



Andy Beshear
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PUBLIC PROTECTION CABINET

**Kentucky Office of Claims and
Appeals**

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January 23, 2024 Meeting

MINUTES

The meeting, conducted via Zoom, was called to order at approximately 10:11 am., and the following business was conducted in Board of Claims matters.

In attendance were Board members Samuel Wright, Kathryn Thomas, and Dale Sights. Chairman Wright called the meeting to order.

A quorum existed and business was conducted. Also in attendance were: Staff Attorney Shelby Bevins-Sullivan, Clerk Katie Dean, Hearing Officer Shawn D. Chapman, Attorney Allison Brown for Respondent Department of Corrections, Attorney Vince Aprile for Claimant Sean Huddleston, Attorney Joanne Lynch for Respondent Department of Public Advocacy, Attorney James O'Toole for Claimant Diane Lamb, Attorneys Lauren Lewis and Matt Bowling for Respondent Kentucky State Police, Guardian Ad Litem Ashlea Shepherd for Claimant Jessica Robinson, Attorney Elliott Miller for Claimant Billie Dunaway, Attorney Johann Herklotz for Respondent University of Kentucky, and Claimant Jessica Robinson.

After Staff Attorney Bevins-Sullivan delivered the monthly report for the Board of Claims for November and December 2023, the November 2023 Minutes were approved. Member Kathryn Thomas moved to approve the November 2023 Minutes with Member Sights seconding. Having all in favor, the Motion carried.

After approval of the prior meeting's Minutes, the following cases were taken up for consideration:

BC-23-0049: Rusty Weddle v. Justice & Public Safety Cabinet, Dept. of Corrections (DOC)

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board affirmed its prior decision, dismissing the claim.

BC-23-0706: Sam Edelen v. Transportation Cabinet, Dept. of Highways (KYTC)

1st: Dale Sights 2nd: Samuel Wright. Having all in favor, the Motion carried.

- The Board vacated its prior decision, awarding the Claimant \$800.87 in damages.

BC-23-0788: Enaam Alsoufi v. KYTC

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board affirmed its prior decision, dismissing the claim.

BC-21-0571: Sean Huddleston v. Justice & Public Safety Cabinet, Dept. of Public Advocacy (DPA)

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board overruled Huddleston's Motion to Hold in Abeyance or Stay Hearing Officer's Order.

BC-22-0877: Diane Lamb v. Justice & Public Safety Cabinet, Kentucky State Police (KSP)

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board overruled KSP's Motion to Dismiss, granted Lamb's Motion to Consolidate, and remanded all remaining issues to the hearing officer once the claim was reassigned.

BC-23-0755: Jessica Robinson v. Cabinet of Health and Family Services, Western State Hospital

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board appointed Ashlea Shepherd as Robinson's Guardian Ad Litem. The Respondent's Motion to Dismiss would be addressed at a later meeting.

At approximately 11:15 am, Chairman Wright moved to enter an Executive Session pursuant to KRS 61.815 and KRS 61.810(1)(c) and (j) to deliberate on the following cases: BC-23-0706, BC-23-0788, BC-21-0571, BC-22-0877, and BC-23-0755. Member Sights seconded. Having all in favor, the Board went into Executive Session.

At approximately 11:49 am, Member Thomas moved to exit the Executive Session and return to Open Session. Member Sights seconded. Having all in favor, the motion carried, and no official action was taken during the Executive Session.

BC-17-0310: Michael Starling v. Murray State University

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board entered the Agreed Order of Dismissal.

CC-19-0656: Bellsouth Communications, LLC v. KYTC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board issued a Final Order Dismissing for the Claimant's failure to respond to the Show Cause Order.

BC-23-0570: Jacqueline Miley v. University of Kentucky (UK)

No motion necessary.

- The Board passed this claim to the February Meeting.

BC-23-860: State Farm, as subrogee of Zachary Logsdon v. KYTC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction over subrogation claims.

BC-23-0903: Geico, as subrogee of Margina Socia and Barbara Kidd v. KSP

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction over subrogation claims.

BC-23-0942: Skye Greene v. Liberty Police Department, Officer Steve Garrett

1st: Samuel Wright 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction over county entities.

BC-23-0951: Billie Dunaway v. UK

1st: Samuel Wright 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board entered the Agreed Order of Dismissal.

The Board scheduled its February meeting for February 27, 2024 at 10:00 am EST. The Board briefly mentioned possibly having its next in-person meeting in either March or April.

Member Sights moved to adjourn the meeting at approximately 11:58 am with Member Thomas seconding. Having all in favor, the Motion carried, and the meeting adjourned.