

COMMONWEALTH OF KENTUCKY
Board of Claims
Agenda
July 21, 2016

*- Minutes Approved -
Angela Robertson - 1st Bd. Mtg.
Jackie retiring - her last
Board meeting.*

The Board of Claims received 64 new claims during the month of June, 2016. Paula reports that a total of 52 claims were set up and two (2) were returned for lack of jurisdiction.

Investigator Jackie Lynch decided 53 claims under \$1,000.00 in June, 2016. Jackie reports that 30 of these claims were denied and 23 were awarded, for a total amount awarded of \$7,837.94.

At its Board meeting on June 16, 2016, the Board dismissed 23 claims and awarded seven (7) claims totaling \$68,758.35. Together with the claims investigated in-house, the Board dismissed a total of 53 claims and awarded a total of 30 claims for a total amount awarded of \$76,596.29 in June, 2016.

*No Ks not renewed. One attorney has been assigned -
Tim Cocanougher of HB+C. Aug. Mtg. cancelled.*

For Instructions From the Board

BC-2012-00466

Ronna Carmicle, Parent and Next Friend of Bradley Carmicle vs. Ky. Department of Education and Board of Education of Casey County

Notes: Board's Status Order and Order to Comply or Show Cause directed to Claimants for lack of prosecution.

Counsel's Recommendation: Enter a Final Order of Dismissal for Claimant's failure to comply with the Orders of this Board. ✓

BC-2015-00877

Herman Jones vs. University of Kentucky

Notes: July 21, 2016-Default Order

Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2015-00918

Uriah Pasha vs. Administrative Office of The Courts

Notes: July 21, 2016-Default Order

Counsel's Recommendation-Rule the Claimant in Default and Dismiss. ✓

BC-2015-00936

David Sergent vs. Transportation Cabinet / Dept. of Highways

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

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

BC-2015-00959

Carnell White vs. University of Kentucky

Notes: July 21, 2016-Default Order

Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00965

Carol Alexander vs. Commonwealth of Kentucky

Notes: July 21, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2015-01029

Irene Hollon vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal for \$1,000.00 filed.
Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$1,000.00 in settlement of this matter. ✓

BC-2015-01033

Scottie Caudill vs. University of Kentucky

Notes: July 21, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2015-01056

Barbara Morrison vs. University of Kentucky

Notes: July 21, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2016-00021

Lavonna Lawson vs. Commonwealth of Kentucky

Notes: July 21, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2016-00241

Communications Exhibits, Inc. vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Notes: Respondent's Answer recommending payment of the claim.
Counsel's Recommendation: Enter an Order awarding the Claimant \$10,600.00 in settlement of this matter. ✓

Full Board Review

BC-2016-00124

Christopher Hawkins vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: 5/26/16 Board ordered Dismissed
6/10/16 Claimant requests FBR - to Claimant and Respondent.

*award
\$24.99 for
cooler*

BC-2016-00142

Kenneth Goben vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: 6/8/16 Board ordered dismissed
6/16/16 Claimant requests FBR (\$214.74) Copy to Respondent.
6/24/16 FBR Memo to Claimant and Respondent.

*Reversed +
awarded*

BC-2016-00296

Robert O'Brien vs. Justice and Public Safety Cabinet / Dept. of Corrections

*Passed to 9/16
Bel. Mtg.*

Notes: 6/16/16 Board awarded \$250 (Damages were \$3299)
7/1/16 Claimant wants FBR on Amount of Award
7/7/16 FBR Memo to Claimant and Respondent.

Motions

BC-2016-00099

ZC Logistics, LLC. vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's unopposed Motion to Dismiss.

Counsel's Recommendation: Enter an Order dismissing the claim pursuant to KRS 44.073(15). ✓

BC-2016-00152

Gary McMillin vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's unopposed Motion to Dismiss.

Counsel's Recommendation: Enter an Order dismissing the claim pursuant to KRS 44.073(15). ✓

BC-2016-00188

Wade McNabb vs. Education Cabinet / Professional Standards Board

Notes: Respondent's unopposed Motion to Dismiss.

Counsel's Recommendation: Overrule the Motion to Dismiss and assign the claim to a hearing officer for further proceedings as soon as hearing officer appointments are made for the 2016-2017 fiscal year. ✓

BC-2016-00260

Aishwarya Narapaneni vs. University of Kentucky

Notes: Respondent's unopposed Motion to Dismiss.

Counsel's Recommendation: Enter an Order of Dismissal for failure to state a claim upon which relief can be granted. ✓

Recommended Order

BC-2009-00349

Roger Osborne, Administrator of the Estate of Richard Willis and as Guardian and Next Friend of Tanner Willis and Madysen Willis vs. University of Kentucky

Notes: Hearing Officer Mike Wilson's Recommendation to Dismiss and the Claimants' exceptions filed thereto.

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

BC-2013-00629

Eddie Glenn Wilcher vs. University of Kentucky

Notes: Hearing Officer Mike Wilson's Recommendation to Dismiss.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim for failure to prosecute. ✓

BC-2014-00466

Charles Wells vs. Transportation Cabinet / Dept. of Highways

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

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

BC-2014-00560

Jamie Neace vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Mike Wilson's Recommended Findings of Fact, Conclusions of Law and Order denying payment of the claim and the Claimant's exceptions filed thereto.

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

BC-2015-00537

James Copley; Courtney Copley vs. Energy & Environment Cabinet / Department of Natural Resources / Division of Forestry

Notes: Hearing Officer Natalie Lile's Recommended Findings of Fact, Conclusions of Law and Order awarding the Claimants \$18,685.00.

Counsel's Recommendation: Adopt the recommendation of the hearing officer awarding the Claimants \$18,685.00 in settlement of this matter. ✓

BC-2015-00660

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

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-2015-00737

Sharon Robinson vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Mike Wilson's Recommendation to Dismiss.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim for failure to abide by the orders of the hearing officer. ✓

BC-2015-00879

Paul Schmitt vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West's Findings of Fact, Conclusions of Law and Recommended Order awarding the Claimant \$1,484.00 in damages.

Counsel's Recommendation: Adopt the recommendation of the hearing officer awarding the Claimant \$1,484.00 in settlement of this matter. ✓

BC-2015-00894

Eddie Collins; Rada Halaseh 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-2015-01003

Shawn Barton vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Mike Wilson's Recommendation to Dismiss.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim for failure to prosecute. ✓

Total number of Claims: 28

COMMONWEALTH OF KENTUCKY
BOARD OF CLAIMS

Addendum

July 21, 2016

BC-2012-416

Mitchell B. Harris v. Transportation Cabinet, Dept. of Highways

Agreed Order of Dismissal for \$15,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$15,000.00 in settlement of this matter. ✓

BC-2014-833

Estate of Lawrence Fleenor by and through Rita Fleenor, Administratrix v. Transportation Cabinet, Dept. of Highways

Agreed Order of Dismissal filed.

Counsel's Recommendation: Enter the Agreed Order dismissing the claim with prejudice as requested by the parties. ✓

BC-2016-321

David and Susan Curtsinger v. Murray State University

Agreed Order of Dismissal for \$1,308.13 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimants \$1,308.13 in settlement of this matter. ✓
