

COMMONWEALTH OF KENTUCKY  
Kentucky Claims Commission  
*Negligence Claims and Tax Appeals*

**August 25, 2020**

**NEGLIGENCE CLAIMS AGENDA**

***Minutes***

**AGREED ORDERS – Not any**

**FOR INSTRUCTIONS**

BC-15-1004  
ELMER C. MAGGARD, Ph.D. v  
COMMONWEALTH OF KENTUCKY,  
BOARD OF EXAMINERS OF PSYCHOLOGY,  
and MARK BRENGELMAN,  
and JACK CONWAY

*The Commission advised that we should wait and see if the parties comply with the prior Order requiring notice of a Supreme Court determination on the Motion for DR.*

**FULL COMMISSION REVIEWS**

**CC-2020-0167**  
ELBERT LONG v.  
COMMONWEALTH, JUSTICE CABINET, DEPT. OF CORRECTIONS

*The Commission voted to uphold the Initial Decision Dismissing the claim for lack of proof.*

**CC-2020-0110**  
H. TIMOTHY SCHARSTEIN v.  
COMMONWEALTH, TRANSPORTATION CABINET,  
DEPARTMENT OF HIGHWAYS

*The Commission elected to take no action on the Respondent's failure to respond to the Order entered after the last commission meeting and advised that they elect to hold the claim over until the next meeting to see if a response is received within 30 of the order.*

**CC-2020-281**  
DANIEL BRACCIO v.  
COMMONWEALTH, TRANSPORTATION CABINET,  
DEPARTMENT OF HIGHWAYS

*The Commission voted to uphold the Initial Decision Awarded \$500.00.*

**MOTIONS**

**CC-2020-0223**  
JOSEPH MATHEW BRYDWELL v.  
JUDGE DOREEN GOODWIN, GINA LYLE, CIRC. COURT CLERK AND THE  
KENTUCKY ADMINISTRATIVE OFFICE OF THE COURTS

*After much discussion on the merits of the motion to dismiss, the response, the motion to amend, and the response thereto, the Commission elected to hold the claim over for further review and discussion at the next meeting.*

**CC-20-0286**  
Christopher Young v.  
COMMONWEALTH, JUSTICE CABINET, DEPT. OF CORRECTIONS  
and WELLPATH

*The Commission voted to sustain the Motion to Dismiss and dismiss the case.*

**RECOMMENDED ORDERS**

NA

***TAX APPEALS AGENDA***

NA