

COMMONWEALTH OF KENTUCKY
Board of Claims
Agenda
May 16, 2013

The Board of Claims received 55 new claims during the month of April, 2013. A total of 59 claims were set up, according to Assistant Clerk Paula Woolums. Paula also returned six (6) claims for lack of jurisdiction.

Investigator Jackie Lynch decided 28 claims under \$1,000.00 in April, 2013. Jackie reports that 21 of these claims were denied and seven (7) were awarded, for a total amount awarded of \$2,208.67.

At its Board meeting on April 18, 2013, the Board dismissed 16 claims and awarded seven (7) claims totaling \$9,107.48. Together with the claims investigated in-house, the Board dismissed a total of 44 claims and awarded a total of 14 claims for a total amount awarded of \$11,316.15 in April, 2013.

For Instructions From the Board

BC-2012-00543

Lorraine Lawhorn vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order awarding \$1,000.00 to the Claimant in settlement of this matter.

Counsel's Recommendation: Enter the Agreed Order awarding \$1,000.00 to the Claimant. ✓

BC-2013-00047

Ellis Parrish vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order awarding \$19,562.56 to the Claimant filed.

Counsel's Recommendation: Enter the Agreed Order awarding \$19,562.56 to the Claimant as agreed to by the parties. ✓

BC-2013-00097

Advanced Dynamo Industries vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Notes: Answer recommending payment of amount claimed.

Counsel's Recommendation: Enter a Final Order reimbursing the Claimant \$1,018.26 for property damages. ✓

BC-2013-00112

Cathy Snell vs. Finance and Administration Cabinet

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

Counsel's Recommendation: Enter a Final Order awarding the claimant \$5,731.01. ✓

BC-2013-00160

Brenda Phelps vs. Tourism, Arts and Heritage Cabinet / Dept. of Parks

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

Counsel's Recommendation: Enter an Order awarding the Claimant \$1,172.33 for reimbursement of medical expenses. ✓

BC-2013-00167

Myra Pace vs. University of Kentucky

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

Counsel's Recommendation: Enter a Final Order awarding \$2,400.00 to the Claimant in settlement of this matter. ✓

Full Board Review

BC-2013-00015

Robert Baucom vs. Justice and Public Safety Cabinet

Upheld original

Notes: 4/5/13 Board ordered dismissed ✓
4/17/13 Claimant requests FBR (\$185.20).

BC-2013-00033

Tammy Coomer vs. Transportation Cabinet / Dept. of Highways

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Notes: 3/18/13 Board ordered dismissed ✓
4/23/13 Claimant requests FBR (\$321.87). She stated she did not receive earlier copy of Findings of Fact, Opinion and Order.

BC-2013-00063

Edward Martin vs. Justice and Public Safety Cabinet

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Notes: 4/9/13 Board ordered dismissed ✓
4/24/13 Claimant requests FBR (\$103.80).

BC-2013-00066

William Denzer vs. Transportation Cabinet / Dept. of Highways

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Notes: 3/19/13 Board ordered dismissed ✓
4/1/13 Claimant requests FBR (\$500). I told him he has to go through contractor. He does not agree with that decision.

BC-2013-00072

Edward Martin vs. Justice and Public Safety Cabinet

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Notes: 4/9/13 Board ordered dismissed ✓
4/24/13 Requests FBR (\$100.65), along with other claim, BC-13-0063.

BC-2013-00075

Steven Parrish vs. Transportation Cabinet / Dept. of Highways

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Notes: 4/9/13 Board ordered dismissed ✓
4/22/13 Claimant requests FBR (\$650.54).

Motions

BC-2012-00598

Darren Coffey vs. Cabinet for Health and Family Services and Administrative Office of The Courts

Notes: Briefs filed pursuant to the Board's Order of 3/27/13.

Counsel's Recommendation: Enter a Final Order dismissing the claim pursuant to KRS 44.100 and the offset provision of KRS 44.070. ✓

BC-2013-00058

Poplar Brook Development, LLC. vs. Uninsured Employers' Fund

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

Counsel's Recommendation: Hold the claim in abeyance pending the Kentucky Supreme Court's decision in Case No. 13-CI-253. ✓

BC-2013-00099

Freida Downey vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: Respondent's unopposed Motion to Dismiss.

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

BC-2013-00105

Robert Higbee vs. University of Kentucky

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

Counsel's Recommendation: Overrule the Motion to Dismiss and assign the claim to Hearing Officer Mike Wilson for further proceedings. ✓

BC-2013-00127

Jackie Lewis vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's unopposed Motion to Reduce Amount of Damages Claimed.

Counsel's Recommendation: Enter an Order reducing the amount of damages claimed to \$1,000.00 pursuant to KRS 44.070(1) and assign the claim to Hearing Officer ~~Braxton Crenshaw~~ for further proceedings. ✓

Florence Huffman

Recommended Order

BC-2007-00780

Richard Bridgeman vs. Justice and Public Safety Cabinet / Dept. of Corrections

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-2011-01095

Jeffrey Kuhnhein 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. ✓

Total number of Claims: 19