

EXHIBIT

A



**Service of Process
Transmittal**
07/23/2015
CT Log Number 527519504

TO: Chris Howard, Executive VP, General Counsel and Sec.
Acadia Healthcare Company, Inc.
6100 Tower Cir Ste 1000
Franklin, TN 37067-1509

RE: **Process Served in Texas**

FOR: HMIH CEDAR CREST, LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Delisa Duncan Russell, Pltf. vs. HMIH Cedar Crest, LLC, etc., Dft.
DOCUMENT(S) SERVED: Citation, Return of Service, Petition
COURT/AGENCY: 169th Judicial District Court, Bell County, TX
Case # 2788140
NATURE OF ACTION: Employee Litigation - Wrongful Termination - 05/28/2215
ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX
DATE AND HOUR OF SERVICE: By Process Server on 07/23/2015 at 14:20
JURISDICTION SERVED : Texas
APPEARANCE OR ANSWER DUE: At or Before 10:00 a.m. on the Monday next following the expiration of 20 days
after service
ATTORNEY(S) / SENDER(S): John Cullar
Cullar & McLeod, L.L.P.
801 Washington Avenue
Suite 500
Waco, TX 76701
254-753-1991
ACTION ITEMS: CT has retained the current log, Retain Date: 07/24/2015, Expected Purge Date:
07/29/2015
Image SOP
Email Notification, Chris Howard chris.howard@acadiahealthcare.com
Email Notification, Scott Schwieger scott.schwieger@acadiahealthcare.com
Email Notification, Kira Mann kira.mann@acadiahealthcare.com
Email Notification, Lauren Foley lauren.foley@acadiahealthcare.com
SIGNED: C T Corporation System
ADDRESS: 1999 Bryan Street
Suite 900
Dallas, TX 75201
TELEPHONE: 214-932-3601



Server MAIL TO ATTY

THE STATE OF TEXAS

COPY

CITATION

Cause No. 278814 - 0

To

HMIH CEDAR CREST LLC-BY SERVING ITS REGISTERED AGENT
CT CORPORATION SYSTEM
1999 BRYAN STREET, STE. 900
DALLAS, TEXAS 752013136

THIS PROCESS WAS DELIVERED
BY
DAY OF
BELL COUNTY, TEXAS

Defendant, in the hereinafter styled and numbered cause:
You are hereby commanded to appear by filing a written answer to the ORIGINAL PETITION at or before 10:00 a.m. on the first Monday following the expiration of twenty (20) days from the date of service hereof, with the clerk of the 169TH DISTRICT COURT, Bell County, Texas, to be held at the Bell County Justice Complex Building, District Courts in Belton, Texas, a copy of which accompanies this citation, in the cause number 278814 - 0, styled

DELISA DUNCAN RUSSELL
VS
HMIH CEDAR CREST LLC

filed in said court on July 14, 2015.

This was issued at the request of attorney: JOHN CULLAR, 801 WASHINGTON AVE, STE. 500 WACO, TEXAS 76701.

NOTICE TO Defendant: *You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 AM on the first Monday following the expiration of twenty (20) days after you were served this citation and petition, a default judgment may be taken against you.*

Witness, JOANNA STATON, District Clerk of Bell County, Texas.

Issued and given under my hand and seal of said Court at office in Belton, Texas, on July 16, 2015.

JOANNA STATON, District Clerk
Bell County, Texas
1201 West Huey Road
P.O. Box 909
Belton, Texas 76513

By Alice Clemena Deputy Clerk
CLEMENAA





CITATION RETURN OF SERVICE

Cause No. 278814 - 0

**DELISA DUNCAN RUSSELL
VS
HMIH CEDAR CREST LLC**

**IN THE
169TH DISTRICT COURT
BELL COUNTY, TEXAS**

**ADDRESS FOR SERVICE:
HMIH CEDAR CREST LLC-BY SERVING ITS REGISTERED AGENT
CT CORPORATION SYSTEM
1999 BRYAN STREET, STE. 900
DALLAS, TEXAS 752013136**

OFFICER'S RETURN

Came to hand on the _____ day of _____, 20____, at _____, o'clock ____m., and executed in _____ County, Texas by delivering to each of the within named defendants in person, a true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of the **ORIGINAL PETITION** at the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

and the cause or failure to execute this process is:

and the information received as to the whereabouts of said defendant(s) being:

FEES:

Serving Petition and Copy \$ _____

Total \$ _____

_____, Officer

_____, County, Texas

By: _____, Deputy

Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with TRCP Rule 107; the officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The return must either be verified or be signed under penalty of perjury. A return signed under penalty of perjury must contain the statement below in substantially the following form:

"My name is _____, my date of birth is _____, and my address is _____
(First, Middle, Last)

(Street, City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____, on the _____ day of _____.

Declarant/Authorized Process Server

(Id # & expiration of certification)

COPY

Filed 7/14/2015 11:25:33 AM
Joanna Staton, District Clerk
District Court - Bell County, TX
/s/ Melissa Wallace

CAUSE NO. 278,814-C

DELISA DUNCAN RUSSELL	§	IN THE DISTRICT COURT
v.	§	OF BELL COUNTY, TEXAS
HMIH CEDAR CREST, LLC d/b/a CEDAR CREST HOSPITAL & RTC	§ § § § § § §	<u>169TH</u> JUDICIAL DISTRICT

ORIGINAL PETITION

DeLisa Duncan Russell, plaintiff, for her complaint against HMIH Cedar Crest, LLC d/b/a Cedar Crest Hospital & RTC, defendant, alleges as follows:

Discovery Control Plan

1. Discovery is intended to be conducted under Level 2 of Texas Rule of Civil Procedure 190.

Introduction

2. This is an employment action alleging wrongful retaliation under Texas Health & Safety Code § 161.134, et seq., wherein plaintiff seeks to recover actual damages, mental anguish, exemplary damages, attorney's fees, compensation for lost wages and benefits, taxable costs of court, and pre- and post-judgment interest from defendant.

Parties

3. Plaintiff is an individual residing in McLennan County, Texas.

4. HMIH Cedar Crest, LLC d/b/a/Cedar Crest Hospital & RTC is a wholly-owned subsidiary of Acadia Healthcare Company, Inc. ("Acadia") according to the

2014 Texas Franchise Tax Public Information Report filed with the Texas Secretary of State and the 2015 Annual Report Form 10-K, Exhibit 21, filed by Acadia with the U.S. Security and Exchange Commission in February, 2015. Acadia is a foreign publically traded corporation organized and existing under the laws of Delaware. Acadia maintains its principal place of business in the State of Tennessee.

5. Defendant HMIH Cedar Crest, LLC is a foreign limited liability company organized and existing under the laws of Delaware. Defendant's principal place of business is Belton, Bell County, Texas, where defendant does business as Cedar Crest Hospital & RTC. Defendant may be served with citation by serving its registered agent for service, C T Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

6. Whenever in this petition it is alleged that "defendant" committed any act or omission, it is meant the Defendant HMIH Cedar Crest, LLC's officers, directors, affiliates, subsidiaries, vice-principals, partners, agents, servants, owners, operators, managers, or employees committed such act or omission and that at the time such act or omission was committed, it was done with the full authorization, ratification or approval of defendant or was done in the routine normal course and scope of their agency and employment as defendant's officers, directors, affiliates, subsidiaries, vice-principals, partners, agents, servants, owners, operators, managers, or employees.

Jurisdiction and Venue

7. This Court has jurisdiction over both the parties and the subject matter of this suit pursuant to Texas Government Code Section 24.007.

8. The damages sought by plaintiff are within the jurisdictional limits of the Court. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, plaintiff seeks monetary relief over \$200,000 but not more than \$1,000,000.

9. Venue is proper in this Court by reason of the fact that defendant conducts business in Bell County, Texas. Texas Health & Safety Code Section 161.134(g) allows plaintiff to file suit in Limestone County, Texas.

Facts

10. Plaintiff was hired by defendant in or about May, 2014, and started work at Cedar Crest Hospital & RTC on June 3, 2014.

11. Plaintiff was the Director of Business Development for defendant.

12. Beginning on or about March 20, 2015, defendant began a series of retaliatory actions against plaintiff because plaintiff reported a violation of law to her supervisors and administrators of Cedar Crest Hospital.

13. The retaliatory actions against plaintiff ultimately resulted in plaintiff's constructive discharge on or about May 18, 2015.

14. Defendant does business in Belton, Texas as Cedar Crest Hospital & RTC ("Cedar Crest").

15. Cedar Crest is a 112-bed inpatient psychiatric facility.

16. Rob Marsh is the Chief Executive Officer of Cedar Crest.

17. Marsh was responsible for the direct supervision of plaintiff during her employment with defendant.

18. On information and belief, Jon O'Shaughnessy is the Vice President of Operations for Acadia, and the direct supervisor of Rob Marsh. Mr. O'Shaughnessy is responsible for the management and operations of multiple Acadia hospitals, including defendant.

19. On or about February 17, 2015, plaintiff reported to O'Shaughnessy and Marsh that defendant was billing Medicare, Tricare, and other insurers for services which had not been provided by defendant or which had not been provided by licensed professionals, as billed.

20. On or about March 15, 2015, plaintiff reported to Acadia's Corporate Compliance Office the information contained in paragraph 19, together with a report that Marsh and members of his staff altered patient records in advance of an audit of defendant by the State of Texas.

21. On or about March 20, 2015, Marsh prohibited plaintiff from attending management level meetings (FLASH meetings) where all issues involving the hospital were discussed; prior to that date, plaintiff had participated in such meetings.

22. On or about March 25, 2015, Marsh told plaintiff that she was subject to a 90-day improvement plan, and she was to begin carrying out the duties of the

Military Marketer instead of her duties as the Director of Business Development. He told her it was mandatory that she travel at least two days per week and visit two military installations outside the area normally covered by defendant. Plaintiff told Marsh she would have to review the new requirements and discuss them with her family before she would agree to the change in her job requirements. Marsh made clear that plaintiff's failure to meet the terms and conditions outlined herein would subject plaintiff to disciplinary action.

23. Also, on or about March 25, 2015, Marsh removed plaintiff from the Administrator On-call List and prohibited her from doing rounds in Cedar Crest Hospital. Marsh prohibited plaintiff from giving any directions to her staff. He also prohibited her from participating in any meetings where she might have learned of additional acts or omissions of fraud by defendant.

24. On April 1, 2015, Marsh reduced his prior instructions to plaintiff (see paragraph 22) to writing and presented them to her. The written instructions included at least one deadline which was impossible to meet since the deadline had expired prior to April 1, 2015. The April 1, 2015, document made clear that plaintiff's failure to meet the terms and conditions outlined therein would subject plaintiff to disciplinary action.

25. On or about April 7, 2015, Marsh notified plaintiff's former subordinates on the "Business Development Team" that, over the next 90 days, plaintiff would be "out of the area/state," and would be unavailable to answer their immediate

questions or address any pressing concerns. Marsh further advised that, effective April 7, 2015, he would serve as their "direct point of contact and supervisor."

26. On or about April 23, 2015, while on-the-road per Marsh's orders and in the course of her employment with defendant, plaintiff was injured in an automobile accident. Her doctor prohibited her from driving as a result of those injuries.

27. Plaintiff learned that Marsh intended to put plaintiff "back on the road" as soon as she returned to work.

28. From April 1, 2015, until May 13, 2015, plaintiff attempted to meet the impossible and unreasonable tasks, as described in paragraphs 22, 23, and 24 above, which Marsh imposed upon her.

29. On May 13, 2015, plaintiff notified defendant that, because of the retaliatory conduct of Marsh and defendant, she had no choice but to resign from defendant, effective May 18, 2015.

Cause of Action

30. Plaintiff repeats and re-alleges the allegations of the preceding paragraphs as if fully restated herein.

31. Pursuant to Texas Health & Safety Code § 161.134(f), there is a rebuttable presumption defendant retaliated against and constructively discharged plaintiff for making a report related to violations of law because the retaliatory conduct and constructive discharge occurred before the 60th day after the date on

which plaintiff made her reports in good faith.

32. Plaintiff reported violations of law, including fraudulent conduct and falsification of records, to her supervisors and other administrators of defendant.

33. After plaintiff made her reports, defendant retaliated against plaintiff, ultimately resulting in plaintiff's constructive discharge.

34. Defendant's retaliatory conduct violated the Texas Health & Safety Code, including, but not limited to Section 161.134.

35. As a direct and proximate result of defendants' retaliatory conduct set forth above, plaintiff has been damaged, suffering loss of wages and benefits; suffering compensatory damages, including mental anguish, inconvenience, loss of enjoyment of life; and incurring attorney's fees and costs.

36. Plaintiff is further entitled to recover exemplary damages pursuant to Texas Health & Safety Code § 161.134(d).

Attorney's Fees

37. In order to protect her interests and rights guaranteed by the laws of the United States, it was necessary that plaintiff secure the services of the law firm of Cullar & McLeod, L.L.P., licensed attorneys, to prepare and prosecute this suit.

38. Plaintiff further seeks, upon final order of this Court, an award of costs and reasonable attorney's fees for the representation by the above-referenced attorneys in the District Court, as well as a contingent award for costs and reasonable and necessary attorneys' fees in the event the judgment of the District

Court is appealed.

Jury Demand

39. Plaintiff demands a trial by jury and submits the fee to the Clerk with this petition.

Prayer

40. WHEREFORE, plaintiffs pray that this Court:

- (1) Enter a judgment for plaintiff;
- (2) Award plaintiff the damages, as pleaded, which were incurred by defendants' conduct;
- (3) Award plaintiff her costs and reasonable attorney's fees in this action; and
- (4) Award such other and further relief to which plaintiff is entitled.

Respectfully submitted,

CULLAR & McLEOD, L.L.P.
Baylor Tower
801 Washington Avenue, Suite 500
Waco, Texas 76701
Phone: (254) 753-1991
Fax: (254) 753-0244
Email: jcullar@hotmail.com

By: /s/ John Cullar
R. JOHN CULLAR
STATE BAR NO. 05208400

ATTORNEYS FOR PLAINTIFF

CAUSE NO. 278,814-C

DELISA DUNCAN RUSSELL)	IN THE DISTRICT COURT
)	
V.)	OF BELL COUNTY, TEXAS
)	
HMIH CEDAR CREST, LLC d/b/a)	169TH JUDICIAL DISTRICT
CEDAR CREST HOSPITAL & RTC)	

ANSWER

Defendant HMIH Cedar Crest, LLC d/b/a Cedar Crest Hospital & RTC (“Cedar Crest”) responds to the Complaint as follows:

I. GENERAL DENIAL

Pursuant to Rule 92 of the Texas Rules of Civil Procedure, Cedar Crest denies generally each and every allegation contained in Plaintiff’s Original Petition and any amendments and supplements thereto, and demands strict proof thereof by a preponderance of the evidence.

II. AFFIRMATIVE AND OTHER DEFENSES

1. The Petition must be dismissed because Plaintiff’s claims, either in whole or in part, fail to state a claim upon which relief can be granted.

2. The Petition must be dismissed as to each and every averment made or sought to be made against Cedar Crest for any purported unlawful act, omission, or employment practice that is barred by the applicable statute of limitations.

3. The Petition must be dismissed because any employment action taken by Cedar Crest with regard to Plaintiff was taken for legitimate business reasons and not for any unlawful or improper purpose.

4. The Petition must be dismissed because Plaintiff did not make a report of a violation of law in good faith.

5. Without admitting Plaintiff suffered any damages, Cedar Crest avers that it is entitled to a set-off against any recovery by Plaintiff, which must be reduced by any amount of money she received from any other source.

6. Plaintiff's averred damages must be reduced, in whole or in part, to the extent that Cedar Crest discovers after-acquired evidence of wrongdoing by Plaintiff for which she would be terminated.

7. Any claim for compensatory or punitive damages must be dismissed because Plaintiff has failed to plead facts or law sufficient to support the availability of such damages.

8. Cedar Crest reserves the right to modify, amend, or supplement its defenses following further discovery of this matter.

WHEREFORE, having fully answered the Original Petition, Cedar Crest requests that the Original Petition be dismissed with prejudice, that Cedar Crest be awarded its costs, attorney fees, and expenses in the amount and manner permitted by applicable law, and that the Court award Cedar Crest such other and fair relief as is just and proper.

s/Brian A. Pierce
Brian A. Pierce (TX #24079139)
Waller Lansden Dortch & Davis, LLP
511 Union Street, Suite 2700
Nashville, TN 37219
(615) 244-6380 (telephone)
(615) 244-6804 (facsimile)
brian.pierce@wallerlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via certified and electronic mail on this the 14th of August 2015 to:

John Cullar, Esq.
Cullar & McLeod, L.L.P.
Baylor Tower
801 Washington Avenue, Suite 500
Waco, Texas 76701
jcullar@hotmail.com

Attorney for Plaintiffs

s/Brian A. Pierce