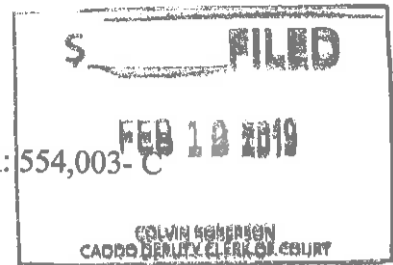


RYAN HAYGOOD, DDS  
AND HAYGOOD DENTAL CARE, LLC

SUIT NUMBER: 554,003-C



FIRST JUDICIAL DISTRICT COURT

VERSUS

ROSS H. DIES, ROSS H. DIES, DDS, J.  
CODY COWEN, DDS AND BENJAMIN A.  
BEACH, DDS, A PROFESSIONAL  
DENTAL LIMITED LIABILITY COMPANY, CAMP MORRISON, BARRY  
OGDEN, KAREN MOORHEAD AND  
DANA GLORIOSO CADDO PARISH, LOUISIANA

**MOTION FOR PRELIMINARY INJUNCTION, PROTECTIVE ORDER,  
AND FOR SANCTIONS**

NOW INTO COURT, through undersigned counsel, comes Plaintiffs, RYAN HAYGOOD, DDS and HAYGOOD DENTAL CARE, LLC, who hereby file this Motion for Preliminary Injunction, Protective Order, and for Sanctions, showing as follows:

1.

Plaintiffs, RYAN HAYGOOD, DDS and HAYGOOD DENTAL CARE, LLC, (hereinafter "Plaintiffs", "Movants", or "Haygood") filed the underlying suit against Defendant, the Louisiana State Board of Dentistry (hereinafter "LSBD" or "Dental Board"), and others, alleging, in part, violations of the Louisiana Unfair Trade Practices Act (La. R.S. 51:1409 *et seq.*) ("LUTPA"); deprivation of due process; and conspiracy attributable to the same.

2.

This suit stems from the illegal, unethical, and otherwise inappropriate, actions of the Dental Board and its employees, contractors, appointees, agents, assigns, and/or affiliates, which led to Dr. Haygood's loss of his dental license (which was subsequently reinstated, but not without cost); reputational damage; the loss of Dr. Haygood's ability to effectively practice in the State of Louisiana, all because of a "witch hunt" by a few Dental Board members and affiliates who sought to destroy Dr. Haygood's dental practice.

3.

Since before the institution of this suit, and as more fully set forth in the accompanying memorandum, the Dental Board and its employees, contractors, appointees, agents, assigns, and/or affiliates, have taken—and continue to take—improper actions towards Dr. Haygood and other witnesses in this matter, which have prompted baseless, yet additional, investigations and the

initiation of groundless formal administrative hearings. Dr. Haygood's petition, as amended and supplemented, expressly alleges on-going acts by the Dental Board as an additional basis of recovery.

4.

Upon information and belief and as more fully set forth in the accompanying memorandum, since before the institution of this suit, and continuing through today, the Dental Board and its employees, contractors, appointees, agents, assigns, and/or affiliates, or those acting on the Dental Board's behalf, have attempted to (and continue to attempt to) influence and otherwise affect Dr. Haygood's and his witnesses' testimony through coercion, threats, intimidation, bribery, and other undue means.

5.

These actions include, but are not limited to: threatening and intimidating witnesses prior to depositions; document destruction; filing unfounded and otherwise improper complaints against dentists for their testimony in front of State Legislative bodies; cyberstalking potential witnesses; threatening and intimidating potential witnesses via text message in an effort to silence and/or convince them to change their testimony; threatening and intimidating potential witnesses through bribery, surveillance and other illegal tactics; document fabrication; and, other acts which are, crimes, statutorily prohibited or otherwise prohibited by law, and/or violative of constitutional rights.

6.

Without limiting the generality of the foregoing, the accompanying memorandum shows that Dr. Haygood, Diana Chenevert—an individual who was a prior employee of the Dental Board—and, Dr. Randall Wilk all testified before the Louisiana Legislature in April and/or May 2018, in support of SB 260 (now Act 266 of 2018), and voiced their concerns about the conduct of the Dental Board. Thereafter, upon information and belief, all three were subject to acts by the Dental Board (or by those acting on the Dental Board's behalf), which sought to "chill" their speech and silence Dr. Haygood, Ms. Chenevert and Dr. Wilk from speaking out further against the Dental Board. There were also threats, calling for a retraction of their testimony to the Louisiana Legislature.

7.

As set forth more fully in the accompanying memorandum, these actions by the Dental Board (or those purporting to act on its behalf) also aimed to silence, harass and/or intimidate Dr. Haygood, Ms. Chenevert and Dr. Wilk, all of whom will be witnesses at trial in this (and/or other) litigation; and, to serve as warning to any other potential witnesses who were considering speaking out against the Dental Board, its employees, contractors, appointees, agents, assigns, affiliates, and/or those acting (or purporting to act) on its behalf.

8.

Alternatively, and in addition to being violative of prohibitory laws and of constitutional rights, these acts facially cause irreparable harm to Plaintiffs (and potential witnesses) in the case *sub judice* and, in their everyday lives.

9.

As set forth more fully in the accompanying memorandum, Plaintiffs request that this Court, after due proceedings are had, enter a preliminary injunction in favor of Plaintiffs and against Defendant, the Louisiana State Board of Dentistry and its employees, contractors, appointees, agents, assigns, affiliates, and/or those acting (or purporting to act) on its behalf, by enjoining them from calling, e-mailing, texting, corresponding, or otherwise contacting or attempting to contact any and all of Plaintiffs' potential witnesses in this litigation, until at least the conclusion of this litigation (which would include appeal of any and all final judgment(s)) including, but not limited to, the following:

- Ryan Haygood, DDS;
- Haygood Dental Center, LLC;
- Diana Bianchini Chenevert;
- Gregory John Folse, DDS;
- Wendy Green;
- Allison Schenk;
- Julie Snyder;
- Randall M, Wilk, DDS, MD, PhD, APMC; and/or,
- Henry A. Long, Jr., DDS.

If any contact or communication need be had with any duly licensed dentist or dental hygienist, listed above, for matters which are not in any way related to this suit but must be done in the ordinary course of the Dental Board's business, such contact must be made through his or her attorney(s), if possible; or, otherwise by written correspondence, via certified mail. In either case, a copy of any such correspondence must also be provided to this Court, simultaneously with the mailing of the same.

10.

In the alternative (and in lieu of a preliminary injunction), Plaintiffs request that this Court issue a protective order in favor of Plaintiffs and as to the following persons, restricting any and all communications from the Louisiana State Board of Dentistry and its employees, contractors, appointees, agents, assigns, affiliates, and/or those acting on its behalf:

- Ryan Haygood, DDS;
- Haygood Dental Center, LLC;
- Diana Bianchini Chenevert;
- Gregory John Folse, DDS;
- Wendy Green;
- Allison Schenck;
- Julie Snyder;
- Randall M, Wilk, DDS, MD, PhD, APMC;
- Henry A. Long, Jr., DDS; and,
- Any and all person(s) who will and/or may be called as witnesses by Plaintiffs at trial in this matter.

If any contact or communication need be had with any duly licensed dentist or dental hygienist, listed above, for matters which are not in any way related to this suit but must be done in the ordinary course of the Dental Board's business, such contact must be made through his or her attorney(s), if possible; or, otherwise by written correspondence, via certified mail. In either case, a copy of any such correspondence must also be provided to this Court, simultaneously with the mailing of the same.

11.

Plaintiffs further request, as more fully set forth in the accompanying memorandum, that this Court order that the Dental Board, its employees, contractors, appointees, agents, assigns, affiliates, and/or anyone acting on its behalf, produce to Plaintiffs any and all documents, correspondence, and communications (including e-mails, text messages (through normal means or otherwise)); as well as telephone records that evidence, relate, or pertain to the conduct at issue in the present Motion, from at least March 1, 2018, through the present day.

12.

As explained more fully in the accompanying memorandum, Plaintiffs request that this Court award attorneys fees and costs to Plaintiffs related to the cost of this filing; and, any other relief that this Court deems proper.

13.

Plaintiffs request that this Court grant this relief for the reasons set forth more fully in the accompanying memorandum in support, which is incorporated herein by reference.

**WHEREFORE**, Plaintiffs pray that this Court hold a hearing on Plaintiffs' *Motion for Preliminary Injunction, Protective Order, and for Sanctions* within not less than two and no more than ten days of service of this Notice, as required by La. C.C.P. art. 3602.

**FURTHERMORE**, Plaintiffs pray that, after all due proceedings be had, there be a judgment herein in favor of Plaintiffs, Ryan Haygood, DDS, and Haygood Dental Care, LLC, as proposed in the accompanying memorandum and as incorporated by reference herein.

**FURTHERMORE**, Plaintiffs pray that, after all due proceedings be had, that the Dental Board, its employees, contractors, appointees, agents, assigns, affiliates, and/or anyone acting on its behalf, produce to Plaintiffs—within twenty (20) days of this Court's ruling—any and all documents, correspondence, and communications (including e-mails, text messages (through normal means or otherwise)); as well as telephone records that evidence, relate, or pertain to the conduct at issue in the present Motion, from at least March 1, 2018, through the present day.

*{Signatures appear on the following page}*

Respectfully submitted,

HARPER LAW FIRM  
(A Professional Law Corporation)

BY: 

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**ATTORNEYS FOR PLAINTIFFS, RYAN  
HAYGOOD, DDS AND HAYGOOD DENTAL  
CARE, LLC**

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a copy of the foregoing has been served on counsel of record by e-mail, hand-delivery, and/or by placing the same in the United States Mail (as indicated below), properly addressed and first class postage prepaid to:

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On this **12th** day of **February, 2019.**

  
\_\_\_\_\_  
OF COUNSEL

RYAN HAYGOOD, DDS AND SUIT NUMBER: 554,003-C  
HAYGOOD  
DENTAL CARE, LLC

FIRST JUDICIAL DISTRICT COURT

VERSUS

ROSS H. DIES, ROSS H. DIES, DDS, J.  
CODY COWEN, DDS AND BENJAMIN  
A. BEACH, DDS, A PROFESSIONAL CADDO PARISH, LOUISIANA  
DENTAL LIMITED LIABILITY  
COMPANY, CAMP MORRISON, BARRY  
OGDEN, KAREN MOORHEAD AND  
DANA GLORIOSO

**ORDER**

**CONSIDERING THE FOREGOING MOTION:**

**IT IS HEREBY ORDERED** that the Louisiana State Board of Dentistry show cause, if it can, on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, at \_\_\_\_\_ o'clock \_\_\_\_ .M. why Plaintiffs' *Motion for Preliminary Injunction, Protective Order, and for Sanctions* should not be granted.

THUS DONE AND SIGNED in Shreveport, Caddo Parish, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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DISTRICT COURT JUDGE

**PLEASE SERVE:**

**Louisiana State Board of Dentistry**  
*through its counsel of record*  
Lawrence W. Pettiette, Jr.  
*Pettiette, Armand, Dunkelman,*  
*Woodley, Byrd & Cromwell, LLP*  
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