University of Arkansas
Defendant Attorney	Joe Cordi
Plaintiff	Elizabeth Fryberger
Plaintiff Attorney	George Rozzell
4. ANY OTHER RELEVANT INFORMATION	
Plaintiff alleges violation of Title IX	
4A. OTHER RELEVANT INFORMATION	
Case History	
Relief Sought	Damages, attorney's fees, costs
Current Status	Defendants' interlocutory appeal of denial of motion to dismiss is pending



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DATE REPORTING:	
Agency:	University of Arkansas
Phone:	479-575-5401
E-mail:	joecordi@uark.edu
Contact:	Joe Cordi
1. STYLE OF THE CASE BEING LITIGATED	
Jozef Laincz v. University of Arkansas, et al	
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)	
Washington Co. Circuit Court	
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED	
Plaintiff alleges employment discrimination	
3A. OTHER DESCRIPTION INFORMATION	
Docket Number	72CV-17-2519
Date Filed	November 6, 2017
Defendant	U of A Board of Trustees, Joel Thornton, Lora Lennertz, Carolyn Allen
Defendant Attorney	Joe Cordi
Plaintiff	Jozef Laincz
Plaintiff Attorney	Joshua L. Bailey
4. ANY OTHER RELEVANT INFORMATION	
4A. OTHER RELEVANT INFORMATION	
Case History	
Relief Sought	Damages, injunctive relief, attorney's fees, costs
Current Status	Defendants' Motion to Dismiss is pending



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DATE REPORTING: 3-5-18	
Agency: University of Arkansas System	Phone: 501-686-2520
E-mail: jmaxey@uasys.edu	Contact: JoAnn Maxey, General Counsel
1. STYLE OF THE CASE BEING LITIGATED	
Sharon Young v. University of Arkansas System, et al.	
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)	
United States District Court	
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED	
Plaintiff alleges that UAPB provided to accommodate her inability to navigate stairs and retaliated for her filing of an EEOC charge by denying her tenure. UAPB denies the allegations.	
3A. OTHER DESCRIPTION INFORMATION	
Docket Number	4:17cv858-JLH
Date Filed	December 22, 2017
Defendant	University of Arkansas System, President Donald R. Bobbitt, UAPB Chancellor Laurance Alexander, Andrea Stewart, Jacquelyn McCray, Michael Bates, and Richard Bailey
Defendant Attorney	David Curran, Associate General Counsel
Plaintiff	Sharon Young
Plaintiff Attorney	Theodis N. Thompson Jr.
4. ANY OTHER RELEVANT INFORMATION	
Defendants have filed an answer, and discovery is in progress.	
4A. OTHER RELEVANT INFORMATION	
Case History	See above
Relief Sought	Damages and equitable relief
Current Status	Discovery has commenced



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DATE REPORTING: 3-5-18	
Agency: University of Arkansas System	Phone: 501-686-2520
E-mail: jmaxey@uasys.edu	Contact: JoAnn Maxey, General Counsel
1. STYLE OF THE CASE BEING LITIGATED	
Robert Steinbuch v. University of Arkansas, et al.	
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)	
Circuit Court of Pulaski County	
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED	
Plaintiff sought an unredacted spreadsheet of data regarding former students. After defendants made redactions they believed were compelled by FERPA, Plaintiff sued under FOIA. He then added various claims of retaliation.	
3A. OTHER DESCRIPTION INFORMATION	
Docket Number	60CV15-5690
Date Filed	November 2015
Defendant	University of Arkansas, aka University of Arkansas-Little Rock, Board of Trustees of the University of Arkansas, Michael Schwartz, Teresa Beiner, JoAnn Maxey, John M.A. Dipippa, and Velmer Burton
Defendant Attorney	David Curran, Associate General Counsel
Plaintiff	Robert Steinbuch
Plaintiff Attorney	Chris Corbitt
4. ANY OTHER RELEVANT INFORMATION	
The parties have discussed a potential resolution to the FOIA claim, but the claim is still pending. Defendants have filed a motion for judgment on the pleadings as to the other claims, which is still pending. The case has included detours at the U.S. District Court for the Eastern District of Arkansas and the Arkansas Supreme Court, which accounts for its duration.	
4A. OTHER RELEVANT INFORMATION	
Case History	See above
Relief Sought	Damages and equitable relief
Current Status	Motion for judgment on the pleadings is pending



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DATE REPORTING: 3-5-18			
Agency:	University of Arkansas System	Phone:	501-686-2520
E-mail:	jmaxey@uasys.edu	Contact:	JoAnn Maxey, General Counsel
1. STYLE OF THE CASE BEING LITIGATED			
Benjamin Peacock v. Pulaski Technical College, et al.			
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)			
United States District Court			
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED			
Plaintiff claims he was terminated in violation of the ADA, Rehabilitation Act and the FMLA.			
3A. OTHER DESCRIPTION INFORMATION			
Docket Number	4:17cv462-JLH		
Date Filed	July 18, 2017		
Defendant	Pulaski Technical College, Board of Trustees of the University of Arkansas, Jeanne Williams, Patricia Stapler, Sherry Young, Margaret Ellibee, Michael Delong and Reba Treece		
Defendant Attorney	Sarah James		
Plaintiff	Benjamin Peacock		
Plaintiff Attorney	Lucien Gillham		
4. ANY OTHER RELEVANT INFORMATION			
4A. OTHER RELEVANT INFORMATION			
Case History	Defendants have filed Answer denying Plaintiff's claims.		
Relief Sought	damages, reinstatement to position		
Current Status	Trial set for October 29, 2018. Discovery ongoing.		



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DATE REPORTING: 3-5-18	
Agency: University of Arkansas System	Phone: 501-686-2520
E-mail: jmaxey@uasys.edu	Contact: JoAnn Maxey, General Counsel
1. STYLE OF THE CASE BEING LITIGATED	
Avery LA Moore v. University of Arkansas at Little Rock	
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)	
United States District Court	
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED	
Plaintiff alleges discrimination and failure to accommodate her disability under the ADA and Rehabilitation Act.	
3A. OTHER DESCRIPTION INFORMATION	
Docket Number	4:17cv540-BSM
Date Filed	August 24, 2017
Defendant	University of Arkansas at Little Rock
Defendant Attorney	Sarah James, Associate General Counsel
Plaintiff	Avery Moore
Plaintiff Attorney	Lorraine Hatcher
4. ANY OTHER RELEVANT INFORMATION	
4A. OTHER RELEVANT INFORMATION	
Case History	Defendants have answered the Complaint for Damages, denying Plaintiff's claims. Court granted Defendant's Motion to Dismiss Plaintiff's Motion for Injunctive Relief.
Relief Sought	damages and injunctive relief
Current Status	Discovery ongoing. Trial set for December 3, 2018



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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: 3-5-18			
Agency:	University of Arkansas System	Phone:	501-686-2520
E-mail:	jmaxey@uasys.edu	Contact:	JoAnn Maxey, General Counsel
1. STYLE OF THE CASE BEING LITIGATED			
Penny Lock v. Corey Alderdice, ASMSA, Donald R. Bobbitt and John Does I through X			
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)			
United States District Court			
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED			
Plaintiff claims she was demoted and discriminated against on the basis of her age, sex, and race and brings claims under the ADEA, Title VII and Sections 1981 and 1983.			
3A. OTHER DESCRIPTION INFORMATION			
Docket Number	17-6119		
Date Filed	November 21, 2017		
Defendant	Corey Alderdeice, Arkansas School for Mathematics, Sciences and the Arts, Donald R. Bobbitt, John Does I-10		
Defendant Attorney	Sarah James, Associate General Counsel		
Plaintiff	Pennny Lock		
Plaintiff Attorney	George D. Ellis		
4. ANY OTHER RELEVANT INFORMATION			
4A. OTHER RELEVANT INFORMATION			
Case History	Defendants have filed an answer denying Plaintiff's claims.		
Relief Sought	damages, restoration of previous position and salary		
Current Status	Trial set for February 4, 2019. Litigation ongoing.		



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DATE REPORTING: 3-5-18			
Agency:	University of Arkansas System	Phone:	501-686-2520
E-mail:	jmaxey@uasys.edu	Contact:	JoAnn Maxey, General Counsel
1. STYLE OF THE CASE BEING LITIGATED			
Aaron Germany v. Phillips Community College of the University of Arkansas, et al.			
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)			
Circuit Court of Phillips County			
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED			
Plaintiff filed an internal grievance over the College's refusal to combine two full-time jobs and give the new job to Plaintiff at an increased salary. The College determined that the matter was not grievable. Plaintiff sued, alleging that the Administrative Procedure Act requires the grievance to be processed. Defendants' motion to dismiss is pending.			
3A. OTHER DESCRIPTION INFORMATION			
Docket Number	54CV2017-189		
Date Filed	July 31, 2017		
Defendant	Phillips Community College of the University of Arkansas and Chancellor G. Keith Pinchback		
Defendant Attorney	David Curran, Associate General Counsel		
Plaintiff	Aaron Germany		
Plaintiff Attorney	James F. Valley		
4. ANY OTHER RELEVANT INFORMATION			
4A. OTHER RELEVANT INFORMATION			
Case History	Filed in August 2017.		
Relief Sought	Equitable relief.		
Current Status	Motion to dismiss is pending.		



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DATE REPORTING: 3-5-18	
Agency: University of Arkansas System	Phone: 501-686-2520
E-mail: jmaxey@uasys.edu	Contact: JoAnn Maxey, General Counsel
1. STYLE OF THE CASE BEING LITIGATED	
Alisa Brown v. Pulaski Technical College, et al.	
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)	
United States District Court	
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED	
Plaintiff alleged that her non-reappointment as faculty member was due to disability discrimination and retaliation under the ADA.	
3A. OTHER DESCRIPTION INFORMATION	
Docket Number	4:17cv00020-BSM
Date Filed	April 15, 2017
Defendant	Pulaski Technical College
Defendant Attorney	Sarah James
Plaintiff	Alisa Brown
Plaintiff Attorney	Drake Mann
4. ANY OTHER RELEVANT INFORMATION	
4A. OTHER RELEVANT INFORMATION	
Case History	
Relief Sought	
Current Status	Parties agreed to Release and Settlement of claims and Plaintiff filed dismissal of suit on 3/2/18



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DATE REPORTING: 7-9-2018			
Agency:	University of Arkansas System	Phone:	501-686-2520
E-mail:	jmaxey@uasys.edu	Contact:	JoAnn Maxey, General Counsel
1. STYLE OF THE CASE BEING LITIGATED			
Sharon McCuller v. University of Arkansas System			
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)			
Circuit Court of Jefferson County			
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED			
Ms. McCuller, a former employee at UAPB, was terminated in March, 2011. She alleges her termination was because she complained that she was treated differently than a male student who worked part-time for the University. Her claim is under the Arkansas Whistleblower Act.			
3A. OTHER DESCRIPTION INFORMATION			
Docket Number	35CV-15-289		
Date Filed	June 16, 2015		
Defendant	University of Arkansas System		
Defendant Attorney	JoAnn Maxey		
Plaintiff	Sharon McCuller		
Plaintiff Attorney	Luther Sutter		
4. ANY OTHER RELEVANT INFORMATION			
Ms. McCuller filed initially this lawsuit with the Pulaski County Circuit Court, but later voluntarily dismissed the lawsuit. She also filed the same suit in federal court alleging discrimination and retaliation. The federal court dismissed the lawsuit. Her lawsuit in Jefferson County is now her third attempt to sue the University using the same set of facts.			
4A. OTHER RELEVANT INFORMATION			
Case History	Ms. McCuller filed initially this lawsuit with the Pulaski County Circuit Court, but later voluntarily dismissed the lawsuit. She also filed the same suit in federal court alleging discrimination and retaliation. The federal court dismissed the lawsuit. Her lawsuit in Jefferson County is now her third attempt to sue the University using the same set of facts.		