

**IN THE CIRCUIT COURT OF PULASKI, ARKANSAS**

SEAN LYNN; et al.

PLAINTIFFS

v.

Case No. 60CV-26-216

BOARD OF TRUSTEES of the UNIVERSITY  
of ARKANSAS, in their official capacity;  
et al.

DEFENDANTS

**Sean Lynn's Response to Nathan Ernst's Motion to Dismiss**

Comes now Pro Se Plaintiff Sean Lynn in response to Separate Defendant Nathan Ernst's motion to dismiss and states:

1. Sean Lynn and Laura Hammett filed a joint complaint against Nathan Ernst and 80 other individuals on January 7, 2026. Hammett is joining in this opposition to prevent any adverse issue preclusion for her own claims.

2. Ernst, named only in his individual capacity, committed gross negligence, intentional and criminal<sup>1</sup> conduct against Lynn and acted with reckless disregard for the truth rising to malice, therefore Ernst is not immune from suit under Article 5, § 20 of the Arkansas Constitution, “Arkansas Code Annotated § 19-10-305” or § 25-44-305, that was formerly cited as § 19-10-305.

3. Lynn served Ernst with a complaint and summons. He has received notice of this suit that complies with due process.

4. Lynn stated enough specific fact allegations against Ernst individually to state a claim upon which relief can be granted. Also, where “clinician defendants” were referred to in allegations, Ernst was on notice that the allegations were directed at him, as well as each other clinician defendant.

5. Lynn intends to amend his claims to include unjust enrichment subsumed under the medical injury claim and add several lengthy exhibits to the complaint after serving the shorter, but sufficient complaint to all defendants. In case the Court finds that the original complaint is not specific enough, Lynn requests leave to amend.

6. The grounds for this opposition are more fully set out in the brief in support.

7. Ernst purportedly adopted and incorporated by reference the arguments raised in the following filings by other defendants, “[u]nder Rule 10(c): (a) Motion to Dismiss on Behalf of Separate Defendant Board of Trustees of the University of Arkansas and Brief in Support, filed on March 2, 2026; and (b) Motion to Dismiss Claims Brought by Plaintiff Sean Lynn on Behalf of Separate Defendant Karrar Aljiboori, M.D. and Brief in Support, filed on April 22, 2026. *Mot.*, ¶ 6.

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<sup>1</sup> Civil Action by Crime Victim, Ark. Code Ann. § 16-118-107 (2011).

8. “Statements in a pleading may be adopted by reference” in “any motion.” Ark. R. Civ. P. 10(c). Ernst conflated “pleading” to mean that other “motions” are allowed to be adopted by reference. A motion is not a pleading. Ark. R. Civ. P. 7(a).

Wherefore, the plaintiffs request the Court deny Separate Defendant Nathan Ernst’s motion to dismiss claims made by Lynn or grant plaintiffs leave to amend no more than 30 days after plaintiffs’ anticipated renewed motion for an extension of time to serve summonses is decided.

Respectfully submitted,



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May 14, 2026

Date

/s/ Laura Hammett  
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May 14, 2026

Certificate of Service

I, Laura Hammett, hereby certify that on May 14, 2026, I entered for filing the foregoing electronically with the Clerk of Court using the Arkansas Judiciary Electronic Filing System, which shall send notification to all attorneys in this matter. I also served a copy by email of the unstamped copy to each attorney by email. I also will deliver a copy of the file stamped copy by email to Plaintiff Sean Lynn at SeanLynnP@yahoo.com.

/s/ Laura Hammett

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