

From: Holly Armstrong mrf saddlebreds@gmail.com
Subject: Code of Conduct-Holly Armstrong/Kathy Peterson-Herbst
Date: June 18, 2024 at 12:39:25 PM
To: Rachel Seifert rachel_seifert@icloud.com
Cc: d.mount@saddlebred.com

Holly Armstrong
1600 E Cohoctah Road
Howell, MI 48855
(810) 599-0747

June 18, 2024

Rachel Seifert
American Saddlebred Horse and Breeders Association
4083 Wing Commander Way, Suite 50
Lexington, KY 40511

RE: Litigation resolution
Code of Conduct Violation filed 10/14/2022

Dear Rachel,

This letter is to provide the Conduct Review Committee the updated resolution to my ongoing litigation filed against Kathy Peterson-Herbst and ask for a formal ruling on two outstanding items. When this lawsuit was filed in October, 2022, I had also filed two Code of Conduct violations against Kathy Peterson-Herbst.

As you know, one of the violations was reviewed and resolved by the board but the second violation was left on hold pending the outcome of my litigation. Wheels of justice turn slowly but with great satisfaction, I can say the justice system worked and finally my litigation against Kathy Peterson-Herbst has concluded with a jury verdict in my favor on all counts.

The jury unanimously agreed that Kathy intentionally altered the identity of the horse she sold me, creating false documents including forgery to support her misrepresentation of the horse.

I was awarded damages, punitive damages plus attorney fees and the judge presiding over the case has referred the matter to the Dubuque County Prosecutor for felony criminal charges to be considered.

Kathy Peterson-Herbst also filed a Code of Conduct violation against me (approximately December, 2022) claiming I breached a lease agreement on a horse to which I am co-owner, I'm Spotts Illustrated. That lease agreement she submitted to you as well as to the Dubuque County court was proven to be fraudulent with my signature forged. No such agreement ever existed and she manufactured it solely to file a countersuit against me. The jury saw the truth and awarded accordingly in my favor.

I am requesting to have a formal resolution on record by the Conduct Review Committee on the two outstanding violations (one filed by me and the other by Kathy). I am a long-standing member of ASHBA and do not want to have an outstanding violation claim made against me without a formal decision on record.

Given the severity of the violations Kathy was found to have committed, I believe her actions would warrant a lifetime ban from ASHBA.

I have attached a copy of the order filed yesterday which shows a Judgment against Kathy and the case is concluded. Please let me know if you need any additional supporting information on this litigation.

Thank you for your consideration and assistance.

Sincerely,

Holly Armstrong

IN THE IOWA DISTRICT COURT FOR DUBUQUE COUNTY

HOLLY A ARMSTRONG

Plaintiff

vs

KATHY PETERSON HERBST

Defendant

Case No: 01311 SCSC094031

ORDER

This matter is hereby terminated as a result of jury verdict being rendered in LACV114239.

Costs are assessed against Kathy Peterson Herbst.

COPIES:



State of Iowa Courts

Case Number
SCSC094031
Type:

Case Title
HOLLY A ARMSTONG VS KATHY PETERSON
ORDER FOR JUDGMENT

So Ordered

A handwritten signature in cursive script, reading "Monica Zrinyi Ackley".

Monica Zrinyi Ackley, District Court Judge
First Judicial District of Iowa

IN THE DISTRICT COURT IN AND FOR DUBUQUE COUNTY

<p>HOLLY ARMSTRONG. Plaintiff,</p> <p>Vs.</p> <p>KATHY PETERSON HERBST Defendant.</p>	<p>Case No. 01311 LACV114239</p> <p>VERDICT REGARDING PLAINTIFF'S CLAIMS</p>
-------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------

We the jury, make the following findings as to the claims submitted for our consideration.

FRAUD / MISREPRESENTATION – COOL CAT COMMANDER / HOCUS POCUS

QUESTION ONE: Did Ms. Peterson Herbst make false misrepresentations to Ms. Armstrong in the purchase of a horse in 2022?

CIRCLE ONE: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question two.]

QUESTION TWO: Were Ms. Peterson Herbst's false representations the cause of any of Ms. Armstrong's damages in the purchase of the horse in 2022?

CIRCLE ONE: YES NO

[If your answer to question two is NO, go no further. If your answer is YES, proceed to question three.]

QUESTION THREE: What amount of damages do you award to Ms. Armstrong?

Damages: \$11,500

STALLION LEASE AGREEMENT – I'M SPOTTS ILLUSTRATED

QUESTION ONE: Did Ms. Peterson Herbst forge Ms. Armstrong's signature on a Stallion Lease Agreement regarding I'm Spotts Illustrated?

CIRCLE ONE: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question two.]

QUESTION TWO: Did Ms. Peterson Herbst present this forged document to the American Saddlebred Horse Breeding Association to assert that Ms. Armstrong breached this agreement?

CIRCLE ONE: YES NO

[If your answer to question two is NO, go no further. If your answer is YES, proceed to question three.]

QUESTION THREE: Were Ms. Peterson Herbst's actions and statements to ASHBA the cause of any damage to Ms. Armstrong?

Circle One: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question four.]

QUESTION FOUR: What amount of damages do you award to Ms. Armstrong?

Damages: \$11,000

DEFAMATION

QUESTION ONE: Did Ms. Ms. Peterson Herbst publish statements about Ms. Armstrong?

CIRCLE ONE: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question two.]

QUESTION TWO: Were Ms. Peterson Herbst's statements true?

CIRCLE ONE: YES NO

[If your answer to question two is YES, go no further. If your answer is NO, proceed to question two.]

QUESTION THREE: Were any of Peterson Herbst's statements the cause of any damage to Ms. Armstrong?

Circle One: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question four.]

QUESTION FOUR: What amount of damages do you award to Ms. Armstrong?

Damages: \$16,000


Foreperson

IN THE DISTRICT COURT IN AND FOR DUBUQUE COUNTY

<p>HOLLY ARMSTRONG. Plaintiff,</p> <p>Vs.</p> <p>KATHY PETERSON HERBST Defendant.</p>	<p>Case No. 01311 LACV114239</p> <p>VERDICT REGARDING DEFENDANT'S CLAIMS</p>
-------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------

We, the jury, make the following findings as to the claims submitted for our consideration.

STALLION LEASE AGREEMENT

QUESTION ONE: Was there a valid Stallion Lease Agreement entered into between the parties for I'm Spotts Illustrated?

Circle One: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question two.]

QUESTION TWO: Did Ms. Armstrong breach the Stallion Lease Agreement?

Circle One: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question three.]

QUESTION THREE: Was the breach by Ms. Armstrong the cause of any damage to Ms. Peterson Herbst?

Circle One: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question four.]

QUESTION FOUR: What amount of damages do you award to Ms. Peterson Herbst?

Damages: _____

DEFAMATION

QUESTION ONE: Did Ms. Armstrong publish statements about Ms. Peterson?

CIRCLE ONE: YES **NO**

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question two.]

QUESTION TWO: Were Ms. Armstrong's statements true?

CIRCLE ONE: YES NO

[If your answer to question two is YES, go no further. If your answer is NO, proceed to question three.]

QUESTION THREE: Were any of Ms. Armstrong's statements the cause of any damage to Ms. Peterson Herbst?

Circle One: YES NO

[If your answer to question one is NO, go no further. If your answer is YES, proceed to question four.]

QUESTION FOUR: What amount of damages do you award to Ms. Peterson Herbst?

Damages: _____


Foreperson

IN THE DISTRICT COURT IN AND FOR DUBUQUE COUNTY

<p>HOLLY ARMSTRONG. Plaintiff,</p> <p>Vs.</p> <p>KATHY PETERSON HERBST Defendant.</p>	<p>Case No. 01311 LACV114239</p> <p>SPECIAL INTERROGATORY FOR PUNITIVE DAMAGES</p>
-------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------

Question No. 1: Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of Ms. Peterson Herbst constituted willful and wanton disregard for the rights or safety of another?

CIRCLE ANSWER: YES NO

[If your answer to Question No. 1 is "No" do not answer Question Nos. 2 and 3]

Question No. 2: Was the conduct of Ms. Peterson Herbst directed specifically at Ms. Armstrong?

CIRCLE ANSWER: YES NO

[If your answer to Question No. 2 is "No" do not answer Question No. 3]

Question No. 3: What amount of punitive damages, if any, do you award?

ANSWER: \$38,000


Foreperson



State of Iowa Courts

Case Number
LACV114239
Type:

Case Title
HOLLY ARMSTRONG VS KATHY PETERSON
OTHER ORDER

So Ordered

A handwritten signature in cursive script that reads "Monica Zrinyi Ackley".

Monica Zrinyi Ackley, District Court Judge
First Judicial District of Iowa

Electronically signed on 2024-06-14 10:39:49

Sent from my iPhone