COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
OFFICE OF CLAIMS AND APPEALS
BOARD OF CLAIMS

Meeting Agenda

Date: October 25, 2022

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. September 2022 Monthly Report:

During the month of September 2022, the Board of Claims received **82** negligence claims filed against the Commonwealth.

The Board rendered **93** decisions in claims *under $2,500.00* in September 2022. Of those, **46** were dismissed and **47** were awarded for a total amount awarded of **$27,824.02**.

At its September 2022 meeting, the Board approved **6** Agreed Orders of Dismissal, granted **2** awards upon Full Board Review, and entered **2** Final Orders based on the agencies' Answers, awarding an additional amount of **$20,638**. With the claims under $2,500.00, and those decided at the September 2022 Meeting, the Board decided **105** claims, dismissing a total of **48** claims, and awarding a total of **57** claims, the total amount awarded being **$48,462.02**.

II. APPROVAL OF SEPTEMBER 2022 MINUTES:
1st: 2nd:

III. FULL BOARD REVIEW

N/A

IV. MOTIONS

BC-22-0468
BENJAMIN JONES
v.
JUSTICE AND PUBLIC SAFETY CABINET
KENTUCKY STATE POLICE
        -Respondent's Motion to Dismiss (holdover from September meeting)

BC-22-0639
STUART BOWLING
v.
TOURISM, ARTS & HERITAGE CABINET
DEPARTMENT OF PARKS
 -Motion for Summary Disposition

BC-22-0672
DAMIEN SUBLETT
v.
JUSTICE AND PUBLIC SAFETY CABINET
DEPARTMENT OF CORRECTIONS (DOC), ET AL.
 -Respondent's Motion to Dismiss
 -Claimant's Response

BC-22-0680
DAMIEN SUBLETT
v.
JUSTICE AND PUBLIC SAFETY CABINET
DOC, ET AL.
 -Respondent's Motion to Dismiss
 -Claimant's Response
 -Respondent's Reply

BC-22-0249
JEFFERY JOHNSON
v.
DOC, ET AL.
 -Respondent's Motion to Dismiss
 -Claimant's Response

BC-22-0381
JEFFERY JOHNSON
v.
DOC, ET AL.
 -Respondent's Motion to Dismiss

BC-22-0383
JEFFERY JOHNSON
v.
DOC, ET AL.
 -Respondent's Motion to Dismiss
 -Claimant's Response

BC-22-0503
JEFFERY JOHNSON
v.
DOC, ET AL.
      -Respondent's Motion to Dismiss
      -Claimant's Response
      -Respondent's Motion to Strike
      -Claimant's Response to Motion to Strike

BC-22-0514
JEFFERY JOHNSON
v.
DOC, ET AL.
      -Respondent's Motion to Dismiss
      -Claimant's Response
      -Respondent's Reply

V. RECOMMENDED ORDERS

CC-19-0748
EMILE LACKEY
v.
TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS (KYTC)
      -Recommended Order of Dismissal

BC-21-0120
RUSSELL LEWIS
v.
UNIVERSITY OF KENTUCKY
      -Recommended Order of Dismissal

BC-21-0571
SEAN HUDDLESTON
v.
JUSTICE AND PUBLIC SAFETY CABINET
DEPARTMENT OF PUBLIC ADVOCACY
      -Recommended Order of Dismissal
      -Claimant's Exceptions (holdover from September meeting)

BC-21-0697
VICTOR OVALLE
v.
KYTC
      -Recommended Order of Dismissal

BC-21-0706
CHRISTI LEE, ADMINISTRATOR of
ESTATE OF CHRISTIAN FLYNT
v.
KYTC
      -Default Order of Dismissal
      -Claimant's Exceptions

VI. AGREED ORDERS or FOR INSTRUCTIONS

BC-22-0576
LIBERTY MUTUAL INS. CO.
On Behalf of
AMY COMBS
v.
KYTC
      -Dismiss for lack of jurisdiction over subrogation claims

BC-22-0477
QASEM HAMAD
v.
UNIVERSITY OF KENTUCKY
      -Claimant's Failure to Respond to Show Cause Order

BC-22-0550
GENA CLARK
v.
KYTC
      -Respondent's Failure to Respond to Show Cause Order

BC-22-0592
GREGORY CRAWFORD
v.
KYTC
      -Respondent's Failure to Respond to Show Cause Order

BC-21-0692
CITY OF BENHAM
v.
KYTC
      -Agreed Order of Dismissal

BC-22-0246
KADONNA HUNTER (NOW GRAVLEY)
v.

KYTC
    -Agreed Order of Dismissal

BC-22-0291
AGNES BUNTAIN
v.
KYTC
    -Agreed Order of Dismissal

BC-22-0437
RENEE PERKINS
v.
KYTC
    -Agreed Order of Dismissal

BC-22-0495
GREGORY CRAWFORD
v.
KYTC
    -Agreed Order of Dismissal

BC-22-0714
CARY MENDELSOHN
v.
TOURISM, ARTS & HERITAGE CABINET
STATE FAIR BOARD
    -Agreed Order of Dismissal

VII. <u>SCHEDULING OF DECEMBER MEETING</u>

VIII. <u>ADJOURNMENT</u>
    1st: 2nd: