



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
John Hardesty
EXECUTIVE DIRECTOR
Samuel T. Wright, III
BOARD CHAIRPERSON
Dale Sights
MEMBER
Kathryn M. Thomas
MEMBER

NOTICE OF REGULAR MEETING

Date: January 23, 2024

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

Location: Zoom

- Call to Order and Roll Call
- Approval of November 2023 minutes
- Executive Director's Report
- Full Board Review
- Motions
- Recommended Orders
- Agreed Orders or For Instructions
- Scheduling of February 2024 meeting
- Discussion of quarterly in-person meetings
- Adjournment

Zoom Link: <https://us06web.zoom.us/j/82140598299>



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Meeting Agenda

Date: January 23, 2024

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. NOVEMBER & DECEMBER 2023 MONTHLY REPORTS

During the month of November 2023, the Board of Claims received **58** negligence claims filed against the Commonwealth.

The Board rendered **64** decisions in claims *under \$2,500.00* in November 2023. Of those, **37** were dismissed and **27** were awarded for a total amount awarded of **\$18,398.88**.

At its November 2023 meeting, the Board affirmed **3** claims and vacated **1** claim upon Full Board Review, dismissed **4** claims upon Motions or *sua sponte* dismissals, approved **5** Agreed Orders of Dismissal, and entered **1** Final Order Awarding with an additional amount awarded of **\$17,992.76**. With the claims under \$2,500.00, and those decided at the November 2023 Meeting, the Board decided **78** claims, dismissing a total of **46** claims, and awarding a total of **32** claims for a total amount awarded of **\$36,391.64**.

The Board did not meet in December 2023. However, during the month of December 2023, the Board received **72** claims and the Board rendered **24** decisions in claims *under \$2,500.00*. Of those, **11** were dismissed and **13** were awarded for a total amount of **\$7,520.45**.

II. APPROVAL OF NOVEMBER 2023 MINUTES

1st: 2nd:



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III. FULL BOARD REVIEW

BC-23-0049

RUSTY WEDDLE

v.

JUSTICE & PUBLIC SAFETY CABINET
DEPARTMENT OF CORRECTIONS (DOC)

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

BC-23-0706

SAM EDELEN

v.

TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS (KYTC)

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

BC-23-0788

ENAAM ALSOUFI

v.

KYTC

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



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IV. MOTIONS

BC-21-0571

SEAN HUDDLESTON

v.

JUSTICE & PUBLIC SAFETY CABINET
DEPARTMENT OF PUBLIC ADVOCACY (DPA)

- Claimant's Motion to Hold in Abeyance or Stay Hearing Officer's Order
- Respondent's Response to Motion
- Claimant's Reply

BC-22-0877

DIANE LAMB

v.

JUSTICE & PUBLIC SAFETY CABINET
KENTUCKY STATE POLICE (KSP)

- Respondent's Motion to Dismiss
- Respondent's Response to Motion to Dismiss
- Respondent's Motion to Strike
- Claimant's Response to Motion to Strike
- Respondent's Reply to Motion to Strike
- Claimant's Motion to Consolidate Claims

BC-23-0755

JESSICA ROBINSON

v.

CABINET OF HEALTH AND FAMILY SERVICES (CHFS)
WESTERN STATE HOSPITAL

- Respondent's Motion to Dismiss



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V. RECOMMENDED ORDERS

N/A

VI. AGREED ORDERS OR FOR INSTRUCTIONS

BC-17-0310

MICHAEL STARLING

v.

MURRAY STATE UNIVERSITY

-Agreed Order of Dismissal

-Joint Motion to Dismiss

CC-19-0656

BELLSOUTH COMMUNICATIONS, LLC

d/b/a AT&T KENTUCKY

v.

KYTC

-Claimant's Failure to Respond to Show Cause Order

BC-23-0570

JACQUELINE MILEY

v.

UNIVERSITY OF KENTUCKY (UK)

-Status Update

BC-23-0860

STATE FARM

as subrogee of ZACHARY LOGSDON

v.

KYTC

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



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BC-23-0903

GEICO

as subrogee of MARGINA SOCIA AND BARBARA KIDD

v.

JUSTICE & PUBLIC SAFETY CABINET

KSP

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

BC-23-0942

SKYE GREENE

v.

LIBERTY POLICE DEPARTMENT

OFFICER STEVE GARRETT

-Dismiss *sua sponte* for lack of jurisdiction over county entities

BC-23-0951

BILLIE DUNAWAY

v.

UNIVERSITY OF KENTUCKY (UK)

-Respondent's Answer Admitting Negligence

-Entry of Final Order

V. SCHEDULING OF FEBRUARY 2024 MEETING

VI. DISCUSSION OF QUARTERLY IN-PERSON MEETINGS

VII. ADJOURNMENT

1st: 2nd: