

COMMONWEALTH OF KENTUCKY
Claims Commission
Minutes
September 25, 2018

The Kentucky Claims Commission received 64 negligence claims filed against the Commonwealth during the month of August, 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* **130** claims under \$2,500.00 in August, 2018. Approximately 79 of these claims were dismissed and approximately 54 were awarded, for an *estimated* total amount awarded of **\$26,723.59**.

At its meeting on August 28, 2018, the Kentucky Claims Commission dismissed four (4) negligence claims and awarded six (6) negligence claim totaling **\$145,377.74**. Together with the claims investigated in-house, the Claims Commission dismissed *approximately* **81** negligence claims and awarded *approximately* **59** negligence claims for an *estimated* total amount awarded of **\$172,101.33** in August, 2018.

Members Present: Marcus Carèy, Esq., Commission Chairperson
 Carlo Wessels, Esq., Commission Member
 Delana S. Sanders, Esq., Commission Member
 Tim Cocanougher, Esq., Executive Director
 Mitchell Mattingly, Esq., Staff Attorney
 James Howard, Esq., Office of Administrative Hearings
 Patrick Flannery, Esq., Office of Administrative Hearings
 Raymond Shields, Crime Victims Compensation Clerk
 Lisa Robinson, Negligence Claims Clerk

ADDENDUM

CC-2018-213

Ashlèy Scamahorn v. Transportation Cabinet, Dept. of Highways
Commission entered an Agreed Order awarding the Claimant \$4,000.00.

FOR INSTRUCTIONS FROM THE COMMISSION:

BC-2017-214

Monica Manning v. Transportation Cabinet, Dept. of Highways
Commission entered an Order awarding the Claimant \$1,500.00.

CC-2018-152

Mary Schafflein v. Tourism, Arts & Heritage Cabinet, Ky. State Fair Board
Commission entered the Agreed Order awarding the Claimant \$3,339.33.

FULL COMMISSION REVIEWS

BC-2017-289

Vicki Brashear v. Tourism, Arts & Heritage Cabinet, Dept. of Parks
Commission upheld its original decision.

CC-2018-299

Sandra Lisa Simon v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision.

CC-2018-305

Becky Gift v. University of Kentucky
Commission upheld its original decision.

CC-2018-358

Joyce McNeal v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision.

CC-2018-434

Leontae Presley v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision.

CC-2018-501

Daniel Roberts v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision.

CC-2018-559

Tiara Grough v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision.

MOTIONS

CC-2018-365

Bizsoft, Inc. v. University of Kentucky
*Commission **sustained** the Motion to Dismiss.*

CC-2018-468

Donna House v. Finance and Administration Cabinet
*Commission **overruled** the Motion to Dismiss and assigned the claim to Hearing Officer James Howard for further proceedings.*

RECOMMENDED ORDERS

BC-2015-628 & BC-2015-629

David Taylor, the Estate of Brianna Taylor, and Mickayla Harig v. Transportation Cabinet, Dept. of Highways
Commission adopted the recommendation of the hearing officer denying payment of the claim.

Total number of claims: 13

Total amount awarded: \$8,839.33