

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS  
CIVIL DIVISION

WASHINGTON COUNTY SOIL &  
WATER CONSERVATION DISTRICT,  
a political subdivision of the State of  
Arkansas

PLAINTIFF

VS.

NO. 72CV-18-3296

ARKANSAS ASSOCIATION OF  
CONSERVATION DISTRICTS

DEFENDANT

**ORDER**

On this \_\_\_\_ day of January, 2019, comes before the Court the above-styled matter. Based upon all matters properly before the Court and the agreement of the parties, the Court finds and orders:

1. This matter involves an appeal from a denial of rights under the Arkansas Freedom of Information Act (herein "FOIA") pursuant to Ark. Code Ann. § 25-19-107(a).

2. Defendant Arkansas Association of Conservation Districts is subject to requests for production of public records made pursuant to the Arkansas Freedom of Information Act.

3. Plaintiff Washington County Soil & Water Conservation District made a request to Defendant, being made pursuant to the Arkansas Freedom of Information Act, on October 24, 2018 which stated:

**"We are requesting copies of all documents that AACD used to calculate our recent payment of \$4,080 for license plate sales. Our understanding is that you receive an accounting of license plate sales by county each month from the state."** [emphasis in original]

4. After the passage of well more than one month, the Defendant's agent notified the Plaintiff:

"I was informed by the Arkansas DF&A that AACD could not release their

reports to anyone as we explained previously. We provided you the spreadsheet that every other county received. Given DF&A's guidance I personally don't intend to release the information. Those reports contain a great deal of private information on the individuals who purchased the special plate. I am sure your board values their private information and I suspect many of these individuals would feel the same if informed that it had been released.

Please forward any further correspondence directly to the AACD Executive Board. Since your district is not a member of AACD I am not sure it is appropriate to make requests of me which incurs an expense to the membership. Our member districts are very appreciative of the funds AACD provides to them via license plate funds. We regret that receiving \$4,080 did not suffice but that was based on the reports received from DF&A."

5. Defendant's failure to provide the requested documents was a violation of the Arkansas Freedom of Information Act.

6. Defendant has now provided the requested documents to the Plaintiff.

7. In a prior case between the Washington County Soil & Water Conservation District and AACD, in Washington Circuit Case Number 16CV-1282-1, the Washington Circuit Court, Division 1, ordered as follows:

"Defendant Arkansas Association of Conservation Districts is directed to respond appropriately to any future valid FOIA requests made by Plaintiff Washington County Soil & Conservation District."

8. Defendant Arkansas Association of Conservation Districts is again directed to respond appropriately to any future valid FOIA requests made by Plaintiff Washington County Soil & Conservation District. Plaintiff agrees not to seek any further remedy in Washington Circuit Case Number 16CV-1282-1 as a result of any claims made in this cause of action.

9. Defendant shall reimburse Plaintiff for the filing fees in this matter in the amount of \$187.50. Plaintiff has waived the right to recover any attorney fees.

IT IS SO ORDERED.

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Honorable John Threet  
Circuit Judge

APPROVED:



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Attorney for the Plaintiff



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Arkansas Judiciary

**Case Title:** WASHINGTON CO SOIL & CONSER V AR ASSOC OF  
CONSERVA  
**Case Number:** 72CV-18-3296  
**Type:** AGREED ORDER

So Ordered

A handwritten signature in black ink, reading "John C Threet".

Honorable John C Threet