

**IN THE PULASKI COUNTY CIRCUIT COURT OF ARKANSAS  
SIXTEENTH DIVISION**

**GLENN HOOKS, MICHAEL DOUGAN,  
PRATT REMMELL, REED STOREY,  
TIM FISHER, VICTOR GRAY,  
BLAND CURRIE, GLADYS WHITENY,  
FRANCES WILSON SHACKLEFORD,  
ADAM FISHER, GUY FISHER, PADEN BALL,  
GALE STEWART, AND COY'S HONEY FARM, INC.**

**PLAINTIFFS**

**v.**

**CASE NO. 60CV-21-2843**

**ARKANSAS STATE PLANT BOARD; AND  
ARKANSAS STATE PLANT BOARD  
MEMBERS IN THEIR OFFICIAL  
CAPACITIES; WALTER "BRUCE"  
ALFORD; KYLE BALTZ; TOMMY  
ANDERSON; REYNOLD MEYER;  
DARRELL HESS; MARTY EATON; BARRY  
WALLS; TERRY FULLER; MARK  
HOPPER; BRAD KOEN; SAM STUCKEY;  
TERRY STEPHENSON; DR. KEN KORTH;  
DR. NATHAN SLATON; MATTHEW  
MARSH; JASON PARKS; SCOTT  
MILBURN; AND MARK MORGAN**

**DEFENDANTS**

**DEFENDANTS' NOTICE OF APPEAL**

Come now the Defendants, Arkansas State Plant Board and Arkansas State Plant Board Members in their official capacities, Walter "Bruce" Alford, Kyle Baltz, Tommy Anderson, Reynold Meyer, Darrell Hess, Marty Eaton, Barry Walls, Terry Fuller, Mark Hopper, Brad Koen, Sam Stuckey, Terry Stephenson, Dr. Ken Korth, Dr. Nathan Slaton, Matthew Marsh, Jason Parks, Scott Milburn, and Mark Morgan, by and through their attorneys, Attorney General Leslie

Rutledge, Senior Assistant Attorney General Jennifer L. Merritt, and Assistant Attorney General Sammie P. Strange, Jr. and hereby give notice of their appeal to the Arkansas Supreme Court pursuant to the Ark. R. App. P. Civ. 2(a)(6) and 3(b). Defendants state as follows:

1. **Appealing Parties.** Arkansas State Plant Board and Arkansas State Plant Board Members in their official capacities, Walter “Bruce” Alford, Kyle Baltz, Tommy Anderson, Reynold Meyer, Darrell Hess, Marty Eaton, Barry Walls, Terry Fuller, Mark Hopper, Brad Koen, Sam Stuckey, Terry Stephenson, Dr. Ken Korth, Dr. Nathan Slaton, Matthew Marsh, Jason Parks, Scott Milburn, and Mark Morgan (“Plant Board Defendants”) are the appealing parties.

2. **Order Being Appealed.** Plant Board Defendants appeal from two orders of the Pulaski County Circuit Court: (1) the May 21, 2021, Temporary Restraining Order; and (2) the “Nunc Pro Tunc Extension of Temporary Restraining Order” entered by the Court on May 25, 2021.

3. **Designation of the Record.** Plant Board Defendants designate the entire record in this matter as the record on appeal—including all pleadings, amended pleadings, motions, exhibits to the motions, supporting briefs, responses, replies, orders, and the transcripts of the hearing held in this case on May 24, 2021. Plant Board Defendants request an electronic record pursuant to *In re Acceptance of Records on Appeal in Electronic Format and Elimination of the Abstracting and Addendum Requirements*, 2019 Ark. 213.

4. **Certificate of Transcript.** Pursuant to Ark. R. App. P. Civ. 3(e)(iv), Plant Board Defendants have ordered the transcript of the May 24, 2021 hearing, and made all financial arrangements required by the court reporter.

5. **Jurisdiction of the Arkansas Supreme Court.** Plant Board Defendants take this appeal to the Arkansas Supreme Court, which has appellate jurisdiction in this matter pursuant to Ark. R. App. P. Civ. 2(a)(6).

6. **Abandonment of Claims.** Plant Board Defendants have not asserted any claims against a party in this matter, and so Rule 3(e)(vi) of the Ark. R. App. P. Civ. does not apply here.

WHEREFORE, Plant Board Defendants pray that the Court accept its Notice of Appeal, and pray for all other just and appropriate relief.

LESLIE RUTLEDGE  
Arkansas Attorney General

By: /s/ Sammie P. Strange, Jr.  
Sammie P. Strange, Jr. (90012)  
Assistant Attorney General  
Arkansas Attorney General's Office  
323 Center Street, Suite 200  
Little Rock, AR 72201  
Phone: (501) 371-2301  
Fax: (501) 682-2591  
Email: Sammie.Strange@ArkansasAG.gov

*Attorneys for Plant Board Defendants*

### **CERTIFICATE OF SERVICE**

I, Sammie Strange, hereby certify that on May 28, 2021, I electronically filed the foregoing with the Clerk of the Court using the eFlex system, which shall send notification to all parties.

/s/Sammie P. Strange, Jr.  
Sammie P. Strange, Jr.