



COLBY FREE PRESS

Latest lawsuit names Hildyard, Ketling, Sears 'False and defamatory statements' claimed by a Goodland surgeon

By **PATTY DECKER**
Free Press Editor

A Goodland surgeon has filed a lawsuit against two Colby physicians and one member of the Citizens Medical Center, Inc. board of directors, according to a legal document filed late last week in the District Court of Thomas County.

In addition to that lawsuit, a notice of hearing was also filed for a teleconference before Judge Jack L. Burr on Tuesday, Nov. 26, beginning at 11:30 a.m. (CST) on a separate matter, but also with one of the Colby physicians named in the most recent lawsuit.

Dr. Duncan Davis, who performs surgeries in Goodland and Colby hospital facilities, is suing Dr. Victor H. Hildyard, Dr. Raymond Ketling and Judith Sears on the grounds that they have all made "false and defamatory statements" regarding him.

In the petition, which was filed by Dr. Davis' attorney, Larry G. Michel with the law firm of Kennedy, Berkley, Yarnevich and Williamson of Salina, allegations are that Hildyard and Ketling have made public statements alleging that Davis was the subject to a large number of lawsuits and that he was about to lose his hospital staff privileges.

The legal document also said that Hildyard and Sears have stated that officials in the state of Colorado were exhuming the bodies of Davis' patients because of his incompetence or lack of skill.

In the petition, attorney Michel further asserts that his client reasonably believes that other, similar defamatory statements were made by the three named defendants.

The lawsuit further requests a monetary remedy in the amount of \$75,000 from each of the three defendants for damages caused by their alleged actions. In the separate counts, according

to the information in the petition, Davis has asked the court to rule in his favor against Hildyard, Ketling and Sears for defamatory statements and for damaging his professional reputation, along with the embarrassment alleged to have been caused by their actions.

Hildyard's attorney, Michael O'Neal of Hutchinson, could not be reached today for comment on this newest petition and, as of press time, no answers to Davis' allegations were filed at the district court from Ketling or Sears.

In the hearing scheduled for Tuesday, Hildyard has also been named in a lawsuit by Margaret Ann Staats of Menlo and through her attorney, Charles Worden of Norton.

In that lawsuit, Staats alleges battery, emotional distress and is asking for relief in excess of \$75,000 for herself and for similar relief for her husband, Troy.

The notice of hearing will involve O'Neal's motion on behalf of his client, Hildyard, in which he has asked for "inspection and reproduction" of certain records to which Staats' attorney believes are "overly broad in nature and discovery."

Staats' attorney, according to an objection for subpoena, has further said that he believes business records subpoena for all information and documents of any kind and those relating to the Thomas County Sheriff's office are among those considered to be too broad in nature.

Tuesday's telephone conference will involve Judge Jack Burr, O'Neal and Worden.

In the case against Drs. Hildyard, Ketling and Citizens Medical Center, Inc. board member Judith Sears, Michel on behalf of Dr. Davis, is also demanding discovery, pre-trial conferences and a trial by jury of twelve, in accordance with Kansas law.



MICHELLE L. HAWKINS/Colby Free Press

Students from the Heartland Christian School in Colby worked on Friday afternoon to prepare a meal to be served at their Thanksgiving celebration dinner that evening. Among those taking art were, from

left to right, Merabeth Corbett, Leigh Ann Maurath, Cheyanne Sowers, Jo-elle Endreola and Ariel Regier. Twenty-five guests enjoyed the students' efforts.

Heartland students become chefs for a day

By **MICHELLE L. HAWKINS**
Colby Free Press

Thanksgiving is a time to come together with loved ones and give thanks for the year's blessings.

Children at Heartland Christian School in Colby decided this year to give to those who might not have the opportunity to spend the holiday with loved ones.

On Friday afternoon, students from the third and fourth grades, worked to prepare a Thanksgiving

celebration dinner for 25 guests from the community. The project was made possible from funding from the Thomas County Community Foundation for the 'Kids Can Do' project.

"Students planned and prepared for 25 guests who were invited to the dinner," third and fourth grade teacher, Kandace Rather, said.

"Those invited were mostly individuals who do not have a lot of family and friends to spend the holiday with.

Rather said that often time, people without loved ones to share the holiday with experience mild to severe depression and the students felt that hosting a dinner would be one way to make some connections and add a little joy to their Thanksgiving holiday.

After the dinner, the students provided entertainment for their guests. They prepared various songs and poems to sing and recite.

"The students wanted to also remind their guests that there are many things

to be thankful for, the most important one being that God loves and cares for us," said Rather.

In her second year of teaching at Heartland Christian School, Rather teaches the following students: (third grade) Landon Dirks, Jo-elle Endreola, Nick Larmer, Leigh Ann Maurath, Natalie Jo Morris, Bailey Rather, Kellan Ziegelmeier, (fourth grade) Merabeth Corbett, Clint Goossen, Rachel Myers, Ariel Regier and Cheyanne Sowers.

Grants totaling \$22,000 awarded by foundation in 2002

By **TOM (TD) DREILING**
Free Press Publisher

Yes it works. Very well.

That, in a nutshell, tells the story of the Thomas County Community Foundation, an organization created not too many months ago to make Thomas County a better place in which to live.

Becky Donelan, executive director, told the *Colby Free Press* that the foundation has awarded a total of \$22,000 in grants for 2002. "The awards," she said, "went to a variety of groups and organizations across Thomas County."

As a result of successfully meeting the 2001 Challenge Grant, the Thomas County Community Foundation was awarded an additional \$10,000 from the Kansas Health Foundation, she said, explaining, "This fund was designated by the Kansas Health Foundation to benefit children and youth in Thomas County."

Donelan said that a portion of this

fund was awarded through a grant application process to the following organizations: Girl Scouts to increase participation in the nine local Troops; the Colby School District music department to bring in a musical teaching group that promotes participation in school music programs; the Community Awareness Team for the Thomas County Report Card Project; Smart Start, for a freezer and a baby bed for Kids' Port; Youth Outdoor Skills Day for safety equipment; Genesis-Thomas County for Christmas baskets and shelf re-stocking; Western Plains Arts Association for support of local youth cultural events; Boy Scout Troop 140 for camping equipment; Colby Kids Wrestling and the Colby School District toward a wrestling mat; Colby City Recreation toward an additional batting cage; Shepherd's Staff Youth Center to purchase and install new windows; Pioneer Memorial Li-

brary toward a public use computer; and to Colby High School to sponsor the Freshman Retreat.

"These grants," said Donelan, "totaled \$8,200 and will benefit children of all ages, as well as their families."

Donelan further said that the remainder of the Kansas Health Foundation Fund was used to create a special program called 'Kids Can Do!' Said Donelan, "All 4th and 5th grade classes in Thomas County were invited to submit proposals for up to \$200 per classroom for a project their class would do to make a difference in their community. Eleven classrooms chose to participate." She identified them as: Sacred Heart School 4th and 5th grade classes will work together to sand the parish bus and prepare it for painting so parish and community groups can use it; Heartland Christian School's 3rd and 4th grade prepared a Thanksgiving meal for 20-25 people "who

might not otherwise have someone with whom to share the holiday," she said; Heartland's 5th and 6th graders made and filled activity bags for children who are hospitalized (a picture and story of that project appeared in the *Free Press* this past week); Colby Grade School's 4th grade classes will purchase books for Head Start children, will read to the children and then presented the books to them; the Colby Grade School 5th graders purchased books for Pioneer Memorial Library and take turns reading to the children during story hour this fall (another story covered by the *Free Press*);

Donelan added that "a total of 197 children and 11 teachers will be participating in the 'Kids Can Do!' program, empowering them to make a difference in our community."

Donelan said the City of Colby *Special Law Enforcement Fund* provided a total of \$12,000 in grants to the fol-

lowing organizations: the Thomas County Red Cross for an office computer; Big Brothers/Big Sisters of Thomas County for an outdoor sign, office equipment and volunteer reimbursement; Thomas County Amusement Association for the purchase of a ride or a booth; Thomas County Fair Board for support of youth oriented activities at the county fair; and to Western Plains Arts Association for support of local cultural activities. "As was announced earlier this fall, this fund also awarded scholarships to two Colby Community College Criminal Justice Students," Donelan said.

The foundation is a nonprofit organization founded to endow funds to improve the quality of life for all citizens of the county. "The above grants are examples of the way donors can impact a variety of causes and organizations through the Thomas County Community Foundation," she said.

Homeland Security becomes a reality as President inks bill

WASHINGTON (AP) — President Bush is launching the biggest government reorganization in more than 50 years, signing legislation creating a new Department of Homeland Security.

Bush was naming current homeland security chief Tom Ridge to head the department and Navy Secretary Gordon England to be his deputy at the bill-signing ceremony today.

The new Cabinet department — an idea Bush initially opposed — will swallow existing 22 agencies with combined budgets of about \$40 billion and employ 170,000 workers, the most sweeping federal reorganization since the Defense Department's birth in 1947. Bush proposed the new department last June, saying it was needed to provide a united front against the terrorist threat to the nation.

WeatherWatch

The numbers
Sunday's high, 32
Low this morning, 19
Year ago today, 48 and 25
Records for Nov. 25: 76 in 1910, 7 in 1931

The forecast
Tonight, cold and breezy, lows in the mid teens, northwest winds 15-25 mph, gusting to 35, slight chance for flurries. Tuesday, cloudy early then becoming mostly sunny, cold, highs in the upper 20s, northwest winds again 15-25, gusting to 35, then decreasing later in the day. Tuesday night and Wednesday, partly cloudy, lows around 10 and highs in the mid 30s. Little too early to be talking turkey — weather, that is — for Thanksgiving Day.

Briefly

Landfill holiday schedule noted

The Thomas County Landfill will be closed in celebration of Thanksgiving on Thursday, Nov. 28, and Friday, Nov. 29. The landfill will be open for its regular hours of operation on Saturday and Sunday following the holiday.

For questions, contact the landfill at 462-8139.

Vehicle tag reminder

Donita Applebury, Thomas County treasurer, is reminding everyone that the courthouse will be closed on Thursday and Friday, Nov. 28 and 29 for the Thanksgiving holiday. For those who have not yet purchased tags and whose last name begins with T, V or W, might want to consider buying their license plate tags prior to the holiday since the next available day the office is open will be Monday, Dec. 2. Applebury also said that those planning to travel prior to the holiday should try to come in as early as possible on Wednesday, Nov. 27 or sooner to avoid long waiting lines. For questions, call 462-4520.

Businesses asked to participate

With the Wellness Fair nearing, businesses are being asked to take part in promoting community health and wellness by covering the cost of the fair registration and or health screenings for their employees who may want to participate. The fair will be held on Saturday, Jan. 18, 2003, from 9 a.m. to 1 p.m. at the student union on the Colby Community College campus. Blood work will be done on Saturdays, Jan. 4 and 11. The registration fee is \$5, with the addition fees for some of the tests. For more information about business coupons for the Wellness Fair call Wanda Davis at (785) 462-4797.

Library 'site' benefit is underway

The Western Prairie RC&D is conducting its annual quilt raffle to benefit the "Cooperating Collection Site" at Colby's Pioneer Memorial Library. The site is a collection of reference materials for grant seekers to use to make searching for grant funding sources easier and more successful. The quilt was donated by the Kansas Prairie Quilter's Club and is on display at the library

through the week and at various locations on the weekends. The drawing will be held Dec. 16. Tickets (\$1 each or 6 for \$5) can be purchased at the library or by calling Western Prairie RC&D at (785) 462-2602.

EMTB Course continues

Kathi Wright, Thomas County EMS director, said the EMTB (basic) Course is continuing on Mondays and Wednesdays — through April and additional information is available by calling her at 462-4585.

Girl Scouts raising funds

Colby Girl Scouts in Cadette Troop 110 (seventh graders) are currently selling cookie dough, pizzas and other products with proceeds going to support council-wide activities, said Brette Pfeifer, scout leader. The products are from "Red Wheel" and the scouts will be selling until Nov. 29.

For questions or to place orders, call 462-6998.

