

*Introduced  
new employees*

**COMMONWEALTH OF KENTUCKY  
Board of Claims  
Agenda  
December 18, 2008**

*Bill  
CN + Carol -  
last Bd. Mtg.* →

The Board of Claims received 63 new claims during the month of November, 2008. A total of 66 new claims were set up, according to Assistant Clerk Paula Woolums. Paula also dismissed three (3) claims for being under the \$100.00 threshold. Investigators Jackie Lynch and Wanda Luttrell decided 49 claims (under \$1000.00) in November, 2008. They dismissed 29 claims and awarded 20 claims for a total amount of \$8,807.43. Together with the claims investigated in-house, the Board dismissed a total of 46 claims and awarded 28 claims for a total amount awarded of \$58,281.66 in November, 2008.

**For Instructions From the Board**

*Minutes  
Approved*

3C-2008-01024  
Kenneth Myers vs. Wayne County Detention Center

Notes: Claim filed against a county governmental entity. No Motion to Dismiss filed by the county.

Counsel's Recommendation: Enter Final Order dismissing claim for lack of jurisdiction over county governmental entities. ✓

**Full Board Review**

3C-2008-00649  
Jonita Chandler vs. Department of Highways / Transportation

*Award \$450.30*

Notes: 10/27/08 Claimant requests FBR on amount of award  
10/21/08 FBR memo to Cl. and Resp.

**Motions**

3C-2008-00812  
Brenton Wombles vs. Boone County Detention Center

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

Counsel's Recommendation: Enter Final Order dismissing claim for lack of jurisdiction over county governmental entities. ✓

3C-2008-00966  
Edward Brady vs. Justice and Public Safety Cabinet / Department of Corrections

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

Counsel's Recommendation: Overrule Motion to Dismiss and assign claim to a Hearing Officer. ✓

3C-2008-00990  
Timothy Rouse vs. Justice and Public Safety Cabinet / Ky. State Penitentiary

Notes: Respondent's Motion for Extension of Time to File Answer; Claimant's Response to Motion for Extension of Time and Motion for Default Judgment.

Counsel's Recommendation: Grant Motion for Extension of Time to the extent requested (through and including 12/31/08). ✓

3C-2008-01002

Jason Coffey vs. Justice and Public Safety Cabinet / Dept. of Corrections

*Response rec'd 12/16/08 on Addendum*

Notes: Respondent's Motion for Summary Judgment filed 10/21/08; Claimant's Motion to Amend Claim in response to Motion for Summary Judgment filed 11/26/08.

Counsel's Recommendation: Grant Respondent's Motion for Summary Judgment and dismiss claim; deny Claimant's Motion to Amend Claim. ✓

3C-2008-01003

Travis Bush vs. Justice and Public Safety Cabinet / Department of Corrections

Notes: Respondent's Answer and Motion to Dismiss for Lack of Jurisdiction; Claimant's Motion to Extend Time to Respond to Motion to Dismiss filed 12/3/08.

Counsel's Recommendation: Sustain Respondent's Motion to Dismiss for Lack of Jurisdiction and dismiss claim; deny Claimant's Motion to Extend Time to Respond to Motion to Dismiss. ✓

3C-2008-01090

Ambrose Sturgill vs. University of Kentucky Medical Center

Notes: Respondent's Motion to Dismiss claim and Motion for Extension of Time to File Answer.

Counsel's Recommendation: Overrule Respondent's Motion to Dismiss; Sustain Respondent's Motion for Extension of Time to File Answer. ✓

3C-2008-01109

Timothy Rouse vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: Claimant's Motion to Consolidate Claim BC-08-1109 with Claim BC-08-990.

Counsel's Recommendation: Overrule Motion to Consolidate and dismiss Claim BC-08-1109 as duplicative. All substantive information is to be transferred to and made part of the record of Claim BC-08-990. ✓

### Recommended Order

3C-2006-00514

Jason Brown vs. Justice and Public Safety Cabinet / Department of Corrections

Notes: Hearing Officer Jan West's Opinion and Recommended Order Granting Respondent's Motion for Summary Judgment in part. Exceptions to Opinion and Recommended Order filed by the Respondent.

Counsel's Recommendation: Enter Final Order Rejecting the Recommended Order of the Hearing Officer and Sustaining the Respondent's Motion for Summary Judgment, thereby dismissing the claim. ✓

*Adopt in part re SOL*

3C-2006-00745

William Delong vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: Hearing Officer Jan West's Opinion and Recommended Order dismissing the claim.

Counsel's Recommendation: Enter Final Order adopting the recommendation of the Hearing Officer and dismissing the claim. ✓

3C-2007-00493

Antoinette Bernard vs. University of Kentucky Medical Center

Notes: Hearing Officer Braxton Crenshaw's Recommended Findings of Fact, Conclusions of Law and Order Dismissing Claim with Prejudice.

Counsel's Recommendation: Enter Final Order adopting the recommendation of the Hearing Officer and dismissing the claim. ✓

3C-2007-00827

Mag-Jentz, Inc. d/b/a Exhibit Systems vs. Tourism, Arts & Heritage Cabinet / Ky. State Fair  
Board

Notes: Hearing Officer Jan West's Findings of Fact, Conclusions of Law and Recommended Order awarding \$6,273.91 to Claimant.

Counsel's Recommendation: Enter Final Order adopting the recommendation of the Hearing Officer and Awarding \$6,273.91 to Claimant. ✓

---

3C-2008-00117

Tammy Adkins vs. Transportation Cabinet

Notes: Hearing Officer Braxton Crenshaw's Recommended Findings of Fact, Conclusions of Law and Order dismissing claim with prejudice.

Counsel's Recommendation: Enter Final Order adopting the recommendation of the Hearing Officer and dismissing the claim. ✓

---

3C-2008-00740

Marcy Snodgrass vs. Transportation Cabinet / Dept. of Highways

Notes: Agreement Dismissing Claim as settled filed 12/8/08.

Counsel's Recommendation: Enter Final Order dismissing claim as settled. ✓

---

3C-2008-01010

Jerrick Barnes vs. Lexington-Fayette Urban County Government

Notes: Claim filed against county governmental entity; no response filed by the county government to the claim.

Counsel's Recommendation: Enter Final Order dismissing claim for lack of jurisdiction over county governmental entities. ✓

---

3C-2008-01049

Patricia McKnight vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's Answer and Offer to Pay Claimant \$1,209.00 in satisfaction of this claim. Claimant's acceptance of Respondent's offer received 12/8/08.

Counsel's Recommendation: Enter Final Order Awarding \$1,209.00 to Claimant. ✓

---

Total number of Claims: 17