

COMMONWEALTH OF KENTUCKY
Claims Commission
Minutes
October 24, 2017

The Kentucky Claims Commission received 61 negligence claims filed against the Commonwealth during the month of September, 2017. Sasha Petrey reports that 39 claims were set up, 10 claims were returned for lack of jurisdiction, and seven (7) claims were dismissed for failure to perfect.

Investigator Angela Robertson decided 10 (ten) claims under \$2,500.00 in September, 2017. Angela reports that five (5) of these claims were denied and five (5) were awarded, for a total amount awarded of \$3,418.57.

At its meeting on September 29, 2017, the Kentucky Claims Commission dismissed two (2) negligence claims and awarded seven (7) negligence claims totaling \$18,189.11. Together with the claims investigated in-house, the Claims Commission dismissed a total of seven (7) negligence claims and awarded a total of 12 negligence claims for a total amount awarded of **\$21,607.68** in September, 2017.

Members present:

Marcus Carey, Commission Chair
Carlo Wessels, Commission Member
Delana S. Sanders, Commission Member
Brian Richmond, Executive Director
Patrick Flannery, Assistant Executive Director
Mitchell Mattingly, Staff Attorney
Raymond Shields, Crime Victims Compensation Clerk
Lisa G. Robinson, Claims Clerk

FOR INSTRUCTIONS FROM THE COMMISSION:

BC-2014-825

Doris A. Harris v. Transportation Cabinet, Dept. of Highways
Commission dismissed as settled in the parallel Clay Circuit Court action.

BC-2015-966, 2015-967, and 2015-968

Eric Henry, Individually and as Next Friend of Kelsey Henry and Administrator of the Estate of Marcus Henry v. Transportation Cabinet, Dept. of Highways
Commission awarded the Claimants \$150,000.00 as agreed by the parties.

BC-2016-188

Wade A. McNabb v. Education Cabinet, Professional Standards Board
Commission dismissed the claim with prejudice as recommended by the hearing officer.

FULL COMMISSION REVIEW:

BC-2017-069

Labreeska Wallace v. Transportation Cabinet, Dept. of Highways
Commission upheld its original dismissal.

RECOMMENDED ORDERS:

BC-2008-952

The Estate of Daryl Lynn Pauly, M.D. v. University of Kentucky
Commission adopted the recommendation of the hearing officer granting the Respondent's Motion for Summary Judgment.

BC-2014-459

Romeo Delrosario v. Transportation Cabinet, Dept. of Highways
Commission adopted the recommendation of the hearing officer denying payment of the claim.

BC-2015-740

Adam Leroy v. Transportation Cabinet, Dept. of Highway
Commission adopted the recommendation of the hearing officer dismissing the claim for failure to abide by the orders of the Commission.

BC-2016-199

Jeffrey Seay v. Transportation Cabinet, Dept. of Highways
Commission adopted the recommendation of the hearing officer denying payment of the claim.

BC-2016-393

Anthony Jerome v. Western Kentucky University
Commission adopted the recommendation of the hearing officer denying payment of the claim.

BC-2016-607

Derrick Smith v. Justice & Public Safety Cabinet, Dept. of Corrections
Commission adopted the recommendation of the hearing officer dismissing the claim.

BC-2017-003

Kristi Pittman v. Transportation Cabinet, Dept. of Highways
Commission adopted the recommendation of the hearing officer dismissing the claim for failure to abide by the orders of the hearing officer.

BC-2017-010

Michael Nickels v. Tourism, Arts & Heritage Cabinet, Dept. of Parks
Commission adopted the recommendation of the hearing officer dismissing the claim.

Total number of Claims: 13