

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS

CIVIL DIVISION

FILED FOR RECORD 6
2016 JAN 14 AM 10:48
WASHINGTON CO. AR
CIRCUIT CLERK
J. SYLVESTER

DRAGONFLY INDUSTRIES)
INTERNATIONAL, LLC)
Plaintiff;)
v.)
JONATHAN HAMBY)
Defendant;)
VIVIAN HAMBY)
Defendant;)
)
)

Case No. 72CV-16-103-2

COMPLAINT (Defamation)

**COMPLAINT FOR DEFAMATION – DRAGONFLY INDUSTRIES INT., LLC v.
JONATHAN HAMBY & VIVIAN HAMBY**

Parties

1. Plaintiff, Dragonfly Industries International, LLC, is a limited liability company with its principal place of business currently located at 2591 Dallas Pkwy, Suite 300, Frisco, Texas.
2. Defendant, Jonathan Hamby, is (and has been at all times relevant to this complaint) a resident of Washington County, Arkansas, currently residing at 13401 N. Tally Gate Rd., Springdale, Arkansas.
3. Defendant, Vivian Hamby, is (and has been at all times relevant to this complaint) a resident of Washington County, Arkansas, currently residing at 13401 N. Tally Gate Rd., Springdale, Arkansas.

Jurisdiction and Venue

4. This Court has jurisdiction over this matter pursuant to A.C.A. § 16-13-201(a).

165/S

5. Venue is properly placed in this Court pursuant to A.C.A. § 16-60-101(a)(2)(A) because Defendants resided in Washington County at the time of the events giving rise to this cause of action.

Cause of Action -- Defamation

6. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 5 as though fully set forth herein.
7. On or about December 1, 2015, Defendants published false and defamatory statements concerning the Plaintiff to third parties, via a Facebook page titled "Stop the Elm Springs Wind Farm."
8. Defendants published the following statement concerning the Plaintiff (photo attached as Ex. 1):

"[T]he men involved with Dragonfly and Elite Energy have a long criminal history of scamming people out of money."

9. Defendants published the following statement, alongside a photograph of the Plaintiff's Chief Executive Officer (photo attached as Ex. 2):

"Do these look like 'experts' in wind energy to you, or do they look like career criminals who scam people...?"

10. Defendants published the following statement about the Plaintiff's wind farm project in Elm Springs, Arkansas (photo attached as Ex. 3):

"It should be completely obvious to anyone with a tad bit of common sense that this is just another one of their scams."

11. Defendants published the following statement concerning the Plaintiff (photo attached as Ex. 4):

"We thought this was a scam from the beginning. The men who started this company have zero experience in wind energy..."

12. Defendants published the following statement concerning the Plaintiff (photo attached as Ex. 5):

“[T]hey didn’t perform wind studies for as long as is necessary, this turbine has been tried before and failed before...”

13. The Defendants’ defamatory statements quoted in paragraphs 8, 9, 10, 11, and 12 are false.
14. Plaintiff is a private figure.
15. Defendants published the above-described statements with malice, in that Defendants knew of the falsity of the statements at the time of publication, or published with reckless disregard as to the truth or falsity of the statements.
16. Plaintiff has suffered damages in excess of the jurisdictional amount of \$5,000 as a result of the Defendants’ statements, including extensive damages to the company’s public image and to its’ reputation in the wind energy industry.

WHEREFORE, Plaintiff prays that a judgment be entered against Defendants as follows:

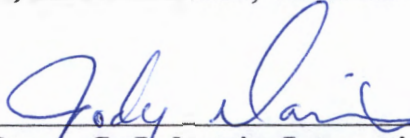
- a. Order for Injunctive Relief, requiring Defendants to remove all defamatory statements about Plaintiff from their website; and
- b. Order for compensatory damages for harm caused to Plaintiff’s reputation by Defendants’ defamatory statements, in an amount to be proven at trial; and
- c. Punitive Damages; and
- d. Any other relief this Court deems just.



Dragonfly Industries International, LLC, (Jody
Davis, CEO) Petitioner

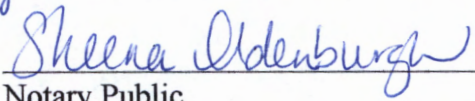
CERTIFICATE OF SERVICE

I hereby certify that I have this 14 day of JAN, 2015, served this Complaint, along with a Summons, by process server, to the Defendant, Jonathan Hamby, at 13401 N. Tally Gate Rd., Springdale, Arkansas, and to Defendant, Vivian Hamby, at 13401 N. Tally Gate Rd., Springdale, Arkansas.



Dragonfly Industries International, LLC, (Jody Davis, CEO) Petitioner

Subscribed and sworn to before me, a Notary Public, at my office in Washington County, Arkansas on this 14th day of January, 2015.



Notary Public

My Commission Expires: June 16, 2025

SHEENA OLDENBURGH
Notary Public - State of Arkansas
Benton County
Comm. # 12695218 Exp. June 16, 2025

Exhibit 1

1 of 54

Elm Springs Wind Farm

Like Message

out Photos Likes More ▾

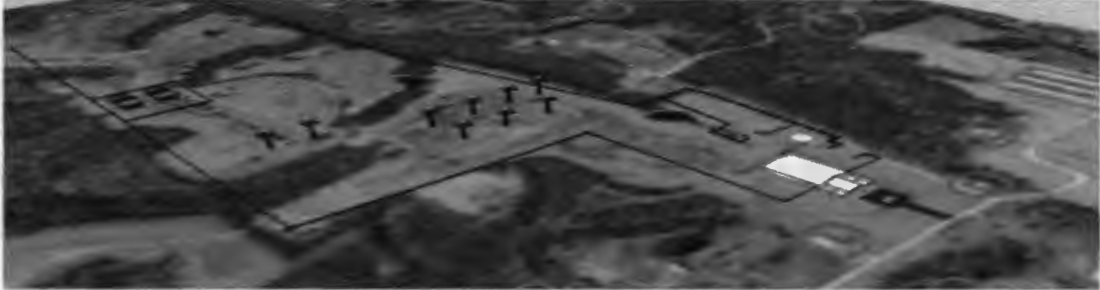
Status Photo / Video

Write something on this Page...

TOO CLOSE Stop the Elm Springs Wind Farm 7 hrs · 🌐

Hey everyone! Just wanted to remind you that today is the last day to get questions submitted to windfarm@elmsprings.net!

We hope the mayor, city council, and planning commission will decide that these questions don't even need to be asked since we have all found out that the men involved with Dragonfly and Elite Energy have a long criminal history of scamming people out of money. It should be completely obvious to anyone with a tad bit of common sense that this is just another one of their scams.



Like Comment Share

10 people like this.

Write a comment..

TOO CLOSE Stop the Elm Springs Wind Farm November 26 at 1:18pm · 🌐

Happy Thanksgiving from our homes to yours! We are so thankful for all of our friends, family, and extended family that has supported us and

Exhibit 2



Write a comment...



Kate Weglom Shoulders I was just about to share this article with you!

Like Reply · 1 · 7 hrs



Stop the Elm Springs Wind Farm added 2 new photos.

November 25 at 9:22am · 🌐

MUGSHOTS

Do these look like "experts" in wind energy to you, or do they look like career criminals who scam people out of their hard earned money? Please demand that the city of Elm Springs cut all ties with these men and cease all discussions about rezoning. Thank you for your help folks!!



Like



Comment



Share

22 people like this.

Top Comments ▾

13 shares



Write a comment...



Exhibit 3

●●○○ Sprint LTE 10:55 AM 14%

Done Stop the Elm Springs Wind Far...

About Photos Likes More ▾

Status Photo / Video

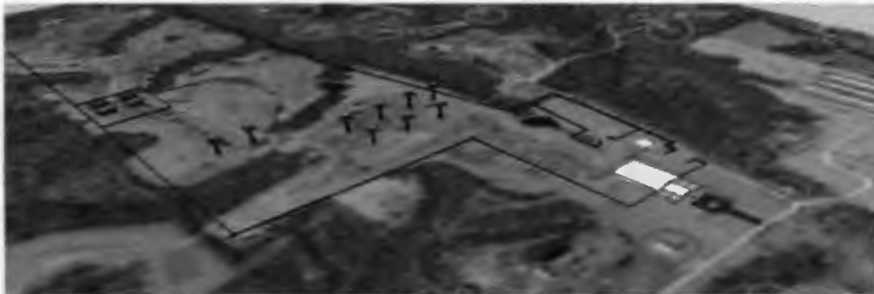


Write something on this Page...

TBD Stop the Elm Springs Wind Farm
CLOSE 7 hrs ·

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Like Comment Share

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Write a comment...

TBD Stop the Elm Springs Wind Farm
CLOSE November 26 at 1:18pm ·

Happy Thanksgiving from our homes to yours! We are so thankful for all of our friends, family, and extended family that has supported us and encouraged us to "fight for right" in this battle. May God bless all of you, and may we all find something that we can be truly thankful for on this holiday! God Bless!

Exhibit 4

 restitution since getting out of prison. Sounds like a winner.....

Like Reply  3 November 19 at 3:46pm

 Theresa Singleton Amazing isn't it.

Like Reply  1 November 19 at 3:38pm

 Tom Wobbe



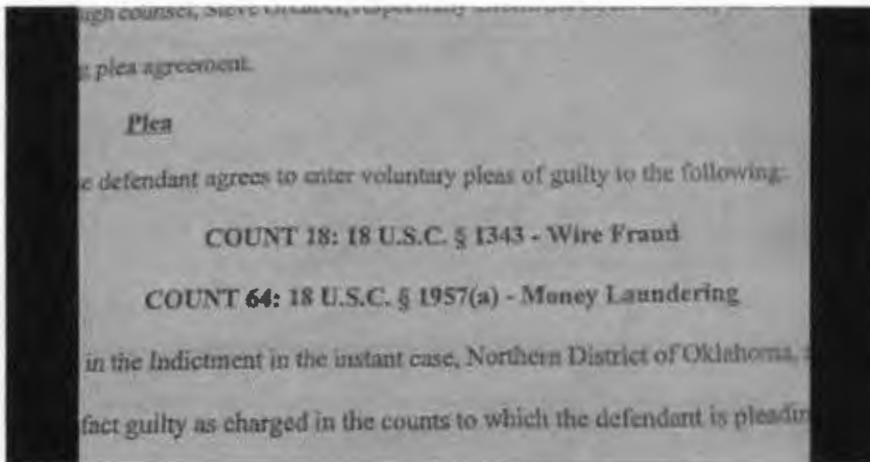
Like Reply November 19 at 9:13pm

Write a comment...

Stop the Elm Springs Wind Farm

 November 19 at 9:40am Edited

We thought this was a scam from the beginning. The men who started this company have zero experience in wind energy, they want to build a wind farm in Arkansas where there is not enough wind to sustain a wind farm, they didn't perform wind studies for as long as is necessary, this turbine design has been tried before and failed, they have never built one of their "experimental" wind turbines, they don't have a buyer for their energy, they say they don't need federal subsidie... See More



Attorney: Wind Farm CEO Has Criminal History



It would be the first wind farm by newly-founded Dragonfly Industries. The company's website says its CEO, Jody Davis, has over 20 years of experience in marketing, leadership and product development. But Tuesday a lawyer...



WWW.NWAHOME PAGE.COM | BY JUSTINE WARD

 Like  Comment  Share

12 people like this.

Exhibit 5

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Like · Reply ·  3 November 19 at 3:46pm

 Theresa Singleton Amazing isn't it.
Like · Reply ·  1 November 19 at 3:38pm

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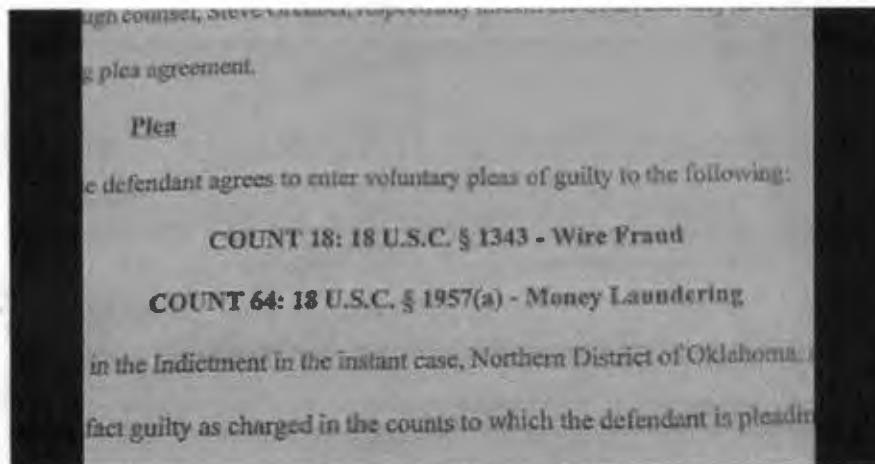


Like · Reply · November 19 at 9:13pm

Write a comment...

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