

COMMONWEALTH OF KENTUCKY
Claims Commission
Negligence Claims Branch
Minutes
April 23, 2019

The minutes of the March 26, 2019 meeting of the Kentucky Claims Commission, Negligence Claims Branch, were accepted.

Members present:	Marcus Carey, Esq., Commission Chairperson Delana Sanders, Esq., Commission Member Tim Cocanougher, Esq., Executive Director G. Mitchell Mattingly, Esq., Staff Attorney James Howard, Esq., Office of Administrative Hearings Patrick Flannery, Esq., Office of Administrative Hearings Thorne Huguelet, KCC Executive Assistant Raymond Shields, CVC Clerk Lisa G. Robinson, Claims Clerk
Teleconference:	Carlo R. Wessels, Esq., Commission Member
Guests present:	David Startzman, Esq., Public Protection Cabinet

FULL COMMISSION REVIEWS

CC-2018-808

Hardik Savla v. Transportation Cabinet, Dept. of Highways
Commission vacated its previous dismissal of this claim and provided the Claimant's additional information to the Respondent for its response.

CC-2019-041

Jennifer King v. Justice & Public Safety Cabinet
Commission upheld its original decision denying payment of the claim.

CC-2019-042

Allison Robinson v. Justice & Public Safety Cabinet
Commission upheld its original decision denying payment of the claim.

CC-2019-085

Scott Reinhart v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision denying payment of the claim.

CC-2019-118

Deborah Shaw v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision denying payment of the claim.

CC-2019-147

Natalie Hawes v. Transportation Cabinet, Dept. of Highways
*Commission reversed its original dismissal and **awarded** the Claimant \$495.23.*

CC-2019-237

Jaden Maddox v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision denying payment of the claim.

MOTIONS

CC-2019-033

Hickory Grove Baptist Church v. Cabinet for Health & Family Services, et al.
Commission reserved the unopposed Motion to Dismiss and issued a Show Cause Order to the Claimant pursuant to 802 KAR 2:010, Section 1(4). Claimant subsequently filed a Notice of Withdrawal of Claim.

CC-2019-052

Michael Padgett #257283 v. Daviess County Commonwealth Attorney's Office
Commission granted the Respondent's Motion to Dismiss.

RECOMMENDED ORDERS

BC-2015-459

Romeo Delrosario v. Transportation Cabinet, Dept. of Highways
Commission adopted Hearing Officer Patrick Flannery's Second Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim (upon remand by the Floyd Circuit Court).

BC-2016-486

Derwin T. Rogers v. Transportation Cabinet, Dept. of Highways
Commission adopted Hearing Officer Mitchell Mattingly's Recommended Order granting the Respondent's Motion to Dismiss per KRS 49.070(15).

BC-2016-523

Kenneth and Connie Montgomery v. Transportation Cabinet, Dept. of Highways
Commission held this claim over to the May 28, 2019 agenda.

BC-2016-553

William Wilson, Sr. v. University of Kentucky
Commission adopted Hearing Officer Mitchell Mattingly's Recommended Order of Dismissal for Claimant's failure to prosecute.

BC-2016-613

Earyetta Gillman v. Tourism, Arts & Heritage Cabinet, Dept. of Parks
Commission rejected Hearing Officer Mitchell Mattingly's Recommended Order granting the Respondent's Motion to Dismiss and voted to remove this claim from abeyance and "move forward."

CC-2018-527

Margie Howard v. Transportation Cabinet, Dept. of Highways
Commission adopted Hearing Officer Patrick Flannery's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim.