



Andy Beshear
GOVERNOR

Jacqueline Coleman
LIEUTENANT GOVERNOR

PUBLIC PROTECTION CABINET
Kentucky Office of Claims and Appeals

Board of Claims
500 Mero Street, 2SC1
Frankfort, KY 40601
Phone: (502) 782-8255
Fax: (502) 573-4817

Ray A. Perry
SECRETARY

DJ Wasson
DEPUTY SECRETARY

Allyson Taylor
EXECUTIVE DIRECTOR

NOTICE OF REGULAR MEETING

Date: December 4, 2025

Time: 10:00 AM Eastern Standard Time (EST)

Location: Microsoft Teams

- Call to order and roll call
- Executive Director's Reports for October and November 2025
- Approval of October 2025 Minutes
- Full Board Review
- Motions
- Recommended Orders
- Agreed Orders or For Instructions
- Continuance of scheduling on the fourth Tuesday of the month in 2026 and scheduling of January 2026 meeting
- Adjournment
-

Microsoft Teams [Need help?](#)

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Meeting ID: 291 916 016 706 4

Passcode: jy7iK97Z

Dial in by phone

[+1 502-632-6289](tel:+15026326289),[,869796348#](tel:+1869796348) United States, Louisville

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Phone conference ID: 869 796 348#



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Meeting Agenda

Date: December 4, 2025

When moving into Executive Session, use the following language: [Move for the Board to enter executive session, pursuant to KRS 61.815 and KRS 61.810 (1) (c) and (j) to discuss proposed or pending litigation and deliberate on individual adjudications in *“please state the relevant case number of all cases to be discussed in closed session.”* Motion must be seconded.]

I. OCTOBER AND NOVEMBER¹ MONTHLY REPORTS

During the month of October 2025, the Board of Claims received **66** negligence claims filed against the Commonwealth. The Board rendered **142** decisions in claims *under \$2,500.00* in October. Of those, **90** were dismissed and **52** were awarded for a total amount awarded of **\$35,335.10**.

At its October meeting, the Board vacated **2** claims, **1** of which being assigned to a hearing officer upon Full Board Review; denied **1** Full Board Review request as being untimely; and affirmed **3** claims upon Full Board Review; passed **1** claim to the December Agenda; dismissed **13** claims via Motions to Dismiss, Recommended Orders, voluntary withdrawals, and *sua sponte* dismissals; and awarded **6** claims through Recommended Orders, Agreed Orders of Dismissal, and entries of Final Orders, awarding an additional amount of **\$47,623.76**. With the claims *under \$2,500.00*, and those decided at the October Meeting, the Board decided **167** claims, dismissing a total of **105** claims, and awarding a total of **62** claims for a total amount awarded of **\$82,958.86**.

During the month of November 2025, the Board of Claims received **37** negligence claims filed against the Commonwealth. The Board rendered **86** decisions in claims *under \$2,500.00* in November. Of those, **57** were dismissed and **29** were awarded for a total amount awarded of **\$17,244.20**. The Board did not meet in November.

II. APPROVAL OF OCTOBER MINUTES

1st: 2nd:

¹ Updated statistics through November 30th to be provided at meeting.

III. FULL BOARD REVIEW

BC-25-0083

BONNIE STULL

v.

TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS (KYTC)

- Order Awarding
- Claimant's Request for Full Board Review

BC-25-0312

DIANE MATTINGLY

v.

TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS (KYTC)

- Order Dismissing due to referral to State Risk
- Claimant's Request for Full Board Review

BC-25-0581

HETAL PATEL

v.

KYTC

- Default Order
- Claimant's Request for Full Board Review

BC-25-0676

LUCIUS AND TERESA ZAJKOWSKI

v.

KYTC

- Findings of Fact, Opinion, and Order Awarding Deductible Amount (\$500.00)
- Claimant's Request for Full Board Review

BC-25-0783

JOSE MIRALLES MALAGARRIGA

v.

KYTC

- Findings of Fact, Opinion, and Order Dismissing
- Claimant's Request for Full Board Review
- KYTC's Response

BC-25-1007

WENDELL HARDIN

v.

TOURISM, ARTS & HERITAGE CABINET
DEPARTMENT OF PARKS (DOP)

- Order Awarding Deductible (\$500.00)
- Claimant's Request for Full Board Review

BC-25-1030
RENEE TERRILL

v.
JUSTICE & PUBLIC SAFETY CABINET
DEPARTMENT OF CORRECTIONS (DOC)

- Order Dismissing for Damages under \$250.00
- Claimant's Request for Full Board Review

IV. MOTIONS

BC-24-1039
DARIS WILBURN

v.
KYTC

- Respondent's Motion to Dismiss
- Tendered Order Dismissing

BC-25-0519
LEROY SPARKS

v.
CHFS

- Respondent's Motion to Dismiss (holdover from October meeting)

BC-25-0835
CHARITY CHATMAN

v.
LABOR CABINET
OFFICE OF UNEMPLOYMENT INSURANCE

- Respondent's Motion to Dismiss

V. RECOMMENDED ORDERS

BC-22-0793
KYLE JOHNSON

v.
KENTUCKY NATIONAL GUARD AND
DEPARTMENT OF VETERANS AFFAIRS

- Recommended Order Granting Claimant's Request to Withdraw

BC-23-1012
ROBERT ETHRIDGE

v.
KYTC

- Recommended Order of Dismissal

BC-24-0956
SAMUEL RICE AND DASIA FIELDS

v.
KYTC

- Recommended Order of Dismissal

BC-25-0028

TIM DODSON

v.

UNIVERSITY OF KENTUCKY (UK)

- Recommended Order Denying Pending Motions
- Claimant's Exceptions

VI. AGREED ORDERS or FOR INSTRUCTIONS

BC-20-0503

VERA BYRNE

v.

DOP

- Dismissal due to failure to revive claim within one year of Claimant's death

BC-24-0797

MICHAEL WHITNEY

v.

KYTC

- Agreed Order of Dismissal

BC-24-0913

FERNANDO WRIGHT

v.

KYTC

- Agreed Order of Dismissal

BC-25-0022

DATANYA MORGAN

v.

LOUISVILLE METRO DEPARTMENT OF CORRECTIONS;
KENTUCKY PRETRIAL SERVICES;
ADMINISTRATIVE OFFICE OF THE COURTS;
HUMAN RIGHTS COMMISSION; and
EXECUTIVE BRANCH ETHICS COMMISSION

- Dismiss for failure to respond to Show Cause Order

BC-25-0126

JASON THOMAS

v.

KYTC

- Agreed Order of Dismissal

BC-25-0425

MARCUS MINIX

v.

UNKNOWN

- Dismiss for failure to respond to Show Cause Order

BC-25-0690

CAROLYN MORRIS

v.

KYTC

-Claimant's Motion to Place Claim in Abeyance pending resolution of parallel Woodford Circuit Court action

BC-25-0975

JESSICA ARMOUR

v.

STATE FAIR BOARD

-Agreed Order of Settlement

BC-25-0989

JAMES BOTHWELL

v.

STATE FAIR BOARD

-Agreed Order of Settlement

BC-25-0991

FRED CRAGER

v.

UK

-Entry of Final Order Awarding Claimant's Damages based on Respondent's Answer Admitting Negligence

BC-25-1026

JESSICA ARMOUR

v.

STATE FAIR BOARD

-Dismiss, *sua sponte*, as duplicative

BC-25-1096

JAMES SMITH

v.

KYTC

-Entry of Final Order Awarding Claimant's Damages based on Respondent's Answer Agreeing to Pay

BC-25-1136

TRAVELERS INSURANCE COMPANY

AS SUBROGEE OF ARMSTRONG TRANSFER STORAGE

v.

KYTC

-Dismiss, *sua sponte*, for lack of jurisdiction over subrogation claims

BC-25-1145

THE STANDARD FIRE INSURANCE COMPANY

AS SUBROGEE OF GARY ROLAND

v.

DEPARTMENT OF AGRICULTURE

-Dismiss, *sua sponte*, for lack of jurisdiction over subrogation claims

**VII. CONTINUANCE OF SCHEDULING ON THE FOURTH TUESDAY OF THE MONTH IN
2026 AND SCHEDULING OF JANUARY 2026 MEETING**

1st: 2nd:

VIII. ADJOURNMENT

1st: 2nd: