

**IN THE CIRCUIT COURT OF SALINE COUNTY, ARKANSAS
CIVIL DIVISION**

SHANNA HASTINGS

PLAINTIFF

V.

CASE NO. 63CV-25-2559-3

**CITY OF BRYANT, ARKANSAS;
MAYOR CHRIS TREAT,
in his Official and Individual Capacity; and
CHIEF CARL MINDEN,
in his Official and Individual Capacity**

DEFENDANTS

ANSWER TO COMPLAINT

Come now Defendants, the City of Bryant, Arkansas; Mayor Chris Treat,¹ in his individual and official capacities; and Chief Carl Minden, in his individual and official capacities, (collectively “Defendants”), by and through their attorney, Jenna Adams, and submit this Answer to the Complaint.

Parties, Jurisdiction and Venue

1. Defendants lack sufficient information to admit or deny whether Plaintiff is a resident of Saline County, Arkansas. Defendants admit that Plaintiff was employed as a Detective with the Bryant Police Department at all times relevant to the Complaint. Defendants further admit that as a Detective, Plaintiff was expected to investigate the criminal cases assigned to her.

2. Defendants admit the allegations contained in Paragraph 2 of the Complaint.

3. Defendants admit Carl Minden is the Chief of Police for the City of Bryant Police Department. Defendants acknowledge Plaintiff sues Carl Minden in his individual and official capacities. Defendants deny the remaining allegations contained in Paragraph 3.

¹ Plaintiff incorrectly spelled Chris Treats’ name as “Christ Treat” in the case style of the Complaint.

4. Defendants admit Chris Treat is the Mayor of the City of Bryant. Defendants acknowledge Plaintiff sues Chris Treat in his individual and official capacities. The City denies the remaining allegations contained in Paragraph 4.

5. Paragraph 5 of the Complaint sets forth a legal conclusion to which no response is required. To the extent a response is required, Defendants deny all wrongdoing alleged and therefore denies Plaintiff has a viable cause of action.

6. Defendants admit that the City of Bryant is in Saline County, Arkansas. The remainder of Paragraph 6 sets forth a legal conclusion to which no response is required. To the extent a response is required, Defendants deny all wrongdoing alleged and therefore denies Plaintiff has a viable cause of action.

7. Paragraph 7 of the Complaint sets forth a legal conclusion to which no response is required. To the extent a response is required, Defendants deny all wrongdoing alleged and therefore deny Plaintiff has a viable cause of action.

8. Paragraph 8 of the Complaint sets forth a legal conclusion to which no response is required. To the extent a response is required, Defendants deny all wrongdoing alleged and therefore denies Plaintiff has a viable cause of action.

Factual Background

A. Background

9. Defendants admit Plaintiff is a former employee and a certified law enforcement officer. Plaintiff first joined the City on or about August 19, 2019 as a school resource officer. She dropped down to reserve status on or about July 24, 2022. She returned to a full-time patrol officer position with the City on or about March 27, 2023 and the City promoted her to a Detective

position on or about August 27, 2023. Defendants lack sufficient information to admit or deny the remainder of the allegations contained in Paragraph 9, therefore it is denied.

10. Defendants admit that Plaintiff was terminated for cause. The remainder of Paragraph 10 sets forth a legal conclusion to which no response is required. To the extent a response is required, Defendants deny all wrongdoing alleged and therefore denies Plaintiff has a viable cause of action.

11. Defendants deny the allegations contained in Paragraph 11.

B. Protected Disclosures and Internal Reporting

12. Defendants lack sufficient information to admit or deny the allegations contained in Paragraph 12, therefore it is denied.

13. Defendants admit that on June 28, 2025, officers responded to a call concerning a disturbance at a bar (“the Bar”). Defendants admit witnesses alleged the suspects left the scene on motorcycles and were wearing Bandidos colors and cuts. Defendants further admit patrol officers discussed the viability of a gang enhancement for the case. Defendants lack sufficient information to admit or deny the remaining allegations contained in Paragraph 13, therefore it is denied.

14. Defendants admit the allegations contained in Paragraph 14.

15. Defendants admit that Alcoholic Beverage Control (“ABC”) conducted an inspection at the Bar on or about July 2, 2025 and that Plaintiff attended the inspection. Defendants admit Plaintiff told Chief Minden she was going to the ABC inspection. Defendants lack sufficient information to admit or deny the remaining allegations contained in Paragraph 15.

16. Defendants admit that during the ABC inspection, Plaintiff saw BPD Captain Nathan Johnston arrive at the Bar in plain clothes with the Bar owner’s son. Defendants deny the remaining allegations contained in Paragraph 16.

17. Defendants admit the ABC inspection included inspection of an office located inside the Bar. Defendants admit Captain Johnston left the Bar during the ABC inspection. Defendants lack sufficient information to admit or deny the remaining allegations contained in Paragraph 17, therefore it is denied.

18. Defendants lack sufficient information to admit or deny the allegations contained in Paragraph 18, therefore it is denied.

19. Defendants admit Chief Minden asked Officer Todd Crowson to join a July 2, 2025 meeting (“July 2 Meeting”) with Plaintiff, Detective Nate Morrison, Captain Jenceson Payte, and Lieutenant Scottie Courtney to discuss Plaintiff’s investigation into the battery at the Bar on June 28, 2025. Defendants admit Lieutenant Scottie Courtney was Plaintiff’s second-line supervisor. Defendants deny that Lieutenant Scottie Courtney was Plaintiff’s direct supervisor. Defendants deny that before Plaintiff left for the ABC inspection, Chief Minden requested that she come to his office upon her return to report what had occurred during the inspection. Defendants lack sufficient information to admit or deny the remaining allegations contained in Paragraph 19, therefore it is denied.

20. Defendants admit that during the July 2 Meeting, Plaintiff mentioned that Captain Nathan Johnston was at the Bar at some point during the ABC inspection and asserted Captain Johnston should be investigated. Defendants admit Chief Minden was cautious about Plaintiff sharing her concerns in front of everyone in attendance at the July 2 Meeting and therefore attempted to redirect Plaintiff to the purpose of the July 2 Meeting, which was an update on the status of her investigation into the battery on June 28, 2025. Defendants admit that Plaintiff was directed by Captain Payte to not speak about this to anyone. Defendants deny the remaining allegations contained in Paragraph 20.

21. Defendants admit that immediately after the July 2 Meeting, Chief Minden asked Sergeant Nick Dean, the Department's Internal Affairs investigator, to meet with Plaintiff and gather information about her concerns regarding Captain Johnston. Defendants admit Sergeant Dean then approached Plaintiff to speak with her about her concerns regarding Captain Johnston. Defendants admit that Plaintiff told Sergeant Dean about Captain Johnston being on scene at the Bar in January 2024. Defendants admit that following Sergeant Dean's conversation with Plaintiff he opened an internal affairs investigation into Captain Nathan Johnston. Defendants deny the remaining allegations contained in Paragraph 21.

22. Defendants admit Plaintiff met with Saline County's Prosecuting Attorney Chris Walton on July 9, 2025 purportedly to discuss the battery on June 28, 2025. During this meeting, however, Plaintiff also discussed her concerns about Captain Nathan Johnston with the Prosecutor. Defendants lack sufficient information to admit or deny the remaining allegations contained in Paragraph 22.

23. Defendants admit Sergeant Dean conducted two recorded interviews with Plaintiff on July 10, 2025 as part of his internal affairs investigation into Captain Johnston. The first interview occurred in the morning at approximately 08:33. The second occurred in the afternoon at approximately 16:21. Defendants admit that in the second interview Sergeant Dean asked Plaintiff what she communicated to the Prosecutor about the internal affairs investigation into Captain Johnston. Defendants admit Sergeant Dean told Plaintiff the Prosecutor spoke to Chief Minden that day. Defendants admit Sergeant Dean informed Plaintiff that Assistant Chief Plouch asked Sergeant Dean to ask everyone interviewed whether being a Bandido is illegal. Defendants deny the remaining allegations contained in Paragraph 23.

24. Defendants admit Sergeant Dean conducted another recorded interview with Plaintiff on July 15, 2025 as part of his internal affairs investigation into Captain Johnston. Defendants admit Sergeant Dean told Plaintiff that Captain Johnston informed Sergeant Dean of an e-mail exchange between Plaintiff and Captain Johnston and that Sergeant Dean referred to this e-mail exchange when asking Plaintiff if she had any personal animosity toward Captain Johnston. Defendants further admit that during this July 15, 2025 interview, Plaintiff expressed she felt she was “being punished” for bringing forward concerns about Captain Johnston. Defendants deny the remaining allegations contained in Paragraph 24.

25. Defendants deny that Plaintiff was under investigation. She was a witness in an internal affairs investigation concerning Captain Johnston. Defendants therefore admit she was neither entitled to nor administered a Garrity warning. Defendants deny the remaining allegations contained in Paragraph 25.

26. Defendants lack sufficient information to admit or deny the allegations contained in Paragraph 26, therefore it is denied.

27. Defendants admit Sergeant Dean advised Plaintiff about a scheduled meeting with Chief Minden to take place on Monday, July 21, 2025. Defendants admit Plaintiff texted Chief Minden asking, “What do I need to expect on Monday?” and Chief Minden replied, “It’s not appropriate for me to discuss outside of the meeting on Monday.” Defendants deny the remaining allegations contained in Paragraph 27.

C. Termination and Retaliation

28. Defendants admit the allegations contained in Paragraph 28.

29. Defendants deny the allegations contained in Paragraph 29.

30. Defendants admit Chief Minden checked the decertification box on Plaintiff's CLEST paperwork and that Chief Minden informed Plaintiff he would need to do so. Defendants further admit that criminal conduct and unethical behavior are two common reasons for decertification. The remaining allegations contained in Paragraph 30 are denied.

31. Defendants admit Plaintiff was not advised she was under investigation, because she was not under investigation. Defendants admit Plaintiff did not receive a "hearing," because she was not entitled to a hearing. Defendants deny that Plaintiff ever requested a name clearing hearing. Defendants deny the remaining allegations contained in Paragraph 31.

32. Defendants deny the allegations contained in Paragraph 32.

33. Defendants admit Chief Minden spoke briefly with Plaintiff's husband, a patrol officer, for purposes of reassuring him that Plaintiff's termination would have no bearing on his employment or how he is treated. Defendants deny the remaining allegations contained in Paragraph 33.

34. Defendants admit that two supervisors who responded to the Bar on June 28, 2025 were counseled for poor handling of the case. Defendants deny the remaining allegations contained in Paragraph 34.

35. Defendants deny the allegations contained in Paragraph 35.

36. Defendants admit Plaintiff filed a claim for unemployment benefits. Defendants further admit that the Bryant Police Department's Human Resources Manager notified the Division of Workforce Services that Plaintiff was terminated for insubordination in response to the Division of Workforce Services' request for information. Defendants deny the remaining allegations contained in Paragraph 36.

37. Defendants admit the allegations contained in Paragraph 37.

38. Defendants admit an administrative Hearing Officer issued a decision granting Plaintiff's unemployment benefits. Defendants further admit the Hearing Officer concluded that based on the limited evidence presented at Plaintiff's September 22, 2025 unemployment hearing, the employer failed to demonstrate by preponderance of the evidence that Plaintiff violated a directive. Defendants further admit the Hearing Officer summarily concluded that Plaintiff's termination must therefore be for "reasons other than misconduct." Defendants deny that the Hearing Officer's administrative decision granting Plaintiff unemployment benefits is relevant to or has any bearing on this litigation or Plaintiff's claims in this case. Defendants deny the remaining allegations contained in Paragraph 38.

39. Defendants are without sufficient information to admit or deny the allegations contained in Paragraph 39, therefore it is denied.

40. Defendants admit Plaintiff is entitled to all relevant constitutional and statutory rights available to her by law. Defendants deny the remaining allegations contained in Paragraph 40.

41. Defendants deny the allegations contained in Paragraph 41.

42. Defendants deny the allegations contained in Paragraph 42.

43. Defendants deny the allegations contained in Paragraph 43.

CLAIM I: VIOLATION OF THE ARKANSAS WHISTLE-BLOWER ACT (A.C.A. § 21-1-601, et seq.)

44. Defendants reallege and incorporate by reference the responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

45. Defendants admit the allegations contained in Paragraph 45.

46. Defendants admit the allegations contained in Paragraph 46.

47. Defendants deny the allegations contained in Paragraph 47.

48. Defendants deny the allegations contained in Paragraph 48.

49. Defendants deny the allegations contained in Paragraph 49.

50. Defendants deny the allegations contained in Paragraph 50.

51. Defendants deny the allegations contained in Paragraph 51.

52. Paragraph 52 of the Complaint sets forth a legal conclusion to which no response is required. To the extent a response is required, Defendants deny all wrongdoing alleged and therefore denies Plaintiff has a viable cause of action.

53. Defendants deny the allegations contained in Paragraph 53.

54. Defendants admit they were acting under the color of law and in their official capacities. Defendants deny the remaining allegations contained in Paragraph 54.

55. Defendants deny the allegations contained in Paragraph 55.

CLAIM II: TERMINATION OF EMPLOYMENT IN VIOLATION OF PUBLIC POLICY

56. Defendants reallege and incorporate by reference the responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

57. Defendants deny the allegations contained in Paragraph 57.

58. Defendants deny the allegations contained in Paragraph 58.

59. Defendants deny the allegations contained in Paragraph 59.

60. Defendants deny the allegations contained in Paragraph 60.

61. Defendants deny the allegations contained in Paragraph 61.

62. Defendants deny the allegations contained in Paragraph 62.

63. Defendants deny the allegations contained in Paragraph 63.

**CLAIM III: VIOLATION OF ARTICLE 2, SECTION 6 OF THE ARKANSAS
CONSTITUTION: FREE SPEECH**

64. Defendants reallege and incorporate by reference the responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

65. Defendants admit the quoted language in Paragraph 65 is contained within Article 2, Section 6 of the Arkansas Constitution. Defendants deny all alleged wrongdoing and therefore deny Plaintiff has a viable cause of action.

66. Defendants deny the allegations contained in Paragraph 66.

67. Defendants deny the allegations contained in Paragraph 67.

68. Defendants deny the allegations contained in Paragraph 68.

69. Defendants deny the allegations contained in Paragraph 69.

70. Defendants deny the allegations contained in Paragraph 70.

**CLAIM IV: VIOLATION OF ARTICLE 2, SECTIONS 2 AND 13 OF THE ARKANSAS
CONSTITUTION: DUE PROCESS**

71. Defendants reallege and incorporate by reference the responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

72. Defendants admit the quoted language in Paragraph 72 is contained within Article 2, Section 2 of the Arkansas Constitution. Defendants deny all alleged wrongdoing and therefore deny Plaintiff has a viable cause of action.

73. Defendants admit the quoted language in Paragraph 73 is contained within Article 2, Section 13 of the Arkansas Constitution. Defendants deny all alleged wrongdoing and therefore deny Plaintiff has a viable cause of action.

74. Defendants deny the allegations contained in Paragraph 74.

75. Defendants deny the allegations contained in Paragraph 75.

76. Defendants deny the allegations contained in Paragraph 76.

77. Defendants deny the allegations contained in Paragraph 77. Defendants specifically deny that Plaintiff requested a name-clearing hearing.

78. Defendants deny the allegations contained in Paragraph 78.

79. Defendants deny the allegations contained in Paragraph 79.

80. Defendants admit that Benton Police Department's "Uniform Standards of Conduct" explains that a cause for discipline or termination is established when: (1) members receive advance notice of the possible or probable disciplinary consequences of their conduct; (2) a reasonable relationship exists between the rule and the safe and efficient operation of this agency; fact-finding efforts were made before disciplinary or termination action was imposed; (4) a fair and objective investigation was held; (5) substantial evidence exists to prove the member is guilty as charged; (6) discipline or removal actions are applied without unlawful discrimination; (7) the degree of discipline is reasonably related to the seriousness of the offense as well as the member's service record as a cooperative and productive member. Defendants deny the remaining allegations contained in Paragraph 80.

81. Defendants admit the Bryant Police Department has a Disciplinary Regulations Policy which indicates that when applying "discipline," which is referred to in the Disciplinary Regulations Policy as a counseling, written reprimand, suspension, or demotion, it will use "progressive discipline, when practicable." Defendants further admit the Disciplinary Regulations Policy states, in part, that the department "will use progressive disciplinary action to bring about change once it is shown that a member knew, or should have known, that such conduct, behavior or performance failed to comply with established directives...." Defendants deny the remaining allegations contained in Paragraph 81.

82. Defendants admit that Benton Police Department's "Uniform Standards of Conduct" indicates that "refusing to obey unlawful directives" shall not constitute insubordination, however, "mere belief ... that a directive was criminal or unconstitutional will not protect a member's job if such belief fails to be established at a later hearing." Defendants deny the remaining allegations contained in Paragraph 82 and re-emphasize that Plaintiff was not entitled to any pre-termination hearing.

83. Defendants deny the allegations contained in Paragraph 83.

84. Defendants admit that Benton Police Department's "Uniform Standards of Conduct" contains the language quoted in Paragraph 84. Defendants deny the remaining allegations contained in Paragraph 84.

85. Defendants deny the basis and characterization of the allegations contained in Paragraph 85.

86. Defendants deny the allegations contained in Paragraph 86.

87. Defendants deny the allegations contained in Paragraph 87.

88. Defendants admit the Hearing Officer concluded that based on the limited evidence presented at Plaintiff's September 22, 2025 unemployment hearing, the employer failed to demonstrate by preponderance of the evidence that Plaintiff violated a directive. Defendants further admit the Hearing Officer summarily concluded that Plaintiff's termination must therefore be for "reasons other than misconduct." Defendants deny that the Hearing Officer's administrative decision granting Plaintiff unemployment benefits is relevant to or has any bearing on this litigation or Plaintiff's claims in this case. Defendants deny the remaining allegations contained in Paragraph 88.

89. Defendants deny the allegations contained in Paragraph 89.

- 90. Defendants deny the allegations contained in Paragraph 90.
- 91. Defendants deny the allegations contained in Paragraph 91.
- 92. Defendants deny the allegations contained in Paragraph 92.
- 93. Defendants deny the allegations contained in Paragraph 93.

CLAIM V: VIOLATION OF THE ARKANSAS CIVIL RIGHTS ACT OF 1993 (A.C.A. § 16-123-105)

94. Defendants reallege and incorporate by reference the responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

- 95. Defendants deny the allegations contained in Paragraph 95.
- 96. Defendants deny the allegations contained in Paragraph 96.
- 97. Defendants deny the allegations contained in Paragraph 97.
- 98. Defendants deny the allegations contained in Paragraph 98.
- 99. Defendants deny the allegations contained in Paragraph 99.

CLAIM VI: DEFAMATION, LIBEL, SLANDER, AND FALSE LIGHT UNDER ARKANSAS STATE COMMON LAW

100. Defendants reallege and incorporate by reference the responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

- 101. Defendants deny the allegations contained in Paragraph 101.
- 102. Defendants deny the allegations contained in Paragraph 102.
- 103. Defendants deny the allegations contained in Paragraph 103.
- 104. Defendants deny the allegations contained in Paragraph 104.
- 105. Defendants deny the allegations contained in Paragraph 105.
- 106. Defendants deny the allegations contained in Paragraph 106.
- 107. Defendants deny the allegations contained in Paragraph 107.

CLAIM VII: CIVIL CONSPIRACY UNDER ARKANSAS STATE COMMON LAW

108. Defendants reallege and incorporate by reference the responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

109. Defendants deny the allegations contained in Paragraph 109.

110. Defendants deny the allegations contained in Paragraph 110.

111. Defendants deny the allegations contained in Paragraph 111.

112. Defendants deny the allegations contained in Paragraph 112.

113. Defendants deny the allegations contained in Paragraph 113.

114. Defendants deny the allegations contained in Paragraph 114.

115. Defendants deny the allegations contained in Paragraph 115.

CLAIM VIII: TORT OF OUTRAGE (INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)

116. Defendants reallege and incorporate by reference the responses contained in the preceding paragraphs of this Answer as though fully set forth herein.

117. Defendants deny the allegations contained in Paragraph 117.

118. Defendants deny the allegations contained in Paragraph 118.

119. Defendants deny the allegations contained in Paragraph 119.

120. Defendants deny the allegations contained in Paragraph 120.

121. Defendants admit Chief Minden had written commendation letters for Plaintiff. Defendants lack sufficient information to admit or deny the remaining allegations contained in Paragraph 121, therefore it is denied.

122. Defendants admit Chief Minden was aware Plaintiff's brother passed away. Defendants deny the remaining allegations contained in Paragraph 122.

123. Defendants deny the allegations contained in Paragraph 123.

124. Defendants deny the allegations contained in Paragraph 124.

125. Defendants deny the allegations contained in Paragraph 125.

126. Defendants deny the allegations contained in Paragraph 126.

127. Defendants deny the allegations contained in Paragraph 127.

128. Defendants deny the allegations contained in Paragraph 128.

129. Defendants admit Chief Minden spoke briefly with Plaintiff's husband, a patrol officer, for purposes of reassuring him that Plaintiff's termination would have no bearing on his employment or how he is treated. Defendants deny the remaining allegations contained in Paragraph 129.

130. Defendants deny the allegations contained in Paragraph 130.

131. Defendants deny the allegations contained in Paragraph 131.

132. Defendants deny Plaintiff was subjected to wrongful termination. Defendants lack sufficient information to admit or deny the remaining allegations contained in Paragraph 132, therefore it is denied.

133. Defendants deny the allegations contained in Paragraph 133.

134. Defendants deny the allegations contained in Paragraph 134.

135. Defendants deny the allegations contained in Paragraph 135.

136. Defendants deny the allegations contained in Paragraph 136.

137. Defendants admit Plaintiff does not assert any federal claims in her Complaint. Defendants deny that Plaintiff has any viable causes of action due to their complete denial of any and all wrongdoing alleged.

138. Paragraph 138 is Plaintiff's reservation of rights to amend and no answer is required. To the extent an answer is required, denied.

139. Plaintiff's Demand for Jury Trial speaks for itself. Defendants request a jury trial on all issues remaining at that time.

140. Defendants deny that Plaintiff is entitled to the relief requested in her WHEREFORE paragraph, to include subparagraphs (1)-(8).

141. Defendants deny Plaintiff is entitled to relief.

142. Defendants deny each allegation not specifically admitted herein.

143. Defendants reserve the right to file an amended answer.

AFFIRMATIVE DEFENSES

1. Plaintiff's Complaint fails to state facts or a claim upon which relief may be granted.

2. Defendants are entitled to statutory, tort, qualified, and punitive damages immunity under all applicable doctrines of immunity pursuant to state and federal law including but not limited to Ark. Code Ann. § 21-9-301.

3. Defendants did not violate Plaintiff's rights.

4. Plaintiff did not make a good faith report of waste of public funds, property, or manpower or a violation of law.

5. Plaintiff did not witness or have evidence of alleged waste or a violation and did not communicate in good faith or testify to any waste or violation prior to her termination to an appropriate authority.

6. Plaintiff did not have personal knowledge of a factual basis for any alleged communication.

7. Plaintiff knew or reasonably should have known that any alleged communication of waste or a violation was malicious, false, or frivolous.

8. Defendants assert that they did not violate Plaintiff's rights and no alleged "whistleblowing" or speech was the cause of Plaintiff's separation from employment. Plaintiff cannot put forth any proof she was fired due to any speech or whistleblowing. Further, in the alternative, Plaintiff's alleged speech or complaints were not a motivating factor in her termination and were not the but-for-cause of her termination.

9. Defendants terminated Plaintiff for legitimate, non-discriminatory reasons.

10. Defendants terminated Plaintiff due to employee misconduct unrelated to any alleged communication.

11. Defendants took no actions alleged in the Complaint because Plaintiff allegedly engaged in protected activity.

12. Defendants did not terminate Plaintiff for refusing to participate in or refusing to remain silent about illegal activities.

13. Defendants assert the same-decision test: Plaintiff would have been terminated whether she allegedly uttered any protected speech or not due to her own poor performance and misconduct and the same is undisputed.

14. Defendants did not terminate Plaintiff in violation of a well-established public policy.

15. Defendants assert any affirmative defense suggested by the Supreme Court of the United States Court in the cases of *Garcetti*, *Connick*, and *Pickering*. This includes, but is not limited to, the defense that any speech uttered by Plaintiff about which her Complaint pertains was not a matter of public concern. Further, no alleged protected speech was a substantial or motivating factor or cause in fact for Plaintiff's termination.

16. Defendants did not violate the Plaintiff's right to free speech under the Arkansas Constitution.

17. Defendants afforded Plaintiff all due process to which she was entitled.

18. Defendants and Plaintiff did not enter any employment contract, express or implied.

19. Defendants did not violate Plaintiff's liberty interests without due process.

20. Plaintiff engaged in the misconduct that led to her termination.

21. Plaintiff was an at-will employee, and her separation of employment was due to reasonable business judgment and necessity because of Plaintiff's violation of policies among other lawful non-retaliatory reasons.

22. Defendants did not make any false or defamatory statements concerning Plaintiff.

23. Defendants assert the defense of qualified privilege.

24. Defendants assert the defense of truth.

25. Defendants state that the alleged statements, if any, and the publication of statements, if any, did not exceed the scope of the Defendants' qualified privilege.

26. Plaintiff has failed to plead facts supporting actual damage to her reputation.

27. Defendants state that Plaintiff's Complaint fails to state with sufficient particularity or definiteness, the manner in which the alleged actions on the part of the Defendants caused or contributed to the cause of Plaintiff's alleged injury and damages.

28. Defendants did not act with negligence, malice, or reckless disregard for the truth.

29. Defendants did not engage in any alleged unlawful activity and did not combine or agree to accomplish an oppressive or unlawful purpose.

30. Defendants did not commit any overt act in furtherance of a conspiracy.

31. Defendants did not intend to inflict emotional distress on the Plaintiff.

32. Defendants did not engage in extreme and outrageous conduct, going beyond all possible bounds of decency. Plaintiff engaged in misconduct; Defendants simply terminated Plaintiff for her misconduct in the regular course.

33. Defendants have an anti-discrimination policy prohibiting harassment, discrimination and retaliation.

34. Defendants exercised reasonable care to prevent harassment, discrimination and retaliation through policies and training.

35. To the extent Plaintiff sustained any damages, the damages were a direct and proximate result of Plaintiff's misconduct.

36. Punitive damages are not recoverable against a municipality as a matter of law.

37. Defendants assert that Plaintiff's alleged damages did not occur because of any custom, policy, or practice of the City of Bryant.

38. The City expressly denies that it can be held liable to the Plaintiff under the theory of *respondeat superior*.

39. Defendants reserve the right to amend their answer to assert any such defenses as may become available or apparent during the pendency of this action.

WHEREFORE, Defendants pray that the relief prayed for by the Plaintiff be denied and that the Complaint be dismissed, and for all other just and proper relief to which they may be entitled.

Respectfully submitted,

DEFENDANTS

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CERTIFICATE OF SERVICE

I, Jenna Adams, hereby certify that on January 15, 2026, I electronically filed the foregoing with the Clerk of the Court using the eFlex system which shall send notification to the following eFlex participants:

Mathew R. Ingle
Ingle Law Firm
mat@theinglelawfirm.com

/s/ Jenna Adams
Jenna Adams