

COMMONWEALTH OF KENTUCKY

Board of Claims

Agenda

March 19, 2015

*Minutes Approved*

The Board of Claims received 34 new claims during the month of February, 2015. Paula reports that a total of 40 claims were set up and two (2) claims were returned for lack of jurisdiction.

Investigator Jackie Lynch decided 26 claims under \$1,000.00 in February, 2015. Jackie reports that 14 of these claims were denied and 12 were awarded, for a total amount awarded of \$6,675.45.

At its Board meeting on February 26, 2015, the Board dismissed 13 claims and awarded four (4) claims totaling \$5,646.82. Together with the claims investigated in-house, the Board dismissed a total of 27 claims and awarded a total of 16 claims for a total amount awarded of \$12,322.27 in February, 2015.

**For Instructions From the Board**

BC-2013-00399

Coy Meadows vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: Agreed Order of Dismissal filed.

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

BC-2013-00648

Louisville Gas and Electric Comany vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Settlement for \$9,134.49 filed by the parties.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$9,134.49 as agreed to by the parties. ✓

BC-2014-00438

Oretha Chambers vs. Transportation Cabinet / Dept. of Highways

Notes: Claimant's notice of voluntary dismissal filed.

Counsel's Recommendation: Enter an Order dismissing the claim at the Claimant's request. ✓

BC-2014-00525

William Walden; Katherin Walden vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order awarding the Claimants \$1,000.00 in settlement of this claim.

Counsel's Recommendation: Enter the Agreed Order for \$1,000.00 as agreed by the parties. ✓

BC-2014-00741

Randy Westerfield vs. Commonwealth of Kentucky

Notes: March 19, 2015- Default Order

Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00750

Billy Mash vs. Justice and Public Safety Cabinet

Notes: March 19, 2015- Default Order

Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00770

Carrie Hall vs. Commonwealth of Kentucky

Notes: March 19, 2015-Default Order  
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

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BC-2014-00784

Jennifer Ingram vs. University of Kentucky

Notes: March 19, 2015- Default Order  
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

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BC-2014-00787

Barry Overstreet vs. Commonwealth of Kentucky

Notes: March 19, 2015- Default Order  
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

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BC-2014-00795

Elizabeth Molodetz-Schlueter vs. Commonwealth of Kentucky

Notes: March 19, 2015- Default Order  
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

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BC-2014-00797

Larry Long vs. Justice and Public Safety Cabinet

Notes: March 19, 2015- Default Order  
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

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BC-2015-00005

Kenneth Sea vs. Transportation Cabinet / Dept. of Highways

Notes: Claimant's Order of Voluntary Dismissal filed.

Counsel's Recommendation: Enter the Order of Voluntary Dismissal as requested by the Claimant. ✓

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**Full Board Review**

BC-2014-00804

Brian Wefensette vs. Justice and Public Safety Cabinet / Dept. of Corrections

*Hold over*

Notes: 2/16/15 Board ordered dismissed  
2/26/15 Claimant requests FBR. Copy to Resp.  
3/4/15 FBR Memo to Cl. and Resp. On agenda for 3/19/15

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**Motions**

BC-2014-00645

Jacquelynn O'Daniel v. Eastern Kentucky University

Notes: Respondent's unopposed Motion to Lift Stay.

Counsel's Recommendation: Enter an Order granting the Motion to Lift Stay, denying the Motion to Dismiss, and assigning to Hearing Officer Mike Wilson for further proceedings. ✓

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BC-2014-00794

Jason Davis, Administrator of the Estate of Madisyn Davis vs. Cabinet for Health and Family Services

*Hold over*

Notes: Respondent's Motion to Dismiss and Claimant's response filed thereto.

Counsel's Recommendation: Enter an Order granting the Motion to Dismiss for failure to state a claim upon which relief can be granted (no jurisdiction over discretionary acts).

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Total number of Claims: 15

COMMONWEALTH OF KENTUCKY  
BOARD OF CLAIMS  
*Addendum*

*March 19, 2015*

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**BC-2014-00395**

Dianna L. Dalton v. Transportation Cabinet, Dept. of Highways

Former hearing officer Florence Huffman's Order for the Respondent to prepare and forward an Agreed Order of Dismissal to the Claimant upon her request; to date, the Respondent has failed to comply with said Order.

Counsel's Recommendation: Enter an Order of Dismissal dismissing the claim as requested by the Claimant in September, 2014. ✓

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**BC-2014-00622**

James E. Noyes v. Transportation Cabinet, Dept. of Highways

Agreed Order of Dismissal filed.

Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$1,554.51 in settlement of this matter. ✓

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