

# KENDALL LAW FIRM, PLLC

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March 9, 2016

Honorable Joel Jones  
Honorable Shirley Sandlin  
Honorable Susan Anglin  
Honorable Michelle Chiocco  
c/o Honorable Robert Clinard, County Judge  
Benton County  
Administration Building  
215 E. Central Ave.  
Bentonville, AR 72712

Ms. Barbara Ludwig  
Human Resources Manager  
Benton County  
Administration Building  
215 E. Central Ave.  
Bentonville, AR 72712

Mr. George Spence  
County Attorney  
121 S Main Street  
Bentonville, AR 72712

RE: DEMAND TO CEASE AND DESIST AND  
REQUEST FOR GRIEVANCE HEARING

Names: Robin Holt, Megan Rutledge, and Dianna Goodwin  
Department: Benton County Sheriff's Department  
Basis for Grievance: Retaliation and hostile work environment  
Relief Sought: Cease and desist retaliation and hostile work environment

Dear Judge Clinard, Benton County Grievance Council, Ms. Ludwig and Mr. Spence:

Susan Keller Kendall and I represent Robin Holt, Megan Rutledge, and Dianna Goodwin with respect to their claims against Sheriff Kelley Craddock, individually and in his official capacity as Sheriff of Benton County, Arkansas, as well as Benton County, Arkansas. Please consider this a grievance filed on behalf of our clients to address adverse actions that Sheriff Kelley Craddock, individually and in his official capacity, has taken and continues to take against the Plaintiffs in retaliation: 1) for the Plaintiffs' exercise of their constitutional rights pursuant to the United States and the Arkansas Constitution; 2) for blowing the whistle on certain illegal or allegedly illegal conduct on the part of Kelley Craddock; and 3) for their participation in the investigation surrounding such conduct.

In accordance with the Benton County Employment Policy, we are submitting this timely grievance to you and respectfully request a hearing be set. I have attached a copy of a Complaint, which specifically sets forth the bases for our clients' grievances.

Based upon George Spence's letter of January 15, 2016 regarding Lt. Holt's second grievance, we anticipate that the Grievance Council will not convene a hearing to address the complaints. We respectfully request that you advise us by the close of business on Friday, March 11, 2016, if the Grievance Council is going to, in fact, convene a hearing. If not, we will move forward with the filing of the attached Complaint with the United States District Court for the Western District of Arkansas, Fayetteville Division, on Monday, March 14<sup>th</sup>.

We respectfully request that Benton County preserve all records, including electronically stored information (ESI) that may be potentially relevant to the parties' grievance. Please locate, retain and preserve any and all records that relate in any way to the attached Complaint. For purposes of this letter, the term "records" includes paper records as well as ESI such as text messages, email, electronic calendars, Word documents, and other information created and/or stored on County computers, phone, or other electronic device, or the County's information systems. This request also applies to personal devices of County employees and elected officials as well.

Adequate preservation of ESI requires more than simply refraining from efforts to destroy or dispose of such evidence. Please also intervene to prevent loss due to routine operations and employ proper techniques and protocols suited to protection of ESI. You are requested to immediately initiate a litigation hold for potentially relevant ESI, documents and tangible things, and to act diligently and in good faith to secure and audit compliance with such litigation hold. You are further requested to immediately identify and modify or suspend features of your information systems and devices that, in routine operation, operate to cause the loss of potentially relevant ESI. Examples of such features and operations include:

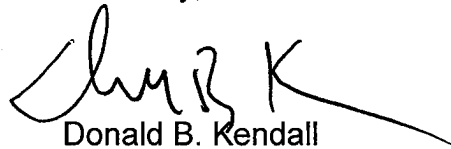
- Purging the contents of e-mail repositories by age, capacity or other criteria;
- Using data or media wiping, disposal, erasure or encryption utilities or devices;
- Overwriting, erasing, destroying or discarding back up media;
- Re-assigning, re-imaging or disposing of systems, servers, devices or media;
- Running antivirus or other programs effecting wholesale metadata alteration;
- Releasing or purging online storage repositories;

- Using metadata stripper utilities;
- Disabling server or IM logging; and,
- Executing drive or file defragmentation or compression programs.

This litigation hold pertains to potentially relevant information in the possession of the County, any of its employees or elected officials, the Benton County Sheriff's Office command staff, also specifically to Sheriff Kelley Craddock. Please ensure that this litigation hold is applied to Sheriff Craddock's County and personal electronic devices, including his personal computer, personal phone, and any other electronic device from which Sheriff Craddock has information that is relevant to this grievance. This litigation hold also pertains to Sabrina Craddock's personal telephone as we have evidence that Sabrina Craddock and Sheriff Craddock regularly engage in communication from Sabrina Craddock's personal phone on behalf of Sheriff Craddock that is relevant to the grievance.

The importance of immediate action cannot be overstated.

Sincerely,



Donald B. Kendall

cc: Honorable Jerry Sheridan  
Honorable Sue Shadlow  
Honorable Jay Harrison  
Honorable Tom Allen  
Honorable Kevin Harrison  
Honorable Pat Adams  
Honorable Mary Slinkard  
Honorable Tom Leadabrand  
Honorable Kurt Moore  
Honorable Brent Meyers  
Honorable Barry Moehring



- a. The Civil Rights Act of 1871, 42 U.S.C. § 1983;
  - b. The Arkansas Civil Rights Act, Ark. Code Ann. § 16-23-101 *et seq.*;
  - c. The Arkansas Whistle-Blower Act, Ark. Code Ann. § 21-1-601, *et seq.*;
- and
- d. Arkansas common law for defamation and outrage.

## PARTIES

1. Plaintiff Lieutenant Robin Holt is an individual, citizen, and resident of Benton County, Arkansas, and employed by Benton County, Arkansas, as a Lieutenant with the Benton County Sheriff's Office.

2. Plaintiff Megan Rutledge is an individual, citizen and resident of Benton County, Arkansas, and employed by Benton County, Arkansas in the Benton County Sheriff's Office.

3. Plaintiff Dianna Goodwin is an individual, citizen and resident of Benton County, Arkansas, and employed by Benton County, Arkansas in the Benton County Sheriff's Office.

4. Defendant Benton County, Arkansas ("County") is a county government. The Benton County Sheriff's Office is a department maintained within the County. The Benton County Sheriff's Office, as stated on its website, "maintains public peace with the authority to suppress all unlawful assemblies as well as having custody, rule and charge of the county jail."

5. Defendant, Kelley Craddock, is an individual, citizen and resident of Benton County, Arkansas. Defendant Craddock is the elected Sheriff of Benton County, Arkansas, and as stated on the Sheriff's Office website is the "highest law-enforcement

officer of the [C]ounty.” Defendant Craddock is responsible for the policy, administration, and supervision of the Benton County Sheriff’s Office. Defendant Craddock is sued in his individual capacity and in his official capacity as the Sheriff of Benton County, Arkansas.

### **JURISDICTION AND VENUE**

6. This Court has jurisdiction pursuant to 28 U.S.C. § 1331, which provides this Court with original jurisdiction of civil actions arising under the Constitution, laws, or treaties of the United States.

7. This Court has supplement jurisdiction over the Plaintiffs’ state law claims pursuant to 28 U.S.C. § 1367.

8. Venue is proper in the United States District Court for the Western District of Arkansas pursuant to 28 U.S.C. § 1391.

### **ALLEGATIONS COMMON TO ALL CLAIMS**

9. On October 5, 2015, Ms. Goodwin notified Lt. Holt that Defendant Craddock wanted to hire Gabriel Cox immediately and that Cox would be in the Sheriff’s Office that day to receive uniforms/equipment that day. Upon information and belief, Cox was residing with Sheriff Craddock at the time.

10. Lt. Holt advised that Cox had not yet completed the psychological evaluation or physical required prior to Cox starting work. Despite not having completed the necessary testing, Lt. Holt was required to hire Cox.

11. Dianna Goodwin further advised Lt. Holt that Defendant Craddock ordered that Cox’s start date, time records and pay records were to be backdated to the week prior thereby paying Cox for time that he was not employed by the Sheriff’s Office.

12. Lt. Holt refused to backdate the time and pay records.

13. Lt. Holt informed her chain of command that she was refusing to carry out the order of the Sheriff because she believed that it was illegal and unethical.

14. Ultimately, the illegal order was reported to Nathan Smith, Benton County Prosecuting Attorney and the Arkansas State Police.

15. On October 6, 2015, Lt. Holt was requested to meet with Nathan Smith, Benton County Prosecuting Attorney and David Moss, Arkansas State Police Investigator.

16. Nathan Smith informed Lt. Holt that there would be an investigation into the Sheriff, focusing on his order to backdate the time/pay sheet for Mr. Cox.

17. Lt. Holt cooperated with the State Police Investigation and was interviewed by Inv. Moss on two separate occasions on the same day.

18. Dianna Goodwin also cooperated with the State Police investigation.

19. On October 13, 2015, Defendant Craddock was made aware of the State Police investigation. Defendant Craddock was irate about the investigation and immediately launched his own investigation to determine which employees were cooperating with the State Police.

20. On the same day that he was told of the State Police investigation, Defendant Craddock sent text messages to numerous employees within the Sheriff's Office advising them that he was going to find out who was responsible for starting the State Police investigation and stated that employees were going to be "put on the box," which means that they will be required to submit to polygraph testing so as to determine whether they were involved in State Police investigation.

21. Defendant Craddock repeatedly made statements that he could not trust anyone.

22. Defendant Craddock made numerous statements to employees within the Sheriff's Office indicating employees in the jail, including Lt. Holt and Megan Rutledge, were involved in the State Police investigation as they worked in the jail, where Cox was employed.

23. Defendant Craddock announced that that he believed one of the individuals responsible for the State Police investigation was "fucking Megan [Rutledge]" and that he was going to move her to a position where she could not cause trouble, specifically to property clerk, which is a demotion. He also advised that he would postpone moving her position so that it would not appear to be retaliatory. Notably, Ms. Rutledge was informed the week of March 7, 2016, that Ms. Rutledge is required to train the current property clerk for Ms. Rutledge's job duties.

24. Defendant Craddock discussed with other members of the Sheriff's Office ways to terminate or demote Lt. Holt and Ms. Rutledge without it appearing as though such terminations were retaliatory.

25. On or about October 13, 2015, Defendant Craddock ordered Ms. Goodwin to advise the Arkansas State Police that he never ordered her to back date Cox's hiring date. When Ms. Goodwin advised Defendant Craddock that he had, in fact, ordered her to do so, he did not deny or dispute what Ms. Goodwin stated, but again requested that she tell the Arkansas State Police that he had not done so.

26. On the same date Defendant Craddock advised Ms. Goodwin that he was going to fire or demote Ms. Rutledge but did not know where to place her.

27. On or about October 15, 2015, Defendant Craddock advised Dianna Goodwin that "I will find out who filed the Complaint and I will take care of them."



28. On October 26, 2015, Defendant Craddock demoted Lt. Holt, reduced her pay, and continued his campaign of harassment because of her refusal to carry out an illegal order as well as her cooperation with the Arkansas State Police.

29. On November 17, 2015, a hearing was held before the Benton County Grievance Council, which found that Defendant Craddock's demotion to be retaliatory and a violation of the Arkansas Whistle-Blower Act, Ark. Code Ann. § 21-1-601, et seq.

30. Defendant Craddock did not appear at the hearing.

31. Meagan Rutledge, Lt. Holt and Dianna Goodwin attended the hearing.

32. Based upon the finding of the Grievance Council, on November 18, 2015, Defendant Craddock reinstated Lt. Holt to her position of lieutenant, but in doing so advised her that she does not "fit in" at the Sheriff's Office and should resign.

33. As set forth more specifically herein, after reinstating Lt. Holt, Defendant Craddock has continued to harass and create a hostile work environment for Lt. Holt.

34. On November 5, 2015, a search warrant was served on the Benton County Sheriff's Office. At that time, the Arkansas State Police provided Sheriff Craddock with search warrant and supporting affidavit detailing Ms. Goodwin and Lt. Holt's participation in the State Police investigation.

35. Immediately upon receipt by the Sheriff, the Sheriff's antagonistic and retaliatory behavior only intensified.

36. On January 19, 2016, Sheriff Craddock was arrested and booked at the Benton County Jail.

37. Since the Grievance Council hearing and Defendant Craddock's arrest, Defendant Craddock has continued his calculated campaign to retaliate, threaten, and harass the Plaintiffs.

38. Defendant Craddock's retaliatory and harassing actions include, but are not limited to:

- a. Consistently threatening and antagonizing the Plaintiffs;
- b. Removing job benefits from certain employees;
- c. Removal of essential job duties and functions;
- d. Referring to the Plaintiffs as a "clique" that causes "drama" in reference to their whistleblowing activities and threatening to put an end to it;
- e. Making rude and derogatory remarks to the Plaintiffs and also publicly about the Plaintiffs;
- f. Stating that he maintains a list of employees Defendant Craddock refers to as the "NFL list" or "not for long list" of people he will be terminating after the election in March and that "list" includes the Plaintiffs;
- g. Stating that he does not care if terminations result in litigation because the election will be over and he "won't have to answer to anyone" as he will not seek reelection whether he wins or loses the election in March;
- h. Initiating multiple baseless internal affairs investigations targeting the Plaintiffs, none of which have resulted with a finding of any fault or wrongdoing on the part of the Plaintiffs;

- i. Instructing other employees at the Sheriff's Office to file unfounded complaints against certain Plaintiffs;
- j. Regularly mocking the Plaintiffs directly to the Plaintiffs and also publicly to other employees of the Sheriff's Office;
- k. Threatening the Plaintiffs that he would be demoting and "at-willing" (a term used by the Sheriff to mean firing) them;
- l. Challenging Plaintiffs to file future grievances against him and stating that he will be sure to show up this time at the hearing;
- m. Reprimanding and publicly questioning the integrity of the Plaintiffs because they appeared at the Grievance Council hearing;
- n. Refusing to speak with the Plaintiffs regarding official Sheriff's Office matters;
- o. Hanging a blanket over the window to Ms. Goodwin's office she shares with Defendant Craddock's office;
- p. On numerous occasions, directly stating, while laughing, to Ms. Goodwin that she will be fired after the March 1<sup>st</sup> election;
- q. Monitoring the Plaintiffs' and other whistle-blowers' actions remotely from his home via County surveillance cameras, while not doing the same for other employees of the Sheriff's Offices;
- r. Speaking negatively of certain Plaintiffs to the trustees incarcerated in the jail in an attempt to undermine the Plaintiffs;
- s. Instructing employees to address his wife as the "She-riff" so as to mock the testimony at the Grievance Council hearing;

t. Addressing his wife over the public announcement system at the Sheriff's Office as the "She-riff";

u. Investigating certain Plaintiffs because he was enraged that his arrest and booking information was published on the internet in the same manner as all other arrest and booking information of other criminal defendants is published;

v. Creating an environment where employees must choose between the Sheriff or the Plaintiffs – creating an "us v. them" environment, so much so that employees attempt to limit their contact with the Plaintiffs for fear of retribution from Defendant Cradduck; and

w. Interrogating certain Plaintiffs as to whether they planned to vote for him or support his opponents.

39. While each of these retaliatory actions constitutes a hostile work environment, certainly the cumulative effect of these retaliatory actions constitutes a hostile work environment for the Plaintiffs.

**COUNT I**  
**42 U.S.C. § 1983: VIOLATION OF FIRST AMENDMENT RIGHTS**  
**TO FREE SPEECH, EXPRESSION AND ASSOCIATION**  
**(ALL PLAINTIFFS V. ALL DEFENDANTS)**

40. The Plaintiffs incorporate those allegations set forth in the preceding paragraphs.

41. Plaintiffs engaged in constitutionally protected speech and association as provided for by the First Amendment to the United States Constitution. Such protected speech and association includes, but is not limited to:

- a. Reporting to supervisors of Defendant Craddock's violations of or suspected violations of laws, rules and/or regulations of the State of Arkansas;
- b. Opposing Defendant Craddock's violations of or suspected violations of laws, rules and/or regulations of the State of Arkansas;
- c. Participating in the criminal investigation into Defendant Craddock's violations of or suspected violations of laws, rules and/or regulations of the State of Arkansas;
- d. Participating in the grievance hearing regarding Defendant Craddock's violations of or suspected violations of laws, rules and/or regulations of the State of Arkansas;
- e. Association with those individuals who opposed, reported and/or participated in the investigation or grievance hearings; and
- f. Association with Defendant Craddock's opponent for Benton County Sheriff.

42. Government employees do not relinquish their First Amendment rights to freedom of speech and expression as a condition of employment. *Pickering v. Board of Educ.*, 391 U.S. 563, 568 (1968).

43. Plaintiffs' speech and association were made as citizens addressing matters of public concern.

44. As a result of the Plaintiffs' protected speech and association, the Defendants, under color of law, have taken retaliatory adverse actions against the Plaintiffs.

45. Such adverse actions were motivated, at least in part, by the Plaintiffs' protected conduct.

46. Such adverse actions include, but are not limited to, creating and inciting a hostile work environment, intimidation, demotion, harassment, defamation, interference with job performance, removal of essential functions of the job, threats of termination, baseless and unjustifiable internal affairs investigations, and removal of job benefits.

47. The adverse actions, when construed independently or cumulatively, constitute an action such that a reasonable employee in the Plaintiffs' positions would be dissuaded from engaging in the protected activity.

48. Defendant Craddock, as Sheriff of Benton County, is the final policy maker for the Benton County Sheriff's Office. Defendant Craddock's policy, to suppress constitutionally protected speech and association, is the moving force behind adverse employment action. There is a continuing, widespread, persistent pattern of unconstitutional misconduct by the Defendant Craddock.

49. Defendant Craddock is not entitled to qualified immunity for his actions

50. The qualified immunity defense must provide "ample protection to all but the plainly incompetent or those who knowingly violate the law." *Malley v. Briggs*, 475 U.S. 335, 341, 106 S.Ct. 1092, 1096, 89 L.Ed.2d 271 (1986).

51. The constitutional rights of the Plaintiffs were clearly established at the time of Defendant Craddock's retaliatory actions. Defendant Craddock knowingly violated the law by taking such retaliatory actions. Alternatively, Defendant Craddock was plainly incompetent in taking such retaliatory actions.

52. The conduct of the Defendants violated and continues to violate the Plaintiffs' Constitutional rights.

53. Furthermore, the Defendants' actions constitute a prior restraint in that their actions serve to deter or cause a chilling effect on the Plaintiffs' exercise of their constitutional rights.

54. Plaintiffs are entitled to injunctive relief, compensatory damages, punitive damages and attorney's fees pursuant to 42 U.S.C. § 1988(b), and all other just and proper relief to which they may be entitled.

**COUNT II**  
**VIOLATION OF THE ARKANSAS CIVIL RIGHTS ACT**  
**(ALL PLAINTIFFS V. ALL DEFENDANTS)**

55. The Plaintiffs incorporate those allegations set forth in the preceding paragraphs.

56. The Defendants, under color of state law, caused Plaintiffs to be subjected to a deprivation of their rights, privileges and immunities as secured by the Arkansas Constitution, including freedom of speech and assembly pursuant to Article 2, §§ 4 and 6 of the Arkansas Constitution.

57. Arkansas Code Annotated § 16-123-105 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage of this state or any political subdivision subjects any person to the deprivation of rights, privilege or immunities secured by the Arkansas Constitution shall be liable to the injured party in an action for legal and equitable relief.

58. The Defendants have retaliated against the Plaintiffs for opposing any act or practice made unlawful under the Arkansas Civil Rights Act and because the Plaintiffs

have, in good faith, made a charge, testified, assisted, or participated in the investigations and proceedings regarding the deprivation of constitutional rights. Such retaliation is in violation of Ark. Code Ann. § 16-123-108(a).

59. The Defendants have coerced, intimidated, threatened and interfered with the Plaintiffs in their exercise or enjoyment of, or on account of their having exercised or enjoyed, or on account their having aided or encouraged any other individual in the exercise or enjoyment of, the rights granted and protected by the Arkansas Civil Rights Act. Such actions are in violation of Ark. Code Ann. § 16-123-108(b).

60. Defendant acted willfully and with malice.

61. Plaintiffs are entitled to damages and equitable relief pursuant to the Arkansas Civil Rights Act.

**COUNT III  
VIOLATION OF THE ARKANSAS WHISTLEBLOWERS ACT  
(ALL PLAINTIFFS V. KELLEY CRADDOCK, IN HIS OFFICIAL CAPACITY,  
AND BENTON COUNTY, ARKANSAS)**

62. The Plaintiffs incorporate those allegations set forth in the preceding paragraphs.

63. The Arkansas Whistle-Blower Act, Ark. Code Ann. § 21-6-101 *et seq.*, prohibits retaliation by a public employer against public employees because they have:

- a. Communicated in good faith to an appropriate authority the existence of a waste of public funds or a violation or suspected violation of law, rule or regulation adopted under the law of the State of Arkansas or a political subdivision thereof;



- b. Participated or gave information in an investigation, hearing, court proceeding, legislative or other inquiry, or in any form of administrative review; or
- c. Objected to or refused to carry out a directive that the employees reasonably believe violates a law or a rule or regulation adopted under the authority of laws of the state or a political subdivision of the state.

64. Plaintiffs are public employees pursuant to Ark. Code Ann. § 21-1-602.

65. Defendants Kelley Craddock, in his official capacity, and Benton County, Arkansas are public employers pursuant to Ark. Code Ann. § 21-1-602.

66. The Plaintiffs engaged in protected activity pursuant to the Arkansas Whistle-Blowers Act.

67. The separate Defendants have taken “adverse action” against Plaintiffs in retaliation for engaging in protected activities.

68. Plaintiffs are entitled to damages and equitable relief pursuant to the Arkansas Whistle-Blowers Act.

**COUNT IV  
TORT OF OUTRAGE  
ALL PLAINTIFFS V. DEFENDANT CRADDOCK, INDIVIDUALLY**

69. The Plaintiffs incorporate those allegations set forth in the preceding paragraphs.

70. Defendant Craddock, individually, engaged in extreme and outrageous conduct by threatening and harassing the Plaintiffs and by falsely accusing Plaintiffs of insubordination, incompetence and poor job performance, all in retaliation for Plaintiffs’ exercise of their constitutional rights freedoms and/or for their reporting Craddock’s illegal

conduct and/or for participating in the criminal investigation into Cradduck's illegal conduct.

71. Defendant Cradduck undoubtedly intended to inflict emotional distress on the Plaintiffs or knew or should have known that emotional distress was the likely cause of his conduct.

72. Defendant's conduct proximately caused damage to Plaintiffs in the nature of extreme emotional distress.

73. The emotional distress was so severe that no reasonable person could be expected to endure it.

**COUNT V  
DEFAMATION  
LT. ROBIN HOLT V. DEFENDANT CRADDUCK, INDIVIDUALLY**

74. The Plaintiffs incorporate those allegations set forth in the preceding paragraphs.

75. Lieutenant Holt has been an employee with the Benton County Sheriff's Office since July of 2007. Lieutenant Holt holds a Master's of Business degree. Since 2007, she has consistently been promoted within the Sheriff's Office based upon her competence and outstanding work performance.

76. On October 13, 2014, Lt. Holt was promoted to Jail Administrative Lieutenant. She is the first female to obtain the position of Lieutenant within the Sheriff's Office and is the highest ranking female employee within the Sheriff's Office.

77. Defendant Cradduck has publically, via radio and television interviews, social media, public debate forums, and press conferences, threatened and harassed Lt. Holt in retaliation for her blowing the whistle and exercising her constitutional freedoms.

In doing so, Defendant Craddock has published numerous false and defamatory statements of facts concerning Lt. Holt.

78. By way of example and not limitation, Defendant Craddock has publicly stated that Lt. Holt was dishonest, politically motivated, and a disgruntled employee who Defendant Craddock passed over for promotions and disciplined on multiple occasions.

79. Defendant Craddock has further stated publicly that he has threatened to fire Lt. Holt on more than one occasion but did not do so because she had "multiple children" that she was caring for alone and that she was incompetent.

80. Lt. Holt has never been passed over for a promotion for which she has applied. Prior to reporting Defendant Craddock's illegal conduct, Lt. Holt had never been disciplined by Defendant Craddock, had never been disciplined during Defendant Craddock's tenure as Sheriff, and had never been threatened with termination. Lieutenant Holt is not caring for multiple children alone as she is married with two children; and Lt. Holt is not dishonest, politically motivated, disgruntled or incompetent.

81. Defendant Craddock published such defamatory statements despite his specific knowledge that such statements were false.

82. Defendant Craddock published such statements maliciously and in an attempt to publicly discredit, defame and harm the reputation of Lt. Holt for her participation as a whistle-blower as a witness in the criminal investigation.

83. As a result of Defendant Craddock's defamatory statements, Lt. Holt's reputation, both professionally and personally has been harmed. Furthermore, Lt. Holt has been publicly attacked by Craddock, his family, his supporters, and members of the general public.

84. Lt. Holt has suffered damages as a proximate cause of the false and defamatory statements.

### **JURY DEMAND**

85. Plaintiffs demand a trial by jury on all issues.

### **PRAYER FOR RELIEF**

WHEREFORE, the Plaintiffs pray that this Court enter judgment in their favor and against the Defendants and award the Plaintiffs:

- a. Restoration of the Plaintiffs' personnel records or employment files;
- b. Special and general damages available under federal and state law in an amount yet to be determined by in excess of that required for federal court diversity jurisdiction;
- c. Compensatory damages;
- d. Injunctive relief enjoining the Defendants from further violations of federal and state law;
- e. Punitive damages;
- f. Attorneys' fees and costs;
- g. Prejudgment and post-judgment interest; and
- h. All other just and proper relief to which they may be entitled.

By:

  
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