

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

Amended Meeting Agenda

Date: January 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.]

December 2021 Monthly Report:

During the month of December 2021, the Board of Claims received **45** negligence claims filed against the Commonwealth.

The Board rendered **50** decisions in claims *under \$2,500.00* in December 2021. Of those, **31** were dismissed and **19** were awarded for a total amount awarded of **\$10,141.67**.

At its December 2021 meeting, the Board awarded an additional **3** claims from Agreed Orders of Settlement, affirmed **2** claims upon Full Board Review where the claim was dismissed, and **9** additional claims were dismissed either from Agreed Orders of Dismissal, via Motions from the parties, or via Recommended Orders. Together with the claims under \$2,500.00, the Board decided **62** claims altogether, while dismissing a total of **40** negligence claims and awarding a total of **22** negligence claims for a total amount awarded of **\$17,508.49** during the month.

APPROVAL OF LAST MONTH’S MINUTES:

1st: 2nd:

AGREED ORDERS or for instructions:

BC-21-0063:

CROWN COMMUNICATIONS, LLC

v.

KENTUCKY TRANSPORTATION CABINET (KYTC)

DEPT. OF HIGHWAYS

--Joint Stipulation and Agreed Order of Dismissal

BC-21-0263 (BC-21-0264 consolidated with 0263):

ASHLEY SIZEMORE

KELSEY STAMPER (Minor)

v.

KYTC

-Board to Appoint a Guardian Ad Litem for Minor Claimant

BC-21-0410:

TERRY HAYES, SR.

v.

KYTC

--Agreed Order of Dismissal (Settlement)

BC-21-0554:

SOURCE LOGISTICS, LLC

v.

JUSTICE & SAFETY CABINET

DEPT. OF CORRECTIONS (DOC)

--Respondent's Answer in which it agreed to pay \$5,000 (holdover from last meeting)

BC-21-0601:

ADJIN SELIMOVIC

v.

KYTC

-Agreed Order of Dismissal (Settlement)

BC-21-0613:

LARRY HARALSON

v.

KYTC

-Respondent's Answer in which it agreed to pay \$3,201.66 in full satisfaction of claim

BC-21-0719:

SARAH JONES

v.

NORTHERN KENTUCKY UNIVERSITY

-Request to hold in abeyance

FULL BOARD REVIEW:

BC-21-0445

PATRICIA MCCAULEY

v.

KYTC

DEPT. OF HIGHWAYS

-Order Dismissing

BC-21-0570

MARILYN BROWN

v.

KYTC

DEPT. OF HIGHWAYS
-Order Awarding Amount of Deductible (\$500)

MOTIONS

BC-21-0566
WILLIAM FRANKLIN JONES
v.
OFFICE OF UNEMPLOYMENT INSURANCE
-Respondent's Motion to Dismiss

BC-21-0571
SEAN HUDDLESTON
v.
DEPARTMENT OF PUBLIC ADVOCACY (DPA)
-Respondent's Motion to Dismiss
-Claimant's Response to Motion to Dismiss
-Respondent's Reply
-Claimant's Motion to File Sur-Reply and Claimant's Sur-Reply

BC-21-0582
MICHAEL MCQUEEN
v.
JUSTICE AND SAFETY CABINET
DOC
-Respondent's Answer (holdover from last meeting)

BC-21-0632
BRYAN PRYOR
v.
TOURISM, ARTS & HERITAGE CABINET (TAHC)
DEPT. OF PARKS
-Respondent's Motion for Partial Summary Disposition

BC-21-0659
JIMMIE TERRELL
v.
KENTUCKY BOARD OF ELECTIONS and
MCCRACKEN COUNTY BOARD OF EDUCATION
-Respondent KY Board of Elections's Motion to Dismiss

RECOMMENDED ORDERS

BC-20-0283
CINDY LOU TURNER
v.

KYTC
DEPT. OF HIGHWAYS
-Recommended Order of Dismissal
-Claimant's Exceptions

BC-20-0491

LLOYD MCCARTY

v.

KYTC

DEPT. OF HIGHWAYS

-Recommended Order of Dismissal (holdover from last meeting)