

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

SEAN LYNN; and  
LAURA HAMMETT

PLAINTIFFS

v.

Case No. 60CV-26-216

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

DEFENDANTS

**Brief in Support of Reply in Support of Plaintiffs' Second Supplemented Motion for an  
Extension of Time to Serve Summonses (Refiling)**

**I. The Defendants response relies on bare characterizations and unfounded claims.**

Separate Defendants Board of Trustees of the University of Arkansas, Shannon Cobb and Nathan Ernst, (together "Defendants") each represented by Associate General Counsel Sherri Robinson filed a response to Plaintiffs' Second Supplemented Motion for an Extension of Time to Serve Summonses on May 27, 2026 ("Defs.' Resp. Mot.").

When the Defendants' combined motion response in Arkansas circuit court contains no separate factual or argument sections, is extremely light on law, offers only bare characterizations of opposing parties (such as "hostile and unduly argumentative") without any record citations, and additionally asserts — without a shred of evidence — that a jointly-signed motion was authored by only one of two pro se plaintiffs in order to raise an unauthorized practice of law (UPL) claim, that response fails on every dimension recognized by Arkansas courts. The response's deficiencies

are not merely procedural; they affirmatively demonstrate that the defendant's overall argument lacks merit.

The Arkansas Supreme Court explained that the entire purpose of organized legal argument — whether in a brief or a motion response — is to "aid the court in following the arguments and to enable it to determine whether there is merit in any alleged point of error." *Wagner v. Gen. Motors Corp.*, 369 Ark. 85, 86, 250 S.W.3d 557, 558 (2007). A response that merely asserts that a plaintiff is "hostile and unduly argumentative," without a single citation to testimony, an exhibit, a hearing transcript, or any portion of the record, presents nothing the court can evaluate. It is an opinion, not a fact, and it is characterization, not argument. "It is not the job of the court, but rather of attorneys to present arguments to bolster their positions." *Medlock v. Leathers*, 311 Ark. 175, 182–83, 842 S.W.2d 428, 432 (1992).

The defendant's assertion that the motion was authored by only one plaintiff — apparently to seed a later argument that one plaintiff committed the unauthorized practice of law by drafting for the other — fails on the facts and the law simultaneously, and its very deficiency exposes the weakness of the defendant's overall response.

The Arkansas Supreme Court confirmed that "A nonlawyer may appear in court pro se on his own behalf, but only an attorney licensed to practice law in this state may represent anyone other than himself." *Monaco v. Lewis*, 2024 Ark. 27, 3, 684 S.W.3d 583, 586, reh'g denied (May 2, 2024). In *Monaco*, a husband and wife were co-plaintiffs but only the husband signed the petition. *Monaco*, 2024 Ark. at 4, 684 S.W.3d at 586. The wife's "signature acknowledging she was also seeking to petition the court was essential[]." *Id.* The *Monaco* Court held that representation of the wife was "an unauthorized practice of law," and so the petition is a nullity with respect to the wife's claims. *Id.*

Here, the Plaintiffs each signed the joint documents and after Laura filed them electronically, Sean received a copy of the file stamped version. This is Sean's acknowledgement that he is a joint author of the document. Sean was the more "outspoken" of the Plaintiffs during the false imprisonment and battery. He broke free of bondage and ran naked down hallways and stairwells in attempts at escape. The Defendants are the hostile and argumentative parties, demanding that Sean himself type out each document – a task that is highly disturbing to even Laura – and would be unbearable for Sean, who has Hospital Acquired PTSD and aphasia.

Further, working together on documents is not the unauthorized practice of law. Even if a third party assists a pro se party, if the third party expects no economic benefit for giving assistance, it is not the unauthorized practice of law. Ark. Code Ann. § 16-22-501 ("A person commits an offense if, with intent to obtain any economic benefit for himself or herself...").

The University of Arkansas has applied pressure to Laura as a student, in order to chill her right to free speech, basing the threats made on Laura's alleged "unauthorized practice of law." It was clear from a tirade by Professor Terrance Cain about Laura's "pet projects" that the "concern" about the unauthorized practice of law was a pretense. That violation of Laura's Constitutional right to file grievances will be adjudicated in the companion case against the defendants who have motions to dismiss granted or no leave for extension of service. But the Plaintiffs ask this Court to warn the defendants and their counsel to cease their intimidation practices.

**II. Plaintiffs showed reasonable efforts to discover each defendant's home address and showed that service by the Sheriff is unreliable and wasteful of the Plaintiffs' income.**

Arkansas appellate courts have recognized that a plaintiff establishes good cause for an extension when service efforts are timely initiated but are unsuccessful due to circumstances outside the plaintiff's control. As the Arkansas Court of Appeals explained:

“[O]ur supreme court has held that good cause to grant an extension was presented by a plaintiff when he had delivered a summons and complaint to the sheriff's office within 120 days of filing the complaint, but the sheriff's office had been unable to serve the defendant. *See Nelson v. Weiss*, 366 Ark. 361, 235 S.W.3d 891 (2006).” *Branson v. Hiers*, 2021 Ark. App. 284, 5, 625 S.W.3d 748, 751.

Like the plaintiff in *Nelson*, Plaintiffs timely undertook efforts to complete service but encountered obstacles beyond their control. Plaintiffs reasonably preferred service by mail where possible because it is more efficient and less costly than repeated sheriff-service attempts. However, Plaintiffs could not complete service by mail without obtaining accurate addresses for the individual defendants.

Rather than providing or confirming address information, UAMS sought a protective order regarding the single discovery request directed to obtaining service information. That motion remains pending. While awaiting resolution of the address issue, Plaintiffs filed a timely motion requesting an extension of time to serve the defendants.

The reasons service was not completed were largely common to multiple defendants: Plaintiffs lacked access to accurate service addresses, encountered difficulties with sheriff service, and timely sought judicial relief before the service period expired. At the Court's direction, Plaintiffs made their motion for extension of time specific, even though redundant, as to the efforts made for each separate defendant. Under these circumstances, Plaintiffs have demonstrated reasonable diligence and good cause for an extension of time to complete service.

**III. UAMS requested an abeyance of claims commission proceedings as a delay, deny, defend tactic, rather than a good faith effort to compensate the plaintiffs.**

The Board, as controlling body of UAMS and the employee defendants, used bad faith and dilatory tactics throughout the false imprisonment, battery and ensuing litigation.

“Without question, the law favors the amicable settlement of controversies, and because of this, it is the duty of the courts to encourage parties to reach a compromise.’ *Douglas v. Adams Trucking Co.*, 345 Ark. 203, 211, 46 S.W.3d 512, 517 (2001); *see also Stromwall v. Van Hoose*, 371 Ark. 267, 281, 265 S.W.3d 93, 104 (2007); *Roberts v. Green Bay Packaging, Inc.*, 101 Ark. App. 160, 163, 272 S.W.3d 125, 128 (2008).” *Branson*, 2021 Ark. App. at 5, 625 S.W.3d at 751.

Here, UAMS surveillance videos were deleted when the Board and the employee defendants knew the videos would show what truly happened during the two week confinement; the Board refused to supply addresses for the defendants, instead filing a motion for an untenable protective order that allows for the videos taken by Laura and Sean’s medical reports to be deemed “confidential” by any of the defendants; the Board failed to investigate the non-frivolous allegations of criminal conduct by over 81 of its employees, which would have helped the plaintiffs as well as the public at large; and the Board is not cooperating at procuring the insurance that should pay for the negligent conduct alleged.

Counsel for the defendants rely on the service avoidance playbook they created in *McCoy v. Robertson*, 2018 Ark. App. 279, 550 S.W.3d 33. In *McCoy*, The Friday Firm represented the UAMS doctor defendants, including a defendant in this case, Dr. Mary Katherine Kimbrough. Associate General Counsel Sherri Robinson represented the nurse defendants. *McCoy v. Robertson*, 2018 Ark. App. 279, 550 S.W.3d 133. *McCoy* is differentiated from this case because

McCoy alleged run-of-the mill medical negligence resulting in paralysis. McCoy, 2018 Ark. App. at 1, 550 S.W.3d at 34.

There were no allegations of false imprisonment or exposing the captive's genitals with no articulated reason. See *id.* McCoy did not have a viable claim for deprivation of rights, as Sean has. Further, all the McCoy doctors were able to establish insufficient service of summons. See *id.*

In fact, one defendant's certified mailing was signed for by a third party, invalidating it. *Id.*, at 16. This indicates that service on Dr. Natalie J. Applebaum in this case should probably be attempted again, even though her certified mail was signed for by a third party. Br. in supp. of mot. for an extension of time to serve summonses at 3 (differentiated though because McCoy mailed the defendant's process to his work, instead of a home address as Sean and Laura used for Natalie J. Applebaum). Also, though "no extension of service time was ever granted" in *McCoy*, Boyette/Navuluri Br. in Supp. Mot. Dismiss, at 3, McCoy never filed a motion for extension of time to serve. He claimed that he thought service was proper, based on speaking with UAMS associate general counsel Robinson, who confirmed she had received the service packets for all the defendants, including the doctors. *McCoy*, 2018 Ark. App. at 5, 550 S.W.3d at 36.

At the Claims Commission, Sherri Robinson explicitly told the Plaintiffs that issuance of subpoenas to the Defendants here, third parties at the Claims Commission, was proper. Now the Defendants, through Attorney Robinson, assert that the Plaintiffs did not write a motion to compel an answer to interrogatory No. 1. First, the Defendants want the Court to hold the success of Attorney Robinson's fraud against the Plaintiffs. Also, a motion to compel is inappropriate when there is a motion for a protective order under Ark. R. Civ. P. 26(c) pending.

Now the Defendants asked the Court to impose a harsh sanction on the Plaintiffs for the two disabled, low income Plaintiffs' failure to overcome the bad faith defense tactics.

#### **IV. It is not proper to incorporate motions by reference.**

Cobb and Ernst purported to incorporate Karrar Aljiboori's motion to dismiss into their own MTDs. E.g. *Ernst Br. in Supp. Of Mot. To Dismiss*, at p. 5. The Plaintiffs argued that incorporation by reference of a motion is improper. The Defendants were not deterred and used the same impermissible device.

Rule 10(c) applies to "pleadings," and a motion to dismiss is not a pleading. See Ark. R. Civ. P. 7(a). Accordingly, incorporation by reference under Rule 10(c) is not permitted in this context.

WHEREFORE, Plaintiffs respectfully request that the Court grant an extension of time through September 4, 2026, to complete service on any defendant not yet served.

Plaintiffs further submit that this case involves exceptionally serious allegations concerning the detention, treatment, and resulting injuries suffered by Sean. The Complaint alleges that numerous public employees and officials participated in or failed to prevent unlawful conduct that caused substantial harm. Given the gravity of those allegations, the interests of justice favor resolving this matter on its merits rather than through procedural obstacles arising from difficulties in obtaining addresses and effecting service.

Plaintiffs have acted diligently in attempting service, timely sought relief from the Court, and have demonstrated good cause for an extension. Accordingly, Plaintiffs respectfully request that the Court grant the requested extension and such other relief as the Court deems just and proper.

Respectfully submitted,

  
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June 2, 2026

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June 2, 2026

**Certificate of Service**

I, Laura Hammett, hereby certify that on June 2, 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 will deliver a copy of the file stamped copy by email to Plaintiff Sean Lynn at SeanLynnP@yahoo.com within one business day of acceptance by the clerk.

/s/ Laura Hammett  
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