

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS

**SEAN LYNN and
LAURA HAMMETT**

PLAINTIFFS

V. CASE NO. 60CV-26-216

**BOARD OF TRUSTEES OF THE
UNIVERSITY OF ARKANSAS; et al.**

DEFENDANTS

**BRIEF IN SUPPORT OF MOTION FOR PROTECTIVE ORDER
ON BEHALF OF SEPARATE DEFENDANT
BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS**

On February 24, 2026, Plaintiff Hammett served one interrogatory on the Board through the Board Chair, Kelly Eichler. (See Exhibit A). Hammett’s sole interrogatory requests that the Board “identify” each of the 81 named defendants listed in Plaintiffs’ lawsuit and provide the “last known address and contact information.” (Id.). The Board opposes Hammett’s request and moves for a protective order for two primary reasons: (1) Hammett has demonstrated harassing and abusive behavior toward some of the named defendants; the University of Arkansas for Medical Sciences (UAMS), the individuals’ employer or former employer; counsel for the Board; as well as representatives of A.J. Gallagher; and (2) Plaintiffs have not stated a claim against most of the individually named plaintiffs.

Argument

Rule 26(c) of the Arkansas Rules of Civil Procedure states:

Upon motion by a party or by the person from whom discovery is sought, stating that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action, and for good cause shown, the court in which the action is pending may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following: (1) that the discovery not be had; (2) that the discovery may

be had only on specified terms and conditions, including a designation of the time or place.

Ark. R. Civ. P. 26(c).

Here, counsel for the Board drafted a proposed protective order and sent it to Plaintiffs by email to confer in good faith on March 9, 2026. (Exhibit D). Initially, counsel proposed that it include not just the personal contact information of the parties, but also personnel records, personal health information, personal identifying information, and financial records. (Id. at 4-5, Definition of Confidential Information). Hammett responded that she did not agree and would propose her own protective order to which Lynn agreed. (Id. at 1). Now, with only two days until the Board's response to Hammett's discovery request is due, Hammett has not proposed an alternative order, and the Board seeks intervention from this Court.

I. The Court Should Deny Hammett's Interrogatory for the Individual Defendant's Contact Information Because She Has Posted Harassing and Abusive Articles Online

Exhibit B contains just a few screenshots of articles on Hammett's personal blog. She does not just lambast a faceless institution, she takes personal shots at many of the named defendants, UAMS employees generally, Board counsel, and A.J. Gallagher representatives. (See Exhibit B). If someone communicates with Hammett in any way regarding her lawsuit and alleged claims, she posts copies of the communications and/or writes an article not just disagreeing with the content but attacking the individual. Rarely, does she post the full truth, but rather pulls out phrases that she likes to highlight and twist into something completely contrary to the truth. She accuses UAMS personnel of criminal behavior, falsification of medical records, and destruction of evidence. She has nothing to support her claims except

her own personal opinion because she believes that “a person of ordinary intelligence using common knowledge” should understand the impact of a traumatic brain injury on an individual.

The majority of the 81 individuals named by Plaintiffs in the lawsuit had minimal contact with Plaintiff Lynn. They are clearly only named because their name appears in the medical record for some reason. Whether the individual is merely following the orders of a physician in administering medication (even if that medication is only Tylenol) or drawing blood, or a radiologist who is reading the radiology scan to provide a written report of his or her findings. In Plaintiffs’ lawsuit and on Hammett’s blog, all are guilty of something nefarious.

Hammett also consistently attacks UAMS employees and Board counsel in emails and in her filings in this matter and previously in the Claims Commission matter. More than once, she has baselessly accused counsel of using AI to draft responses.¹ She also continuously accuses UAMS employees of fraud and felonious conduct and refuses to interact in a professional manner when Board counsel does not agree with Hammett’s characterization of the facts. To give Plaintiffs access to the contact information of the individual defendants would subject them to needless harassment and abusive unfounded accusations on her blog or in possible direct contact from Hammett. These would be far greater than the “annoyance, embarrassment and oppression” contemplated by Rule 26 of the Arkansas Rules of Civil Procedure. As a result, the Court should deny Hammett’s request.

¹ Board counsel does not even know how to use AI and would not risk 28 years of good standing with Bar of Arkansas using AI on a meritless case.

II. The Court Should Deny Hammett’s Interrogatory for the Individual Defendant’s Contact Information Because the Complaint Fails to State a Claim for Relief Against Most of the Individuals

Rule 12(b)(6) requires the dismissal of complaints that fail to state facts upon which relief can be granted. Ark. R. Civ. P. 12(b)(6). Rules 8 and 12 “must be read together in testing the sufficiency of the complaint.” *Blackburn v. Lonoke Cnty. Bd. Of Election Commissioners*, 2022 Ark. 176, 6, 652 S.W.3d 574, 579 (2022). The complaint must allege “facts, not mere conclusions.” *Brown v. Tucker*, 330 Ark. 435, 438, 954 S.W. 2d 262, 264 (1997); *Blackburn*, supra. As stated above, most of the individuals named in the lawsuit had minimal contact with Plaintiff Lynn during his two-week hospitalization at UAMS in January 2024. The complaint is replete with conclusions that are unsupported by fact. There are five categories totaling 33 individuals against whom Plaintiffs fail to state a claim for relief. The Board believes that number to be much larger and can add those additional names with more time.

- a. The following individuals are named only in the caption of the case and list of defendants (see Complaint, ¶ 3):
 - i. Jaicey Dowd
 - ii. Chrystal Fullen
 - iii. Rachel Hill
 - iv. Alyssa Kirkpatrick
 - v. Derrick Nichols
 - vi. Evelyn Tipton
- b. The following individuals are Patient Care Techs or PCTs, who are listed in the caption and list of defendants, and against whom Plaintiffs’ only

allegations amount to what Plaintiffs call “custodians and guards, assisting in the enforcement of restraints, restricting his food access and facilitating his continued detention” and who “breached their custodial duty to provide adequate nutrition.” (Complaint, ¶¶ 104, 214).

- i. Jarred Baxter
- ii. Alexis Beavers
- iii. Eric Lambert
- iv. Elizabeth McNulty
- v. Jordan Millsapps²
- vi. Mason Noble
- vii. Na’Kika Perkins
- viii. Kristin Rosenbaum
- ix. Tonya Sanders
- x. Derrick Wilkes

PCTs are not authorized to prescribe restraints, determine dietary needs of patients, or discharge patients. PCTs follow documented orders entered by licensed personnel authorized to enter that order.

- c. The following individuals are physicians against whom Plaintiffs only state that an exam was conducted and/or a note was made in the medical record, or the physicians failed to take some other action Plaintiffs believe they should have:

² Millsapps is listed in paragraph 104 only because Plaintiffs are “substantially certain [he] participated in or facilitated the custodial restraint of Lynn” despite lack of documentation to that effect.

- i. Karrar Aljiboori, Neurosurgery (Complaint, ¶¶ 45, 60, 71, 88, 129)
- ii. Jennings Boyette, Otolaryngology (Complaint, ¶103)
- iii. Prashanth Damalcheruvu, Radiology (Complaint, ¶¶ 54, 120)
- iv. Payton Lea, Psychiatry (Complaint, ¶¶ 110-111)
- v. Sriram Navuluri, Otolaryngology (Complaint, ¶103)
- vi. Erika Petersen, Neurosurgery (Complaint, ¶¶ 45, 60)
- vii. Kelsey Winn, Psychiatry (Complaint, ¶¶ 68, 110-111, 291)

These individuals conducted either in person assessments or chart reviews and made a note in the medical record. Regardless of how brief the interaction may have been or the lack of any order entered, Plaintiffs hold these individuals responsible for not discharging Lynn.

d. The following individuals are employees who Plaintiffs allege only made notes in the medical record:

- i. Timothy Baer, Psychiatry (Complaint, ¶¶ 71, 129)
- ii. Carol Brizzolara, RN (Complaint, ¶ 161)
- iii. Amber Bryant, Occupational Therapist (Complaint, ¶ 97)
- iv. Amanda Diehl, Social Worker (Complaint, ¶ 71)
- v. Macall Gilmartin, RN (Complaint, ¶¶ 68, 147)
- vi. Sannon Hankins, Urology (Complaint, ¶¶ 68, 183)
- vii. Edward Williams, RN, telephone only (Complaint, ¶ 286)
- viii. Leslie Witt, Emergency Room RN (Complaint, ¶ 158)

Plaintiffs' conclusory statements for each individual are insufficient to state a claim.

- e. Rebekah Beene is an RN in Care Management. Plaintiff complains of Beene's notes in the medical record, and without any support, alleges that she is also responsible for "hold[ing] Lynn against his will." (Complaint, ¶¶ 99, 236).
- f. Kristy Bienvenu is listed only as a Patient Relations Coordinator to whom Plaintiffs sent a settlement demand letter to in February 2024. (Complaint, ¶ 288).

Plaintiffs fail to state a claim against any of these individuals; thus, they are not entitled to the contact information they seek.

III. The Court Should Deny Hammett's Request for Margolick's Contact Information Because He Has Already Been Served

This should be easily understood by Hammett, but the Board requests a specific ruling with regard to Dr. Margolick so as to avoid confusion.

IV. If the Court Requires the Board to Provide the Requested Contact Information, a Protective Order Should Be Entered.

If the Court finds that Hammett is entitled to the last known contact information for any of the individuals as requested in Exhibit A, the Board requests that the Court enter its proposed Protective Order requiring Plaintiffs to maintain the confidentiality of the personal contact information of the parties. (See Exhibit C). Moreover, the Board implores the Court to specifically prohibit Plaintiffs from (1) engaging in abusive and harassing tactics toward any named defendant as a result of receiving the personal contact information, (2) using the contact information for any purpose other than attempting service of the Complaint filed in this matter, and (3)

publicizing the contact information, in any manner, to individuals outside of the parties, their attorneys, and the Court staff as outlined in the Protective Order.

Conclusion

Plaintiff Hammett has already shown a disposition for harassing and abusive tactics and is not entitled to the contact information for each of the individuals. Plaintiffs have named what appears to be all individuals listed in the medical record though it is clear that the majority of the individuals had little contact with either Plaintiff, and Plaintiffs have failed to state a claim against them. Should the Court require that the information provided, a Protective Order should be entered mandating that Plaintiffs keep the information confidential.

WHEREFORE, Separate Defendant, Board of Trustees of the University of Arkansas, respectfully requests that the Court entered an Order denying Plaintiff Hammett's request in Interrogatory No. 1 or in the alternative, enter Separate Defendant's Proposed Protective Order and for all other relief to which it is entitled.

Respectfully submitted,

THE BOARD OF TRUSTEES OF
THE UNIVERSITY OF ARKANSAS

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CERTIFICATE OF SERVICE

I, Sherri L. Robinson, hereby certify that on March 24, 2026, I filed the foregoing electronically with the Clerk of Court using the Arkansas Judiciary Electronic Filing System, which shall send notification to any other attorneys in this matter. I also mailed a copy by U.S. Mail, postage prepaid to both Plaintiffs:

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