

Arkansas State Claims Commission

JUL 07 2020

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BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

Mr. R. Victor Harper Matt Simmons, Claimant

Do Not Write in These Spaces Claim No. Date Filed Amount of Claim \$ Fund

vs. State of Arkansas, Respondent

COMPLAINT

R. Victor Harper Matt Simmons the above named Claimant, of (Street or R.F.D. & No.) (City) County of represented by (Legal Counsel, if any, for Claim)

of (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.) says: MATT SIMMONS: \$99,381.34 State agency involved: Dept. of Finance & Administration Amount sought: R. VICTOR HARPER: \$21,805.0

Month, day, year and place of incident or service: Explanation: SEE ATTACHMENTS

As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer thereof? Yes; when? to whom? Attorney General Agreement to submit fees to claims commission for payment. and that \$ was paid thereon: (2) Has any third person or corporation an interest in this claim? No; if so, state name and address and that the nature thereof is as follows: and was acquired on, in the following manner:

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verily believes that they are true. R. Victor Harper Matt Simmons (Print Claimant/Representative Name) (Signature of Claimant/Representative)

SWORN TO and subscribed before me at Star City AR (City) (State) on this 7 day of July 2020 (Date) (Month) (Year) My Commission Expires: 3 10 25 (Month) (Day) (Year)



Claimants are attorneys who represented Carpenter Farms Medical Group, LLC in litigation against the ADFA – Medical Marijuana Commission. The attorneys were successful in asserting claims in the trial court concerning the wrongful denial and/or refusal to consider the score given to Carpenter in the decision to award a cultivation license. DF&A appealed to the Arkansas Supreme Court. That Court affirmed major issues in favor of Carpenter. Based on that decision, the Attorney General's Office entered into a settlement agreement which allowed the submission of Carpenter's costs and attorney's fees incurred due to the DF&A-MMC actions. A copy of the settlement agreement is attached.

**BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**

**CARPENTER FARMS MEDICAL  
GROUP, LLC**

**CLAIMANT**

**V.**

**CLAIM NO. 210021**

**ARKANSAS DEPARTMENT OF  
FINANCE AND ADMINISTRATION**

**RESPONDENT**

**ORDER**

Now before the Arkansas State Claims Commission (the “Claims Commission”) is the agreed settlement signed by the attorney for Carpenter Farms Medical Group, LLC (the “Claimant”) and the attorney for the Arkansas Department of Finance and Administration.

Based upon a review of the pleadings and the settlement agreement, the Claims Commission hereby APPROVES the settlement agreement.

As such, the Claims Commission refers the total award of \$121,186.34 to the General Assembly for review and placement on an appropriations bill pursuant to Ark. Code Ann. § 19-10-215(b).

IT IS SO ORDERED.

*Henry C. Kinslow*

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ARKANSAS STATE CLAIMS COMMISSION

Courtney Baird  
Dexter Booth  
Henry Kinslow, Co-Chair  
Paul Morris, Co-Chair  
Sylvester Smith

DATE: June 23, 2021

**Notice(s) which may apply to your claim**

- (1) A party has forty (40) days from the date of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the date of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).