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MAY 13 2022

TERRI HOLLINGSWORTH
CIRCUIT COUNTY CLERK

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FIFTH DIVISION

STATE OF ARKANSAS, *ex rel.*
LESLIE RUTLEDGE, ATTORNEY GENERAL

PLAINTIFF

v.

CASE NO. 60CV-20-475

HOWARD GENE HICKMAN and HGH
DEVELOPMENT, LLC

DEFENDANTS

ORDER GRANTING THE STATE'S MOTION FOR RELIEF

Currently before the Court is the State's Motion for Relief against Defendants Howard Gene Hickman and HGH Development, LLC (collectively the "Defendants"). Based upon the facts, evidence, and all other matters before the Court, the State's Motion is GRANTED. Accordingly, the Court makes the following findings:

1. The Court finds that Defendants have harmed three (3) consumers identified in the State's Motion for Relief.
2. Pursuant to Ark. Code Ann. § 4-88-113(a)(2), Defendants shall pay to the State a total of \$35,407.59 for restitution to the consumers identified in the State's Motion for Relief, which the State shall distribute as follows:
 - a. James Barthol is entitled to **\$2,716.59;**
 - b. Margaret Perry is entitled to **\$4,000;**
 - c. John Joyner is entitled to **\$28,691;**

3. Pursuant to Ark. Code Ann. § 4-88-113(a)(3), Defendants are assessed civil penalties in the amount of \$130,000 for thirteen (13) violations of the Arkansas Deceptive Trade Practices Act, Ark. Code Ann. §§ 4-88-101, *et seq.* (“ADTPA”) as alleged in the State’s Complaint and the evidence and brief supporting the State’s Motion for Relief.
4. Pursuant to Ark. Code Ann. § 4-88-113(b), and for good cause shown, Defendants’ business or professional licenses issued by any city, county, or state entity within the state of Arkansas are hereby suspended until Defendants have paid all the restitution, civil penalties, fees, and costs ordered by this Court.
5. Pursuant to Ark. Code Ann. § 4-88-113(a), the Court finds that an injunction against Defendants’ business practices is necessary in order to prevent the use or employment of any prohibited practices in violation of the ADTPA. Defendants are hereby permanently restrained and enjoined from engaging in any residential home improvement contracting business in Arkansas without a valid Arkansas Contractor’s License.
6. Pursuant to Ark. Code Ann. § 4-88-113(e), Defendants shall pay the State’s fees and costs including \$340 for filing fees and for service of process.
7. Pursuant to Ark. Code Ann. § 16-66-221, Defendants shall file a schedule of property, verified by affidavit, within forty-five (45) days of the entry of this judgment detailing all property, both real and personal, including monies, bank accounts, rights, credits, and choses in action held, and

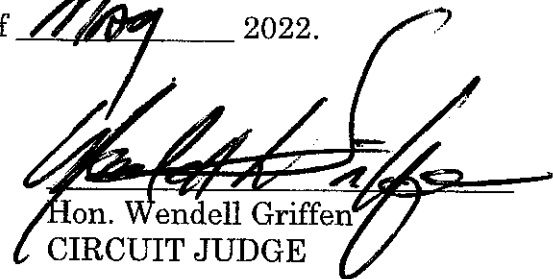
specify the particular property Defendants claim as exempt. Failure to file a schedule of property shall constitute grounds for contempt.

8. Payments for all sums ordered herein shall be delivered to the Attorney General's office within 60 days after the entry of this Order. All payments shall be delivered to:

Office of the Attorney General,
Attn: Chief Fiscal Officer
323 Center Street, Suite 200
Little Rock, Arkansas 72201

For the above-stated reasons, and for those reasons included in the State's Motion for Relief and Incorporated Brief in Support, Plaintiff's Motion for Relief is hereby GRANTED.

IT IS SO ORDERED, this 13 day of May 2022.


Hon. Wendell Griffen
CIRCUIT JUDGE

Order Prepared By:

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