

# COMMONWEALTH OF KENTUCKY

## Claims Commission

### Agenda

December 13, 2016

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The Kentucky Claims Commission received 20 negligence claims filed against the Commonwealth during the month of November, 2016. Paula reports that 24 claims were set up and two (2) were returned for lack of jurisdiction.

Investigator Angela Robertson decided 16 claims under \$1,000.00 in November, 2016. Angela reports that seven (7) of these claims were dismissed and nine (9) were awarded, for a total amount awarded of \$3,947.56.

At its meeting on November 29, 2016, the Kentucky Claims Commission dismissed seven (7) negligence claims and awarded four (4) negligence claims totaling \$21,127.49. Together with the claims investigated in-house, the Claims Commission dismissed a total of 14 negligence claims and awarded a total of 13 negligence claims for a total amount awarded of \$25,075.05 in November, 2016.

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### For Instructions From the Board

BC-2014-00110

John Morrison vs. Finance and Administration Cabinet / Division of Fleet Management;  
Transportation Cabinet / Dept. of Highways; and Cabinet for Health and Family Services

Notes: Commission's Status Order rendered on 9/12/16 and Order to Show Cause rendered 11/15/16; no response was filed by the Claimant to either order.

Counsel's Recommendation: Enter an Order of Dismissal for failure to comply with the orders of this tribunal. ✓

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BC-2015-00193

Vickie Nicholson vs. Eastern Kentucky University

Notes: Agreed Order of Dismissal filed by the parties.

Counsel's Recommendation: Enter the Agreed Order of Dismissal as agreed by the parties. ✓

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BC-2016-00407

Brandy Holland vs. Transportation Cabinet / Dept. of Highways

Notes: Claimant's Request to Withdraw Claim.

Counsel's Recommendation: Enter an Order dismissing this claim as requested by the Claimant. ✓

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BC-2016-00551

Janet Sexton vs. University of Kentucky

Notes: Respondent's Answer recommending payment of the claim.

Counsel's Recommendation: Enter an Order awarding the Claimant \$5,800.00 in settlement of this matter. ✓

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BC-2016-00623

James Messer vs. University of Kentucky

Notes: Respondent's Answer recommending payment of the claim.

Counsel's Recommendation: Enter an Order awarding the Claimant \$1,650.00 in settlement of this matter. ✓

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**Motions**

BC-2016-00364

Joseph Moore; Linda Moore vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's Motion to Dismiss pursuant to KRS 44.073(15) and Claimant's response filed thereto.

Counsel's Recommendation: Overrule the Motion to Dismiss as premature and assign claim to Hearing Officer Patrick Flannery for further proceedings. ✓

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BC-2016-00398

William Walker vs. Administrative Office of The Courts (Justice John Minton)

Notes: Claimant's Motion to Alter, Amend or Vacate the Commission's 10/26/16 Order of Dismissal, Respondent's response, and Claimant's reply filed thereto.

Counsel's Recommendation: Enter an Order denying the Claimant's Motion to Alter, Amend or Vacate the Commission's Order of 10/26/16. ✓

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**Recommended Order**

BC-2014-00708

Lou Raby; Sid Raby vs. Franklin Simpson Board of Education

Notes: Hearing Officer Tim Cocanougher's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim.

Counsel's Recommendation: Adopt the recommendation of the hearing officer denying payment of the claim. ✓

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Total number of Claims: 8

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COMMONWEALTH OF KENTUCKY  
CLAIMS COMMISSION  
*Addendum*

*December 13, 2016*

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**BC-2016-484**

Judy Siebeneicher v. University of Kentucky

Respondent's Amended Answer recommending payment of the claim filed.

Counsel's Recommendation: Enter an Order awarding the Claimant \$3,280.50 for lost dentures.

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*Policies re lost dentures  
&/or hearing aids?*

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