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Tree of Life Wins Case After Defendant Disappears

by **Arkansas Business Staff**

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A U.S. District Court judge recently awarded \$1.6 million to a North Little Rock company after the company it sued failed to talk to its own attorneys or be involved in court proceedings.

Judge D.P. Marshall Jr. ruled in favor of Tree of Life Seeds Inc., which sued Island Consulting Inc. of Sheridan, Wyoming, in January 2020.

Tree of Life said in its lawsuit in Little Rock federal court that Island Consulting owed it \$1.6 million for 108 pounds of hemp seeds. Tree of Life is represented by attorney Kelly McNulty of Gill Ragon Owen of Little Rock.

Island Consulting denied the allegations of wrongdoing in its court filing and filed a counterclaim charging the hemp seeds were defective and wouldn't grow, according to its filing by attorneys Erika Gee, Jacob Fair and Adrienne L. Baker of Wright Lindsey & Jennings of Little Rock.

But Island Consulting's case didn't get very far after that filing. In July, the Wright attorneys asked the judge for permission to withdraw from the case because the company had not paid its legal bills and had stopped talking with the attorneys.



Marshall denied the request, saying a corporate defendant had to be represented. Instead, he wanted an Island Consulting representative to appear at an August proceeding, but no one did.

Marshall then set another date for September and this time ordered a representative from the company to appear and to hire another attorney.

But that order didn't prompt the company to show up, resulting in Marshall tossing out Island Consulting's counterclaim as punishment.

Marshall then set a date in November for a corporate representative to appear. When one didn't come to court, that was the final straw for Marshall. He threw out Island Consulting's answer, allowing Tree of Life Seed to win the case.

"This record leads to only one conclusion: Island Consulting has willfully disregarded this Court's Orders for several months," Marshall wrote. "A case can't progress in the face of a party's willful disobedience."

He also added that "there's no confusion or mistake here" and that the company was "stonewalling, which has prevented current counsel from representing this corporation and prevented any progress in this case."

Marshall also tacked on \$268 in costs and \$11,320 in legal fees to the judgment.



In This Story

[Wright Lindsey and Jennings LLP](#), [Erika Gee](#), [Adrienne Baker](#), [Gill Ragon Owen PA](#), [D.P. Marshall Jr.](#), [Kelly McNulty](#), [Jacob Fair](#), [Tree of Life Seeds Inc.](#), [Island Consulting Inc.](#)