

CITY OF JONESBORO

CASES HANDLED BY APERMA

(Meeting January 12, 2010)

1. Rebecca Blankenship v. City of Jonesboro, AR Craighead Co. Circuit No. CV-2009-481
This cases involves and auto accident involving a police officer
Suit filed June 9, 2009

Note: We filed a Complaint on behalf of the City of Jonesboro against the driver, Deborah Blankenship, in January of 2009. The attorney for Rebecca Blankenship has also filed a Motion to Consolidate the two Complaints and an Order issued to consolidate on 09-11-09.

Trial set for February 2, 2010; Burt meeting with Chief Yates and Officer Huskey on Tuesday, January 12, 2010, to review case.

2. Monica Brodie v. City of Jonesboro Craighead County Circuit Case No. CV-2008-0913
This case involves race and gender discrimination claims
Suit filed December 12, 2008

Jury trial scheduled for March 22 - 24, 2010.

3. Troy Coleman v. City of Jonesboro, AR Craighead Co. Circuit No. CV 2007-595
This case alleges failure to rezone
Suit filed September 6, 2007.

No activity since filing Defendant's Answer in September of 2007.

4. Audie Cox v. Officer Chris Perry USDC Case No. 3:09CV0014 BSM
This suit alleges unlawful arrest
Suit filed February 9, 2009

Burt met with Chief Yates and Mr. Cox on December 4, 2009. Mr. Cox willing to dismiss his lawsuit for reimbursement of his \$350.00 filing fees. We have requested a check, which should be received by the end of the week, which will be sent to Mr. Cox along with a Joint Motion to Dismiss.

5. **Harvey Edwards vs. City of Jonesboro** Craighead Co. Circuit No. CV-2005-385-F
This case alleges negligent operation of the landfill and permitting combustible gases to escape onto property.

Plaintiff filed Notice of Appeal following trial last fall to vacate/reconsider/set aside/or new jury trial; Plaintiff did not file appeal brief on time; filed Reconsider Denial of Motion for Rule on the Clerk.

Order issued 12/31/09 awarding Judgment against Defendant and Plaintiff not entitled to recover attorney's fees.

Plaintiff filed a Complaint and Amended Complaint in Federal Court in September of 2009; Defendant has filed a Motion to Dismiss; the proposed trial date is November 15, 2010. No ruling on Motion to Dismiss has been issued as of this date.

6. **King's Ranch of Jonesboro, Inc. v. City of Jonesboro, et al** Craighead Co. Circuit No. CV-2008-0420
This case alleges denial of due process; zoning request denied. A group of citizens have joined the suit as intervenors.

Defendants prevailed at trial, Plaintiffs filed a Notice of Appeal on June 11, 2009. James F. Gramling, Jr. handling appeal for Plaintiffs. Mr. Gramling has filed a Motion requesting a 5-week extension to file his Brief in Appeals Court. Awaiting Order from Court.

7. **David Rees v. City of Jonesboro and Michael McQuay** U.S.D.C. Case No. 3:08CV00147 - BSM
This is a Complaint involving allegations of unlawful arrest, false imprisonment, loss of freedom, emotional distress and embarrassment.

Jury trial set for week of November 30, 2009; Mr. Rees' attorney filed a Motion to Continue and trial has been reset for week of June 7, 2010.

8. **Campus Crest At Jonesboro, LLC, et al v. City of Jonesboro, Arkansas** Circuit Case No. CV-2008-0250
Request for Permanent Injunctive Relief

Order issued August 29, 2008, for Defendant to issue certificate of occupancy.

9. **Realty Associates Brokerage, Inc., and T. Bruce Burrow v. Claude Martin, et al** Craighead Co. Circuit No. CV-2009-0095
This case alleges Denial of Equal Protection Rights, Interference with Property Rights, Denial of Substantive Due Process Rights

Suit filed February 12, 2009

Defendants filed their Answer March 9, 2009; no other action.

10. Sartin Services Complete Lawncare, Inc. v. Circuit Court Case No. CV 2009-0500
The City of Jonesboro, et al
This is a Complaint involving a Conditional Use with 22 Stipulations
Suit filed June 9, 2009

Plaintiff filed a Motion for Summary Judgment on September 23, 2009; Defendants responded to Motion October 5, 2009; awaiting Court's ruling on Motion.

11. Jacqueline Stanback, et al. vs. Kern W. Murray, et al. Craighead County Circuit No. CV-2003-329
This case involves a school bus accident.
No activity since 2005.

Settled for \$10,000; will be submitting Joint Motion to Dismiss.

12. Sheila Stricklin vs. Ptl. C. Landreth, et al. U.S.D.C. Case No. 07-CV-0035
This is a Complaint filed against the Jonesboro Police Department, Craighead County Sheriff's Department, Mayor Formon, Craighead County Judge, and Riverside Ambulance, Inc., alleging excessive force and unlawful arrest.

Settlement conference held June 4, 2009; settled for \$6,000.00; awaiting Order of Dismissal.

13. Ronald Worley and Meryl Worley vs. City of Jonesboro, et al. Craighead Co. Circuit No. CV-2005-421
This lawsuit involves a drainage issue.
Appealed and Plaintiff's Motion to Dismiss Appeal granted 11/28/07.

Jury trial on September 14 and 15, 2009; Order issued on December 4, 2009, denying Plaintiffs' claim for mandatory injunction; jury verdict in favor of Plaintiffs in the amount of \$15,000, plus interest at rate of 10% from date of entry of judgment; awaiting approval by the Court.