

COMMONWEALTH OF KENTUCKY

Board of Claims

Agenda

January 16, 2014

Op Ann Out

The Board of Claims received 57 new claims during the month of December, 2013. A total of 39 claims were set up, according to Assistant Clerk Paula Woolums. Paula also reports that 11 claims were returned for lack of jurisdiction.

Investigator Jackie Lynch decided 28 claims under \$1,000.00 in December, 2013. Jackie reports that 17 of these claims were denied and 11 were awarded, for a total amount awarded of \$3,673.39.

At its Board meeting on December 19, 2013, the Board dismissed 10 claims and awarded nine (9) claims totaling \$50,051.53. Together with the claims investigated in-house, the Board dismissed a total of 27 claims and awarded a total of 20 claims for a total amount awarded of \$53,724.92 in December, 2013.

Minutes Accepted

For Instructions From the Board

BC-2013-00274

John Early vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Settlement for \$1,500.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$1,500.00 in settlement of this matter. ✓

BC-2013-00421

Bobby Wright vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Settlement for \$950.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$950.00 in settlement of this matter. ✓

BC-2013-00593

Claude Dadge vs. University of Kentucky

Notes: Respondent's Answer recommending payment of the full amount claimed.

Counsel's Recommendation: Enter an Order reimbursing the Claimant \$2,578.99 in damages. ✓

Full Board Review

BC-2013-00483

Bret Crozier vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: 12/5/13 Board ordered dismissed.
12/30/13 Claimant requests FBR (\$337)

Upheld original dismissal

BC-2013-00494

Marcus McGee vs. Transportation Cabinet / Dept. of Highways

Notes: 12/16/13 FOF - dismissing
12/27/13 Claimant requests FBR (\$646.56)

Reversed + Awarded

BC-2013-00583

John Belden vs. Justice and Public Safety Cabinet / Dept. of Corrections

*Uphold
Dismissal*

Notes: 12/18/13 Board ordered dismissed
12/30/13 Cl. requests FBR (\$372.95)

Motions

BC-2013-00574

Robert Dickerson vs. Administrative Office of The Courts

LJR

Notes: Respondent's Motion to Dismiss; response filed thereto by the Claimant.

*Pass to next
month*

Counsel's Recommendation: Consolidate with Claim No. BC-13-575 and dismiss both for failure to state a claim upon which relief can be granted.

BC-2013-00575

Robert Dickerson vs. Administrative Office of The Courts

LJR

Notes: Respondent's Motion to Dismiss; response filed thereto by the Claimant.

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Counsel's Recommendation: Consolidate with Claim No. BC-13-574 and dismiss both for failure to state a claim upon which relief can be granted.

Recommended Order

BC-2007-00480

Estate of Tana Hayes vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Braxton Crenshaw's Findings of Fact, Conclusions of Law and Recommended Order awarding \$80,981.61 to the Claimant's Estate.

Counsel's Recommendation: Adopt the recommendation of the hearing officer awarding \$80,981.61 to the Claimant's Estate. ✓

BC-2007-00487

Cecil Griffith, as Next Friend and Guardian of Hannah Griffith vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Braxton Crenshaw's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim.

Counsel's Recommendation: Adopt the recommendation of the hearing officer denying payment of the claim. ✓

BC-2011-01116

Alice Meadors vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim.

Counsel's Recommendation: Adopt the recommendation of the hearing officer denying payment of the claim. ✓

BC-2013-00119

Janet Sullivan vs. University of Kentucky

Notes: Hearing Officer Florence Huffman's Recommended Order Overruling the Respondent's Motion for Summary Judgment and the Claimant's exceptions filed thereto.

Counsel's Recommendation: Adopt the recommendation of the hearing officer the Motion for Summary Judgment and ordering the Claimant to provide expert witness testimony to prove her claim negligence. ✓

Total number of Claims: 12

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