

**COMMONWEALTH OF KENTUCKY**  
**Claims Commission**  
**Agenda**  
**October 23, 2018**

The Kentucky Claims Commission received 38 negligence claims filed against the Commonwealth during the month of September, 2018. As many claims as possible were perfected and served on state agencies by several members of the Claims Commission staff.

These staff members, including the Executive Director and the Staff Attorney, processed and/or decided approximately 91 claims under \$2,500.00 in September, 2018. Approximately 62 of these claims were dismissed and approximately 29 were awarded, for an estimated total amount awarded of \$15,224.18.

At its meeting on September 25, 2018, the Claims Commission dismissed two (2) negligence claims and awarded three (3) negligence claims totaling \$8,839.33. Together with the claims investigated pursuant to KRS 49.090(2), the Claims Commission dismissed approximately 64 negligence claims and awarded approximately 32 negligence claims for an estimated total amount awarded of \$24,063.51 in September, 2018.

*CLERK'S NOTE: All claims from 2018 and forward will be numbered as CC (for Claims Commission) rather than BC.*

**FOR INSTRUCTIONS FROM THE COMMISSION:**

**BC-2013-382**

Estate of Richard L. Cox v. Transportation Cabinet, Dept. of Highways

Notes: Claimant's Status Report filed 9/21/18 indicating that the parallel Henderson Circuit Court matter has settled and this claim may be dismissed.

Counsel's Recommendation: Enter an Order of Dismissal at the request of the Claimant. X

**CC-2018-037**

Sedgley Brockett v. Transportation Cabinet, Dept. of Highways

Notes: Agreed Order of Dismissal recommended by the hearing officer.

Counsel's Recommendation: Enter an Order of Dismissal at the request of the parties. X

**CC-2018-251**

Deborah Lynn Eiden v. University of Kentucky

Notes: Agreed Order of Dismissal recommended by the hearing officer.

Counsel's Recommendation: Enter an Order of Dismissal at the request of the parties. X

**CC-2018-318**

Courtney Ann Hall v. Murray State University

Notes: Claimant's Notice of Voluntary Dismissal filed by the hearing officer. X

Counsel's Recommendation: Enter an Order of Dismissal at the request of the Claimant.

**CC-2018-409**

Brenda K. Smith v. Justice & Public Safety Cabinet

Notes: Settlement Agreement awarding the Claimant \$4,520.75 filed with an Agreed Order of Dismissal recommended by the hearing officer.

Counsel's Recommendation: Enter an Order awarding the Claimant \$4,520.75 in settlement of this claim. ✓

**CC-2018-588**

Roger M. Boggess v. Transportation Cabinet, Dept. of Highways

Notes: Agreed Order of Dismissal awarding the Claimant \$3,702.00.

Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$3,702.00 at the request of the parties. ✓

FULL COMMISSION REVIEWS

**CC-2018-344**

Gary Piper v. Transportation Cabinet, Dept. of Highways

Notes: Findings of Fact, Opinion and Order rendered 9/19/18 denying payment of the claim. Claimant filed a letter from the shop that worked on his car with his request for a Full Commission Review.

*Uphold*

**CC-2018-429**

Tanner Smith v. University of Kentucky

Notes: Findings of Fact, Opinion and Order rendered 9/18/18 denying payment of the claim. Claimant requested a Full Commission Review and Respondent filed a reply to the request.

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**CC-2018-466**

Mary Cotton v. Transportation Cabinet, Dept. of Highways

Notes: Findings of Fact, Opinion and Order rendered 9/4/18 denying payment of the claim.

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**CC-2018-481**

Jimmy Cornette #171374 v. Justice & Public Safety Cabinet, Dept. of Corrections

Notes: Findings of Fact, Opinion and Order rendered 9/19/18 denying payment of the claim.

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**CC-2018-540**

Mac Brown v. Murray State University

Notes: Findings of Fact, Opinion and Order rendered 10/5/18 awarding the Claimant \$618.86 (half of the amount claimed). Claimant filed a video on CD of the accident and would like the Commission to review it before making a decision.

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MOTIONS

**BC-16-642**

William B. Walker v. Justice & Public Safety Cabinet, Dept. of Corrections

Notes: Claimant has filed a Motion for Relief from the Order of Dismissal rendered 2/21/17 in this closed claim. Respondent has filed no response to this motion.

Counsel's Recommendation: Overrule the Motion for Relief filed by the Claimant. ✓

Total number of claims: 12

Cannot accept for filing

No Order to be rendered - return to Claimant w/ ltr stating no jpd.