

**Legislative Claims Commission**

# **ANNUAL REPORT**

**2018**

Janet N. Kawash  
Clerk of the Commission



2018

Annual Report  
of the  
West Virginia Legislative Claims Commission

Commissioners

J. David Cecil, Presiding Commissioner

George F. Fordham, Commissioner

J. Rudy Martin, Commissioner

Janet N. Kawash, Clerk





## West Virginia Legislative Claims Commission

Presiding Commissioner  
J. David Cecil  
Commissioners  
George F. Fordham  
J. Rudy Martin

1900 Kanawha Blvd., E., Rm. W-334  
Charleston, West Virginia 25305-0610  
Telephone (304) 347-4851  
Facsimile (304) 347-4915

Janet N. Kawash  
Clerk  
Becky A. Ofesh  
Chief Deputy Clerk

Honorable Members of the  
West Virginia State Legislature

It is my honor and privilege to present to you, in accordance with West Virginia Code §14-2-25, the Annual Report of the West Virginia Legislative Claims Commission. This Report covers the activities of the Commission for the calendar year 2017.

Respectfully submitted,

A handwritten signature in blue ink that reads "Janet N. Kawash".

Janet N. Kawash  
Clerk



## TABLE OF CONTENTS

### Table of Claims Awarded by Agency

|   |      |
|---|------|
| Department of Administration .....            | 1    |
| Department of Environmental Protection.....   | 1    |
| Department of Health and Human Resources..... | 1    |
| Department of Veterans Assistance.....        | 1    |
| Division of Corrections.....                  | 1    |
| Division of Highways.....                     | 2-32 |
| Division of Motor Vehicles.....               | 32   |
| Office of Technology.....                     | 32   |
| Regional Jail Authority.....                  | 32   |
| State Board of Education.....                 | 32   |
| State of West Virginia .....                  | 32   |

|                                       |       |
|---------------------------------------|-------|
| Table of Over-Expenditure Claims..... | 33-34 |
|---------------------------------------|-------|

|                        |       |
|------------------------|-------|
| Disallowed Claims..... | 35-36 |
|------------------------|-------|

### Abstracts of Opinions of Claims

|   |       |
|---|-------|
| Department of Administration .....            | 37    |
| Department of Environmental Protection.....   | 37    |
| Department of Health and Human Resources..... | 37-39 |
| Department of Veterans Assistance.....        | 39    |
| Division of Corrections.....                  | 39    |
| Division of Highways.....                     | 40-64 |
| Division of Motor Vehicles.....               | 64    |
| Office of Technology .....                    | 64    |
| Regional Jail Authority.....                  | 65-66 |
| State Board of Education.....                 | 66    |
| State of West Virginia .....                  | 67    |





## SUMMARY OF FUNDS

### REGULAR CLAIMS BILL

|                                      |                       |
|--------------------------------------|-----------------------|
| GENERAL REVENUE FUNDS                | \$1,545,502.09        |
| SPECIAL REVENUE FUNDS                | \$ 22,441.15          |
| STATE ROADS FUNDS                    | \$ 408,810.13         |
| <b>TOTAL FOR REGULAR CLAIMS BILL</b> | <b>\$1,976,753.37</b> |

### OVEREXPENDITURE CLAIMS BILL

|  |                     |
|--|---------------------|
| GENERAL REVENUE FUNDS                        | \$208,236.95        |
| <b>TOTAL FOR OVEREXPENDITURE CLAIMS BILL</b> | <b>\$208,236.95</b> |



## Claims Presented to the 2018 Legislature

| Number  | Name of Claimant                 | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|----------------------------------|--|----------------|----------------|-----------------|
| 17-0140 | Ricoh USA,                       | Department of Administration, Office of Technology                   | 16,781.29      | 16,781.29      | 10/18/2017      |
| 17-0095 | Potesta & Associates Inc.,       | Department of Environmental Protection                               | 193,170.00     | 193,170.00     | 6/14/2017       |
| 16-0557 | Saunders Staffing Inc.,          | Department of Health and Human Resources                             | 6,924.50       | 3,195.16       | 6/14/2017       |
| 16-0556 | Saunders Staffing Inc.,          | Department of Health and Human Resources                             | 6,924.50       | 4,326.48       | 6/14/2017       |
| 17-0062 | Management Registry Inc.,        | Department of Health and Human Resources, et al.                     | 1,229.34       | 1,229.34       | 5/3/2017        |
| 16-0847 | Sunbelt Staffing,                | Department of Health and Human Resources, et al.                     | 6,315.00       | 6,315.00       | 5/3/2017        |
| 17-0222 | Social Solutions Global Inc.,    | Department of Health and Human Resources, WV Home Visitation Program | 83,781.00      | 83,781.00      | 8/2/2017        |
| 16-0361 | G4S Secure Solutions (USA) Inc., | Department of Veterans Assistance                                    | 2,546.34       | 2,546.34       | 3/28/2017       |
| 16-0895 | Skaggs, Shelby                   | Division of Corrections  | 24.30          | 24.30          | 11/28/2017      |
| 16-0966 | Surber Jr., Donald B.            | Division of Corrections  | 70.00          | 70.00          | 12/4/2017       |

| Number  | Name of Claimant                         | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|--|----------------------|----------------|----------------|-----------------|
| 15-0172 | Abell, Robert A. Abell and Linda         | Division of Highways | 117.08         | 117.08         | 9/20/2017       |
| 17-0348 | Adams, Jessica Adams and Christopher D.  | Division of Highways | 397.83         | 397.83         | 8/22/2017       |
| 15-1855 | Adams, Susan M.                          | Division of Highways | 2,295.00       | 500.00         | 10/30/2017      |
| 17-0256 | Adkins, Harmon                           | Division of Highways | 83.50          | 83.50          | 6/13/2017       |
| 15-0376 | Archer, Carmen                           | Division of Highways | 321.00         | 321.00         | 11/8/2017       |
| 17-0043 | Ash, Vincent Lee                         | Division of Highways | 297.89         | 297.89         | 10/18/2017      |
| 17-0166 | Badiiishamwalimu, Pervous A.             | Division of Highways | 83.72          | 83.72          | 6/15/2017       |
| 17-0562 | Bailes Jr., Kimberly Bailes and James R. | Division of Highways | 726.61         | 726.61         | 10/17/2017      |
| 17-0309 | Bailey, Erika Bailey and Timothy C.      | Division of Highways | 304.95         | 304.95         | 6/15/2017       |
| 15-0906 | Bailey, Randall D. Bailey and Veronica   | Division of Highways | 264.43         | 264.43         | 8/25/2017       |
| 16-0462 | Bails, Kelli                             | Division of Highways | 934.56         | 500.00         | 10/18/2017      |
| 16-0856 | Banks, Caleb                             | Division of Highways | 500.00         | 500.00         | 8/22/2017       |

| <b>Number</b> | <b>Name of Claimant</b>                                     | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---|---------------------------|-----------------------|-----------------------|------------------------|
| 15-2072       | Barido, Georgia Loraine Barido and Michael Ray              | Division of Highways      | 568.05                | 568.05                | 4/4/2017               |
| 16-0840       | Barnett, Sharon   | Division of Highways      | 217.20                | 217.20                | 8/18/2017              |
| 15-2059       | Barnette, Charles J.  | Division of Highways      | 1,000.00              | 1,000.00              | 4/4/2017               |
| 13-0604       | Barrar, Timothy Barrar and Andrea                           | Division of Highways      | 451.21                | 451.21                | 9/28/2017              |
| 16-0383       | Beech, Edward J. Beech and Barbara J.                       | Division of Highways      | 297.97                | 297.97                | 9/20/2017              |
| 15-2039       | Bell, Administratrix of the Estate of Raheem Bonds, Angelia | Division of Highways      | unliquidated          | 75,000.00             | 8/3/2017               |
| 14-1579       | Bishoff, Jessica  | Division of Highways      | 385.24                | 385.24                | 9/20/2017              |
| 17-0152       | Bland, Jeffrey  | Division of Highways      | 391.58                | 391.58                | 6/15/2017              |
| 17-0581       | Blevins, Joseph Blevins and Sharon A.                       | Division of Highways      | 141.00                | 141.00                | 10/17/2017             |
| 17-0570       | Boggs, Jeffrey W. Boggs and Kemellia                        | Division of Highways      | 250.00                | 250.00                | 11/8/2017              |
| 17-0386       | Boley, Jeffrey  | Division of Highways      | 211.12                | 211.12                | 8/22/2017              |
| 17-0282       | Bonds, Joseph Bonds and Brittany                            | Division of Highways      | 148.35                | 148.35                | 6/15/2017              |

| <b>Number</b> | <b>Name of Claimant</b>                | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 15-2047       | Bowers, Ralph J. Bowers and Jeanne E.  | Division of Highways      | 284.73                | 284.73                | 8/22/2017              |
| 17-0315       | Bowles, David L.                       | Division of Highways      | 236.47                | 236.47                | 6/15/2017              |
| 16-0732       | Bray, James D. Bray Jr. and Crystal M. | Division of Highways      | 764.00                | 500.00                | 8/18/2017              |
| 17-0435       | Brennan, Gerald                        | Division of Highways      | 347.92                | 347.92                | 10/24/2017             |
| 17-0069       | Brown, Dorothy                         | Division of Highways      | 500.00                | 500.00                | 4/18/2017              |
| 17-0115       | Browning, Julie                        | Division of Highways      | 500.00                | 500.00                | 4/4/2017               |
| 17-0288       | Buckner, Daniel Buckner and Traci      | Division of Highways      | 100.00                | 100.00                | 8/22/2017              |
| 16-0173       | Bukeirat, Faisal                       | Division of Highways      | 382.37                | 250.00                | 10/18/2017             |
| 17-0220       | Bukrim, Kelly Ann                      | Division of Highways      | 151.05                | 151.05                | 6/6/2017               |
| 17-0067       | Burcham, Margery D.                    | Division of Highways      | 259.55                | 259.55                | 12/14/2017             |
| 17-0328       | Burgess, Craig M.                      | Division of Highways      | 76.32                 | 76.32                 | 8/22/2017              |
| 17-0510       | Burkhart, Robert W.                    | Division of Highways      | 133.74                | 133.74                | 11/8/2017              |

| <b>Number</b> | <b>Name of Claimant</b>           | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|-----------------------------------|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0128       | Burns, Jason Burns and Andrea     | Division of Highways      | 500.00                | 500.00                | 4/4/2017               |
| 16-0039       | Burnside, Paul                    | Division of Highways      | 644.40                | 644.40                | 9/20/2017              |
| 17-0517       | Burrows, Randy Burrows and Cheryl | Division of Highways      | 184.72                | 184.72                | 9/28/2017              |
| 17-0112       | Burrows, Shirley                  | Division of Highways      | 500.00                | 500.00                | 4/4/2017               |
| 17-0217       | Calderwood, Jeremy                | Division of Highways      | 93.79                 | 93.79                 | 6/6/2017               |
| 15-0404       | Cale, Christopher W.              | Division of Highways      | 948.14                | 948.14                | 8/22/2017              |
| 17-0385       | Cameron, Toni K.                  | Division of Highways      | 358.10                | 358.10                | 9/28/2017              |
| 17-0196       | Carpenter, Gregory A.             | Division of Highways      | 398.56                | 398.56                | 6/6/2017               |
| 17-0097       | Carter, Larry                     | Division of Highways      | 1,000.00              | 1,000.00              | 5/4/2017               |
| 17-0412       | Casdorph, Larry A.                | Division of Highways      | 116.60                | 116.60                | 8/22/2017              |
| 16-0067       | Caudill, Dustin                   | Division of Highways      | unliquidated          | 75,000.00             | 6/14/2017              |
| 16-0506       | Charleston Acoustics Supply,      | Division of Highways      | 775.57                | 775.57                | 6/13/2017              |

| <b>Number</b> | <b>Name of Claimant</b>                       | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0342       | Chaty, Richard Chaty and Leigh Ann            | Division of Highways      | 193.65                | 193.65                | 8/22/2017              |
| 15-1217       | Chisler, Cathy L.                             | Division of Highways      | 500.00                | 500.00                | 10/18/2017             |
| 15-1080       | Citynet LLC,                                  | Division of Highways      | 576.92                | 500.00                | 10/18/2017             |
| 17-0141       | Clark, Frances Bennett                        | Division of Highways      | 200.00                | 200.00                | 6/15/2017              |
| 16-0575       | Clay, Adam T. Clay and Sara                   | Division of Highways      | 302.80                | 302.80                | 8/18/2017              |
| 17-0039       | Clay, Dallas L. Clay and Morgan               | Division of Highways      | 109.50                | 109.50                | 4/18/2017              |
| 14-0603       | Coffman, John Michael                         | Division of Highways      | 3,390.96              | 1,000.00              | 9/5/2017               |
| 17-0150       | Colby, Elizabeth                              | Division of Highways      | 250.00                | 250.00                | 6/15/2017              |
| 17-0248       | Comer, Trevor Comer and Heather               | Division of Highways      | 500.00                | 500.00                | 6/13/2017              |
| 16-0122       | Compton, Janette Riblett (Siders) and Gregory | Division of Highways      | 682.33                | 682.33                | 10/18/2017             |
| 17-0038       | Conley, Nija                                  | Division of Highways      | 149.08                | 149.08                | 4/18/2017              |
| 17-0202       | Cook Jr., Glen J.                             | Division of Highways      | 116.04                | 116.04                | 6/6/2017               |



| <b>Number</b> | <b>Name of Claimant</b>               | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---------------------------------------|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0368       | Coombs, Johnett V.                    | Division of Highways      | 256.02                | 256.02                | 12/14/2017             |
| 16-0947       | Cooper, John Cooper and Colleen       | Division of Highways      | 639.32                | 639.32                | 5/2/2017               |
| 16-0802       | Corley, Michael S.                    | Division of Highways      | 992.27                | 992.27                | 11/3/2017              |
| 17-0384       | Costa, Eva L.                         | Division of Highways      | 250.00                | 250.00                | 8/22/2017              |
| 16-0574       | Cotsmire, Paige                       | Division of Highways      | 520.00                | 520.00                | 6/13/2017              |
| 17-0474       | Crago, Phillip O.                     | Division of Highways      | 428.14                | 428.14                | 11/8/2017              |
| 17-0296       | Craig, Carol C. Craig and James E.    | Division of Highways      | 127.20                | 127.20                | 6/15/2017              |
| 17-0417       | Cripe, Danielle Dawn Cripe and Robert | Division of Highways      | 63.13                 | 63.13                 | 9/28/2017              |
| 16-0046       | Crogan, Felicia Crogan and Aubrey     | Division of Highways      | 4,656.67              | 500.00                | 10/18/2017             |
| 17-0031       | Crowe, Ruth Crowe and Gerard          | Division of Highways      | 80.74                 | 80.74                 | 4/18/2017              |
| 16-0707       | Culbertson, Patsy M.                  | Division of Highways      | 282.61                | 282.61                | 8/18/2017              |
| 17-0445       | Daft, Brittany Friend and Cory        | Division of Highways      | 268.18                | 268.18                | 11/8/2017              |

| <b>Number</b> | <b>Name of Claimant</b>       | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|-------------------------------|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0081       | Dailey, Melissa Anne          | Division of Highways      | 250.00                | 250.00                | 4/4/2017               |
| 17-0316       | Dalesandro, Mario             | Division of Highways      | 500.00                | 500.00                | 8/22/2017              |
| 15-0546       | Daniels, Charles L.           | Division of Highways      | 1,365.00              | 1,365.00              | 11/8/2017              |
| 17-0143       | Danko, Robert F.              | Division of Highways      | 500.00                | 500.00                | 6/15/2017              |
| 17-0329       | Darby, Jane K.                | Division of Highways      | 631.30                | 631.30                | 8/22/2017              |
| 15-0275       | Davis, Ashtleigh              | Division of Highways      | 432.46                | 432.46                | 10/18/2017             |
| 17-0413       | Davis, Sheva L.               | Division of Highways      | 500.00                | 500.00                | 8/22/2017              |
| 17-0216       | Davis, Tyler Davis and Raquel | Division of Highways      | 82.68                 | 82.68                 | 6/6/2017               |
| 17-0159       | Day, Joseph Day and Carol     | Division of Highways      | 50.00                 | 50.00                 | 6/15/2017              |
| 15-1824       | Dean, Larry R.                | Division of Highways      | 708.50                | 500.00                | 10/18/2017             |
| 17-0194       | Dean, Nicholas Bryan          | Division of Highways      | 215.19                | 215.19                | 6/6/2017               |
| 17-0195       | Dean, Nicholas Bryan          | Division of Highways      | 41.86                 | 41.86                 | 6/6/2017               |

| Number  | Name of Claimant                        | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|---|----------------------|----------------|----------------|-----------------|
| 17-0190 | Defibaugh, Adoniram Defibough and Debra | Division of Highways | 232.14         | 232.14         | 6/6/2017        |
| 16-0641 | Dellamea, Louis Dellamea and Deborah I. | Division of Highways | 523.28         | 500.00         | 9/20/2017       |
| 17-0201 | Diaz, Chrisanne                         | Division of Highways | 529.95         | 529.95         | 6/6/2017        |
| 17-0389 | Dibacco, Shelby                         | Division of Highways | 358.52         | 358.52         | 10/30/2017      |
| 17-0127 | Dituro, Anthony Dituro and Courtney     | Division of Highways | 102.99         | 102.99         | 4/4/2017        |
| 16-0813 | Dix, David G.                           | Division of Highways | 509.38         | 254.70         | 8/18/2017       |
| 17-0354 | Doe, Kevin M. Doe and Mary B.           | Division of Highways | 298.34         | 298.34         | 8/22/2017       |
| 17-0084 | Doss, Jamie                             | Division of Highways | 139.92         | 139.92         | 4/4/2017        |
| 16-0778 | Dotson, Kevin                           | Division of Highways | 3,352.80       | 400.00         | 10/18/2017      |
| 17-0514 | Dotson, Sandra L.                       | Division of Highways | 220.48         | 220.48         | 12/14/2017      |
| 16-0804 | Dunn, Suzette Dunn and Philip           | Division of Highways | 298.43         | 298.43         | 6/13/2017       |
| 17-0156 | Duttine, Martin Duttine and Misty Dawn  | Division of Highways | 280.00         | 280.00         | 6/15/2017       |

| <b>Number</b> | <b>Name of Claimant</b>                    | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0164       | Eckenrode, Rebecca                         | Division of Highways      | 446.36                | 446.36                | 6/15/2017              |
| 17-0046       | Elswick, Ted A.                            | Division of Highways      | 550.00                | 550.00                | 4/18/2017              |
| 16-0297       | Farley, Tyler                              | Division of Highways      | 162.18                | 162.18                | 8/18/2017              |
| 17-0076       | Fenton, Donn-Yelle                         | Division of Highways      | 154.64                | 154.64                | 4/4/2017               |
| 17-0100       | Ferguson, Donald L. Ferguson and Lvonne D. | Division of Highways      | 217.30                | 217.30                | 5/4/2017               |
| 16-0783       | Ferrell, Nancy L.                          | Division of Highways      | 305.59                | 305.59                | 8/22/2017              |
| 16-0832       | Findley, Carol J.                          | Division of Highways      | 1,384.05              | 1,384.05              | 12/4/2017              |
| 17-0616       | Findley, Clarice Gail                      | Division of Highways      | 500.00                | 500.00                | 12/14/2017             |
| 17-0652       | Fisher, Matthew Fisher and Pamela          | Division of Highways      | 105.40                | 105.40                | 12/14/2017             |
| 16-0642       | Fleming, Betty E. Fleming and James        | Division of Highways      | 372.01                | 372.01                | 9/20/2017              |
| 16-0400       | Fletcher, Amy                              | Division of Highways      | 329.89                | 329.89                | 8/18/2017              |
| 17-0350       | Fortney, Debra D. Fortney and Mark         | Division of Highways      | 100.00                | 100.00                | 9/28/2017              |

| <b>Number</b> | <b>Name of Claimant</b>                     | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---|---------------------------|-----------------------|-----------------------|------------------------|
| 16-0347       | Foster, Charles Jason                       | Division of Highways      | 735.85                | 735.85                | 8/18/2017              |
| 15-0523       | Franz, Titus                                | Division of Highways      | 500.00                | 500.00                | 11/8/2017              |
| 17-0335       | Fredrick, Linda                             | Division of Highways      | 250.00                | 250.00                | 8/22/2017              |
| 16-0360       | Freeman, Lester D. Freeman and Delores A.   | Division of Highways      | 273.48                | 250.00                | 10/18/2017             |
| 16-0602       | French, Rickey L. French and Jophenia Ellen | Division of Highways      | 916.83                | 916.83                | 8/22/2017              |
| 17-0402       | Fulks, Robin R.                             | Division of Highways      | 1,000.00              | 1,000.00              | 8/22/2017              |
| 15-0451       | George, Donna                               | Division of Highways      | 367.68                | 367.68                | 11/8/2017              |
| 16-0633       | Gibson, Wanda S.                            | Division of Highways      | 1,348.25              | 500.00                | 9/20/2017              |
| 16-0951       | Global Science & Technology Inc.,           | Division of Highways      | 10,450.62             | 10,450.62             | 3/14/2017              |
| 17-0107       | Glover, Chelsea                             | Division of Highways      | 143.33                | 143.33                | 5/4/2017               |
| 17-0318       | Graham, Haley Graham and Blake E.           | Division of Highways      | 288.32                | 288.32                | 6/15/2017              |
| 17-0559       | Grant Jr., Christina Grant and Dewey S.     | Division of Highways      | 111.40                | 111.40                | 10/17/2017             |

| <b>Number</b> | <b>Name of Claimant</b>               | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---------------------------------------|---------------------------|-----------------------|-----------------------|------------------------|
| 15-0327       | Griffin, Timothy Griffin and Tammie   | Division of Highways      | 286.45                | 286.45                | 12/14/2017             |
| 15-1397       | Griffith, Dana K.                     | Division of Highways      | 250.00                | 250.00                | 3/14/2017              |
| 16-0900       | Grisell, Bonnie Grisell and Sidney E. | Division of Highways      | 728.61                | 500.00                | 11/3/2017              |
| 17-0637       | Grote, Tracy B. Grote and Regis M.    | Division of Highways      | 500.00                | 500.00                | 12/14/2017             |
| 17-0133       | Grubb, Jeanne Grubb and Stephen       | Division of Highways      | 325.00                | 325.00                | 4/4/2017               |
| 16-0118       | Hairston, David Hairston and Angela   | Division of Highways      | 1,107.81              | 250.00                | 8/18/2017              |
| 14-1474       | Hall, Chris                           | Division of Highways      | 1,363.87              | 1,000.00              | 10/30/2017             |
| 15-0801       | Hall, Donald L.                       | Division of Highways      | 275.57                | 250.00                | 10/18/2017             |
| 17-0357       | Hall, Linda L. Hall and Danny         | Division of Highways      | 101.76                | 101.76                | 8/22/2017              |
| 17-0054       | Hanket, Michael                       | Division of Highways      | 500.00                | 500.00                | 4/18/2017              |
| 16-0891       | Hardiman, Chevele                     | Division of Highways      | 591.07                | 500.00                | 8/18/2017              |
| 17-0397       | Harper, Christian                     | Division of Highways      | 388.74                | 388.74                | 8/22/2017              |

| <b>Number</b> | <b>Name of Claimant</b>                    | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 13-0275       | Harper, Pamela M.                          | Division of Highways      | 500.00                | 500.00                | 9/28/2017              |
| 17-0286       | Harris, Jerry L.                           | Division of Highways      | 68.90                 | 68.90                 | 6/15/2017              |
| 16-0094       | Hatcher, Donald Ray Hatcher Jr. and Sigrid | Division of Highways      | 500.00                | 500.00                | 6/13/2017              |
| 16-0582       | Haverland, Noah                            | Division of Highways      | 6,605.58              | 6,605.58              | 6/13/2017              |
| 17-0374       | Haverland, Robert M.                       | Division of Highways      | 947.56                | 947.56                | 8/22/2017              |
| 17-0078       | Haynes, Brandi Haynes and David            | Division of Highways      | 1,000.00              | 1,000.00              | 4/4/2017               |
| 16-0909       | Helms Sr., William D.                      | Division of Highways      | 132.44                | 132.44                | 11/3/2017              |
| 17-0326       | Henderson, Opal Gay Vance and Nikki        | Division of Highways      | 188.68                | 188.68                | 8/22/2017              |
| 17-0287       | Hendricks, Robert G.                       | Division of Highways      | 138.71                | 138.71                | 6/15/2017              |
| 14-0925       | Hickman, Donna                             | Division of Highways      | 346.95                | 346.95                | 10/24/2017             |
| 17-0228       | Hickman, Kathy J. Hickman and Edward       | Division of Highways      | 240.19                | 240.19                | 10/30/2017             |
| 17-0180       | Hill, Kyle D.                              | Division of Highways      | 322.86                | 322.86                | 6/15/2017              |

| Number  | Name of Claimant                              | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|---|----------------------|----------------|----------------|-----------------|
| 15-1688 | Hinkle, Cynthia R.                            | Division of Highways | 613.86         | 613.86         | 9/5/2017        |
| 15-1689 | Hinkle, Cynthia R.                            | Division of Highways | 322.72         | 322.72         | 9/5/2017        |
| 15-1453 | Hoak, Tammy K.                                | Division of Highways | 315.95         | 315.95         | 9/5/2017        |
| 17-0338 | Hodge, Andy Garland and Margaret              | Division of Highways | 438.68         | 438.68         | 8/22/2017       |
| 16-0756 | Holliday, Maynard L.                          | Division of Highways | 190.80         | 190.80         | 12/14/2017      |
| 17-0200 | Huffman, Larry D.                             | Division of Highways | 759.98         | 759.98         | 6/6/2017        |
| 17-0185 | Hufford, Christine E. Hufford and James B.    | Division of Highways | 250.00         | 250.00         | 6/6/2017        |
| 17-0193 | Humphrey, Mary Ellen                          | Division of Highways | 201.40         | 201.40         | 6/6/2017        |
| 17-0471 | Humphreys, Christopher Humphreys and Susan M. | Division of Highways | 500.00         | 500.00         | 9/28/2017       |
| 16-0142 | Hundley, Brian                                | Division of Highways | 325.80         | 325.80         | 4/4/2017        |
| 17-0093 | Hunt, James R.                                | Division of Highways | 36.99          | 36.99          | 4/4/2017        |
| 17-0265 | Hunt, Michael                                 | Division of Highways | 153.70         | 153.70         | 6/13/2017       |



| <b>Number</b> | <b>Name of Claimant</b>                               | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0302       | Hunter, Henry   | Division of Highways      | 100.00                | 100.00                | 6/15/2017              |
| 17-0372       | Hurst, Larry  | Division of Highways      | 185.00                | 185.00                | 8/22/2017              |
| 17-0051       | Hutchinson, Jeremy S.                                 | Division of Highways      | 323.30                | 323.30                | 5/2/2017               |
| 17-0035       | Hvizdak, Patricia                                     | Division of Highways      | 112.30                | 112.30                | 10/30/2017             |
| 17-0327       | Jackson, Jennifer Jackson, Franklin Jackson and Tammy | Division of Highways      | 500.00                | 500.00                | 8/22/2017              |
| 16-0696       | Jackson Jr., Robert L.                                | Division of Highways      | 1,698.44              | 1,698.44              | 9/5/2017               |
| 16-0467       | Jarrett, Mark D.                                      | Division of Highways      | 250.00                | 250.00                | 6/13/2017              |
| 15-1695       | Jarvis, Norma   | Division of Highways      | 1,271.77              | 1,271.77              | 6/13/2017              |
| 16-0551       | Javage, William Steve                                 | Division of Highways      | 1,210.31              | 1,210.31              | 8/25/2017              |
| 17-0277       | Johnson, Darlene Johnson and James                    | Division of Highways      | 244.86                | 244.86                | 8/22/2017              |
| 16-0165       | Johnson, Heather R. Johnson and James                 | Division of Highways      | 254.35                | 254.35                | 8/22/2017              |
| 17-0130       | Johnson, Jack   | Division of Highways      | 57.00                 | 57.00                 | 4/4/2017               |

| <b>Number</b> | <b>Name of Claimant</b>                      | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 16-0536       | Johnson, Rebecca Anne Johnson and Troy       | Division of Highways      | 616.12                | 250.00                | 8/18/2017              |
| 16-0007       | Johnson, Sherry L.                           | Division of Highways      | 168.54                | 168.54                | 4/4/2017               |
| 17-0568       | Jones, Jack Jones Jr. and Cristy             | Division of Highways      | 146.18                | 146.18                | 10/17/2017             |
| 17-0063       | Jones, Jason                                 | Division of Highways      | 163.91                | 163.91                | 4/18/2017              |
| 17-0299       | Jones-Marino, Sheila K.                      | Division of Highways      | 492.05                | 492.05                | 6/15/2017              |
| 16-0730       | Justice, Linsey                              | Division of Highways      | 398.32                | 398.32                | 4/25/2017              |
| 17-0472       | Justice, Michael Alexander Justice and Amber | Division of Highways      | 84.75                 | 84.75                 | 10/30/2017             |
| 17-0135       | Kester, John E.                              | Division of Highways      | 500.00                | 500.00                | 4/4/2017               |
| 17-0454       | Kiehle, Tim                                  | Division of Highways      | 255.02                | 255.02                | 10/24/2017             |
| 11-0612       | Kindler, Stephen J. Kindler and Kathleen     | Division of Highways      | 808.15                | 808.15                | 9/28/2017              |
| 17-0181       | Kirk, Thomas Lee                             | Division of Highways      | 435.65                | 435.65                | 6/15/2017              |
| 16-0803       | Kirtley, Roger                               | Division of Highways      | 217.30                | 217.30                | 5/2/2017               |

| <b>Number</b> | <b>Name of Claimant</b>                    | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0303       | Knauss, Susan                              | Division of Highways      | 286.31                | 286.31                | 6/15/2017              |
| 16-0059       | Lacy, Jennifer Lacy and Brian              | Division of Highways      | 250.00                | 250.00                | 4/4/2017               |
| 17-0170       | Lafferty, Eric T.                          | Division of Highways      | 500.00                | 500.00                | 6/13/2017              |
| 17-0058       | Lambert, Fonda                             | Division of Highways      | 596.33                | 596.33                | 4/18/2017              |
| 15-0989       | Lambert, Shana Lambert and Robert          | Division of Highways      | 668.96                | 668.96                | 9/20/2017              |
| 17-0189       | Lantz, Justin Lantz and Robert             | Division of Highways      | 405.07                | 405.07                | 6/6/2017               |
| 17-0238       | Law Jr., Michael                           | Division of Highways      | 129.14                | 129.14                | 6/13/2017              |
| 17-0367       | Legg, Rodney Legg and Retha                | Division of Highways      | 193.55                | 193.55                | 10/24/2017             |
| 17-0405       | Leist, Jennifer K. Lester and Michael Alan | Division of Highways      | 690.85                | 690.85                | 8/22/2017              |
| 17-0139       | Leonard, Patrick D. Leonard and Lelah A.   | Division of Highways      | 500.00                | 500.00                | 4/4/2017               |
| 16-0821       | Lewis, Lorrie                              | Division of Highways      | 723.00                | 723.00                | 8/18/2017              |
| 16-0726       | Likens, Joyce Likens and Lucian            | Division of Highways      | 586.54                | 586.54                | 3/14/2017              |

| <b>Number</b> | <b>Name of Claimant</b>                    | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 16-0616       | Lonsinger, Karen                           | Division of Highways      | 228.27                | 228.27                | 4/25/2017              |
| 17-0377       | Losh, Stacey Losh and Gregory              | Division of Highways      | 500.00                | 500.00                | 8/22/2017              |
| 13-0623       | Mader, Erin                                | Division of Highways      | 500.00                | 500.00                | 9/28/2017              |
| 17-0116       | Madous, Charles V. Madous and Kimberly A.  | Division of Highways      | 419.39                | 419.39                | 4/4/2017               |
| 17-0075       | Mairs, Jarrell                             | Division of Highways      | 183.38                | 183.38                | 4/4/2017               |
| 17-0411       | Mamula, Perry Mamula and Andrea J.         | Division of Highways      | 209.88                | 209.88                | 12/14/2017             |
| 16-0105       | Marcum, Lissa D.                           | Division of Highways      | 845.45                | 845.45                | 8/18/2017              |
| 16-0920       | Margenau, Jordan Margenau and Matthew      | Division of Highways      | 500.00                | 500.00                | 8/22/2017              |
| 17-0544       | Marino, Sheila K. Jones-Marino and Vincent | Division of Highways      | 288.32                | 288.32                | 10/17/2017             |
| 17-0110       | Marks, Johnnie                             | Division of Highways      | 500.00                | 500.00                | 4/4/2017               |
| 16-0563       | Marra, Carey                               | Division of Highways      | 712.15                | 712.15                | 6/13/2017              |
| 17-0118       | Martin, Stephen C.                         | Division of Highways      | 118.70                | 118.70                | 4/4/2017               |

| <b>Number</b> | <b>Name of Claimant</b>                | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0146       | Mazaska, John L.                       | Division of Highways      | 135.00                | 135.00                | 6/15/2017              |
| 15-0771       | Mazza, Larry F.                        | Division of Highways      | 833.28                | 833.28                | 10/18/2017             |
| 17-0360       | McClain, Stephanie Martin and Jason    | Division of Highways      | 500.00                | 500.00                | 8/22/2017              |
| 17-0243       | McCoy, Devin McCoy and Sherry          | Division of Highways      | 176.84                | 176.84                | 6/13/2017              |
| 14-0967       | McGee Motors LTD, Kenneth McGee        | Division of Highways      | 630.00                | 630.00                | 9/28/2017              |
| 17-0215       | McGoldrick, Jonathan                   | Division of Highways      | 108.28                | 108.28                | 6/6/2017               |
| 17-0064       | McGoskey, Jared                        | Division of Highways      | 132.00                | 132.00                | 4/18/2017              |
| 16-0970       | McKinney, Delmas E.                    | Division of Highways      | 362.00                | 362.00                | 10/18/2017             |
| 17-0365       | McQuain, George                        | Division of Highways      | 87.00                 | 87.00                 | 10/24/2017             |
| 17-0108       | Meade, Melissa Meade and Kristina      | Division of Highways      | 528.58                | 528.58                | 6/6/2017               |
| 17-0632       | Meador, Rita Sue Meador and Michael H. | Division of Highways      | 461.10                | 461.10                | 12/14/2017             |
| 17-0176       | Meadows, Tammy J.                      | Division of Highways      | 500.84                | 500.84                | 8/22/2017              |

| Number  | Name of Claimant                           | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|--|----------------------|----------------|----------------|-----------------|
| 17-0033 | Menshouse, Katelynn Menshouse and Justin   | Division of Highways | 500.00         | 500.00         | 12/14/2017      |
| 17-0244 | Milburn, Matthew D.                        | Division of Highways | 318.00         | 318.00         | 6/13/2017       |
| 15-1469 | Miller, Jerri L.                           | Division of Highways | 167.37         | 167.37         | 9/20/2017       |
| 15-1470 | Miller, Jerri L.                           | Division of Highways | 301.36         | 301.36         | 9/20/2017       |
| 16-0617 | Miller, Stacy L. Miller and Bobby E.       | Division of Highways | 250.00         | 250.00         | 4/25/2017       |
| 17-0285 | Momen, Elissa                              | Division of Highways | 77.36          | 77.36          | 6/15/2017       |
| 16-0470 | Moneyppenny, Nickolas                      | Division of Highways | 1,469.69       | 1,469.69       | 9/5/2017        |
| 17-0419 | Mulvene, Kelly Ann                         | Division of Highways | 441.17         | 441.17         | 10/24/2017      |
| 16-0797 | Myerly, Connie Mollohan and Edith          | Division of Highways | 223.59         | 223.59         | 9/5/2017        |
| 17-0290 | Nester, Richard L. Nester Sr. and Donna S. | Division of Highways | 100.70         | 100.70         | 6/15/2017       |
| 16-0791 | Newman, Jeremy                             | Division of Highways | 221.17         | 221.17         | 6/13/2017       |
| 16-0700 | Norman, Tyler J.                           | Division of Highways | 450.77         | 450.77         | 10/24/2017      |

| Number  | Name of Claimant                               | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|--|----------------------|----------------|----------------|-----------------|
| 16-0465 | Nuckles Jr., Charles                           | Division of Highways | 1,000.00       | 1,000.00       | 6/13/2017       |
| 17-0428 | Nutter, Bobby J. Nutter and Sandra             | Division of Highways | 116.60         | 116.60         | 10/24/2017      |
| 16-0381 | Oxley, Erika A.                                | Division of Highways | 493.11         | 493.11         | 8/18/2017       |
| 17-0336 | Palmeri, Chelsie                               | Division of Highways | 315.00         | 315.00         | 8/22/2017       |
| 17-0410 | Parker, Nancy L. Parker and Clarence           | Division of Highways | 500.00         | 500.00         | 8/22/2017       |
| 17-0085 | Parlier, Jon S.                                | Division of Highways | 79.00          | 79.00          | 5/2/2017        |
| 16-0409 | Patterson, Eva Jo                              | Division of Highways | 4,000.00       | 4,000.00       | 10/18/2017      |
| 17-0145 | Paul, Mary K. Paul and Michael Jason           | Division of Highways | 456.05         | 456.05         | 10/18/2017      |
| 17-0580 | Pecjak, Dona L.                                | Division of Highways | 332.05         | 332.05         | 10/17/2017      |
| 17-0362 | Pendergrass, Melody Pendergrass and Gregory T. | Division of Highways | 182.08         | 182.08         | 8/22/2017       |
| 15-0863 | Perdue, Racheal Perdue and Chad S.             | Division of Highways | 500.00         | 500.00         | 10/18/2017      |
| 17-0478 | Perdue, Stanley J.                             | Division of Highways | 661.92         | 500.00         | 10/30/2017      |

| <b>Number</b> | <b>Name of Claimant</b>                                       | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---|---------------------------|-----------------------|-----------------------|------------------------|
| 15-2039       | Perdue, Administratrix of the Estate of Lauren Perdue, Pamela | Division of Highways      | 20,000.00             | 75,000.00             | 8/3/2017               |
| 16-0405       | Phillips, Kevin J.  | Division of Highways      | 234.42                | 234.42                | 9/20/2017              |
| 17-0080       | Phillips, Mary  | Division of Highways      | 69.00                 | 69.00                 | 4/4/2017               |
| 16-0500       | Pierson, Carole L.  | Division of Highways      | 256.00                | 256.00                | 12/14/2017             |
| 17-0308       | Piggott, Kellie A. Piggott and Robert D.                      | Division of Highways      | 170.92                | 170.92                | 6/15/2017              |
| 17-0036       | Pinkerton, Stacey J. Pinkerton and Jason L.                   | Division of Highways      | 183.39                | 183.39                | 4/18/2017              |
| 17-0087       | Piper, Sonya L. Piper and Robert                              | Division of Highways      | 500.00                | 500.00                | 4/4/2017               |
| 17-0407       | Posey, Jeremy A.  | Division of Highways      | 500.00                | 500.00                | 11/8/2017              |
| 17-0072       | Preston, Robert   | Division of Highways      | 355.24                | 355.24                | 4/4/2017               |
| 16-0097       | Prichard, David A.  | Division of Highways      | 275.60                | 275.60                | 4/18/2017              |
| 15-0016       | Pritt, Lester   | Division of Highways      | 549.61                | 250.00                | 10/18/2017             |
| 17-0071       | Raber, Bryan L.   | Division of Highways      | 127.20                | 127.20                | 4/4/2017               |



| <b>Number</b> | <b>Name of Claimant</b>                       | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---|---------------------------|-----------------------|-----------------------|------------------------|
| 14-0807       | Radcliff, Herbert Gary Radcliff and Lela      | Division of Highways      | 500.00                | 500.00                | 8/22/2017              |
| 17-0486       | Raddish, Jeffery                              | Division of Highways      | 500.00                | 500.00                | 11/8/2017              |
| 17-0045       | Rainwater, Donnetta                           | Division of Highways      | 500.00                | 500.00                | 4/18/2017              |
| 16-0793       | Ratliff, Shelia J. Ratliff and Robert E.      | Division of Highways      | 708.75                | 708.75                | 6/13/2017              |
| 17-0320       | Raymond, Dominic J. Raymond II and Kathy      | Division of Highways      | 50.00                 | 500.00                | 8/22/2017              |
| 17-0557       | Reeder, Marcie Reeder and Shann B.            | Division of Highways      | 143.10                | 143.10                | 10/17/2017             |
| 17-0094       | Richards, Lori E.                             | Division of Highways      | 270.30                | 270.30                | 5/4/2017               |
| 17-0073       | Richardson, Gary L.                           | Division of Highways      | 250.00                | 250.00                | 4/4/2017               |
| 17-0120       | Richmond, Dale                                | Division of Highways      | 170.00                | 170.00                | 4/4/2017               |
| 17-0077       | Ridgeway, Jeffrey O. Ridgeway and Kimberly D. | Division of Highways      | 265.40                | 265.40                | 4/4/2017               |
| 12-0116       | Roberts, Chessi                               | Division of Highways      | 500.00                | 500.00                | 9/28/2017              |
| 17-0370       | Robey, Eric J. Robey and Lori                 | Division of Highways      | 326.15                | 250.00                | 10/30/2017             |

| <b>Number</b> | <b>Name of Claimant</b>                            | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0068       | Rogers Jr., Olivia Loraine Rogers and Mark Douglas | Division of Highways      | 208.65                | 208.65                | 4/18/2017              |
| 17-0148       | Ross, Edward                                       | Division of Highways      | 161.00                | 161.00                | 6/15/2017              |
| 17-0153       | Roth, Joshua T. Roth and Michelle                  | Division of Highways      | 500.00                | 500.00                | 6/15/2017              |
| 17-0293       | Rothschild, Bruce R.                               | Division of Highways      | 450.00                | 450.00                | 6/15/2017              |
| 17-0271       | Rowland, Dakota                                    | Division of Highways      | 250.00                | 250.00                | 6/15/2017              |
| 17-0219       | Sacco, Sylvia Ann                                  | Division of Highways      | 864.36                | 864.36                | 10/24/2017             |
| 17-0425       | Sacre, Regina Dawn Sacre and Mark                  | Division of Highways      | 500.00                | 500.00                | 12/14/2017             |
| 17-0605       | Salisbury, Kevin L. Salisbury and Marla            | Division of Highways      | 125.61                | 125.61                | 12/14/2017             |
| 17-0268       | Samuels, Kaitlyn Johnson and Justin                | Division of Highways      | 442.98                | 442.98                | 6/13/2017              |
| 17-0102       | Sansom, Everett E. Sansom and Carolyn              | Division of Highways      | 115.00                | 115.00                | 5/4/2017               |
| 17-0011       | Saunders, Lewis                                    | Division of Highways      | 179.18                | 179.18                | 9/5/2017               |
| 17-0098       | Sbarra, Deborah G.                                 | Division of Highways      | 241.38                | 241.38                | 5/4/2017               |

| <b>Number</b> | <b>Name of Claimant</b>                          | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 15-2075       | Seabolt, Tommy                                   | Division of Highways      | 129.04                | 129.04                | 4/4/2017               |
| 14-1456       | Sedlacek, Keesha                                 | Division of Highways      | 91.10                 | 91.10                 | 10/24/2017             |
| 17-0578       | Shafer, Michael L. Shafer and Kathryn            | Division of Highways      | 500.00                | 500.00                | 10/17/2017             |
| 16-0864       | Shamblin, Charles R.                             | Division of Highways      | 323.29                | 323.29                | 12/14/2017             |
| 16-0231       | Shamshiry, Moe R.                                | Division of Highways      | 231.00                | 231.00                | 4/4/2017               |
| 16-0593       | Sharer, Kenny Sharer and Cynthia                 | Division of Highways      | 2,276.11              | 500.00                | 8/25/2017              |
| 17-0489       | Sharma, Rahul Sharma and Rupa                    | Division of Highways      | 188.45                | 188.45                | 12/14/2017             |
| 17-0161       | Sheets, David R.                                 | Division of Highways      | 250.00                | 250.00                | 6/15/2017              |
| 17-0188       | Shell, David L.                                  | Division of Highways      | 500.00                | 500.00                | 6/6/2017               |
| 16-0205       | Sheppard, Brandy G. Collins Sheppard and Erma L. | Division of Highways      | 606.68                | 606.68                | 9/20/2017              |
| 15-1141       | Simon, Tracie Simon and Stephen                  | Division of Highways      | 20.85                 | 20.85                 | 10/18/2017             |
| 17-0111       | Simpkins, Marissa B. Simpkins and Aaron          | Division of Highways      | 159.97                | 159.97                | 4/4/2017               |

| Number  | Name of Claimant                           | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|--|----------------------|----------------|----------------|-----------------|
| 16-0721 | Simpkins, Terresa M. Simpkins and Larry E. | Division of Highways | 122.57         | 122.57         | 4/4/2017        |
| 16-0736 | Sirbaugh III, Harry                        | Division of Highways | 329.66         | 329.66         | 8/25/2017       |
| 17-0371 | Slack, Jame Slack and Stella               | Division of Highways | 255.45         | 255.45         | 10/24/2017      |
| 17-0079 | Sloan, Edward W.                           | Division of Highways | 225.77         | 225.77         | 4/4/2017        |
| 17-0018 | Smallwood, Roger D.                        | Division of Highways | 598.74         | 598.74         | 8/18/2017       |
| 16-0035 | Smith, Lisa Lynn                           | Division of Highways | 393.53         | 393.53         | 4/4/2017        |
| 15-0330 | Smith, Michelle D.                         | Division of Highways | 329.28         | 329.28         | 11/8/2017       |
| 15-0320 | Smith, Randolph Smith and Brittany         | Division of Highways | 3,500.00       | 3,500.00       | 10/18/2017      |
| 17-0283 | Smith, Randy G.                            | Division of Highways | 80.00          | 80.00          | 6/15/2017       |
| 17-0065 | Smith, Tanner                              | Division of Highways | 207.00         | 207.00         | 4/18/2017       |
| 17-0395 | Smith, Wain                                | Division of Highways | 500.00         | 500.00         | 8/22/2017       |
| 17-0106 | Smolder, Douglas                           | Division of Highways | 250.00         | 250.00         | 5/4/2017        |

| <b>Number</b> | <b>Name of Claimant</b>                 | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---|---------------------------|-----------------------|-----------------------|------------------------|
| 16-0538       | Spencer, Brittany Spencer and Regina    | Division of Highways      | 500.00                | 500.00                | 6/13/2017              |
| 15-2043       | Sprigle, Ralph Sprigle and Cheryl       | Division of Highways      | 1,001.66              | 1,001.66              | 4/4/2017               |
| 16-0886       | Standifur, Donald Standifur and Loretta | Division of Highways      | 796.84                | 796.84                | 9/20/2017              |
| 15-0386       | Stanek, Francis Joseph                  | Division of Highways      | 1,000.00              | 1,000.00              | 11/8/2017              |
| 17-0113       | Starcher, Jay F.                        | Division of Highways      | 81.47                 | 81.47                 | 4/4/2017               |
| 17-0101       | Starkey, Steven P.                      | Division of Highways      | 333.96                | 333.96                | 5/4/2017               |
| 16-0537       | Stephens, Sandra L. Stephens and James  | Division of Highways      | 1,200.00              | 540.00                | 8/18/2017              |
| 16-0221       | Stephenson, Randall                     | Division of Highways      | 633.77                | 633.77                | 6/13/2017              |
| 16-0152       | Stewart, Triston                        | Division of Highways      | 637.60                | 637.60                | 4/18/2017              |
| 17-0408       | Stoffel, Donna Stanley and Roger        | Division of Highways      | 473.29                | 473.29                | 8/22/2017              |
| 16-0668       | Stone, Gregory Stone and Jill           | Division of Highways      | 3,539.40              | 500.00                | 8/18/2017              |
| 17-0179       | Sturgill, Sue E. Sturgill and Richard   | Division of Highways      | 181.66                | 181.66                | 6/15/2017              |

| Number  | Name of Claimant                                       | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|--|----------------------|----------------|----------------|-----------------|
| 17-0151 | Suanse, Jarin Hongraisan and Phenphone P.              | Division of Highways | 500.00         | 500.00         | 6/13/2017       |
| 16-0653 | Swatt, Lorraine  | Division of Highways | 25,000.00      | 25,000.00      | 10/30/2017      |
| 17-0117 | Swiger, Demetrio A. Lozano and Jenelle Swiger and Mike | Division of Highways | 500.00         | 500.00         | 4/4/2017        |
| 17-0314 | Talbott, Brenda R.                                     | Division of Highways | 250.00         | 250.00         | 6/15/2017       |
| 16-0578 | Teel, Fern S.  | Division of Highways | 930.18         | 930.18         | 6/13/2017       |
| 17-0273 | Thompson, Kandace Thompson and Joseph                  | Division of Highways | 318.47         | 318.47         | 6/15/2017       |
| 17-0070 | Thompson, Pamela                                       | Division of Highways | 98.44          | 98.44          | 4/4/2017        |
| 17-0169 | Thompson, Rodney                                       | Division of Highways | 253.54         | 253.54         | 8/22/2017       |
| 17-0319 | Tignor, Lisa D.  | Division of Highways | 500.00         | 500.00         | 8/22/2017       |
| 17-0002 | Tucker, Gary   | Division of Highways | 271.36         | 271.36         | 4/4/2017        |
| 17-0550 | Turner, Brenda Turner and Harold R.                    | Division of Highways | 256.79         | 256.79         | 10/17/2017      |
| 17-0047 | Turner, James W.                                       | Division of Highways | 321.34         | 321.34         | 4/18/2017       |

| <b>Number</b> | <b>Name of Claimant</b>                             | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|---|---------------------------|-----------------------|-----------------------|------------------------|
| 17-0525       | Uphold, Clinton                                     | Division of Highways      | 300.00                | 300.00                | 11/8/2017              |
| 17-0091       | Van Buren, Stephen W. Van Buren and Lory            | Division of Highways      | 206.70                | 206.70                | 4/4/2017               |
| 17-0174       | VanWay, Nina VanWay and Brian                       | Division of Highways      | 181.90                | 181.90                | 6/15/2017              |
| 17-0096       | Varney, Hobert V.                                   | Division of Highways      | 394.32                | 394.32                | 5/4/2017               |
| 16-0656       | Vaughan, Ryan W.                                    | Division of Highways      | 500.00                | 500.00                | 12/14/2017             |
| 17-0281       | Vecchio, Michael A.                                 | Division of Highways      | 500.00                | 500.00                | 6/15/2017              |
| 16-0305       | Wageman, Marguerite                                 | Division of Highways      | 296.43                | 250.00                | 8/18/2017              |
| 17-0199       | Walker, Sharon D.                                   | Division of Highways      | 126.67                | 126.67                | 6/6/2017               |
| 17-0066       | Walls, Heather L.                                   | Division of Highways      | 382.44                | 382.44                | 4/18/2017              |
| 17-0513       | Walls, Panhandle Pre-Owned Auto Sales Inc., Jeffrey | Division of Highways      | 448.19                | 448.19                | 9/28/2017              |
| 17-0232       | Walters, Ann S.                                     | Division of Highways      | 220.69                | 220.69                | 6/6/2017               |
| 17-0124       | Walters, Ashley M. Walters and Maculette            | Division of Highways      | 344.98                | 344.98                | 4/4/2017               |

| Number  | Name of Claimant                  | Name of Respondent   | Amount Claimed | Amount Awarded | Date of Opinion |
|---------|-----------------------------------|----------------------|----------------|----------------|-----------------|
| 17-0144 | Ware, Jessie Ware and Theodore J. | Division of Highways | 855.40         | 855.40         | 6/15/2017       |
| 17-0226 | Washington, Marion M.             | Division of Highways | 296.38         | 296.38         | 6/6/2017        |
| 15-0503 | Weaver, Ricky A.                  | Division of Highways | 516.22         | 500.00         | 10/18/2017      |
| 16-0846 | West Virginia Company Inc.,       | Division of Highways | 259.70         | 259.70         | 10/30/2017      |
| 17-0527 | Williams, Amy                     | Division of Highways | 76.84          | 76.84          | 9/28/2017       |
| 17-0105 | Williams, Derrien                 | Division of Highways | 382.81         | 382.81         | 5/4/2017        |
| 15-1989 | Williams, Erin Williams and Paul  | Division of Highways | 500.00         | 500.00         | 4/4/2017        |
| 16-0138 | Williams, Robert L.               | Division of Highways | 334.00         | 334.00         | 10/18/2017      |
| 16-0956 | Willis, Bryan M.                  | Division of Highways | 209.21         | 209.21         | 8/22/2017       |
| 16-0146 | Willis, Robin                     | Division of Highways | 130.00         | 130.00         | 4/4/2017        |
| 17-0473 | Wilson II, John A.                | Division of Highways | 208.82         | 208.82         | 10/24/2017      |
| 17-0223 | Wilson Jr., Don R.                | Division of Highways | 575.00         | 575.00         | 6/6/2017        |



| <b>Number</b> | <b>Name of Claimant</b>                  | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Amount Awarded</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|-----------------------|------------------------|
| 16-0388       | Wine, Phillip                            | Division of Highways      | 500.00                | 500.00                | 9/20/2017              |
| 17-0221       | Wiseman, Rebecca J.                      | Division of Highways      | 249.92                | 249.92                | 6/6/2017               |
| 17-0239       | Withrow, Roger Lee                       | Division of Highways      | 136.96                | 136.96                | 6/13/2017              |
| 17-0516       | Withrow, Sara E.                         | Division of Highways      | 306.49                | 306.49                | 9/28/2017              |
| 16-0251       | Withrow, Terry J.                        | Division of Highways      | 759.00                | 759.00                | 4/4/2017               |
| 16-0149       | Wood, Jeffery Allen                      | Division of Highways      | 541.61                | 541.61                | 10/18/2017             |
| 17-0090       | Woolley, Richard S.                      | Division of Highways      | 335.88                | 335.88                | 4/4/2017               |
| 17-0175       | Wootten, Gary Lucas                      | Division of Highways      | 151.41                | 151.41                | 6/15/2017              |
| 17-0361       | Wykle, William L. Wykle and Katrina      | Division of Highways      | 429.09                | 429.09                | 8/22/2017              |
| 16-0178       | Yeager, Larry H. Yeager and Elizabeth R. | Division of Highways      | 500.00                | 500.00                | 4/4/2017               |
| 17-0509       | Yearego, Samantha                        | Division of Highways      | 198.39                | 198.39                | 12/4/2017              |
| 15-0334       | Zannino, Heather                         | Division of Highways      | 756.11                | 756.11                | 10/18/2017             |

| Number  | Name of Claimant                   | Name of Respondent                                | Amount Claimed      | Amount Awarded        | Date of Opinion |
|---------|------------------------------------|---|---------------------|-----------------------|-----------------|
| 16-0045 | Zara, Kenneth K.                   | Division of Highways                              | 2,826.80            | 250.00                | 10/18/2017      |
| 17-0575 | Jackson Kelly PLLC,                | Division of Motor Vehicles                        | 590.00              | 590.00                | 12/4/2017       |
| 17-0147 | South Charleston Electric Company, | Office of Technology                              | 3,000.00            | 3,000.00              | 10/30/2017      |
| 17-0280 | Baker, Gary R.                     | Regional Jail and Correctional Facility Authority | 647.00              | 647.00                | 11/3/2017       |
| 16-0635 | Bostic, Michael Jay                | Regional Jail and Correctional Facility Authority | 1,751.00            | 1,576.00              | 11/28/2017      |
| 17-0240 | Gillum II, Gregory L.              | Regional Jail and Correctional Facility Authority | 200.00              | 200.00                | 11/3/2017       |
| 16-0711 | Hoffman, Tarryn                    | Regional Jail and Correctional Facility Authority | 100.00              | 100.00                | 11/3/2017       |
| 17-0020 | Moore, Jeremy Matthew              | Regional Jail and Correctional Facility Authority | 100.00              | 100.00                | 11/3/2017       |
| 17-0114 | Walker Jr., Harry R.               | Regional Jail and Correctional Facility Authority | 36.86               | 36.86                 | 11/3/2017       |
| 17-0331 | USA Presort Inc., dba Infocon,     | State Board of Education                          | 254.47              | 254.47                | 10/30/2017      |
| 14-1525 | Hurt, Davie Lee                    | State of West Virginia                            | unliquidated        | 1,250,000.00          | 12/20/2017      |
|         |                                    |   | <b>\$551,952.89</b> | <b>\$1,976,753.37</b> |                 |

## Over-Expenditure Claims Presented to the 2018 Legislature

### Claims Against the Department of Health and Human Resources

| <u>Number</u> | <u>Claimant's Name</u>   | <u>Nature of Claim</u> | <u>Amount in Claims Bill</u> | <u>Date of Opinion</u> |
|---------------|--------------------------|------------------------|------------------------------|------------------------|
| CC-16-0686    | Adams-Reed Funeral Home  | indigent burial        | 1,250.00                     | 9/27/2016              |
| CC-16-0687    | Adams-Reed Funeral Home  | indigent burial        | 1,250.00                     | 9/17/2016              |
| CC-16-0688    | Adams-Reed Funeral Home  | indigent burial        | 1,250.00                     | 9/27/2016              |
| CC-17-0380    | Degarmo Funeral Home     | indigent burial        | 1,250.00                     | 10/30/2017             |
| CC-16-0689    | Dodd & Reed Funeral Home | indigent burial        | 1,250.00                     | 9/27/2016              |
| CC-16-0690    | Dodd & Reed Funeral Home | indigent burial        | 1,250.00                     | 9/27/2016              |
| CC-16-0691    | Dodd & Reed Funeral Home | indigent burial        | 1,250.00                     | 9/27/2016              |
| CC-16-0595    | Ford Funeral Home Inc.   | indigent burial        | 1,250.00                     | 9/27/2016              |
| CC-16-0596    | Ford Funeral Home Inc.   | indigent burial        | 1,250.00                     | 9/27/2016              |
| CC-17-0378    | Ford Funeral Home Inc.   | indigent burial        | 1,250.00                     | 10/30/2017             |
| CC-17-0379    | Ford Funeral Home Inc.   | indigent burial        | 1,250.00                     | 10/30/2017             |
| CC-16-0594    | Ford Funeral Home Inc.   | indigent burial        | 1,250.00                     | 9/27/2016              |
| CC-17-0055    | Melton Mortuary Inc.     | indigent burials       | 27,500.00                    | 3/28/2017              |
| CC-17-0382    | Morgan Funeral Home      | indigent burial        | 1,250.00                     | 10/30/2017             |
| Agency total: |                          |                        | \$43,750.00                  |                        |

### Claims Against the Department of health and human resources, et al.

| <u>Number</u> | <u>Claimant's Name</u> | <u>Nature of Claim</u> | <u>Amount in Claims Bill</u> | <u>Date of Opinion</u> |
|---------------|------------------------|------------------------|------------------------------|------------------------|
|---------------|------------------------|------------------------|------------------------------|------------------------|

| <u>Number</u> | <u>Claimant's Name</u> | <u>Nature of Claim</u> | <u>Amount in Claims Bill</u> | <u>Date of Opinion</u> |
|---------------|------------------------|------------------------|------------------------------|------------------------|
| CC-17-0369    | Sunbelt Staffing       | unpaid invoices        | 4,810.50                     | 10/30/2017             |
| CC-17-0324    | Sunbelt Staffing       | unpaid invoices        | 159,676.45                   | 10/30/2017             |
| Agency total: |                        |                        | \$164,486.95                 |                        |

Grand total: \$208,236.95

## Disallowed Claims Presented to the 2018 Legislature

| <b>Number</b> | <b>Name of Claimant</b>                  | <b>Name of Respondent</b> | <b>Amount Claimed</b> | <b>Final Disposition</b> | <b>Date of Opinion</b> |
|---------------|--|---------------------------|-----------------------|--------------------------|------------------------|
| 16-0396       | Ash, Wendell K.                          | Division of Corrections   | 501.49                | Disallowed               | 12/4/2017              |
| 17-0109       | Gibson, Joseph M.                        | Division of Corrections   | 761.72                | Disallowed               | 11/28/2017             |
| 14-0371       | Gunnoe, Harold D.                        | Division of Corrections   | 179.90                | Disallowed               | 11/3/2017              |
| 14-0965       | LaRue, William A.                        | Division of Corrections   | 62.38                 | Disallowed               | 11/3/2017              |
| 14-0902       | Morgan, Brian                            | Division of Corrections   | 222.60                | Disallowed               | 11/28/2017             |
| 13-0577       | Morgan, Brian                            | Division of Corrections   | 398.00                | Disallowed               | 11/3/2017              |
| 14-0004       | Morgan, Brian                            | Division of Corrections   | 130.00                | Disallowed               | 11/3/2017              |
| 14-1627       | Perry, Andrew S.                         | Division of Corrections   | 29.99                 | Disallowed               | 10/30/2017             |
| 14-0997       | Williams, Jason S.                       | Division of Corrections   | 45.97                 | Disallowed               | 10/30/2017             |
| 16-0796       | Brennan, Richard P. Brennan and Kathy E. | Division of Highways      | 1,120.88              | Disallowed               | 8/4/2017               |
| 16-0351       | CS & PS Company,                         | Division of Highways      | 500.00                | Disallowed               | 8/4/2017               |
| 16-0717       | Deveny, Laura                            | Division of Highways      | 164.73                | Disallowed               | 8/4/2017               |
| 17-0470       | Hill, Virginia L.                        | Division of Highways      | 238.50                | Disallowed               | 11/28/2017             |
| 16-0499       | Jackson, Wayne                           | Division of Highways      | 5,444.65              | Disallowed               | 8/4/2017               |

| Number  | Name of Claimant                            | Name of Respondent   | Amount Claimed | Final Disposition | Date of Opinion |
|---------|---|----------------------|----------------|-------------------|-----------------|
| 16-0908 | McKinney, William D. McKinney and Judith K. | Division of Highways | 1,282.47       | Disallowed        | 8/18/2017       |
| 16-0818 | Moore, Kristy Rose                          | Division of Highways | 131.95         | Disallowed        | 8/18/2017       |
| 17-0041 | O'Neal, Megan D. O'Neal and Matthew         | Division of Highways | 782.28         | Disallowed        | 8/18/2017       |
| 15-1670 | Parkhurst, Cheryl                           | Division of Highways | 20,000.00      | Disallowed        | 12/4/2017       |
| 16-0180 | Pitonak-Goff, Audrey                        | Division of Highways | 212.06         | Disallowed        | 8/18/2017       |
| 17-0015 | Reed, Deannie and Henderson                 | Division of Highways | 1,151.00       | Disallowed        | 8/18/2017       |
| 17-0016 | Reed, Earl Reed and Amanda                  | Division of Highways | 1,001.00       | Disallowed        | 8/18/2017       |

**\$34,361.57**

**WEST VIRGINIA LEGISLATIVE CLAIMS COMMISSION**  
**ABSTRACTS OF CLAIMS AWARDED**

**CLAIM AGAINST THE DEPARTMENT OF ADMINISTRATION**

**CC-17-0140 RICOH USA v. WEST VIRGINIA DEPARTMENT OF ADMINISTRATION,  
OFFICE OF TECHNOLOGY**

The Claimant brought this claim to recover \$16,781.29 for services rendered to the Respondent and documented by unpaid invoices. The Respondent admitted the validity of the claim and stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Commission granted an award in the amount of \$16,781.29.

AMOUNT CLAIMED: \$16,781.29

AMOUNT AWARDED: \$16,781.29

**CLAIM AGAINST THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**CC-17-0095 POTESTA & ASSOCIATES INC., v. DEPARTMENT OF ENVIRONMENTAL  
PROTECTION**

The Claimant seeks to recover \$193,170.00 for design services rendered to the Respondent through a Change Order to the original Contract and documented by unpaid invoices. The Respondent admitted the validity of the claim and stated that there were sufficient funds in the appropriate fiscal year from which the invoice could have been paid. The Commission granted an award in the amount of \$193,170.00.

AMOUNT CLAIMED: \$ 193,170.00

AMOUNT AWARDED: \$193,170.00

**CLAIMS AGAINST THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

**CC-16-0556 SAUNDERS STAFFING INC. v. DEPARTMENT OF HEALTH AND HUMAN  
RESOURCES**

The Claimant seeks to recover \$6,924.50 for staffing services rendered to the Respondent's Bureau of Public Health and the Bureau for Children and Families and documented by unpaid invoices. The Respondent admitted the validity of the claim but stated that the total amount due was \$4,326.48. The Claimant was willing to accept the sum of \$4,326.48 to resolve the claim. The Commission granted an award in the amount of \$4,326.48.

AMOUNT CLAIMED: \$6,924.50

AMOUNT AWARDED: \$4,326.48

**CC-16-0557 SAUNDERS STAFFING INC. v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

The Claimant seeks to recover \$6,924.50 for staffing services rendered to the Respondent's Bureau for Public Health and documented by unpaid invoices. The Respondent admitted the validity of the claim but stated that the amount due was \$3,195.16 and stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. Claimant was willing to accept \$3,195.16 to resolve claim. The Commission granted an award in the amount of \$3,195.16,

AMOUNT CLAIMED: \$6,924.50

AMOUNT AWARDED: \$3,195.16

**CC-17-0062 MANAGEMENT REGISTRY INC. v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU FOR BEHAVIORAL HEALTH AND HEALTH FACILITIES, and MILDRED MITCHELL-BATEMAN HOSPITAL**

The Claimant seeks to recover \$1,229.34 for certified nursing services and temporary staffing services rendered to the Respondent and documented by unpaid invoices. The Respondent admitted that the Claimant provided the services but argued that the services rendered by Registered Nurses were beyond the scope of the contract which called for Licensed Practical Nurses. The sum the Claimant seeks to recover is the difference in the rates for the two positions. The Commission granted an award in the amount of \$1,229.34.

AMOUNT CLAIMED: \$1,229.34

AMOUNT AWARDED: \$1,229.34

**CC-16-0847 SUNBELT STAFFING v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU FOR BEHAVIORAL HEALTH AND HEALTH FACILITIES, and MILDRED MITCHELL-BATEMAN HOSPITAL**

The Claimant seeks to recover \$6,315.00 for certified nursing services and temporary staffing services rendered to the Respondent and documented by unpaid invoices. The Respondent admitted that the Claimant provided the services but argued that the services rendered by Registered Nurses were beyond the scope of the contract which called for Licensed Practical Nurses. The sum the Claimant seeks to recover is the difference in the rates for the two positions. The Commission granted an award in the amount of \$6,315.00.

AMOUNT CLAIMED: \$6,315.00

AMOUNT AWARDED: \$6,315.00



**CC-17-0222 SOCIAL SOLUTIONS GLOBAL INC. v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES, WEST VIRGINIA HOME VISITATION PROGRAM**

The claimant seeks to recover \$83,781.00 for computer user services of the BTO Governmental software provided to Respondent and documented by unpaid invoices. The Respondent admitted the validity of the claim and stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Commission granted an award of \$83,781.00.

AMOUNT CLAIMED: \$83,781.00

AMOUNT AWARDED: \$83,781.00

**CLAIM AGAINST THE DEPARTMENT OF VETERANS ASSISTANCE**

**CC-16-0361 G4S SECURE SOLUTIONS (USA) INC. v. DEPARTMENT OF VETERANS ASSISTANCE**

The Claimant seeks to recover \$2,546.34 for security guard services provided to the Respondent's Veteran's Home in Barboursville and documented by unpaid invoices. The Respondent admitted the validity of the claim and stated that there were sufficient funds allocated in the appropriate fiscal year from which the invoices could have been paid. The Commission granted an award of \$2,546.34.

AMOUNT CLAIMED: \$2,546.34

AMOUNT AWARDED: \$2,546.34

**CLAIMS AGAINST THE DIVISION OF CORRECTIONS**

**CC-16-0895 SHELBY SKAGGS v. DIVISION OF CORRECTIONS**

The Claimant, an inmate at St. Mary's Correctional Center, seeks to recover \$24.30 for the loss of a sweatshirt and sweatpants he alleged were lost by the Respondent following a medical examination by the facility's nurse. The Respondent agreed that the Claimant should be paid for the lost clothing items. The Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which the Commission found was \$24.30.

AMOUNT CLAIMED: \$24.30

AMOUNT AWARDED: \$24.30

**CC-16-0966 DONALD B. SURBER, JR. v. DIVISION OF CORRECTIONS**

The Claimant, an inmate at the Northern Correctional Facility, seeks to recover \$70.00 for the value of an older pair of sneakers he alleged were damaged following a pod-wide cell search conducted by the Respondent's canine officers. The Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which the Commission found was \$70.00.

AMOUNT CLAIMED: \$70.00

AMOUNT AWARDED: \$70.00

**CLAIMS AGAINST THE DIVISION OF HIGHWAYS**

**CC-15-0172 ROBERT A. ABELL AND LINDA ABELL v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On February 1, 2015, the Claimant, Robert A. Abell, was traveling on West Virginia Route 76 near Bridgeport, Harrison County when his 2011 Chevrolet 2011 HHR struck a large pothole and caused damage to the vehicle in the amount of \$117.08. The Claimants' collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 76, which it failed to do properly on the date of this incident. The sum of \$117.08 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$117.08

AMOUNT AWARDED: \$117.08

**CC-15-1855 SUSAN M. ADAMS v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving along West Cove Road on West Virginia Route 507, near Weirton, Hancock County on September 4, 2015, when her 2014 Honda Pilot, which she leased from Honda, struck a tree that had fallen in the state road right-of-way. The Respondent was responsible for the maintenance of West Virginia Route 507 and failed to maintain it properly on the date of the incident. The Claimant's vehicle sustained damage in the amount of \$2,295.00. Her insurance required a \$500.00 collision deductible, thus, the amount of the award is limited to the amount of \$500.00. The sum of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$2,295.00

AMOUNT AWARDED: \$500.00

**CC-17-0043 VINCENT LEE ASH v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On January 11, 2017, the Claimant was traveling on West Virginia Route 2 near Proctor, Wetzel County when his 2004 Chevrolet Cavalier struck a rock in the roadway and sustained damage in the amount of \$297.89. The Claimant did not have collision insurance coverage. The Respondent was responsible for the maintenance of West Virginia Route 2 and failed to maintain it properly on the date of the incident. The sum of \$297.89 is fair and reasonable amount to settle this claim.

AMOUNT CLAIMED: \$297.89

AMOUNT AWARDED: \$297.89

**CC-15-0906 RANDALL D. BAILEY and VERONICA BAILEY v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On March 3, 2014, the Claimant, Randall D. Bailey, was driving his 2007 Chevrolet Colbalt on Kelsing Mill Road near Buckhannon, Upshur County when he struck a large hole and debris in the road, sustaining damage to his vehicle in the amount of \$264.43. The Respondent breached its duty to maintain the road on the date of the incident. The Claimants' insurance requires a \$500.00 deductible. The sum of \$264.43 is a fair and reasonable sum to resolve this claim.

AMOUNT CLAIMED: \$264.43

AMOUNT AWARDED: \$264.43

**CC-16-0462 KELLI BAILS v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving her 2011 Land Rover Sport WG on West Virginia Route 34 near Teays Valley, Putnam County on May 21, 2016 when she struck a large hole in the road, sustaining damage to her vehicle in the amount of \$934.56. The Claimant has a \$500.00 deductible on her collision insurance coverage and is therefore limited to that amount. The Respondent was responsible for the maintenance on West Virginia Route 34 on the date of the incident and failed to properly maintain the road. The sum of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$500.00

AMOUNT AWARDED: \$500.00

**CC-16-0840 SHARON BARNETT v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving her 2008 Ford Focus on West Virginia Route 52 near Kimball, McDowell County on October 12, 2016 when a falling rock struck the windshield. The Respondent was responsible for the maintenance of West Virginia Route 52 and failed to do so properly on the date of the incident. The Claimant's vehicle sustained \$217.20 in damage to the windshield; the Claimant did not carry collision insurance on her vehicle. The amount of \$217.20 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$217.20

AMOUNT AWARDED: \$217.20

**CC-16-0383 EDWARD J. BEECH and BARBARA J. BEECH v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On April 24, 2016, the Claimant, Edward J. Beech, was driving along Brushy Fork Road near Bridgeport, Harrison County, when his 2013 Mercedes E350 struck a large pothole in the roadway, damaging the front tire. The Claimants' vehicle sustained damage in the amount of \$297.97; their collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Brushy Fork Road and failed to do so properly on the date of the incident. The amount of \$297.97 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$297.97

AMOUNT AWARDED: \$297.97

**CC-15-2039 ANGELIA BELL, ADMINISTRATRIX of the ESTATE OF RAHEEM BONDS and PAMELA PERDUE, ADMINISTRATRIX of the ESTATE OF LAUREN PERDUE**

The Claimants filed a wrongful death action against the Respondent after their decedents were killed in an automobile accident. Certain facts and circumstances of the claims were agreed to by the parties to facilitate a settlement. The accident occurred on August 31, 2014 as the decedents were travelling on West Virginia Route 52 at Switchback in McDowell County. The driver lost control of the vehicle, which left the roadway and then collided with the end of a guardrail adjacent to the road. The Respondent was responsible for the maintenance of West Virginia State Route 52, including the guardrail, on the date of the incident. As a result of this accident, both the driver, Raheem Bonds, and the passenger, Lauren Perdue, died from their injuries. Alcohol and drugs were a factor in the cause of this accident as cited by the investigating officer; the decedents died from injuries caused by the trauma of the collision of the vehicle with the end of the guardrail located on the right of way owned by the Respondent. The Claimants alleged that the Respondent was negligent in its use of a breakaway cable terminal (BCT) on this guardrail and should have replaced it. The Respondent denied any negligence and cited federal highway rules and regulations which determined the requirements for replacing BCT's; these regulations did not require the replacement of the BCT's on West Virginia Route 52. The position of the Respondent was that the proximate cause of this tragic accident was the impaired driver's negligent and reckless operation of the vehicle. All parties involved acknowledge the need for the West Virginia Legislature to approve the final settlement payments of \$75,000.00 to each Claimant to fully resolve the claim. The Commission finds the sum of \$75,000.00 to each Claimant is fair and reasonable.

AMOUNT CLAIMED: Unliquidated

AMOUNT AWARDED: \$75,000.00  
for each Claimant

**CC-14-1579 JESSICA BISHOFF v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving her 2007 Ford Fusion SLE on Route 219 near Parsons, Tucker County on October 14, 2014 when she struck a large rock in the roadway, damaging the tire, rim and right strut on her vehicle. The Claimant's vehicle sustained damages in the amount of \$385.24; her collision insurance requires a \$500.00 deductible. The Respondent was responsible for the maintenance of Route 219 and failed to properly maintain it on the date of the incident. The amount of \$385.24 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$385.24

AMOUNT AWARDED: \$385.24

**CC-16-0732 JAMES D, BRAY, JR. and CRYSTAL M. BRAY v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On August 24, 2016, the Claimant was driving his 2012 GMC Terrain on I-81, near Exit 12, Martinsburg, Berkeley County when the windshield was struck by several large pieces of asphalt in a construction area. His vehicle sustained damage in the sum of \$764.00. The Claimant's insurance requires a \$500.00 deductible. The Respondent was responsible for the maintenance on I-81 and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$764.00

AMOUNT AWARDED: \$500.00

**CC-16-0173 FAISAL BUKEIRAT v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was traveling along U.S. Route 119 near Morgantown, Monongalia County on March 5, 2016. The Claimant's 2015 Mercedes Benz ML350 struck a large hole and debris in the roadway, sustaining damages in the amount of \$382.37. The Claimant's insurance requires a collision deductible of \$250.00. The Respondent was responsible for the maintenance of U.S. Route 119 and failed to properly maintain it on the date of the incident. The amount of \$250.00 is fair and reasonable to resolve the claim.

AMOUNT CLAIMED: \$382.37

AMOUNT AWARDED: \$250.00

**CC-16-0039 PAUL BURNSIDE v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was traveling along Skelton Run off West Virginia Route 23, near Salem, Doddridge County on December 29, 2015. The Claimant's 2002 Chevrolet Cavalier encountered a large slip in the road, requiring the replacement of the exhaust system on the vehicle. The Respondent was responsible for the maintenance of U.S. Route 119 and failed to properly maintain it on the date of the incident. The Claimant's vehicle sustained damages in the sum of \$644.40. The Claimant's insurance is for liability only and he does not have collision coverage. The amount of \$644.40 is fair and reasonable to resolve the claim.

AMOUNT CLAIMED: \$644.40

AMOUNT AWARDED: \$644.40

**CC-16-0067 DUSTIN CAUDILL v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On July 15, 2015, the Claimant was traveling along U.S. Route 52 near Williamson, Mingo County, when he encountered a water hazard. His 1998 Nissan Hardbody hydroplaned, struck a curb and flipped, severely injuring the Claimant. The Respondent was responsible for the maintenance of U.S. Route 52 and failed to properly maintain it on the date of the incident. The parties have stipulated to an award of \$75,000.00 to the Claimant. All parties involved acknowledge the need for the West Virginia Legislature to approve the final settlement payment of \$75,000.00 to the Claimant to fully resolve the claim. The amount of \$75,000.00 is fair and reasonable to resolve the claim.

AMOUNT CLAIMED: \$75,000.00

AMOUNT AWARDED: \$75,000.00

**CC-15-1217 CATHY L. CHISLER v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On May 4, 2015, the Claimant was driving her 2011 Volkswagen Jetta on Jakes Run Road, in Monongalia County when the vehicle struck several large potholes in the roadway. The Respondent was responsible for the maintenance of Jakes Run Road and failed to properly maintain it on the date of the incident. The Claimant's vehicle sustained damages in the amount of \$885.92; the Claimant's collision insurance has a deductible of \$500.00. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$500.00

AMOUNT AWARDED: \$500.00

**CC-15-1080 and CC-15-1081 CITYNET LLC v. DIVISION OF HIGHWAYS and CITYNET LLC v. DIVISION OF HIGHWAYS, (CONSOLIDATED)**

The parties stipulated to the following: On March 10, 2015 and March 11, 2015, the Claimant's agent, Jonathon Ayoob, was traveling on West Virginia Route 50 West near Salem, Harrison County, when the Claimant's vehicle struck a pothole. As a result of these incidents, the Claimant's vehicle sustained damage in the sum of \$576.92. The Respondent was responsible for the maintenance of West Virginia Route 50 West and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$576.92

AMOUNT AWARDED: \$500.00

**CC-16-0575 ADAM T. CLAY and SARA CLAY v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On May 28, 2016, the Claimant was driving on Camp Creek Road near Tiger Fork Road in East Lynn, Wayne County when his 2001 Chevrolet Silverado C1500 struck a large pothole in the road. The vehicle sustained damage in the amount of \$302.80; the Claimants' collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Camp Creek Road and failed to properly maintain it on the date of the incident. The amount of \$302.80 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$302.80

AMOUNT AWARDED: \$302.80

**CC-14-0603 JOHN MICHAEL COFFMAN v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving his 2014 Toyota Avalon on April 7, 2014 on West Virginia Route 19, near Heaters, Braxton County, when he struck a ground out section of the roadway. His vehicle sustained damages in the amount of \$3,390.96; his insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 19 and failed to properly maintain it on the date of the incident. The amount of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$3,390.96

AMOUNT AWARDED: \$1,000.00

**CC-16-0122 JANETTE RIBLETT (SIDERS) and GREGORY COMPTON v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: Claimant Janette Riblett (Siders) was driving her 2008 Chevrolet Aveo on West Virginia Route 50 near Clarksburg, Harrison County on January 3, 2016 when she struck a bridge default and debris in the roadway. Her vehicle sustained damages in the amount of \$682.33; her insurance requires a collision deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 50 and failed to properly maintain it on the date of the incident. The amount of \$682.33 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$682.33

AMOUNT AWARDED: \$682.33

**CC-16-0802 MICHAEL S. CORLEY v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On September 21, 2016, the Claimant was driving on Route 2 near Wheeling, Ohio County, when his 1988 Suzuki Samurai struck debris in the road. His vehicle sustained damages in the sum of \$992.27. The Claimant did not have collision insurance. The Respondent was responsible for the maintenance of Route 2 and failed to properly maintain it on the date of the incident. The amount of \$992.27 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$992.27

AMOUNT AWARDED: \$992.27

**CC-16-0046 FELICIA CROGAN and AUBREY CROGAN v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On December 24, 2015, the Claimants' daughter, Renee Crogan, was traveling on West Virginia Route 72 near Rowlesburg, Preston County, when the Claimants' 2014 Kia Forte struck a large rock in the middle of the travel portion of the road. The vehicle sustained damages in the sum of \$4,656.67; the Claimants' collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 72 and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$4,656.67

AMOUNT AWARDED: \$500.00

**CC-16-0707 PATSY M. CULBERTSON v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving her 1999 Buick Century on Summer Field Road in Princeton, Mercer County, on August 10, 2016, when her vehicle hit a large hole in the roadway. The vehicle sustained damages in the sum of \$282.62; the Claimant did not have collision insurance on her vehicle. The Respondent was responsible for the maintenance of Summer Field Road and failed to properly maintain it on the date of the incident. The amount of \$282.62 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$282.62

AMOUNT AWARDED: \$282.62

**CC-15-0275 ASHLEIGH DAVIS v. DIVISION OF HIGHWAYS**

The parties stipulated the following: On March 2, 2015, the Claimant was driving on West Virginia Route 50 near Bridgeport, Harrison County, when her 2009 Toyota Corolla hit a large pothole in the roadway. Her vehicle sustained damages in the amount of \$432.46; her collision insurance requires a \$500.00 deductible. The Respondent was responsible for the maintenance of West Virginia Route 50 and failed to properly maintain it on the date of the incident. The amount of \$432.46 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$432.46

AMOUNT AWARDED: \$432.46

**CC-15-1824 LARRY R. DEAN v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On September 21, 2015, the Claimant was driving his 2007 Chevrolet Cobalt on U.S. Route 219 near Renick, Greenbrier County, when his vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the sum of \$708.50; his insurance requires a collision deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 219 and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$708.50

AMOUNT AWARDED: \$500.00

**CC-16-0641 LOUIS DELLAMEA and DEBORAH DELLAMEA v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant, Louis Dellamea, was driving his 2016 Toyota Tacoma on July 18, 2016 on I-79 North near Bridgeport, Harrison County, when his vehicle encountered a large rock in the travel portion of the road, which was thrown up from the highway by another vehicle. As a result, the Claimant's windshield was shattered and sustained damages in the amount of \$523.28. His insurance requires a collision deductible of \$500.00. The Respondent was responsible for the maintenance of I-79 North and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$523.28

AMOUNT AWARDED: \$500.00

**CC-17-0389 SHELBY DIBACCO v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On June 20, 2017, the Claimant was driving on U.S. Route 22 near Weirton, Brooke County, when the Claimant's 2011 Honda Civic struck debris in the roadway due to construction work. The Claimant's vehicle sustained damages in the sum of \$358.52; a collision deductible of \$500.00 was required by her insurance. The Respondent was responsible for the maintenance of U.S. Route 22 and failed to properly maintain it on the date of the incident. The amount of \$358.52 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$358.52

AMOUNT AWARDED: \$358.52



**CC-16-0813 DAVID G. DIX v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant and his daughter, on separate days, were traveling along Chestnutburg/Ames Heights Road near Ansted, Fayette County, when the Claimant's 2012 Ford Focus SE struck a pothole and burst multiple tires. The Claimant filed two claims with the former Court of Claims, CC-16-0243 and CC-16-0244. Both claims were paid in the 2017 Claims Bill. The Claimant became aware of additional damage to the rims on his vehicle after the two previous claims had been awarded. The Claimant's vehicle sustained additional damages in the sum of \$509.38 for four (4) rims. The Respondent was responsible for the maintenance of Chestnutburg/Ames Heights Road and failed to properly maintain it on the date of the incident. The Respondent stipulated to the replacement costs of two rims, which is \$254.70. The amount of \$254.70 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$509.38

AMOUNT AWARDED: \$254.70

**CC-16-0778 KEVIN DOTSON v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On September 18, 2016, the Claimant was traveling on West Virginia Route 65 near Lenore, Mingo County when his 2014 Kia Sportage was struck by a rock fall and debris in the roadway. The vehicle sustained damages in the amount of \$3,352.80; the Claimant's insurance requires a \$400.00 collision deductible. The Respondent was responsible for the maintenance of West Virginia Route 19 and failed to properly maintain it on the date of the incident. The amount of \$400.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$3,352.80

AMOUNT AWARDED: \$400.00

**CC-167-0297 TYLER FARLEY v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving his 2005 Acura on March 2, 2016 on West Virginia Route 60 near Huntington, Cabell County when his vehicle struck a large pothole on the roadway, damaging both tires on the passenger side of the vehicle. The Claimant's vehicle sustained damage in the sum of \$162.18. The Respondent was responsible for the maintenance of West Virginia Route 60 and failed to properly maintain it on the date of the incident. The amount of \$162.18 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$162.18

AMOUNT AWARDED: \$162.18

**CC-16-0783 NANCY L. FERRELL v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving on Low Gap Road near Princeton, Mercer County on September 5, 2016, when her 2002 Oldsmobile Alero struck a rock in the roadway. Her vehicle sustained damages in the amount of \$305.59; the Claimant did not have collision insurance. The Respondent was responsible for the maintenance of Low Gap Road and failed to properly maintain it on the date of the incident. The amount of \$305.59 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$305.59

AMOUNT AWARDED: \$305.59

**CC-16-0832 CAROL J. FINDLEY v. DIVISION OF HIGHWAYS**

The Claimant brought this action to recover for damages sustained to her vehicle. On July 15, 2016, the Claimant was driving her 2001 Honda CRV on Route 2 near Moundsville, Marshall County. Her vehicle was struck by a falling rock and sustained damages in the amount of \$1,384.05. The Claimant did not carry collision coverage on her insurance policy. The Respondent was responsible for the maintenance of Route 2 and failed to properly maintain it on the date of the incident. The Commission recommended an award for this claim inasmuch as the Respondent knew or should have known that this area of Route 2 is a known rock fall area and further, the Respondent had designed the roadway and accompanying ditch to accommodate rock falls. The Commission determined that the Respondent had sufficient constructive notice of the rock falls in this area to support an award for the Claimant. The amount of \$1,384.05 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,384.05

AMOUNT AWARDED: \$1,384.05

**CC-16-0642 BETTY E. FLEMING and JAMES FLEMING v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant, Betty E. Fleming, was driving her 2007 Toyota Camry SE on West Fork Road near Chapmanville, Logan County, on July 16, 2016, when her vehicle struck road debris in the roadway. The Claimant's vehicle sustained damages in the sum of \$372.01; her insurance requires a collision deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 19 and failed to properly maintain it on the date of the incident. The amount of \$372.01 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$372.01

AMOUNT AWARDED: \$372.01

**CC-16-0400 AMY FLETCHER v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving her 2009 Chevrolet Impala on Little Fudge Creek in Barboursville, Cabell County, when she struck a pothole, damaging the tire rim. The damages were in the sum of \$329.89; the Claimant's insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Little Fudge Creek and failed to properly maintain it on the date of the incident. The amount of \$329.89 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$329.89

AMOUNT AWARDED: \$329.89

**CC-16-0347 CHARLES JASON FOSTER v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On March 8, 2016, the Claimant was driving his 2013 Volkswagen Jetta on West Virginia Route 10 South, near Salt Rock, Cabell County, when his vehicle struck a large hole in the roadway. The vehicle sustained damages in the amount of \$735.85; the Claimant's collision insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 10 South and failed to properly maintain it on the date of the incident. The amount of \$735.85 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$735.85

AMOUNT AWARDED: \$735.85

**CC-16-0360 LESTER D. FREEMAN and DELORES A. FREEMAN v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On April 14, 2016, the Claimant, Delores A. Freeman, was driving her 2013 Ford Escape on U.S. Route 250 near Philippi, Barbour County, when she hit a large pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$273.48; the Claimants' collision insurance requires a deductible of \$250.00. The Respondent was responsible for the maintenance of U.S. Route 250 and failed to properly maintain it on the date of the incident. The amount of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$273.48

AMOUNT AWARDED: \$250.00

**CC-16-0633 WANDA S. GIBSON v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On May 30, 2016, the Claimant was driving her 2011 Chevy Equinox on Buffalo Memorial Highway near Man, Logan County when she struck a large pothole in the roadway. Her vehicle sustained \$1,348.25 in damages; her collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Buffalo Memorial Highway and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,348.25

AMOUNT AWARDED: \$500.00

**CC-16-0900 BONNIE GRISELL and SIDNEY E. GRISELL v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving her 2011 Cadillac STS on Route 2 near Wheeling, Ohio County on November 15, 2016, when she struck debris in the roadway. The Claimant's vehicle sustained damages in the sum of \$728.61; her collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 2 and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$728.61

AMOUNT AWARDED: \$500.00

**CC-16-0118 DAVID HAIRSTON and ANGELA HAIRSTON v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On December 26, 2015, the Claimant was driving his 2014 Ford Taurus and struck a large pothole at the Westbound I-64/77 Interchange in Charleston, Kanawha County. The Claimant's vehicle sustained damages in the sum of \$1,107.81; his collision insurance required a \$250.00 deductible. The Respondent was responsible for the maintenance of the I-64/77 Interchange and failed to properly maintain it on the date of the incident. The amount of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,107.81

AMOUNT AWARDED: \$250.00

**CC-14-1474 CHRIS HALL v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant's vehicle sustained damages in the sum of \$1,363.87 in the Winter of 2014 while driving on West Virginia Route 14 near Parkersburg, Wood County and on Rosemar Road in Parkersburg, Wood County as a result of severe road conditions. The Claimant's collision insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 14 and Rosemar Road and failed to properly maintain it on the dates of the incidents. The amount of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,363.87

AMOUNT AWARDED: \$1,000.00

**CC-15-0801 DONALD L. HALL v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving his 1987 Cadillac Deville on Route 23/9 near Eastview, Harrison County, on March 18, 2015 when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$257.57; his collision insurance requires a deductible of \$250.00. The Respondent was responsible for the maintenance of Route 23/9 and failed to properly maintain it on the date of the incident. The amount of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$275.57

AMOUNT AWARDED: \$250.00

**CC-16-0891 CHEVELE HARDIMAN v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving her 2004 Chevrolet Aveo on October 15, 2016, on I-64 West near Pluto, Raleigh County when her vehicle struck a piece of metal in the roadway. The Claimant's vehicle sustained damages in the sum of \$591.07; her collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of I-64 West and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$500.00

AMOUNT AWARDED: \$500.00

**CC-16-0909 WILLIAM D. HELMS SR. v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On November 4, 2016, the Claimant was driving on County Road 34 near Moundsville, Marshall County when his 2000 Ford Ranger struck a piece of guardrail in the travel portion of the road. The vehicle sustained damages in the amount of \$132.44; the Claimant did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of County Road 34 and failed to properly maintain it on the date of the incident. The amount of \$132.44 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$132.44

AMOUNT AWARDED: \$132.44

**CC-17-0228 KATHY J. HICKMAN and EDWARD HICKMAN v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On March 16, 2017, the Claimant was driving her 2016 Dodge Dart on I-70 West near Wheeling, Ohio County when the vehicle struck debris falling from a tunnel. The Claimant's vehicle sustained damages in the amount of \$240.19; her insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of I-70 and failed to properly maintain it on the date of the incident. The amount of \$240.19 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$240.19

AMOUNT AWARDED: \$240.19

**CC-15-1688 CYNTHIA R. HINKLE v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On May 14, 2015, the Claimant was driving on West Virginia Route 42 near Maysville, Grant County when the Claimant's 2012 Honda Civic struck a pile of rocks in the roadway. The Claimant's vehicle sustained damages in the sum of \$613.86; her insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 42 and failed to properly maintain it on the date of the incident. The amount of \$613.86 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$613.86

AMOUNT AWARDED: \$613.86

**CC-15-1689 CYNTHIA R. HINKLE v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On February 24, 2015, the Claimant was driving on West Virginia Route 33 near Onego, Pendleton County when the Claimant's 2012 Honda Civic struck a large rock in the roadway. The Claimant's vehicle sustained damages in the sum of \$322.72; her insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 33 and failed to properly maintain it on the date of the incident. The amount of \$322.72 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$322.72

AMOUNT AWARDED: \$322.72

**CC-15-1453 TAMMY K. HOAK v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving her 2013 Kia Optima on June 2, 2015 on Bakerton Road near Harpers Ferry, Jefferson County when her vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the amount of \$315.95; her insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Bakerton Road and failed to properly maintain it on the date of the incident. The amount of \$315.95 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$315.95

AMOUNT AWARDED: \$315.95

**CC-17-0035 PATRICIA HVIZDAK v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving her 2009 Subaru Impreza on January 12, 2017 on Route 2 near Newell, Hancock County when her vehicle struck debris in the roadway. The Claimant's vehicle sustained damages in the sum of \$112.30; her insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 2 and failed to properly maintain it on the date of the incident. The amount of \$112.30 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$112.30

AMOUNT AWARDED: \$112.30

**CC-16-0696 ROBERT L. JACKSON JR. v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving his 2001 Buick LeSabre on June 17, 2016 on West Virginia Route 11 near Martinsburg, Berkeley County when his vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,698.44; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of West Virginia Route 11 and failed to properly maintain it on the date of the incident. The amount of \$1,698.44 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,698.44

AMOUNT AWARDED: \$1,698.44

**CC-16-0551 WILLIAM STEVE JAVAGE v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On June 7, 2016, the Claimant was driving his 2005 Dodge 2500 on McCollion Road near Gerrardstown, Berkeley County when his vehicle struck a low hanging vine in the travel portion of the road. The Claimant's vehicle sustained damages in the amount of \$1,210.31; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of McCollion Road and failed to properly maintain it on the date of the incident. The amount of \$1,210.31 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,210.31

AMOUNT AWARDED: \$1,210.31

**CC-16-0536 REBECCA ANNE JOHNSON and TROY JOHNSON v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On December 18, 2015, the Claimant was driving her 2013 Kia Sportage LX on Spring Valley Drive in Huntington, Cabell County when the Claimant's vehicle struck a large hole in the road. The Claimant's vehicle sustained damages in the amount of \$616.12; her collision insurance requires a deductible of \$250.00. The Respondent was responsible for the maintenance of Spring Valley Drive and failed to properly maintain it on the date of the incident. The amount of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$616.12

AMOUNT AWARDED: \$250.00

**CC-17-0472 MICHAEL ALEXANDER JUSTICE and AMBER JUSTICE v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On July 28, 2017, the Claimants were traveling near Bishop, McDowell County when their 2017 Mitsubishi Lancer struck a pothole in the roadway. The Claimants' vehicles sustained damages in the amount of \$84.75; their insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of the road in Bishop and failed to properly maintain it on the date of the incident. The amount of \$84.75 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$84.75

AMOUNT AWARDED: \$84.75

**CC-15-0989 SHANA LAMBERT and ROBERT LAMBERT v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On April 18, 2015, the Claimant was traveling on West Virginia Route 20 near Craigs ville, Nicholas County when the Claimant's 2008 Pontiac G6 GT struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$668.96; the Claimants only carried liability insurance and not collision. The Respondent was responsible for the maintenance of West Virginia Route 20 and failed to properly maintain it on the date of the incident. The amount of \$668.96 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$668.96

AMOUNT AWARDED: \$668.96

**CC-16-0821 LORRIE LEWIS v. DIVISION OF HIGHWAYS**

The Claimant brought this action to recover for damages sustained to her RV while traveling on Strawberry Road in St. Albans, Kanawha County. The Claimant had asked a friend to make some repairs on her 1989 Gulfstream Conquest RV. The friend was returning the RV to the Claimant after making the requested repairs. As he was traveling on Strawberry Road in St. Albans, Kanawha County on July 19, 2016, the friend encountered a tree limb hanging over the road in his lane of traffic. Although he attempted to avoid the tree limb, oncoming traffic prevented him from completely avoiding the limb. The tree limb struck the RV and caused damages in the sum of \$723.00. The Respondent was responsible for the maintenance of Strawberry Road and failed to properly maintain it on the date of the incident. The amount of \$723.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$723.00

AMOUNT AWARDED: \$723.00

**CC-16-0105 LISSA D. MARCUM v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving on 5<sup>th</sup> Avenue near 17<sup>th</sup> Street on West Virginia Route 60 in Huntington, Cabell County on January 27, 2016 when the Claimant's 2013 Ford Fusion struck a large hole in the roadway. The Claimant's vehicle sustained damages in the amount of \$845.45; the claimant's insurance does not provide coverage for damages to tires. The Respondent was responsible for the maintenance of West Virginia Route 60 and failed to properly maintain it on the date of the incident. The amount of \$845.45 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$845.45

AMOUNT AWARDED: \$845.45

**CC-15-0771 LARRY F. MAZZA v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On March 9, 2015, the Claimant's agent was driving on West Virginia Route 50 near Bridgeport, Harrison County, when the Claimant's 2013 Audi A6 struck a large pothole in the road. On March 16, 2015, the Claimant's agent was driving near the intersection of Pike Street and Chestnut Street in Clarksburg, Harrison County when the same vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$833.28; his collision insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 50, Pike Street and Chestnut Street and failed to properly maintain them on the dates of the incidents. The amount of \$833.28 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$833.28

AMOUNT AWARDED: \$833.28



**CC-16-0970 DELMAS E. MCKINNEY v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was traveling on Bonds Creek Road near Ellenboro, Ritchie County on November 25, 2016 when the Claimant's 2005 New Holland 65 tractor struck a piece of a pole sticking out of the ground where a traffic sign had broken off. The Claimant's vehicle sustained damages in the sum of \$362.00; the Claimant does not carry insurance on his tractor. The Respondent was responsible for the maintenance of Bonds Creek Road and failed to properly maintain it on the date of the incident. The amount of \$362.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$362.00

AMOUNT AWARDED: \$362.00

**CC-15-1469 JERRI L. MILLER v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving on West Virginia Route 85 near Barrett, Boone County on December 19, 2014 when the Claimant's 2006 Audi A4 Avant Quattro struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$167.37; the Claimant's collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 85 and failed to properly maintain it on the date of the incident. The amount of \$167.37 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$167.37

AMOUNT AWARDED: \$167.37

**CC-15-1470 JERRI L. MILLER v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On June 25, 2015, the Claimant was driving on West Virginia Route 85 near Barrett, Boone County when the Claimant's 2006 Audi A4 Avant Quattro struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$301.36; the Claimant's collision insurance requires a \$500.00 deductible. The Respondent was responsible for the maintenance of West Virginia Route 85 and failed to properly maintain it on the date of the incident. The amount of \$301.36 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$301.36

AMOUNT AWARDED: \$301.36

**CC-16-0470 NICKOLAS MONEYPENNY v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving his 1999 Honda Accord LX on West Virginia Route 340 near Harpers Ferry, Jefferson County on April 7, 2016 when his vehicle was struck by a falling rock. The Claimant's vehicle sustained damages in the sum of \$1,469.69; the Claimant did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of West Virginia Route 340 and failed to properly maintain it on the date of the incident. The amount of \$1,469.69 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,469.69

AMOUNT AWARDED: \$1,469.69

**CC-16-0797 CONNIE MOLLOHAN and EDITH MYERLY v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On September 21, 2016, the Claimant was driving on West Virginia Route 9 near Paw Paw, Morgan County when the Claimants' 2012 Toyota Tacoma struck a road hazard in the travel portion of the road. The Claimants' vehicle sustained damages in the sum of \$223.59; the Claimants' collision insurance requires a deductible of \$250.00. The Respondent was responsible for the maintenance of West Virginia Route 9 and failed to properly maintain it on the date of the incident. The amount of \$223.59 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$223.59

AMOUNT AWARDED: \$223.59

**CC-16-0381 ERIKA A. OXLEY v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving her 2010 Toyota Camry on Poplar Fork Road in Hurricane, Putnam County on February 20, 2016 when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$493.11; her collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Poplar Fork Road and failed to properly maintain it on the date of the incident. The amount of \$493.11 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$493.11

AMOUNT AWARDED: \$493.11

**CC-16-0409 EVA JO PATTERSON v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Respondent owns and maintains a culvert and ditch line along CR 24/4, Pleasant Valley Road in Cabell County. The culvert and ditch line became clogged and water became backed up in the area; the Respondent removed the culvert and cleared the ditch line. The Claimant owns a bridge that incurred damages after several high water events along this same route. The Respondent acknowledged some culpability for the incurred damages. The Claimant and the Respondent have stipulated to a settlement in the sum of \$4,000.00. The amount of \$4,000.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$4,000.00

AMOUNT AWARDED: \$4,000.00

**CC-17-0145 MARY K. PAUL and MICHAEL JASON PAUL v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving her 1997 Oldsmobile Cutlass Supreme on West Virginia Route 95, 8<sup>th</sup> Avenue, in Parkersburg, Wood County on January 23, 2017 when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$456.05; she did not carry collision insurance on her vehicle. The Respondent was responsible for the maintenance of West Virginia Route 95 and failed to properly maintain it on the date of the incident. The amount of \$456.05 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$456.05

AMOUNT AWARDED: \$456.05

**CC-15-0863 RACHEAL PERDUE and CHAD S. PERDUE v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On March 14, 2015, the Claimant was driving on I-79 near Big Otter, Clay County when the Claimants' 2007 BMW 525XI struck a large hole in the roadway. The Claimants' insurance requires a collision deductible of \$500.00; the damages to the Claimants' vehicle exceeded the deductible. The Respondent was responsible for the maintenance of I-79 and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$500.00

AMOUNT AWARDED: \$500.00

**CC-17-0478 STANLEY J. PERDUE v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving his 2003 Chevrolet Silverado on West Virginia Route 3 near Hinton, Summers County on July 31, 2017 when his vehicle struck a fallen tree in the travel portion of the road. The Claimant's vehicle sustained damages in the sum of \$661.92; the Claimant's insurance requires a collision deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 3 and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$661.92

AMOUNT AWARDED: \$500.00

**CC-15-2039 ANGELIA BELL, ADMINISTRATRIX of the ESTATE OF RAHEEM BONDS and PAMELA PERDUE, ADMINISTRATRIX of the ESTATE OF LAUREN PERDUE**

The Claimants filed a wrongful death action against the Respondent after their decedents were killed in an automobile accident. Certain facts and circumstances of the claims were agreed to by the parties to facilitate a settlement. The accident occurred on August 31, 2014 as the decedents were travelling on West Virginia Route 52 at Switchback in McDowell County. The driver lost control of the vehicle, which left the roadway and then collided with the end of a guardrail adjacent to the road. The Respondent was responsible for the maintenance of West Virginia State Route 52, including the guardrail, on the date of the incident. As a result of this accident, both the driver, Raheem Bonds, and the passenger, Lauren Perdue, died from their injuries. Alcohol and drugs were a factor in the cause of this accident as cited by the investigating officer; the decedents died from injuries caused by the trauma of the collision of the vehicle with the end of the guardrail located on the right of way owned by the Respondent. The Claimants alleged that the Respondent was negligent in its use of a breakaway cable terminal (BCT) on this guardrail and should have replaced it. The Respondent denied any negligence and cited federal highway rules and regulations which determined the requirements for replacing BCT's; these regulations did not require the replacement of the BCT's on West Virginia Route 52. The position of the Respondent was that the proximate cause of this tragic accident was the impaired driver's negligent and reckless operation of the vehicle. All parties involved acknowledge the need for the West Virginia Legislature to approve the final settlement payments of \$75,000.00 to each Claimant to fully resolve the claim. The Commission believes the sum of \$75,000.00 to each Claimant is fair and reasonable.

AMOUNT CLAIMED: Unliquidated

AMOUNT AWARDED: \$75,000.00 each

**CC-16-0405 KEVIN J. PHILLIPS v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving his 2015 Ford Fusion on Arthur Drive near Charleston, Kanawha County on February 2, 2016 when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of the \$234.42; his collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Arthur Drive and failed to properly maintain it on the date of the incident. The amount of \$234.42 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$234.42

AMOUNT AWARDED: \$234.42

**CC-15-0016 LESTER PRITT v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant's son was driving the Claimant's 2010 Ford Fusion on West Run Road near Morgantown, Monongalia County on December 19, 2014 when the Claimant's vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$549.61; the Claimant's collision insurance requires a collision deductible of \$250.00. The Respondent was responsible for the maintenance of West Run Road and failed to properly maintain it on the date of the incident. The amount of \$250.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$549.61

AMOUNT AWARDED: \$250.00

**CC-17-0370 ERIC J. ROBEY and LORI ROBEY v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimants were driving their 2013 Chevrolet Equinox on 3 Springs Drive near Weirton, Brooke County on June 3, 2017 when their vehicle struck the remains of a broken road sign. The Claimants' vehicle incurred damages in the amount of \$326.15; their collision insurance requires a deductible of \$250.00. The Respondent was responsible for the maintenance of 3 Springs Drive and failed to properly maintain it on the date of the incident. The amount of \$250.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$326.15

AMOUNT AWARDED: \$250.00

**CC-17-0011 LEWIS SAUNDERS v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving his 2007 Chevrolet Cobalt on Cherry Street near Bluefield, Mercer County on January 5, 2017 when the Claimant's vehicle struck a large rock in the roadway. The Claimant's vehicle sustained damages in the sum of \$179.18; the Claimant's collision insurance requires a deductible of \$250.00. The Respondent was responsible for the maintenance of Cherry Street and failed to properly maintain it on the date of the incident. The amount of \$179.18 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$179.18

AMOUNT AWARDED: \$179.18

**CC-16-0593 KENNY SHARER and CYNTHIA SHARER v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving his 2008 Mazda 6 on West Virginia Route 11 and Berkeley Station Road near Martinsburg, Berkeley County on June 16, 2016. The Claimant's vehicle sustained damages in the sum of \$2,276.11; his collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 11 and Berkeley Station Road and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$2,276.11

AMOUNT AWARDED: \$500.00

**CC-16-0205 BRANDY G. COLLINS SHEPPARD and ERMA L. SHEPPARD v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On February 15, 2016, the Claimant was driving on I-79 near Clarksburg, Harrison County when the Claimant's 2006 Honda Civic struck a large piece of metal in the roadway, damaging the oil pan. The Claimant's vehicle sustained damages in the amount of \$606.68, which includes lost wages of \$300.00. The Claimant's collision insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of I-79 and failed to properly maintain it on the date of the incident. The amount of \$606.68 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$606.68

AMOUNT AWARDED: \$606.68

**CC-15-1141 TRACIE SIMON and STEPHEN SIMON v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving her 2010 Volkswagen Jetta on Mt. Clare Road on Route 25 near Lost Creek, Harrison County on May 10, 2015 when her vehicle struck a large hole in the roadway. The Claimants' vehicle sustained damages in the sum of \$20.85; the Claimants' collision insurance requires a \$500.00 deductible. The Respondent was responsible for the maintenance of Route 25 and failed to properly maintain it on the date of the incident. The amount of \$20.85 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$20.85

AMOUNT AWARDED: \$20.85

**CC-16-0736 HARRY SIRBAUGH III v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving his 1987 Ford F150 on North Texas Road near Augusta, Hampshire County on August 27, 2016 when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$329.66; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of North Texas Road and failed to properly maintain it on the date of the incident. The amount of \$329.66 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$329.66

AMOUNT AWARDED: \$329.66

**CC-17-0018 ROGER D. SMALLWOOD v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving on Blackburn Street in Prosperity, Raleigh County on September 1, 2016 when the Claimant's 1995 Sea Nymph boat trailer struck a large hole in the roadway. The Claimant's boat trailer sustained damages in the amount of \$598.74; he did not carry collision insurance on his boat trailer. The Respondent was responsible for the maintenance of Blackburn Street and failed to properly maintain it on the date of the incident. The amount of \$598.74 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$598.74

AMOUNT AWARDED: \$598.74

**CC-15-0320 RANDOLPH SMITH and BRITTANY SMITH v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On March 20, 2013, the Claimant was driving on State Route 971, near Lynco, Wyoming County when he struck patches of ice on the road caused by a clogged drainage culvert. As a result, the Claimant's vehicle was damaged and he suffered physical injuries. The Respondent was responsible for the maintenance of State Route 971 and failed to properly maintain it on the date of the incident. The Claimant and the Respondent stipulated to a lump sum award of \$3,500.00 as a fair and reasonable amount to cover all damages, including all past and future claims against the Respondent.

AMOUNT CLAIMED: \$3,500.00

AMOUNT AWARDED: \$3,500.00

**CC-16-0886 DONALD STANDIFUR and LORETTA STANDIFUR v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving his 2003 Buick LeSabre on West Virginia Route 10 near Cyclone, Wyoming County on October 28, 2016 when he encountered a large limb on the state right-of-way on the travel portion of the road. The Claimants' vehicle sustained damages in the amount of \$802.52; the Claimants did not carry collision insurance on their vehicle. The Respondent was responsible for the maintenance of West Virginia Route 10 and failed to properly maintain it on the date of the incident. The amount of \$796.84 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$802.52

AMOUNT AWARDED: \$796.84

**CC-16-0537 SANDRA L. STEPHENS and JAMES STEPHENS v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving her 2004 Buick Rendezvous on Right Fork Wilson Creek in Wayne County on May 22, 2016 and again on May 30, 2016 and struck a large hole in the roadway. The Claimants' vehicle sustained damages in the sum of \$40.00 on May 22, 2016 and damages in the sum of \$1,200.00 on May 30, 2016. The Claimants' collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Right Fork Wilson Creek and failed to properly maintain it on the date of the incident. The amount of \$540.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$1,200.00

AMOUNT AWARDED: \$540.00

**CC-16-0668 GREGORY STONE and JILL STONE v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: On July 23, 2016, the Claimants' vehicle was parked at their home on West Virginia Route 85, Lower Camp, Kopperston in Wyoming County when the Claimants' 2009 Dodge Ram was struck by a falling tree. The Claimants' vehicle sustained damages in the sum of \$3,539.40; their collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 85 and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$3,539.40

AMOUNT AWARDED: \$500.00

**CC-16-0653 LORRAINE SWATT v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On or about September 14, 2015, the Claimant stopped at the I-81 Welcome Center and while walking on the sidewalk suffered a fall. The Claimant alleged that the sidewalk was in a defective condition and that the Respondent was negligent in its maintenance of the sidewalk. The Respondent denies any negligence but acknowledges that the Claimant suffered injuries which necessitated medical treatment. After investigating the claim, the parties agreed that a payment in the amount of \$25,000.00 would constitute the full and complete settlement of any and all claims the Claimant has against the Respondent. Upon review, the Legislative Claims Commission found the Respondent to be responsible for the maintenance of the I-81 Welcome Center, including the sidewalks, and that it failed to properly maintain them on the date of the incident. The amount of \$25,000.00 is a fair and reasonable amount to resolve this claim.

AMOUNT CLAIMED: \$25,000.00

AMOUNT AWARDED: \$25,000.00

**CC-16-0305 MARGUERITE WAGEMAN v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving her 2014 Ford Focus on Johns Creek Road in Milton, Cabell County on February 19, 2016 when her vehicle struck a large pothole in the road. The Claimant's vehicle sustained damages in the sum of \$296.43; her collision insurance requires a deductible of \$250.00. The Respondent was responsible for the maintenance of Johns Creek Road and failed to properly maintain it on the date of the incident. The amount of \$250.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$296.43

AMOUNT AWARDED: \$250.00

**CC-15-0503 RICKY A. WEAVER v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving his 2011 Dodge Avenger on Broad Run Road near Jane Lew, Lewis County on March 9, 2015 when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$516.22; his collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Broad Run Road and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$516.22

AMOUNT AWARDED: \$500.00

**CC-16-0846 WEST VIRGINIA COMPANY INC. v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: On October 10, 2016, the Claimant's agent was driving the Claimant's 2013 Hyundai Genesis on the 1300 block of National Road in Wheeling, Ohio County when the Claimant's vehicle struck debris in the road. The Claimant's vehicle sustained damages in the amount of \$259.70; the Claimant's collision insurance requires a \$1,000.00 deductible. The Respondent was responsible for the maintenance of the 1300 block of National Road and failed to properly maintain it on the date of the incident. The amount of \$259.70 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$259.70

AMOUNT AWARDED: \$259.70

**CC-16-0138 ROBERT L. WILLIAMS v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving his 2015 Dodge Dart on I-68 between mile markers 15.5 and 16 in Preston County on March 7, 2015 when his vehicle struck several pot holes in the roadway. The Claimant's vehicle sustained damages in the sum of \$334.00; his collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of I-68 between mile markers 15.5 and 16 and failed to properly maintain it on the date of the incident. The amount of \$334.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$334.00

AMOUNT AWARDED: \$334.00



**CC-16-0338 PHILLIP WINE v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving his 2010 Honda Fit Sport on Chapman Run Road near Orlando, Lewis County on October 27, 2015 when his vehicle encountered an unlevel road surface and road hazard in which the gravel and/or gradient was insufficient to provide necessary traction for the vehicle to stop. The Claimant's vehicle struck an embankment as a result. The Claimant's vehicle sustained damages in the sum of \$500.00; his collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of Chapman Run Road and failed to properly maintain it on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$500.00

AMOUNT AWARDED: \$500.00

**CC-16-0149 JEFFERY ALLEN WOOD v. DIVISION OF HIGHWAYS**

The parties stipulated as follows: The Claimant was driving his 2008 Honda Accord on U.S. 119 near Morgantown, Monongalia County on February 18, 2016 when his vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the sum of \$541.61; his collision insurance requires a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Chapman Run Road and failed to properly maintain it on the date of the incident. The amount of \$541.61 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$541.61

AMOUNT AWARDED: \$541.61

**CC-17-0509 SAMANTHA YEAREGO v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving her 2012 Buick LaCrosse on West Virginia Route 61 near Oak Hill, Fayette County on January 28, 2017 when her vehicle was forced off the road and struck a bad place in the roadway. The Claimant's vehicle sustained damages in the amount of \$198.39; her collision insurance requires a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 61 and failed to properly maintain it on the date of the incident. The amount of \$198.39 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$198.39

AMOUNT AWARDED: \$198.39

**CC-15-0334 HEATHER ZANNINO v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving her 2000 Ford Focus on the 600 East Main Street block near Clarksburg, Harrison County on March 12, 2105 when her vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the amount of \$756.11; she did not carry collision insurance on her vehicle. The Respondent was responsible for the maintenance of the 600 block of East Main Street and failed to properly maintain it on the date of the incident. The amount of \$756.11 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$756.11

AMOUNT AWARDED: \$756.11

**CC-16-0045 KENNETH K. ZARA v. DIVISION OF HIGHWAYS**

The parties stipulated to the following: The Claimant was driving his 2007 Mercedes C280 on Rockley Road near Morgantown, Monongalia County when his vehicle struck several large holes in the roadway. The Claimant's vehicle sustained damages in the amount of \$2,826.80; his collision insurance requires a deductible of \$250.00. The Respondent was responsible for the maintenance of Rockley Road and failed to properly maintain it on the date of the incident. The amount of \$250.00 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$2,826.80

AMOUNT AWARDED: \$250.00

**CLAIM AGAINST THE DIVISION OF MOTOR VEHICLES**

**CC-17-0575 JACKSON KELLY PLLC v. DIVISION OF MOTOR VEHICLES**

The claimant seeks to recover \$590.00 for legal services as a hearing examiner provided to Respondent and documented by unpaid invoices. The Respondent admitted the validity of the claim and stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Commission granted an award of \$590.00.

AMOUNT CLAIMED: \$590.00

AMOUNT AWARDED: \$590.00

**CLAIM AGAINST THE OFFICE OF TECHNOLOGY**

**CC-17-0147 SOUTH CHARLESTON ELECTRIC COMPANY v. WEST VIRGINIA OFFICE OF TECHNOLOGY**

The Claimant seeks to recover \$3,000.00 for services rendered to the Respondent and documented by unpaid invoices. The Respondent admitted the validity of the claim and stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Commission granted an award of \$3,000.00.

AMOUNT CLAIMED: \$3,000.00

AMOUNT AWARDED: \$3,000.00

**CLAIMS AGAINST THE REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY**

**CC-17-0280 GARY R. BAKER v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY**

The Claimant, an inmate at the Southern Regional Jail at the time of the incident, seeks to recover \$647.00 for the loss of a gold diamond cut rope chain with a cross he alleges was entrusted to and lost by the Respondent. The Respondent admitted the validity of the claim and that the amount claimed was fair and reasonable. The Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which the Commission found was \$647.00.

AMOUNT CLAIMED: \$647.00

AMOUNT AWARDED: \$647.00

**CC-16-0635 MICHAEL JAY BOSTIC v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY**

The Claimant, an inmate at Southwestern Regional Jail at the time of the incident, seeks to recover various personal items, including his cell phone, several gift cards, a watch and a car key and remote, he alleges were lost by the Respondent. The Respondent admitted to the validity of the claim. The Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which the Commission found was \$1,576.00

AMOUNT CLAIMED: \$1,751.00

AMOUNT AWARDED: \$1,576.00

**CC-17-0240 GREGORY L. GILLUM II v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY**

The Claimant, an inmate at North Central Regional Jail at the time of the incident, seeks to recover \$200.00 for personal belongings he alleges were entrusted to the Respondent and not returned to him. The Respondent admitted to the validity of the claim and that the amount claimed is fair and reasonable. The Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which the Commission found was \$200.00.

AMOUNT CLAIMED: \$200.00

AMOUNT AWARDED: \$200.00

**CC-16-0711 TARRYN HOFFMAN v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY**

The Claimant, an inmate at Tygart Valley Regional Jail at the time of the incident, seeks to recover \$100.00 for personal belongings he alleges were entrusted to the Respondent and not returned to him. The Respondent admitted to the validity of the claim and that the amount claimed is fair and reasonable. The Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which the Commission found was \$100.00.

AMOUNT CLAIMED: \$100.00

AMOUNT AWARDED: \$100.00

**CC-17-0020 JEREMY MATTHEW MOORE v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY**

The Claimant, an inmate at Potomac Highlands Regional Jail at the time of the incident, seeks to recover \$100.00 for personal belongings he alleges were entrusted to the Respondent and not returned to him. The Respondent admitted to the validity of the claim and that the amount claimed is fair and reasonable. The Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which the Commission found was \$100.00.

AMOUNT CLAIMED: \$100.00

AMOUNT AWARDED: \$100.00

**CC-17-0114 HARRY R. WALKER JR. v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY**

The Claimant, an inmate at the Eastern Regional Jail at the time of the incident, seeks to recover \$36.86 for clothing he alleges was entrusted to the Respondent and not returned to him. The Respondent admitted to the validity of the claim and that the amount claimed is fair and reasonable. The Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which the Commission found was \$36.86.

AMOUNT CLAIMED: \$36.86

AMOUNT AWARDED: \$36.86

**CLAIM AGAINST THE STATE BOARD OF EDUCATION**

**CC-17-0331 USA PRESORT INC., dba INFOCON v. WEST VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND**

The Claimant seeks to recover \$254.47 for services rendered to the Respondent and documented by an unpaid invoice. The Respondent admitted the validity of the claim and stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Commission granted an award of \$254.47.

AMOUNT CLAIMED: \$254.47

AMOUNT AWARDED: \$254.47

**CLAIM AGAINST THE STATE OF WEST VIRGINIA**

**CC-14-1525 DAVIE LEE HURT v. STATE OF WEST VIRGINIA**

The Claimant, Davie Lee Hurt, filed the instant claims pursuant to W. Va. Code §14-2-13a and under this Commission's general jurisdiction, seeking damages for the wrongful conviction and for his loss of liberty associated with serving 13 years of imprisonment for the wrongful conviction of first degree murder, which was wrongly imposed upon him by the Circuit Court of Pocahontas County. In light of the nature of the deprivation suffered by the Claimant, and after considering the unique facts and circumstances of each of his claims, and the record in its entirety, including the findings of the Supreme Court of Appeals of West Virginia, the Commission finds that an award in the amount of \$1,250,000.00 should be made to Claimant, Davie Lee Hurt.

AMOUNT CLAIMED: Unliquidated

AMOUNT AWARDED: \$1,250,000.00





