

WV LEGISLATIVE CLAIMS COMMISSION

ANNUAL REPORT

2019

Janet N. Kawash
Clerk of the Commission

2019

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
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George F. Fordham
J. Rudy Martin

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Janet N. Kawash
Clerk
Becky A. Ofiesh
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 2018.

Respectfully submitted,

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

Janet N. Kawash
Clerk

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SUMMARY OF FUNDS

REGULAR CLAIMS BILL

GENERAL REVENUE FUNDS	\$ 773,043.66
SPECIAL REVENUE FUNDS	\$ 6,769.71
STATE ROADS FUNDS	\$2,436,715.61
TOTAL FOR REGULAR CLAIMS BILL	\$3,216,528.98

OVEREXPENDITURE CLAIMS BILL

GENERAL REVENUE FUNDS	\$77,869.88
TOTAL FOR OVEREXPENDITURE CLAIMS BILL	\$77,869.88

Claims Presented to the 2019 Legislature

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0466	West Virginia Association of Rehabilitation Facilities Inc.	Department of Administration	2,172.78	2,172.78	1/19/2018
18-0131	Ricoh USA	Department of Administration/Office of Technology	23,640.96	23,640.96	7/23/2018
17-0436	Ricoh USA	Department of Administration/Office of Technology	92,727.00	92,727.00	1/19/2018
17-0233	Verizon Business	Department of Administration/Office of Technology	36,460.00	28,160.00	7/23/2018
18-0363	Verizon Business	Department of Administration/Office of Technology	56,780.00	56,780.00	12/14/2018
18-0907	Potesta & Associates Inc.	Department of Environmental Protection	29,500.00	29,500.00	7/17/2018
18-0225	National Medical Services Inc.	Department of Health and Human Resources	104,388.66	103,440.66	7/23/2018
17-0456	First Databank Inc.	Department of Health and Human Resources, Bureau for Behav. Health and Health Facilities	23,235.00	23,235.00	1/19/2018
17-0501	Glaxo Smithkline Pharmaceuticals	Department of Health and Human Resources, Bureau for Public Health	43,290.00	43,290.00	1/16/2018
17-0310	Sanofi Pasteur Inc.	Department of Health and Human Resources, Bureau for Public Health	158,386.32	158,386.32	1/19/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0499	Social Solutions Global Inc.	Department of Health and Human Resources, Bureau for Public Health	27,445.50	27,445.50	12/10/2018
18-1329	Microgenics Corporation	Department of Health and Human Resources, Office of Chief Medical Examiner	6,167.00	6,167.00	12/18/2018
17-0519	Pitney Bowes Inc.	Department of Health and Human Resources, Office of Lab. Services	15,959.28	11,969.46	8/3/2018
18-0546	Carl E. Short	Department of Veterans Assistance	9,616.56	9,616.56	9/10/2018
17-0487	West Virginia Association of Rehabilitation Facilities Inc.	Department of Veterans Assistance	2,148.62	2,148.62	3/6/2018
16-0137	Wendell K. Ash	Division of Corrections and Rehabilitation	237.83	200.00	1/16/2018
15-0734	Wendell K. Ash	Division of Corrections and Rehabilitation	52.95	52.95	1/16/2018
17-0418	Wendell K. Ash	Division of Corrections and Rehabilitation	33.49	33.49	1/16/2018
17-0745	Gary Baker	Division of Corrections and Rehabilitation	25.00	25.00	3/6/2018
17-0746	Gary R. Baker	Division of Corrections and Rehabilitation	1,674.00	1,674.00	5/2/2018
16-0801	Foster Bowen	Division of Corrections and Rehabilitation	856.32	856.32	1/18/2018
17-0634	Anthony William Cartagena	Division of Corrections and Rehabilitation	884.75	884.75	5/24/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
16-0765	Thomas G. Carter Jr.	Division of Corrections and Rehabilitation	120.00	120.00	1/17/2018
18-0149	Bannar C. Catlett	Division of Corrections and Rehabilitation	4,745.84	793.00	12/10/2018
17-0563	Jonathan Charles Cochran	Division of Corrections and Rehabilitation	240.00	240.00	5/24/2018
18-0356	Ronald L. Cosner	Division of Corrections and Rehabilitation	1,060.45	25.00	12/18/2018
18-1290	Crosier's Sanitary Service Inc.	Division of Corrections and Rehabilitation	19,044.50	19,044.50	11/2/2018
18-1127	Keith Dement	Division of Corrections and Rehabilitation	158.35	158.35	11/16/2018
16-0892	David Lawrence Dixon	Division of Corrections and Rehabilitation	300.00	300.00	1/8/2018
18-1188	Earthtec Environmental Services LLC	Division of Corrections and Rehabilitation	7,500.00	7,500.00	12/10/2018
18-0173	Deshaun Evans	Division of Corrections and Rehabilitation	491.27	491.27	12/18/2018
18-0024	Kevin S. Ford	Division of Corrections and Rehabilitation	106.38	106.38	5/11/2018
18-1347	Jason Douglas Freeman	Division of Corrections and Rehabilitation	319.77	319.77	12/18/2018
16-0670	Terrance Hamrick	Division of Corrections and Rehabilitation	220.60	220.60	1/16/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
15-2007	Ferlin Heavener	Division of Corrections and Rehabilitation	86.79	86.79	1/16/2018
17-0184	Douglas C. Jackson Jr.	Division of Corrections and Rehabilitation	554.10	554.10	1/16/2018
17-0129	William Macri	Division of Corrections and Rehabilitation	3,200.00	3,200.00	3/6/2018
18-0016	Brian Markley	Division of Corrections and Rehabilitation	50.00	50.00	5/11/2018
18-0317	Mark McAtee	Division of Corrections and Rehabilitation	80.90	70.60	12/10/2018
13-0632	Marlin McClain	Division of Corrections and Rehabilitation	42.50	42.50	1/16/2018
17-0715	Marlin McClain	Division of Corrections and Rehabilitation	1,000.00	730.00	5/24/2018
15-1582	Brent Levi Victor McGilton	Division of Corrections and Rehabilitation	90.30	90.30	5/11/2018
17-0479	Justin McKenzie	Division of Corrections and Rehabilitation	155.00	99.17	3/6/2018
16-0914	Letcher McKinney II	Division of Corrections and Rehabilitation	527.12	527.12	5/2/2018
17-0595	Rodger D. Mitchell	Division of Corrections and Rehabilitation	14.00	14.00	5/11/2018
16-0174	Garland Murray	Division of Corrections and Rehabilitation	275.00	275.00	1/16/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
13-0529	Jason Perry	Division of Corrections and Rehabilitation	570.00	570.00	1/18/2018
17-0662	Matthew Reed	Division of Corrections and Rehabilitation	30.00	30.00	5/11/2018
17-0659	Matthew D. Reed	Division of Corrections and Rehabilitation	44.04	44.04	5/11/2018
18-0010	Martin Riley Robinson	Division of Corrections and Rehabilitation	659.64	659.64	5/11/2018
18-0580	Christopher Roof	Division of Corrections and Rehabilitation	41.50	41.50	12/18/2018
18-0591	Christopher Roof	Division of Corrections and Rehabilitation	375.00	187.50	12/18/2018
18-0118	Brian John Stone	Division of Corrections and Rehabilitation	1,474.34	1,179.47	12/19/2018
17-0588	Charles Taylor	Division of Corrections and Rehabilitation	40.00	40.00	5/11/2018
14-0974	Jeffrey Taylor	Division of Corrections and Rehabilitation	130.00	130.00	1/17/2018
17-0680	Arthur Thornton	Division of Corrections and Rehabilitation	30.44	30.44	5/11/2018
18-0715	Raymond S. Wallace	Division of Corrections and Rehabilitation	235.00	223.21	12/10/2018
18-1118	Phillip A. Ward	Division of Corrections and Rehabilitation	511.27	511.27	12/18/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
16-0102	Joshua Webster	Division of Corrections and Rehabilitation	222.60	222.60	5/11/2018
16-0552	Joshua Webster	Division of Corrections and Rehabilitation	415.00	415.00	5/11/2018
16-0962	John Wilson	Division of Corrections and Rehabilitation	130.00	130.00	1/16/2018
18-1281	Roy Lee Wisotzkey	Division of Corrections and Rehabilitation	832.81	832.81	12/18/2018
14-1418	Brian K. Woodson	Division of Corrections and Rehabilitation	200.00	150.00	1/16/2018
17-0698	Larry Wooten	Division of Corrections and Rehabilitation	60.47	60.47	5/11/2018
16-0752	Edwin Lee Wright	Division of Corrections and Rehabilitation	763.00	763.00	1/17/2018
18-1230	William B. Wriston	Division of Corrections and Rehabilitation	54.74	54.74	12/18/2018
14-1426	Henry Keith Wykle	Division of Corrections and Rehabilitation	252.90	252.90	1/16/2018
18-1158	Jason Ray Blankenship	Division of Corrections and Rehabilitation, Regional Jail Authority	883.96	441.98	12/19/2018
18-0865	Justin T. Mitchell	Division of Corrections and Rehabilitation, Regional Jail Authority	3,000.00	784.00	12/19/2018
17-0644	Emma Abbott	Division of Highways	500.00	500.00	1/11/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
15-1840	Mohamed Aboelmagd	Division of Highways	1,000.00	800.00	4/17/2018
18-0529	Christopher Abraham	Division of Highways	212.35	212.35	10/15/2018
17-0403	Benjamin C. Adams	Division of Highways	2,800.00	2,000.00	11/29/2018
18-0307	Clifton L. Adams	Division of Highways	500.00	500.00	9/18/2018
17-0252	Karen S. Adams	Division of Highways	1,035.59	399.06	12/14/2018
17-0416	Karen S. Adams	Division of Highways	183.87	183.87	10/1/2018
15-1660	Roma J. Adams	Division of Highways	1,453.40	1,453.40	1/4/2018
17-0543	Matthew Adkins and Annie Adkins	Division of Highways	899.25	899.25	4/3/2018
18-0563	Shane Adkins and Sarah Elizabeth Adkins	Division of Highways	186.18	186.18	9/18/2018
18-0090	John R. Akers	Division of Highways	231.64	231.64	4/17/2018
18-1262	Paul F. Alderman and Betty A. Alderman	Division of Highways	331.52	331.52	10/2/2018
17-0553	Marcus K. Patterson and Artvetta Alexander	Division of Highways	79.22	79.22	9/10/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0584	Joseph Altizer	Division of Highways	509.19	500.00	5/24/2018
18-0377	Michael Alvarez	Division of Highways	109.50	109.50	10/31/2018
18-0874	Deborah A. Aman-Paugh	Division of Highways	151.50	151.50	10/2/2018
18-0408	Timothy A. Amick	Division of Highways	119.99	119.99	11/29/2018
18-0431	Howard D. Anderson and Marquita J. Anderson	Division of Highways	323.90	323.90	9/18/2018
18-0651	Kathy J. Anderson	Division of Highways	348.47	348.47	8/14/2018
18-0548	Thomas Andreas	Division of Highways	480.05	250.00	10/31/2018
18-0250	Ivan Antill Jr.	Division of Highways	318.09	250.00	10/31/2018
18-0828	David W. Apts	Division of Highways	1,363.63	1,000.00	11/29/2018
18-0598	Jason L. Arthur and Brandy Arthur	Division of Highways	309.52	309.52	9/18/2018
18-0905	Joel Kevin Arthur and Sonya A. Arthur	Division of Highways	294.43	294.43	9/18/2018
18-0842	Charles Arthurs	Division of Highways	303.88	250.00	11/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0639	Brian Scott Asbury	Division of Highways	79.72	79.72	8/14/2018
17-0635	Richard Asherman	Division of Highways	17,152.00	17,152.00	6/12/2018
18-0153	Tracey Assi	Division of Highways	500.00	500.00	5/29/2018
18-0378	Donald E. Austin	Division of Highways	250.00	250.00	8/14/2018
18-1009	Jasmine Austin	Division of Highways	4,567.39	4,567.39	12/18/2018
18-0926	Toni Bailey	Division of Highways	500.00	500.00	9/18/2018
18-1229	Montana L. Bailey and Jeffery T. Bailey II	Division of Highways	506.32	500.00	12/14/2018
18-0640	William B. Gibson Jr. and Sonia Bailey-Gibson	Division of Highways	210.20	210.20	9/18/2018
18-0333	Jennifer R. Baldwin and Brian D. Baldwin	Division of Highways	225.07	225.07	12/10/2018
18-0246	John D. Ballard and Tammy R. Ballard	Division of Highways	1,000.00	1,000.00	5/29/2018
18-0281	Greg Bamberger	Division of Highways	132.50	132.50	10/31/2018
17-0259	John Barkley and Mary C. Barkley	Division of Highways	497.35	497.35	11/16/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0135	Brittany M. Squires, William D. Squires and Samantha Barlow	Division of Highways	1,281.15	500.00	11/29/2018
18-0183	Nathan Barnes and Jessica Barnes	Division of Highways	276.24	276.24	5/24/2018
18-0312	Keirsten Barnett	Division of Highways	933.33	500.00	10/15/2018
18-0175	Mary Lou Barnett and Timothy J. Barnett	Division of Highways	278.20	278.20	4/3/2018
18-0625	Kelly A. Barrett and Michael J. Barrett	Division of Highways	1,000.00	1,000.00	8/14/2018
16-0285	Mishae Bartoe	Division of Highways	358.45	358.45	4/24/2018
17-0587	Nadine Bateman	Division of Highways	1,286.65	500.00	9/10/2018
18-0437	Michelle Beatty and Donna Beatty	Division of Highways	125.02	125.02	8/14/2018
18-0674	Bonnie Beaver and Robert Beaver	Division of Highways	352.18	352.18	9/18/2018
17-0207	Edward Beech and Barbara Beech	Division of Highways	572.61	500.00	11/16/2018
17-0707	Ramona Beer	Division of Highways	286.11	286.11	2/20/2018
18-0089	Thomas Beets	Division of Highways	79.97	79.97	4/17/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0839	Loretta Belanger and Larry Belanger	Division of Highways	500.00	500.00	9/18/2018
14-1370	Rena Lawless, Randall Lawless and Sabrina Belcher	Division of Highways	3,020.42	3,977.17	12/18/2018
18-0139	Tammy Belcher	Division of Highways	869.15	500.00	6/12/2018
16-0702	Joy Bell	Division of Highways	500.00	500.00	4/3/2018
17-0325	Steve's Auto Sales and Steven Bellman	Division of Highways	815.73	815.73	10/1/2018
18-0237	Robert E. Bennett and Loue Bennett	Division of Highways	201.53	201.53	4/17/2018
17-0651	Jeremy Benson	Division of Highways	782.18	782.18	1/4/2018
17-0583	Sarah Bentley and Michael Bentley	Division of Highways	350.73	350.73	2/20/2018
18-0487	Virgil Birkhimer	Division of Highways	138.50	138.50	10/31/2018
18-0058	Larry J. Bise	Division of Highways	275.60	275.60	11/29/2018
18-0004	Tammy L. Black	Division of Highways	419.57	419.57	4/17/2018
18-1176	Patsy Blackburn and Mark D. Blackburn	Division of Highways	500.00	500.00	10/2/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
16-0289	Andrea Blackshire	Division of Highways	920.03	500.00	6/12/2018
18-0009	Elizabeth Blackwell and Brett Blackwell	Division of Highways	688.45	688.45	4/3/2018
18-0206	Richard Blake	Division of Highways	473.87	473.87	4/17/2018
18-0165	Ashley Bennett Blankenship and Colonel R. Blankenship	Division of Highways	1,407.20	600.00	10/31/2018
18-0134	Sue A. Blankenship and Clayton L. Blankenship	Division of Highways	628.58	628.58	7/17/2018
15-1646	Terry L. Bledsoe	Division of Highways	463.22	463.22	1/3/2018
16-0457	Marra O. Bodkin	Division of Highways	1,081.48	250.00	10/22/2018
17-0364	Barry C. Boggs and Deborah L. Boggs	Division of Highways	1,000.00	1,000.00	2/1/2018
18-0586	Robert Lee Bolton III	Division of Highways	53.50	53.50	11/1/2018
18-0407	Jerry L. Bolyard and Susan J. Bolyard	Division of Highways	250.00	250.00	8/14/2018
18-0721	Larry R. Bonasso	Division of Highways	370.87	370.87	8/14/2018
16-0433	Jeffery Bonaventura	Division of Highways	339.20	339.20	1/4/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0083	Brenda Dianne Bonnett and Don Bonnett	Division of Highways	519.40	500.00	10/15/2018
17-0373	Clement A. Bossie	Division of Highways	415.52	415.52	2/7/2018
18-0365	David E. Bowles	Division of Highways	208.27	208.27	10/1/2018
18-0740	Ralph T. Bowles and Lisa E. Bowles	Division of Highways	713.31	713.31	8/14/2018
18-0872	Haley N. Bowman	Division of Highways	466.42	466.42	11/16/2018
18-0632	Franklin Boyce and Kristen Boyce	Division of Highways	587.79	500.00	10/1/2018
17-0291	Mark D. Boyce	Division of Highways	2,972.94	1,000.00	12/19/2018
18-0306	Deborah L. Boyd	Division of Highways	233.20	233.20	4/3/2018
16-0376	Sheila A. Braddock	Division of Highways	479.54	100.00	10/15/2018
18-0701	Gerald Brady Jr.	Division of Highways	2,149.97	750.00	12/18/2018
18-0806	Vernon J. Braham and Shirley Braham	Division of Highways	418.03	250.00	11/29/2018
18-0506	Jeannine L. Branch and Dallas Branch	Division of Highways	500.00	500.00	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0292	Ralph Brandon and Tammy Brandon	Division of Highways	826.39	250.00	10/31/2018
18-0266	Ralph Brandon and Tammy Brandon	Division of Highways	625.18	250.00	10/31/2018
18-0213	William Brewer and April Brewer	Division of Highways	500.00	500.00	5/29/2018
17-0719	Sumner D. Brody	Division of Highways	206.70	206.70	4/3/2018
18-0745	Homer C. Brooks and Cynthia Brooks	Division of Highways	250.00	250.00	8/14/2018
18-0572	Aaron L. Brown	Division of Highways	1,697.77	500.00	12/14/2018
18-0045	Brandi Lynn Brown	Division of Highways	459.54	459.54	5/24/2018
18-0478	Chad Brown and Clara Brown	Division of Highways	250.00	250.00	8/14/2018
17-0667	Dale A. Brown and Regina L. Brown	Division of Highways	817.39	500.00	10/1/2018
18-0055	Danielle R. Brown	Division of Highways	430.09	430.09	11/2/2018
18-0361	James Brown	Division of Highways	500.00	500.00	8/14/2018
18-0792	Joshua O'Neal Brown and Amber Brown	Division of Highways	281.64	281.64	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0240	Kellie Brown	Division of Highways	1,269.69	1,000.00	10/1/2018
15-0891	Nicholas Brown	Division of Highways	1,007.87	654.74	10/22/2018
18-0179	Peggy L. Brown	Division of Highways	279.23	279.23	10/1/2018
18-0020	Shannon Brown	Division of Highways	783.40	500.00	10/31/2018
16-0681	Jerry Brown and Kathy Brown, his wife	Division of Highways	30,000.00	30,000.00	7/17/2018
18-0427	Jacqueline Ann Browning	Division of Highways	500.00	500.00	11/1/2018
18-0220	John Nicholas Browning	Division of Highways	500.00	500.00	4/17/2018
18-0498	Rhonda L. Bruffy	Division of Highways	206.70	206.70	9/10/2018
18-0366	Diana Brunson and Shayne Brunson	Division of Highways	219.34	219.34	9/18/2018
17-0673	Carla Buford	Division of Highways	370.92	370.92	2/20/2018
17-0253	Chuck Bumpus	Division of Highways	209.88	209.88	1/3/2018
18-0277	James Bunner	Division of Highways	512.00	250.00	11/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
15-1944	Lew R. Burdette and Joyce L. Burdette	Division of Highways	500.00	500.00	8/14/2018
18-0513	Kayla Burnem	Division of Highways	547.31	347.31	11/29/2018
17-0549	Amanda R. Butcher and David Butcher	Division of Highways	95.23	95.23	2/20/2018
17-0717	Vickie Cadle	Division of Highways	264.96	264.96	7/17/2018
18-0606	Brad Callahan and Brittani Callahan	Division of Highways	267.09	267.09	9/18/2018
18-0404	Robert D. Calvert Jr. and Darla J. Calvert	Division of Highways	500.00	500.00	8/14/2018
17-0666	Gary Campbell Jr. and Trista Campbell	Division of Highways	291.50	291.50	1/4/2018
18-0130	Phillip J. Campbell and Kristyn Campbell	Division of Highways	222.18	222.18	10/31/2018
18-0734	Dominic Campeti, Janet Campeti and Joseph Campeti	Division of Highways	133.03	133.03	8/14/2018
18-0486	Ryan C. Campione	Division of Highways	93.28	93.28	8/14/2018
18-0538	Sean T. Canterbury and Lea A. Canterbury	Division of Highways	284.95	284.95	8/14/2018
17-0687	Michael P. Cappel and H. Roy Cappel	Division of Highways	125.23	125.23	2/20/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0317	Gregory A. Carpenter	Division of Highways	193.64	193.64	1/3/2018
17-0353	Carolyn Carrico and Suzanne Carrico	Division of Highways	606.00	606.00	1/3/2018
15-0842	Adelle J. Carson	Division of Highways	449.77	449.77	1/3/2018
17-0523	Christopher Castillo	Division of Highways	1,557.71	500.00	6/12/2018
18-0241	Michael J. Cestaric	Division of Highways	594.92	250.00	10/1/2018
18-0863	Mark Chambers	Division of Highways	515.73	515.73	10/15/2018
18-0038	Charles Chambliss	Division of Highways	68.90	68.90	11/9/2018
18-0348	Daniel Chandler Jr. and Alex Chandler	Division of Highways	500.00	500.00	8/14/2018
18-1242	Melissa Chandler	Division of Highways	250.00	250.00	11/1/2018
18-0115	Tiffany B. Chandler	Division of Highways	800.99	800.99	4/3/2018
18-0805	Janice E. Channel	Division of Highways	75.60	75.60	9/18/2018
17-0643	Carolyn Channell	Division of Highways	300.00	300.00	2/20/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0600	Judy A. Chappell and Steven Chappell	Division of Highways	487.55	487.55	9/18/2018
18-0238	Michael A. Chauvet	Division of Highways	320.14	320.14	10/31/2018
17-0442	Justin Cherry	Division of Highways	544.18	500.00	5/24/2018
18-0411	Jonathan Childers	Division of Highways	990.25	500.00	12/19/2018
17-0663	Scott Childers	Division of Highways	500.00	500.00	4/24/2018
18-0345	Mary Clark and Tonya Clark	Division of Highways	255.41	255.41	8/14/2018
18-0186	Homer Lee Clark Jr.	Division of Highways	1,000.00	1,000.00	8/14/2018
18-0879	Susan Clary and Luther Clary	Division of Highways	150.00	150.00	9/18/2018
18-0446	Timothy L. Clemens	Division of Highways	250.00	250.00	8/14/2018
17-0538	Arch Cline	Division of Highways	265.50	265.50	2/20/2018
16-0903	Roger Cochran Sr.	Division of Highways	212.00	50.00	7/17/2018
17-0614	Christian Lee Coe and Dennis Coe	Division of Highways	381.51	381.51	5/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0252	Dennis L. Coe and Renee Coe	Division of Highways	967.00	500.00	10/31/2018
18-0479	Melissa Coffman	Division of Highways	252.28	252.28	9/18/2018
18-0396	Jeffrey W. Cole	Division of Highways	500.00	500.00	9/18/2018
18-0490	Richard K. Cole and Mary J. Cole	Division of Highways	500.00	500.00	9/18/2018
17-0686	Kimberly Colebank	Division of Highways	500.00	500.00	2/20/2018
18-0202	Whitney Colvin	Division of Highways	979.44	250.00	10/1/2018
16-0824	Dusty Conrad and Laraya Jean Conrad	Division of Highways	250.00	250.00	4/3/2018
17-0441	Janet S. Conrad and Danny Conrad	Division of Highways	330.00	330.00	2/20/2018
18-0583	Jennifer L. Conrad and Charles Conrad	Division of Highways	117.15	117.15	8/14/2018
17-0539	Logan T. Conrad	Division of Highways	230.00	230.00	6/12/2018
18-0590	James D. Cook and Beth Cook	Division of Highways	719.57	500.00	12/14/2018
17-0733	Timmy E. Cook and Suzette Cook	Division of Highways	786.78	786.78	7/17/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0336	Kari Cooper	Division of Highways	500.00	500.00	5/29/2018
17-0569	Shayne M. Cooper	Division of Highways	12,500.00	12,500.00	11/2/2018
18-0441	Danny Lee Cornell	Division of Highways	4,305.23	1,000.00	10/31/2018
18-0738	Frank Corona	Division of Highways	218.30	218.30	11/2/2018
18-0678	Michael R. Costello	Division of Highways	389.91	389.91	10/31/2018
18-0943	James Matthew Coulter	Division of Highways	250.00	250.00	9/18/2018
18-1261	Earnest Covington III	Division of Highways	363.90	363.90	12/14/2018
17-0401	Donna K. Cramer	Division of Highways	4,187.67	500.00	10/1/2018
17-0597	Linda Crane	Division of Highways	352.76	352.76	10/15/2018
18-0015	Harry E. Craven	Division of Highways	107.16	107.16	2/20/2018
18-0942	Darby K. Crews	Division of Highways	151.00	151.00	11/1/2018
18-0436	David L. Cross and Brenda Sue Cross	Division of Highways	215.71	215.71	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0551	Tonya L. Cross	Division of Highways	454.26	454.26	10/31/2018
17-0743	Chantelle Cumpston	Division of Highways	481.79	481.79	2/20/2018
18-0221	Timothy Cunningham	Division of Highways	387.96	100.00	10/31/2018
16-0410	Donald Joseph Currier	Division of Highways	2,100,000.00	1,295,332.00	12/7/2018
18-1321	Orville Cutright and Georgia O. Cutright	Division of Highways	200.00	200.00	11/1/2018
18-0439	Jeannie Dailey	Division of Highways	630.36	500.00	10/31/2018
18-0754	Aaron W. Dalton	Division of Highways	491.66	491.66	11/1/2018
18-0077	James S. Dalton	Division of Highways	277.58	277.58	8/14/2018
17-0172	Tiffany Dalton	Division of Highways	500.00	500.00	1/4/2018
18-0195	Donald A. Dare	Division of Highways	892.32	500.00	10/31/2018
17-0400	Anthony Davis and Sherry Davis	Division of Highways	1,051.41	500.00	10/1/2018
17-0738	Linda Davis	Division of Highways	500.00	500.00	4/3/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0385	Karilynne S. Pryor, Lindsey Dawson and Dennis Dawson II	Division of Highways	95.23	95.23	11/1/2018
18-0578	Jacalyn S. Day and Michael D. Day	Division of Highways	132.50	132.50	9/18/2018
16-0309	William R. Dean and Cynthia Y. Dean	Division of Highways	776.50	500.00	10/1/2018
16-0836	Cheryl L. Deaner	Division of Highways	1,599.48	500.00	10/22/2018
18-0216	David DeFrance	Division of Highways	448.21	448.21	8/14/2018
18-0367	Kevin M. Delaplain and Julie Delaplain	Division of Highways	1,710.35	500.00	10/31/2018
18-0419	Shirley L. Dempsey	Division of Highways	508.27	508.27	8/14/2018
18-0418	Shirley L. Dempsey	Division of Highways	298.73	298.73	8/14/2018
18-0256	Dennison Equipment Company LLC	Division of Highways	1,450.22	1,000.00	11/29/2018
18-0919	Kimberly M. Dent	Division of Highways	160.59	160.59	12/18/2018
18-0870	Steven Walter Despot	Division of Highways	576.22	500.00	10/22/2018
16-0310	Jeff DeVincent	Division of Highways	447.74	447.74	2/20/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0915	Diana L. DeWeese and Roger L. DeWeese	Division of Highways	250.00	250.00	9/18/2018
17-0512	James Ray Dickens	Division of Highways	228.96	228.96	1/19/2018
15-0819	Kathy Dicola	Division of Highways	1,015.60	500.00	10/31/2018
18-0704	Sharon K. Dillon	Division of Highways	148.67	148.67	11/29/2018
18-0612	Sharon K. Dillon and Francis L. Dillon	Division of Highways	148.67	148.67	9/18/2018
18-0649	Peter Dinardi	Division of Highways	914.29	500.00	10/15/2018
17-0678	Chelsey Dingess	Division of Highways	1,000.00	1,000.00	4/3/2018
18-1181	Lois Jean Dingess and James Edward Dingess	Division of Highways	102.07	102.07	10/2/2018
17-0641	Alma Jean Dix	Division of Highways	174.90	174.90	2/20/2018
18-0795	Armie M. Dixon	Division of Highways	605.36	250.00	11/9/2018
17-0496	Kathleen Dodson and Joshua Dodson	Division of Highways	626.80	500.00	5/24/2018
18-0022	Jack L. Dolen	Division of Highways	369.15	369.15	4/17/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0648	Robin C. Dolly	Division of Highways	500.00	500.00	1/4/2018
18-0910	Brittany N. Domingo and Paul F. Domingo II	Division of Highways	461.15	461.15	11/1/2018
18-1148	Marian D. Donley and John Donley	Division of Highways	271.99	271.99	11/1/2018
18-0223	Deborah Dooley	Division of Highways	2,940.13	2,000.00	11/29/2018
15-1527	Kelly Dorazio	Division of Highways	397.00	397.00	10/31/2018
18-0331	Kevin Doss	Division of Highways	2,342.60	1,650.00	12/14/2018
18-0509	Charles Lee Douglas III and Jessica Douglas	Division of Highways	623.00	623.00	9/18/2018
18-0406	John K. Dugan and Helena M. Dugan	Division of Highways	1,063.29	100.00	12/14/2018
16-0737	Michael F. Duplaga Jr.	Division of Highways	544.45	500.00	10/31/2018
18-0245	Heather Dyson	Division of Highways	250.00	250.00	8/14/2018
18-0294	Historic Preservation & Development LLC and Jeff Eanes	Division of Highways	199.28	199.28	9/18/2018
18-0397	David H. Easter	Division of Highways	185.54	185.54	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0031	Rebecca A. Eckenrode	Division of Highways	162.87	162.87	8/14/2018
18-0228	Marla Wilcox Eddy	Division of Highways	293.89	293.89	5/29/2018
18-0044	Rachel M. Edge	Division of Highways	455.35	455.35	12/10/2018
18-1064	Sean A. Edgell	Division of Highways	356.30	356.30	10/2/2018
18-0877	Timothy P. Eden and Jami M. Edin	Division of Highways	100.00	100.00	9/18/2018
18-0878	Timothy P. Edin and Jami M. Edin	Division of Highways	100.00	100.00	9/18/2018
18-0319	Teresa Edwards and Lloyd Edwards	Division of Highways	575.04	190.01	11/29/2018
17-0554	David L. Eggleston and Anastacia L. Eggleston	Division of Highways	238.97	238.97	1/3/2018
18-0716	Daniel Baber, Cherie Eicher and Heath Eicher	Division of Highways	73.02	73.02	9/18/2018
18-0932	Daniel Baber, Cherie Eicher and Heath B. Eicher	Division of Highways	68.37	68.37	12/18/2018
18-0453	Stacey A. Eisel	Division of Highways	1,369.76	1,000.00	10/31/2018
18-0630	Brenda G. Elkins and Boyd R. Elkins	Division of Highways	403.86	403.86	11/1/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0313	Frank Ellison	Division of Highways	365.68	365.68	5/29/2018
16-0718	Jennifer R. Ervin	Division of Highways	234.53	234.53	9/10/2018
17-0504	Richard D. Estep and Melissa K. Estep	Division of Highways	1,144.95	1,000.00	10/31/2018
18-1071	Patricia A. Evans	Division of Highways	515.37	515.37	11/1/2018
17-0356	Robin Evans	Division of Highways	924.32	924.32	5/24/2018
18-0257	William C. Evans and Julie Evans	Division of Highways	273.48	273.48	10/1/2018
18-1186	John T. Fahey	Division of Highways	462.55	462.55	11/1/2018
18-0601	Amy Fairchild and Michael Scott Fairchild	Division of Highways	189.59	189.59	8/14/2018
18-0399	Sherry L. Fannin and Ricky Fannin	Division of Highways	500.00	500.00	9/18/2018
18-0271	Antoinette Farkas	Division of Highways	349.35	349.35	10/31/2018
17-0511	Larry N. Ferguson and Brenda L. Ferguson	Division of Highways	217.94	217.94	2/20/2018
18-0340	Melissa D. Ferguson	Division of Highways	250.00	250.00	9/18/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
16-0683	G. Darin Fisher	Division of Highways	300.00	300.00	1/11/2018
18-0552	Guy R. Fizer Jr.	Division of Highways	404.00	404.00	10/15/2018
18-0597	Kelly Fontaine	Division of Highways	342.12	342.12	8/14/2018
18-0088	April Fore	Division of Highways	323.30	323.30	4/3/2018
17-0608	Tina M. Forshey and Terry L. Forshey	Division of Highways	61.08	61.08	11/29/2018
18-0048	Amanda Foster	Division of Highways	191.67	191.67	2/20/2018
18-0452	Larry G. Foster	Division of Highways	73.50	73.50	8/14/2018
18-0587	Jesse R. Francis and Megan R. Francis	Division of Highways	1,061.00	500.00	12/18/2018
18-0091	Julie Francis	Division of Highways	739.54	500.00	10/15/2018
17-0705	Jeffery M. Freeze	Division of Highways	399.00	399.00	2/20/2018
17-0358	Linda Friend	Division of Highways	371.00	371.00	10/15/2018
18-0665	Danny Frye and Barbara Frye	Division of Highways	151.06	151.06	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0608	James L. Galloway	Division of Highways	276.66	276.66	11/9/2018
18-0728	Jason Galloway	Division of Highways	869.39	869.39	11/9/2018
16-0655	Deborah Garrison	Division of Highways	265.00	265.00	9/10/2018
18-0620	Yvonda L. Gatens	Division of Highways	158.99	158.99	8/14/2018
18-0978	Jason Gautier	Division of Highways	963.09	963.09	10/31/2018
18-0455	Amanda M. Gebhardt and Timothy D. Gebhardt	Division of Highways	294.79	294.79	9/18/2018
18-0229	Ronald George	Division of Highways	385.94	385.94	4/17/2018
18-0540	Wendy D. Gerard and Bryan S. Gerard	Division of Highways	500.00	500.00	8/14/2018
17-0508	Ruth E. Gilday	Division of Highways	2,001.58	500.00	10/31/2018
18-0046	William B. Giles	Division of Highways	218.78	218.78	2/20/2018
18-0217	Ryan D. Gillespie	Division of Highways	437.25	437.25	5/29/2018
18-0392	Richard J. Gimbl and Sarah B. Gimbl	Division of Highways	107.00	107.00	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0286	Korena Glover	Division of Highways	883.95	500.00	10/31/2018
17-0203	Linda Kay Gobble	Division of Highways	743.80	743.80	1/11/2018
17-0391	Tim Golonka	Division of Highways	531.72	250.00	11/9/2018
18-0495	James E. Goodman	Division of Highways	365.70	365.70	10/31/2018
18-0372	Francis Goodrich	Division of Highways	338.02	338.02	5/29/2018
18-0677	Beverly Goodwin	Division of Highways	169.07	169.07	8/14/2018
18-0616	Allegra Cornaglia and Christopher Grammer	Division of Highways	195.47	195.47	8/14/2018
18-0628	Patricia Grasser and Nathan L. Grasser	Division of Highways	398.40	398.40	8/14/2018
18-0170	Nathan Graves	Division of Highways	500.00	500.00	4/17/2018
18-0776	Laura Grayson and James Grayson	Division of Highways	353.46	353.46	8/14/2018
18-0652	Walter L. Greenhowe Jr.	Division of Highways	1,388.80	1,000.00	12/14/2018
17-0455	William M. Greenwalt	Division of Highways	79.22	79.22	1/3/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0272	Albert J. Gregory	Division of Highways	136.96	136.96	7/17/2018
17-0171	James Greynolds	Division of Highways	695.26	695.26	1/3/2018
17-0086	Doyle L. Griffith	Division of Highways	1,436.25	1,436.25	12/18/2018
18-0168	Jon A. Griffith	Division of Highways	338.12	338.12	8/14/2018
17-0664	Linda J. Grimes	Division of Highways	141.51	141.51	1/3/2018
17-0491	Stephen D. Haff	Division of Highways	315.97	315.97	2/8/2018
16-0919	Rebecca K. Hager	Division of Highways	424.51	424.51	4/24/2018
15-1811	Christine S. Hall	Division of Highways	339.16	339.16	11/2/2018
18-0289	Danny Hall and Linda Hall	Division of Highways	98.58	98.58	5/29/2018
18-0315	David Hall	Division of Highways	261.44	261.44	5/29/2018
17-0689	Labeth Hall	Division of Highways	379.00	379.00	1/4/2018
18-0659	Linda L. Hall and Danny R. Hall	Division of Highways	100.65	100.65	11/1/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0201	Danny Halstead and Stacy L. Halstead	Division of Highways	237.53	237.53	8/14/2018
18-0692	Albert Hammond	Division of Highways	336.21	336.21	8/14/2018
18-0293	Meagan Hammond and Christopher Hammond	Division of Highways	880.32	500.00	11/2/2018
18-0769	Brad G. Hamrick and Courtney D. Hamrick	Division of Highways	138.57	138.57	8/14/2018
18-1393	Tracey Handley and Timothy J. Handley	Division of Highways	122.91	122.91	11/1/2018
18-0162	William H. Hanna	Division of Highways	721.18	250.00	12/18/2018
18-0469	Jaime Leigh Harbert	Division of Highways	209.61	209.61	9/10/2018
18-0169	Amber Daniela Harless	Division of Highways	445.33	445.33	4/17/2018
18-0185	Jeremy S. Zinn and Richard A. Harmon	Division of Highways	500.00	500.00	5/29/2018
18-0146	Annette Harner	Division of Highways	111.00	111.00	4/17/2018
18-0011	Connie J. Harper	Division of Highways	190.80	190.80	2/20/2018
18-0207	Jennifer A. Harper	Division of Highways	228.69	228.69	5/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0332	Tara Harper and Brock Harper	Division of Highways	2,333.65	500.00	12/10/2018
17-0022	Robin Harrah	Division of Highways	150.00	150.00	1/16/2018
18-0291	Laura B. Harshbarger	Division of Highways	192.88	192.88	11/29/2018
17-0700	Jan Barry Hatfield II	Division of Highways	500.00	500.00	4/3/2018
18-1231	Brenda Sue Hawkins	Division of Highways	465.34	465.34	11/1/2018
17-0589	Rhonda M. Hawkins	Division of Highways	64.61	64.61	4/3/2018
18-0314	Kathy L. Hayes and Kimble Hayes	Division of Highways	98.50	98.50	9/18/2018
15-1927	Anna M. Haynes	Division of Highways	748.72	748.72	10/22/2018
18-0700	Jackie L. Hearld	Division of Highways	354.41	354.41	9/18/2018
18-0767	Deborah J. Hedrick and John S. Hedrick	Division of Highways	104.33	104.33	8/14/2018
18-0174	Matthew Heiskell and Liza Heiskell	Division of Highways	500.00	500.00	5/29/2018
18-0219	Ralph Hensley	Division of Highways	363.56	363.56	9/18/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
14-1186	William Hensley, By and on Behalf of Luther Hensley	Division of Highways	3,031.00	3,031.00	12/18/2018
18-1088	Raymond L. Hensley Jr.	Division of Highways	153.70	153.70	11/1/2018
18-0071	Tony Herndon	Division of Highways	89.02	89.02	4/3/2018
17-0631	Doris A. Herscher	Division of Highways	95.40	95.40	1/3/2018
15-0968	Riley W. Hess	Division of Highways	494.29	494.24	4/17/2018
17-0560	Randall Hill and Sarah Hill	Division of Highways	2,610.91	500.00	6/12/2018
18-0680	Martha R. Hinchman and John Hinchman	Division of Highways	300.00	300.00	11/1/2018
18-0476	Scott Brotherton and Madyson Hinchman	Division of Highways	378.13	378.13	8/14/2018
18-1178	Gene Hodges and Emilee Hodges	Division of Highways	500.00	500.00	10/2/2018
18-0192	Sally Hodgkiss	Division of Highways	139.30	139.30	10/31/2018
18-0553	Tracy Hoffman and Gary Hoffman	Division of Highways	500.00	500.00	10/2/2018
14-0931	Austin Holbert and Matt C. Holbert	Division of Highways	970.35	970.35	11/2/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0398	Brandon Holdren	Division of Highways	691.76	691.76	11/2/2018
18-0488	David M. Holley Sr. and Linda Holley	Division of Highways	500.00	500.00	9/18/2018
18-1211	Jennifer Honaker	Division of Highways	355.14	355.14	12/14/2018
18-0288	Stephen Honaker and Pamela Honaker	Division of Highways	250.00	250.00	8/14/2018
17-0592	Pierce Hooper and Hannah Hooper	Division of Highways	1,019.20	1,019.20	10/15/2018
18-1236	Carol Hooser and Benjamin Jay Hooser	Division of Highways	383.55	383.55	10/2/2018
17-0713	Susan Hooton	Division of Highways	4,312.82	1,500.00	12/17/2018
18-0061	Jeremy Hoover and Brittany Hoover	Division of Highways	257.94	257.94	4/3/2018
16-0894	Jerry L. Hosaflook and Evelyn Hosaflook	Division of Highways	500.00	500.00	9/10/2018
18-0326	Mary N. Howard	Division of Highways	201.08	201.08	10/15/2018
17-0683	Tesla M. Hoyt and Jeanie Hoyt	Division of Highways	500.00	500.00	5/29/2018
18-0576	Arlie Hubbard	Division of Highways	379.20	379.20	11/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0575	Arlie Hubbard	Division of Highways	253.47	253.47	11/29/2018
18-0526	Danny E. Hudnall and Diana S. Hudnall	Division of Highways	62.01	62.01	9/18/2018
18-0358	Douglas N. Hughes and Melissa J. Hughes	Division of Highways	158.02	158.02	9/18/2018
17-0258	Tyler Hull	Division of Highways	1,000.00	1,000.00	2/1/2018
18-0459	James E. Hundley	Division of Highways	500.00	500.00	8/14/2018
18-0851	Kenneth B. Hunley Jr. and Stephanie L. Hunley	Division of Highways	479.34	479.34	10/31/2018
16-0640	William S. Hurst and Sue E. Hurst	Division of Highways	156.78	156.78	9/10/2018
18-0087	Steve R. Hypes	Division of Highways	727.97	727.97	4/3/2018
18-0787	Timothy Ickes	Division of Highways	214.00	214.00	10/31/2018
18-0043	Christina Ingels and George Ingels	Division of Highways	1,234.29	427.94	12/10/2018
18-0991	Ralph D. Irwin and Rosemary S. Irwin	Division of Highways	175.74	175.74	10/2/2018
14-0160	Melissa R. Isom	Division of Highways	286.85	286.85	6/12/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0529	Fawnia Jackson	Division of Highways	500.00	500.00	2/20/2018
18-1227	Lisa Anne Creasy Jahnke	Division of Highways	537.16	537.16	12/14/2018
17-0658	Paul Jaquay	Division of Highways	56.14	56.14	1/4/2018
17-0042	Larry B. Jarrell	Division of Highways	3,133.97	250.00	5/24/2018
18-0821	Mary P. Jasinski	Division of Highways	672.75	500.00	10/31/2018
17-0674	Bryan Jaumot	Division of Highways	384.99	384.99	1/3/2018
18-0768	Johnny J. Jenkins	Division of Highways	484.37	484.37	8/14/2018
18-0762	Michael C. Jenkins	Division of Highways	255.76	255.76	10/31/2018
17-0612	Barbara Lee Miller and Robert Johnson	Division of Highways	526.01	526.01	12/10/2018
18-1163	Bobby Johnson and Pamela H. Johnson	Division of Highways	114.30	114.30	11/1/2018
18-0093	Brandon Johnson	Division of Highways	274.54	274.54	4/17/2018
18-0688	Cheryl E. Johnston	Division of Highways	94.55	94.55	11/1/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0573	Isaac A. Jones and Jenny L. Jones	Division of Highways	5,141.70	1,000.00	5/24/2018
18-0812	Randy P. Jones	Division of Highways	222.40	222.40	10/15/2018
17-0670	Shauna Gayle Jones	Division of Highways	500.00	500.00	1/4/2018
18-0973	Tamatha R. Jones and David A. Jones	Division of Highways	110.96	110.96	9/18/2018
17-0438	Jones Trucking Inc. and Roy H. Jones	Division of Highways	1,237.33	1,237.33	10/31/2018
18-0193	Amanda Julian	Division of Highways	185.42	185.42	11/2/2018
18-0412	Eva Kazez and William Kazez	Division of Highways	411.65	411.65	9/18/2018
16-0181	Jonathan Edward Keesez	Division of Highways	489.00	173.50	3/5/2018
18-0122	Anne L. Keller	Division of Highways	74.02	74.02	4/17/2018
18-0123	Anne L. Keller	Division of Highways	136.97	136.97	7/17/2018
18-0626	Anne L. Keller and Perry J. Keller	Division of Highways	153.73	153.73	9/18/2018
17-0307	Ernest L. Keller Jr. and Lou Ann Keller	Division of Highways	6,200.00	6,200.00	12/19/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0618	James D. Kelley and Gail P. Kelley	Division of Highways	358.05	358.05	9/18/2018
17-0198	Richard E. Kelley	Division of Highways	500.00	500.00	8/14/2018
17-0629	Angela S. Kerns and John W. Kerns	Division of Highways	564.00	564.00	4/17/2018
18-0500	Brett M. Kerns	Division of Highways	199.28	199.28	11/29/2018
18-0069	Jerry D. Kerns	Division of Highways	127.23	127.23	4/24/2018
17-0490	William L. Keyser and Marsha L. Keyser	Division of Highways	63.60	63.60	4/3/2018
18-0525	Uzer Khan	Division of Highways	379.20	379.20	8/14/2018
18-0053	Neil B. Kidd and Kimberly D. Kidd	Division of Highways	196.10	196.10	4/3/2018
18-0592	Christopher Kinney	Division of Highways	489.19	489.19	11/9/2018
17-0682	Jimmy W. Crider and Skye S. Kinser	Division of Highways	500.00	500.00	2/20/2018
16-0859	Sarah Kittelstad and Thomas Kittelstad	Division of Highways	1,578.44	500.00	10/31/2018
18-0531	Robert Klein and Lana L. Klein	Division of Highways	261.99	261.99	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0549	Logan J. Kniceley and Courtney N. Kniceley	Division of Highways	158.80	158.80	9/18/2018
18-0952	Evie G. Brantmayer and Brice A. Knotts	Division of Highways	250.00	250.00	12/18/2018
18-0301	William A. Kolibash	Division of Highways	224.70	224.70	10/31/2018
16-0548	Merg Kong	Division of Highways	397.74	397.74	10/31/2018
18-0893	Raymond Kuderski	Division of Highways	752.84	500.00	10/31/2018
18-0516	Tracey A. Kudyba	Division of Highways	910.83	500.00	10/15/2018
16-0095	Tina D. Kwun	Division of Highways	800.26	800.26	7/17/2018
17-0521	Linda E. Kyle	Division of Highways	281.40	281.40	10/15/2018
18-0282	Gwendolyn Lacy	Division of Highways	216.00	216.00	4/17/2018
17-0059	Jennifer Lacy	Division of Highways	304.00	304.00	2/20/2018
18-0167	Matthew Lahr	Division of Highways	600.65	500.00	10/31/2018
17-0645	Barbara Lambert and Lenia Lambert	Division of Highways	1,698.03	1,000.00	6/12/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0350	Merritt T. Lambert	Division of Highways	221.54	221.54	8/14/2018
18-0668	Tamala Lanham	Division of Highways	407.12	407.12	12/14/2018
17-0276	Frank S. Law and Tanya Law	Division of Highways	303.88	303.88	4/17/2018
15-0886	Denise Leach	Division of Highways	500.00	500.00	1/4/2018
18-0673	Ramona Leach	Division of Highways	414.40	414.40	10/2/2018
18-0869	Susan Leasure	Division of Highways	103.79	103.79	11/29/2018
17-0444	Maria D. Leiss and Jay A. Leiss	Division of Highways	500.00	500.00	2/20/2018
17-0665	Christopher A. Lemon and Jessica P. Lemon	Division of Highways	97.53	97.53	4/3/2018
17-0626	Melissa Lester	Division of Highways	264.77	264.77	6/12/2018
18-0106	Stacey Levendorf	Division of Highways	373.10	373.10	9/18/2018
17-0695	Buddy Joe Lewis	Division of Highways	554.00	554.00	1/11/2018
18-0227	Heidi J. Lewis and Ricky Lewis	Division of Highways	98.69	98.69	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0033	Kirk Lightner	Division of Highways	164.60	164.60	10/1/2018
16-0554	Lloyd W. Lightner Jr.	Division of Highways	2,723.29	500.00	10/1/2018
18-0255	Kim M. Liming	Division of Highways	250.00	250.00	4/17/2018
18-0493	Michael Little	Division of Highways	1,179.96	1,000.00	10/31/2018
18-0722	Amber D. Lloyd	Division of Highways	78.00	78.00	9/18/2018
18-0062	Gary Long	Division of Highways	157.46	157.46	11/2/2018
18-0999	Rita Jane Lovejoy	Division of Highways	207.66	207.66	9/18/2018
18-0998	Rita Jane Lovejoy	Division of Highways	209.44	209.44	9/18/2018
18-0679	Thomas Lovejoy	Division of Highways	735.00	491.96	12/18/2018
18-0450	Rachel L. Lowe and Christopher C. Lowe	Division of Highways	528.94	528.94	8/14/2018
18-0343	Michael A. Lowry and Megan M. Lowry	Division of Highways	45.56	45.56	10/1/2018
18-0143	Beth Loy	Division of Highways	373.95	373.95	5/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0209	Tabitha Luckey	Division of Highways	2,787.98	1,000.00	10/15/2018
17-0007	Jeremy Luke	Division of Highways	460.00	460.00	2/20/2018
18-0273	Joyce S. Lupardus and James Lupardus	Division of Highways	154.55	154.55	9/10/2018
18-0482	David J. Lutskus and Tiffany R. Lutskus	Division of Highways	393.26	393.26	8/14/2018
17-0492	Terri E. Lyons and Foster M. Lyons	Division of Highways	56.71	56.71	2/20/2018
18-1021	Nathan Mace and Cassie Mace	Division of Highways	455.77	455.77	10/2/2018
16-0806	Karen Machen	Division of Highways	254.29	254.29	12/18/2018
18-0040	Brandon Lee Madden	Division of Highways	280.27	280.27	4/24/2018
18-0268	Caroline Mader	Division of Highways	604.59	314.59	12/10/2018
18-0922	Jerry Mahoney	Division of Highways	178.56	178.56	12/18/2018
18-0691	Patsy Mahood	Division of Highways	338.27	338.27	8/18/2018
16-0203	Judith Maisel	Division of Highways	303.27	303.27	1/4/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0507	Adrian Malick	Division of Highways	1,712.67	1,712.67	1/3/2018
18-0338	Tara Manchin	Division of Highways	219.33	219.33	8/14/2018
18-0176	Julie E. Mancini	Division of Highways	500.00	500.00	9/10/2018
18-0956	Matthew Steele and Mia Marcum	Division of Highways	183.40	183.40	9/18/2018
17-0565	Noah Marcum and Deborah Marcum	Division of Highways	492.75	492.75	6/12/2018
18-1381	George A. Marfield Jr. and LaDonna L. Marfield	Division of Highways	477.56	477.56	11/1/2018
18-0198	Custom Contracting and Vincent Marino	Division of Highways	309.93	309.93	11/29/2018
18-0454	Phillip Marquart	Division of Highways	1,398.70	250.00	10/31/2018
18-0308	Carey Marra	Division of Highways	133.75	133.75	5/29/2018
17-0004	Judy K. Marshall	Division of Highways	2,467.46	800.00	12/10/2018
18-0434	Sarah Satterfield Marshall	Division of Highways	368.54	368.54	12/10/2018
17-0352	Michael Martin and Lynn Martin	Division of Highways	1,086.12	1,000.00	5/24/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0208	Sharon L. Martin	Division of Highways	250.00	250.00	12/10/2018
17-0453	Robert J. Matheny	Division of Highways	491.37	491.37	3/26/2018
17-0439	Carol D. Mattox	Division of Highways	700.93	500.00	7/17/2018
17-0542	David Maxson and Kim Maxson	Division of Highways	202.41	202.41	2/20/2018
18-0050	Julie D. May	Division of Highways	64.30	64.30	10/2/2018
18-0642	Karen A. May	Division of Highways	500.00	500.00	8/14/2018
18-0120	Johnathan Maynard	Division of Highways	160.14	160.14	4/24/2018
18-0560	Rita Maynard	Division of Highways	90.09	90.09	9/18/2018
17-0506	Wanda Maynard	Division of Highways	500.00	500.00	2/20/2018
17-0748	Clifford Terrell and Jennifer McCafferty	Division of Highways	2,449.25	500.00	5/24/2018
16-0452	Greg McCoy	Division of Highways	505.52	505.52	9/10/2018
18-0211	Raymona L. McDonald and Robert L. McDonald	Division of Highways	612.62	612.62	5/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0728	James McHugh and Marianna McHugh	Division of Highways	500.00	500.00	2/20/2018
17-0432	Dennis McNaboe	Division of Highways	127.55	127.55	9/10/2018
18-0147	Dennis L. McNinch	Division of Highways	335.93	335.93	11/2/2018
18-0200	Kevin Todd McPherson and Stacy McPherson	Division of Highways	383.00	383.00	5/29/2018
18-0588	Casby Mitchell Meadows	Division of Highways	221.38	221.38	9/18/2018
18-0154	Judson A. Means and Sharon Lynn Means	Division of Highways	270.11	270.11	4/3/2018
18-1233	Neani M. Mee and Douglas Mee	Division of Highways	250.00	250.00	11/1/2018
18-0505	Colleen C. Megna	Division of Highways	116.54	116.54	10/31/2018
18-0705	Ethan L. Mellott	Division of Highways	500.00	500.00	8/14/2018
16-0723	Dennis Melton	Division of Highways	1,827.28	500.00	8/3/2018
18-0864	Presley M. Merrill	Division of Highways	91.16	91.16	9/18/2018
18-0541	Jessica A. Cochran and Kimberly D. Merritt	Division of Highways	372.99	372.99	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0798	Barbara Ann Messenger and Patrick Messenger	Division of Highways	242.93	242.93	8/14/2018
18-0060	Emma Messer	Division of Highways	1,854.64	1,854.64	4/17/2018
18-0641	Robin Metheny and Glen Metheny	Division of Highways	500.00	500.00	9/18/2018
18-0939	Susan J. Mick and David E. Mick	Division of Highways	127.33	127.33	9/18/2018
16-0960	Jamie Midcap and Johnnie Midcap	Division of Highways	757.53	500.00	10/31/2018
18-1224	Susan D. Midkiff and Michael H. Midkiff	Division of Highways	265.00	265.00	10/2/2018
18-1328	Barbara C. Milam, Joel Scott Milam, as Power of Attorney for Barbara C. Milam and Colin Milam	Division of Highways	289.80	289.80	11/1/2018
18-0065	Darienne Miller	Division of Highways	459.76	459.76	5/29/2018
18-0125	Madison Miller	Division of Highways	259.60	259.60	4/3/2018
18-0204	Raechelle D. Miller	Division of Highways	201.44	201.44	4/17/2018
17-0747	Bernice Mills	Division of Highways	402.69	402.69	2/20/2018
17-0204	Jennifer Barber Minchau	Division of Highways	310.05	310.05	1/4/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0285	David K. Minturn and Sandra L. Minturn	Division of Highways	246.00	246.00	10/1/2018
17-0566	Carl D. Moore	Division of Highways	1,876.74	500.00	8/3/2018
18-0643	Ellen Moore and Jesse Moore	Division of Highways	1,728.31	1,728.31	12/14/2018
18-0755	Joseph Moore Jr., Victoria Kelly-Moore and Joe Moore	Division of Highways	151.94	151.94	9/18/2018
17-0029	Olivia Moore	Division of Highways	458.50	458.50	1/11/2018
18-0613	Timothy Moore	Division of Highways	663.60	146.00	11/9/2018
17-0618	Errol F. Morgan	Division of Highways	222.39	222.39	1/4/2018
18-0847	Virginia Elaine Morris and Brian N. Morris	Division of Highways	290.22	290.22	11/29/2018
18-0384	Amy G. Moulder and Rudy M. Moulder	Division of Highways	1,000.00	1,000.00	9/18/2018
16-0757	Leslie Moziejko and Randy Moziejko	Division of Highways	1,178.14	500.00	10/31/2018
18-0402	Briana Mullenax	Division of Highways	500.00	500.00	9/18/2018
17-0493	Jean Mullins and Ronnie L. Mullins	Division of Highways	200.00	200.00	8/3/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
16-0953	Timmy Mullins	Division of Highways	4,250.46	4,250.46	6/12/2018
18-0440	Emily Murphy	Division of Highways	500.00	500.00	8/14/2018
18-0633	Karen Sue Murphy and Benjamin L. Murphy	Division of Highways	166.76	166.76	9/18/2018
18-0161	Lori D. Musgrave and James Musgrave	Division of Highways	437.45	437.45	11/16/2018
16-0129	Sarah Mayle and Jill Myers	Division of Highways	614.76	614.76	9/10/2018
18-0735	Carrie A. Nelson	Division of Highways	500.00	500.00	9/18/2018
18-0456	George R. Nelson and Stephanie L. Nelson	Division of Highways	500.00	500.00	9/18/2018
17-0500	Valori Newman	Division of Highways	1,447.55	369.65	10/31/2018
18-0483	Eric Nichols	Division of Highways	500.00	500.00	8/14/2018
18-0199	Donavan Nicholson II	Division of Highways	2,555.08	2,000.00	9/10/2018
18-0330	Angelita Nixon	Division of Highways	382.61	382.61	10/1/2018
18-0329	Angelita Nixon	Division of Highways	2,242.43	1,000.00	10/15/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0554	Linda Norman	Division of Highways	135.15	135.15	10/31/2018
18-0344	Larry C. Nottingham and Carol S. Nottingham	Division of Highways	801.40	801.40	9/18/2018
16-0559	NTS LLC and Noble Oil Services Inc.	Division of Highways	2,000.76	2,000.76	5/24/2018
17-0351	Michael D. Nutter	Division of Highways	424.82	424.82	8/14/2018
18-0561	Mitchell Allen Nutter	Division of Highways	435.00	435.00	8/14/2018
17-0681	Jill Ray Oliver	Division of Highways	132.73	132.73	2/20/2018
18-0687	Michael H. Oliver	Division of Highways	385.34	385.34	11/29/2018
18-0132	Priscilla Oliver and Richard Oliver	Division of Highways	71.16	71.16	11/9/2018
17-0452	Frank Oliverio	Division of Highways	1,000.00	1,000.00	9/10/2018
16-0339	Travis L. Olson	Division of Highways	2,092.71	2,092.71	11/9/2018
17-0502	Jessica Orgovan	Division of Highways	2,574.73	500.00	10/31/2018
16-0220	Andy A. Orinick	Division of Highways	279.25	279.25	2/20/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-1263	Bernie Osborne and Elizabeth Osborne	Division of Highways	1,022.92	500.00	12/14/2018
18-0621	Jeffrey C. Ott and Susan L. Ott	Division of Highways	1,599.31	500.00	10/31/2018
18-0445	Jason Otto	Division of Highways	260.49	195.37	12/18/2018
18-0284	Megan Ouellette	Division of Highways	120.13	120.13	6/12/2018
18-0041	Andrew J. Overbaugh	Division of Highways	911.39	911.39	8/3/2018
18-0629	Jarrold Owsley and Jennifer Owsley	Division of Highways	513.64	500.00	12/19/2018
17-0694	Steven E. Page	Division of Highways	293.54	293.54	2/20/2018
17-0254	Leslie Painter	Division of Highways	1,000.00	1,000.00	2/1/2018
18-0269	Bettylou Palmer	Division of Highways	371.15	371.15	11/29/2018
18-0502	Christopher Pappas, Ernest Pappas and Yvette Pappas	Division of Highways	421.00	421.00	8/14/2018
15-2066	Jessie Parker and Norma Parker	Division of Highways	7,883.64	7,883.64	2/5/2018
15-1480	Kathleen Parkinson	Division of Highways	169.58	169.58	1/3/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0732	Carl Parsons	Division of Highways	100.00	100.00	2/20/2018
16-0638	Evelyn J. Parsons	Division of Highways	570.19	500.00	1/19/2018
18-0359	H. Dewayne Parsons	Division of Highways	1,019.70	1,019.70	11/29/2018
17-0376	Larry E. Parsons	Division of Highways	380.92	380.92	1/16/2018
18-0569	Stephen D. Parsons	Division of Highways	297.45	297.45	8/14/2018
18-0568	Stephen Parsons and Linda L. Parsons	Division of Highways	358.45	358.45	8/14/2018
18-0958	James L. Patterson and Eva J. Patterson	Division of Highways	210.42	210.42	9/18/2018
18-0023	Evan S. Pauley	Division of Highways	4,798.41	3,950.00	12/14/2018
18-0187	John Pauley and Deborah Pauley	Division of Highways	315.64	315.64	8/14/2018
18-0550	Sharon Lee Paxton	Division of Highways	149.30	149.30	8/14/2018
17-0627	Lonzo Glen Payne and Nancy Jean Payne	Division of Highways	89.35	89.35	1/3/2018
18-0710	Samuel R. Payton and Marsha L. Payton	Division of Highways	293.62	293.62	8/14/2018

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17-0716	Danielle Pearson	Division of Highways	304.68	304.68	2/20/2018
18-0676	Edward Peirce	Division of Highways	225.65	225.65	9/18/2018
18-0354	Phillip Bruce Pennington and Regena Ann Pennington	Division of Highways	200.00	200.00	9/18/2018
15-1244	Jeanette L. Perry	Division of Highways	260.87	250.00	10/15/2018
18-0957	Emily D. Pertil and Franz Pertil	Division of Highways	42.40	42.40	12/18/2018
18-0352	Ethan Peters	Division of Highways	596.72	500.00	10/31/2018
18-0072	Aaron Petry and Kristin Petry	Division of Highways	500.00	500.00	4/24/2018
18-0522	Christine Pflieger	Division of Highways	241.66	241.66	8/14/2018
18-1340	Karen D. Phillips and Brett B. Phillips	Division of Highways	335.46	335.46	12/18/2018
18-1091	Deanna Pickens	Division of Highways	362.21	362.21	10/2/2018
18-0609	Maurice Pisciozzano, Matthew Pisciozzano and Pierce Chiropractic Clinic	Division of Highways	438.70	438.70	9/18/2018
17-0703	Mousumi D. Pinki	Division of Highways	500.00	500.00	2/20/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0843	Karen Pitsenbarger	Division of Highways	839.30	100.00	11/2/2018
18-0622	Kathy A. Plum and Shedrick Plum	Division of Highways	138.07	138.07	9/18/2018
18-0664	Kevin D. Poling and Pamela June Poling	Division of Highways	229.14	229.14	9/18/2018
17-0564	Kimberly L. Poticher and Patrick J. Poticher	Division of Highways	500.00	500.00	2/20/2018
18-0463	Ann Potter and Douglas Potter	Division of Highways	931.54	931.54	12/10/2018
18-0066	Rachel Price and Travis Price	Division of Highways	500.00	500.00	4/3/2018
17-0661	Kenneth Prince	Division of Highways	500.00	500.00	1/4/2018
18-0983	Rhonda L. Pritt	Division of Highways	500.00	500.00	9/18/2018
17-0167	Charles M. Proctor Sr. and Lou Ann Proctor	Division of Highways	1,000.00	1,000.00	2/1/2018
17-0168	Charles M. Proctor Sr. and Lou Ann Proctor	Division of Highways	1,498.65	1,498.65	2/1/2018
18-0823	Betty Jo Pryce-Morehead	Division of Highways	531.99	500.00	11/29/2018
18-0261	Lisa D. Raber and Bryan Raber	Division of Highways	393.26	393.26	10/15/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0048	Melissa A. Raber and Joseph A. Raber	Division of Highways	6,500.00	6,500.00	12/18/2018
18-0155	Jan A. Rapp and Byron L. Rapp	Division of Highways	175.96	175.96	5/29/2018
18-0497	Deborah L. Ratliff and James Ratliff	Division of Highways	172.25	172.25	9/18/2018
18-0215	Virginia Rayburn and Gregory L. Rayburn	Division of Highways	294.25	294.25	8/14/2018
18-0006	Paul A. Redford and Suzette M. Redford	Division of Highways	519.77	519.77	4/3/2018
18-0460	Patrick J. Reilly and Paula L. Reilly	Division of Highways	89.99	89.99	8/14/2018
18-0103	Lisa Renner and David Renner	Division of Highways	456.00	456.00	10/31/2018
17-0611	Steve A. Reynolds	Division of Highways	2,200.00	500.00	6/12/2018
18-0886	Clara P. Rhodes and Thomas E. Rhodes	Division of Highways	250.00	250.00	9/18/2018
17-0178	Daniel Paul Rhodes	Division of Highways	466.62	466.62	2/20/2018
18-0025	Steven Rhyne	Division of Highways	1,408.89	1,408.89	5/29/2018
17-0126	Jack J. Richmond	Division of Highways	500.00	500.00	2/1/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0931	Travis Riffe	Division of Highways	508.94	508.94	9/18/2018
15-1635	James E. Riffe III and Jamie D. Riffe	Division of Highways	881.99	881.99	5/2/2018
15-1997	Jeffrey S. Riley	Division of Highways	457.68	457.68	12/10/2018
18-0351	Donald G. Ritchie and Jennifer L. Ritchie	Division of Highways	224.72	224.72	10/2/2018
15-0311	Corinna O. Van Dyne Ritz	Division of Highways	609.45	370.00	12/18/2018
16-0780	Howard Robbins and Gloria Robbins	Division of Highways	1,627.44	1,627.44	1/3/2018
18-0796	Michael Robinson and Deanna Robinson	Division of Highways	732.13	732.13	10/15/2018
15-0812	Rebecca Robinson	Division of Highways	378.86	378.86	11/2/2018
18-0521	Alyssa E. Romeo and Joseph M. Romeo	Division of Highways	103.28	103.28	8/14/2018
17-0366	John J. Roop	Division of Highways	223.63	223.63	10/31/2018
18-0726	McKenzie Rose	Division of Highways	147.47	147.47	11/29/2018
18-0052	Terry Rose	Division of Highways	116.51	116.51	5/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
15-0890	Janice Ross	Division of Highways	342.75	342.75	5/24/2018
17-0650	Patrick Rowan and Anna Rowan	Division of Highways	500.00	500.00	1/4/2018
18-0604	Ieva Roznere	Division of Highways	77.37	77.37	8/14/2018
18-0615	Joel J. Rugg	Division of Highways	500.00	500.00	9/18/2018
15-2012	Donna Rumer	Division of Highways	530.70	500.00	12/18/2018
18-0209	Gary Runyon and Carla Runyon	Division of Highways	178.27	178.27	8/14/2018
18-0830	John M. Ruppert	Division of Highways	159.00	159.00	9/18/2018
17-0264	Kimberly A. Rymer and Kenneth D. Rymer	Division of Highways	500.00	500.00	4/3/2018
17-0730	Michael Salmons II	Division of Highways	245.87	245.87	4/24/2018
17-0099	Steve Saltis Sr. and Twyla Saltis	Division of Highways	500.00	500.00	4/3/2018
17-0275	Vicky Sammons	Division of Highways	782.31	782.31	5/24/2018
18-0785	Patty Samsell and George L. Samsell	Division of Highways	169.60	169.60	9/18/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0247	Everett E. Sansom	Division of Highways	214.85	214.85	10/1/2018
17-0334	Diane M. Santomenna	Division of Highways	498.39	498.39	12/10/2018
17-0448	Karen S. Santowasso and Artie Santowasso	Division of Highways	95.59	95.59	10/31/2018
17-0458	Karen S. Santowasso and Artie Santowasso	Division of Highways	89.99	89.99	10/31/2018
18-0107	Ghaddy Alsaty and Mohamad Sarraj	Division of Highways	344.27	344.27	10/15/2018
18-0260	John Saunders	Division of Highways	1,051.45	1,051.45	10/15/2018
17-0104	Glenn Savage and Jill Savage	Division of Highways	1,000.00	1,000.00	2/1/2018
17-0574	Dianna K. Dailey-Savory and Thomas Savory	Division of Highways	500.00	500.00	4/24/2018
18-0105	Gary Scarbough	Division of Highways	307.88	307.88	4/24/2018
18-0962	Jona L. Scarbro	Division of Highways	421.24	370.34	12/10/2018
18-0111	Kelsey Scariot	Division of Highways	214.00	214.00	11/2/2018
18-0475	David P. Schimmel	Division of Highways	571.46	571.46	10/31/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0573	Carl R. Schmalz	Division of Highways	249.64	249.64	11/2/2018
17-0476	Charles Schott and Lorrie Schott	Division of Highways	239.44	239.44	11/16/2018
17-0623	Lorrie Schott and Charles Schott	Division of Highways	387.58	387.58	11/2/2018
17-0649	Jimmy L. Scott and Edna K. Scott	Division of Highways	655.14	655.14	2/8/2018
16-0472	Robert J. Semin and Elaine Semin	Division of Highways	824.85	500.00	6/12/2018
18-0695	Billy A. Shaffer	Division of Highways	1,553.91	100.00	10/31/2018
17-0729	Melinda Shaffer	Division of Highways	368.30	368.30	2/20/2018
18-0425	Samuel David Shalhoub	Division of Highways	888.09	250.00	10/1/2018
17-0734	Deborah Shamblyn	Division of Highways	329.00	329.00	2/20/2018
17-0548	Leslie D. Shamblyn and Larry Shamblyn	Division of Highways	239.68	239.68	4/3/2018
15-1413	Sairam Gangeddula and Kumud Sharma	Division of Highways	5,000.00	500.00	11/8/2018
16-0607	Robert G. Sheets and Katelyn M. Sheets	Division of Highways	415.00	415.00	10/22/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0197	Kelly D. Shepherd	Division of Highways	211.94	211.94	9/18/2018
17-0447	Patricia L. Sheppard	Division of Highways	500.00	500.00	4/3/2018
18-0129	Connie Shipley	Division of Highways	914.05	914.05	11/29/2018
18-0388	Pamela D. Shockey and Marc Shockey	Division of Highways	267.50	267.50	8/14/2018
18-0661	Jeffrey Steven Sholtis and Stacy L. Sholtis	Division of Highways	500.00	500.00	8/14/2018
18-0102	Richard T. Short	Division of Highways	476.20	476.20	4/17/2018
18-0990	Whiteside Cadillac and Theodore Z. Showalter	Division of Highways	491.95	491.95	11/2/2018
18-0723	John B. Shultz and Mary Louise Shultz	Division of Highways	238.77	238.77	8/14/2018
15-2062	Kelly J. Shuman	Division of Highways	250.00	250.00	2/20/2018
18-0110	Renia Siegman and Ronald Siegman	Division of Highways	595.67	595.67	11/9/2018
17-0267	Alysia Sigman	Division of Highways	554.49	554.49	5/24/2018
18-0430	William D. Sigman	Division of Highways	868.00	868.00	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0727	Dennis C. Simmons	Division of Highways	286.90	286.90	2/20/2018
17-0503	James S. Simmons	Division of Highways	1,014.66	500.00	9/10/2018
18-0908	Roger D. Goodman and Evelyn Skeens	Division of Highways	397.78	397.78	9/18/2018
18-0405	Rusty Slie and Joann Slie	Division of Highways	126.00	126.00	11/2/2018
18-0265	Larry A. Sliva	Division of Highways	1,182.82	1,000.00	10/31/2018
18-0570	Lisa Small and Marvin Small	Division of Highways	681.40	500.00	12/10/2018
18-0325	Shawn Y. Smarik and David Smarik	Division of Highways	141.30	141.30	8/14/2018
18-0117	Brock W. Smith and Peggy J. Smith	Division of Highways	84.95	84.95	4/3/2018
18-0766	Christopher L. Smith and Jennifer Smith	Division of Highways	784.91	784.91	9/18/2018
17-0437	David Smith	Division of Highways	324.00	324.00	5/24/2018
18-0166	Glenn R. Smith	Division of Highways	85.86	85.86	4/17/2018
18-0095	Jodi Ann Smith	Division of Highways	500.00	500.00	5/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0309	Justin A. Smith	Division of Highways	667.65	667.65	9/18/2018
18-0880	Kathleen I. Smith	Division of Highways	217.29	217.29	11/29/2018
18-0666	Kenneth L. Smith and Tina A. Smith	Division of Highways	500.00	500.00	8/14/2018
18-0638	Matthew E. Smith and Amanda M. Smith	Division of Highways	117.60	117.60	9/18/2018
18-0226	Okey Smith	Division of Highways	210.93	210.93	4/17/2018
18-0760	Harry L. Sneigle	Division of Highways	508.11	500.00	11/16/2018
18-0203	James L. Snider	Division of Highways	161.60	161.60	9/10/2018
18-0793	Joseph Snopps and Jessica Snopps	Division of Highways	373.12	373.12	9/10/2018
18-0565	Frances M. Sokos and Gus M. Sokos	Division of Highways	302.05	302.05	10/31/2018
18-0566	Frances M. Sokos and Gus M. Sokos	Division of Highways	238.50	238.50	10/31/2018
17-0742	Joseph Somers	Division of Highways	964.16	511.91	12/18/2018
18-0401	Kevin T. Sparks and Kelly Sparks	Division of Highways	932.18	932.18	10/31/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0097	Steven James Spears	Division of Highways	411.28	411.28	4/3/2018
18-0577	William Spence and Arlene Spence	Division of Highways	83.21	83.21	9/18/2018
16-0634	Terry Sprouse and Denise Mae Sprouse	Division of Highways	239.94	239.94	9/10/2018
18-1078	Paul Stacy and Sharon Stacy	Division of Highways	166.00	166.00	10/2/2018
18-0534	Timothy Paul Ash, Tesa Hope Ash and Adam Stafford	Division of Highways	90.63	90.63	8/14/2018
18-0099	Anthony B. Stake Jr.	Division of Highways	380.00	380.00	4/17/2018
18-0180	Bonny Starkey	Division of Highways	500.00	500.00	4/17/2018
15-0298	Nancy Stemple	Division of Highways	6,000.00	500.00	12/19/2018
18-0918	James Stewart and Jill Stewart	Division of Highways	194.74	194.74	9/18/2018
18-0725	Melissa Stewart	Division of Highways	886.86	886.86	12/18/2018
18-0650	Kasha Stitt and Jason B. Stitt	Division of Highways	238.22	238.22	12/10/2018
18-0231	Sarah S. Stolze	Division of Highways	986.54	500.00	10/1/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
16-0520	Paul C. Stout and Susan J. Stout	Division of Highways	2,217.81	500.00	12/10/2018
17-0585	Thomas A. Stout and Paula J. Stout	Division of Highways	250.00	250.00	8/14/2018
18-0536	Carl Straub Jr. and Tammy Straub	Division of Highways	439.14	439.14	9/18/2018
18-0624	Gary Sumpter Jr.	Division of Highways	500.00	500.00	9/18/2018
18-0468	Floyd F. Sutherland	Division of Highways	422.18	422.18	5/29/2018
17-0322	Barbara E. Swartz	Division of Highways	950.00	500.00	10/22/2018
18-0935	Jeri Swingle	Division of Highways	729.68	500.00	10/31/2018
15-1907	Mary E. Sword	Division of Highways	239.90	239.90	1/3/2018
15-0043	Barbara L. Tatterson	Division of Highways	500.04	250.00	6/12/2018
16-0368	Marcy Taylor	Division of Highways	354.04	354.04	1/11/2018
18-0667	Howard L. Templin	Division of Highways	786.97	500.00	10/31/2018
18-0101	Greg Tenley and Lori Tenley	Division of Highways	321.91	321.91	10/31/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0133	Paul J. Tepe and Inge A. Tepe	Division of Highways	257.99	257.99	4/17/2018
13-0047	Lee Theaker	Division of Highways	327.94	327.94	11/9/2018
17-0404	Alyssa Thibaut and Jermoe Thibaut	Division of Highways	159.00	159.00	1/3/2018
18-0013	Iva Thomas	Division of Highways	448.40	448.40	10/1/2018
17-0163	Janet Thompson	Division of Highways	200.76	200.76	2/1/2018
17-0498	Olivia Thompson	Division of Highways	878.81	500.00	10/31/2018
18-0746	Eric L. Tichenor and Terri L. Tichenor	Division of Highways	576.87	576.87	9/18/2018
16-0923	Carolyn Dianne Tincher	Division of Highways	501.02	500.00	1/19/2018
16-0972	Lawrence Tingler Jr.	Division of Highways	284.81	284.81	1/11/2018
16-0379	Mary A. Tinney	Division of Highways	2,930.58	200.00	10/15/2018
18-0559	Damian Tofte	Division of Highways	1,408.63	500.00	12/18/2018
17-0628	Brady C. Totten and Betty S. Totten	Division of Highways	3,525.65	3,525.65	7/17/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0028	Daniel Trautwein and Nancy Trautwein	Division of Highways	326.88	326.88	4/3/2018
18-0961	Ralph L. Travis and Irene Travis	Division of Highways	500.00	500.00	12/18/2018
17-0227	Leah Marie Trent	Division of Highways	148.19	148.19	10/1/2018
18-0096	Trimble Inc.	Division of Highways	177,258.40	177,258.40	3/7/2018
18-0748	Jeffrey Allen Tucker and Christina Renee Tucker	Division of Highways	202.30	202.30	11/1/2018
18-0126	Jerry Tucker	Division of Highways	149.37	149.37	7/17/2018
18-0191	Joseph Tucker	Division of Highways	315.88	315.88	9/10/2018
17-0693	Crista Turner	Division of Highways	500.00	500.00	2/20/2018
16-0614	Debbie Vac and Dennis A. Vac	Division of Highways	297.97	297.97	11/29/2018
17-0284	Alfred G. Valle	Division of Highways	473.32	473.32	10/31/2018
17-0451	Constance Van Gilder and Gregory T. Van Gilder	Division of Highways	290.00	290.00	11/9/2018
17-0191	James Vanhoose and Paula Vanhoose	Division of Highways	628.71	628.71	1/3/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0779	Velvet L. Vaughn	Division of Highways	258.62	258.62	9/18/2018
18-0151	Jody Veith and Robert Veith	Division of Highways	202.35	202.35	4/17/2018
18-0393	Natalie D. Vinton	Division of Highways	500.00	500.00	8/14/2018
18-0706	Natalie D. Vinton	Division of Highways	112.58	112.58	8/14/2018
18-0708	Shelby Vrescak and Julius Vrescak	Division of Highways	159.98	159.98	8/14/2018
17-0697	Aaron Wagner	Division of Highways	95.30	95.30	2/20/2018
17-0541	Sandra S. Walker and Gary L. Walker	Division of Highways	500.00	500.00	2/8/2018
18-0945	Ryan S. Walther	Division of Highways	362.33	362.33	12/18/2018
18-0527	Sarah Marie Ware	Division of Highways	774.29	252.28	12/18/2018
17-0032	Roy L. Watkins and Anita J. Watkins	Division of Highways	12,971.05	1,000.00	5/24/2018
18-0068	Juanita G. Watts and David W. Watts	Division of Highways	171.20	171.20	4/24/2018
12-0621	Monica Renee Watts	Division of Highways	1,000,000.00	552,500.00	3/8/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0116	Deborah A. Weaver and Mark A. Weaver	Division of Highways	365.70	365.70	10/2/2018
17-0739	Pamela Weaver and Bruce Weaver	Division of Highways	1,245.91	1,000.00	5/24/2018
18-0080	Tyler A. Webb	Division of Highways	506.92	250.00	10/1/2018
17-0468	Craig A. Welch	Division of Highways	250.00	250.00	1/3/2018
18-0663	Krystal Wicker and Ian Welch	Division of Highways	573.05	573.05	8/14/2018
18-0222	Lacy L. Welch	Division of Highways	1,348.21	1,000.00	7/17/2018
18-0644	Lori A. Wells	Division of Highways	342.57	342.57	12/18/2018
18-0660	Bartlett J. Wheeler	Division of Highways	124.04	124.04	9/18/2018
18-0484	Danny W. Wheeler and Tenyah N. Wheeler	Division of Highways	404.85	404.85	9/18/2018
18-0751	Heather Whipkey and Mark Whipkey	Division of Highways	419.60	419.60	10/31/2018
18-0235	Joanna White	Division of Highways	168.54	168.54	5/29/2018
18-0381	Mark S. White and Pamela C. White	Division of Highways	392.55	392.55	8/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0094	Timothy W. White and Randi L. White	Division of Highways	900.56	500.00	11/2/2018
17-0657	Vincent W. White and Bonnie White	Division of Highways	1,132.85	500.00	12/19/2018
18-0669	Brett L. Whiting and Sarah J. Whiting	Division of Highways	455.04	455.04	12/10/2018
18-0035	Bruce S. Whoolery and Rose Marie Whoolery	Division of Highways	129.27	129.27	2/20/2018
18-0113	David R. Widdifield	Division of Highways	617.02	617.02	4/17/2018
18-0302	Nancy Ohrenstein and Charles Wiener	Division of Highways	668.00	500.00	10/31/2018
18-0295	Sean Wightman and Rodney Wightman	Division of Highways	119.50	119.50	5/29/2018
17-0429	Lee Wiley	Division of Highways	1,649.44	1,000.00	10/1/2018
17-0731	Serena Wilkerson	Division of Highways	532.49	532.49	7/17/2018
18-0584	Nathan F. Wilkinson and Julie R. Wilkinson	Division of Highways	445.14	445.14	8/14/2018
18-0148	Joyce Williams	Division of Highways	495.54	495.54	5/29/2018
18-0788	Kandy K. McCauley and Roger R. Williams	Division of Highways	151.58	151.58	10/22/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
17-0241	April F. Williams-Early	Division of Highways	299.60	299.60	8/3/2018
18-0730	Michael Williamson and McKenna Williamson	Division of Highways	92.88	92.88	8/14/2018
18-1198	Susan R. Wilson and John Wilson	Division of Highways	332.85	332.85	12/14/2018
18-0535	Timothy Wilson and Michelle Wilson	Division of Highways	112.99	112.99	11/16/2018
18-0039	Kipp Wimmer	Division of Highways	389.02	389.02	2/20/2018
18-0424	Matthew J. Winans	Division of Highways	948.64	948.64	10/1/2018
18-0298	James S. Wise	Division of Highways	575.13	500.00	10/31/2018
11-0575	Pauletta Witt	Division of Highways	691.68	500.00	10/15/2018
17-0260	Ahmed Witten	Division of Highways	281.98	281.98	5/24/2018
18-0444	Amy M. Wolfe and Andrew J. Wolfe	Division of Highways	133.75	133.75	8/14/2018
18-0428	Peggy J. Wolfe	Division of Highways	500.00	500.00	12/10/2018
16-0669	Ronald P. Wood	Division of Highways	219.31	219.31	10/31/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0012	Nancy J. Wooddell	Division of Highways	279.42	279.42	4/3/2018
17-0250	Gary Workman	Division of Highways	454.00	454.00	6/12/2018
18-0142	Laura Parker and Eddie Beryl Workman	Division of Highways	1,200.00	1,200.00	11/9/2018
14-0679	Barbara Wright	Division of Highways	449.40	449.40	7/17/2018
18-0694	Brian F. Wright and Amanda M. Wright	Division of Highways	236.47	236.47	9/18/2018
17-0341	Jacob Turner Wright	Division of Highways	3,684.31	500.00	10/31/2018
18-0547	Kyle P. Wyjad and Alyssa N. Wyjad	Division of Highways	253.98	253.98	8/14/2018
18-0121	Michele Yates	Division of Highways	1,635.21	1,380.00	11/29/2018
17-0131	Allen Yeager	Division of Highways	295.88	250.00	10/22/2018
17-0545	Carolyn Young and James Young	Division of Highways	275.51	275.51	2/20/2018
18-0138	Daniel R. Young	Division of Highways	239.53	239.53	10/31/2018
17-0567	Ronald W. Young	Division of Highways	180.91	180.91	5/29/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0581	Luther M. Young Jr.	Division of Highways	222.58	222.58	9/18/2018
17-0520	Paul Ritchey and Dianna Ritchey	Division of Motor Vehicles	180.00	180.00	1/19/2018
17-0552	West Virginia Association of Rehabilitation Facilities Inc.	Enterprise Resource Planning Board	2,492.25	2,492.25	1/19/2018
18-0001	Zachary Taylor Blake	Regional Jail and Correctional Facility Authority	88.74	88.74	5/2/2018
17-0186	James R. Davis	Regional Jail and Correctional Facility Authority	679.94	679.94	5/2/2018
18-1346	Clairese Felipe	Regional Jail and Correctional Facility Authority	1,097.92	1,097.92	12/14/2018
17-0434	Meronica Harrison	Regional Jail and Correctional Facility Authority	600.00	600.00	5/2/2018
17-0420	Jeffrey Allen Hazlett	Regional Jail and Correctional Facility Authority	96.28	96.28	5/2/2018
17-0305	Hunter C. Morela	Regional Jail and Correctional Facility Authority	267.00	267.00	5/2/2018
17-0297	Russell William Oliver	Regional Jail and Correctional Facility Authority	600.00	600.00	5/2/2018
17-0125	Troy Peace	Regional Jail and Correctional Facility Authority	1,319.00	1,319.00	5/24/2018
18-1317	Mark T. Radcliffe and Angela L. Radcliffe	Regional Jail and Correctional Facility Authority	35.32	35.32	12/14/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
18-0834	Sharmjeet Singh	Regional Jail and Correctional Facility Authority	7.00	7.00	12/14/2018
17-0598	Basim A. Talouzi	Regional Jail and Correctional Facility Authority	250.00	150.00	5/2/2018
16-0819	Joshua Thornhill	Regional Jail and Correctional Facility Authority	131.87	131.87	5/11/2018
18-0163	Dionne Townsend	Regional Jail and Correctional Facility Authority	119.60	119.60	12/14/2018
17-0392	Justin Stefanko and Cynthia Van Dyne	Regional Jail and Correctional Facility Authority	31.79	31.79	5/2/2018
17-0646	Mark W. Van Meter	Regional Jail and Correctional Facility Authority	300.00	300.00	5/11/2018
18-0473	Wendy Watson and Joseph M. Watson	Regional Jail and Correctional Facility Authority	19.27	19.27	12/14/2018
18-1361	West Virginia Interactive LLC	Secretary of State	106,378.00	106,378.00	12/10/2018
			\$4,610,682.99	\$3,216,528.98	

Over-Expenditure Claims Presented to the 2019 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-18-1205	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1204	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1203	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1202	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1201	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1200	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1199	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1208	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1210	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1209	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1207	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-1206	Affordable Cremations of WV	indigent burial	1,250.00	9/10/2018
CC-18-0084	Altmeyer Funeral Home	Indigent burials	5,000.00	3/26/2018
CC-18-1168	Carpenter and Ford Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1167	Carpenter and Ford Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1169	Carpenter and Ford Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1121	Casto Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1120	Casto Funeral Home	indigent burial	1,250.00	9/10/2018

<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-17-0600	Domico Funeral Home	Indigent burial	434.00	3/7/2018
CC-18-1282	Ford Funeral Home	indigent burial	1,250.00	9/28/2018
CC-18-1283	Ford Funeral Home	indigent burial	1,250.00	9/28/2018
CC-18-0262	Helsley-Johnson Funeral Home	Indigent burial	1,250.00	4/17/2018
CC-17-0158	Johnson Tiller Funeral Home	indigent burial	1,250.00	1/19/2018
CC-18-0900	Johnson Tiller Funeral Home	Indigent burial	1,250.00	7/17/2018
CC-18-0901	Johnson Tiller Funeral Home	Indigent burial	1,250.00	7/17/2018
CC-18-0997	Kepner Funeral Home	Indigent burial	1,250.00	8/3/2018
CC-18-1221	Kimes Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1076	Klingel-Carpenter Mortuary	indigent burial	1,250.00	9/10/2018
CC-18-1297	Leavitt Funeral Home	indigent burial	1,250.00	9/28/2018
CC-18-1247	McCullough Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1245	McCullough Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1244	McCullough Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1218	McCullough Raiguel Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1217	McCullough Raiguel Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1219	McCullough Raiguel Funeral Home	indigent burial	1,250.00	9/7/2018
CC-18-1260	Melton Mortuary	indigent burial	13,750.00	9/28/2018
CC-18-1298	Mid-Ohio Valley Cremation Society	indigent burial	1,250.00	9/28/2018
CC-18-1299	Mid-Ohio Valley Cremation Society	indigent burial	1,250.00	9/28/2018
CC-18-1295	Mid-Ohio Valley Cremation Society	indigent burial	1,250.00	9/28/2018

<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-18-1294	Mid-Ohio Valley Cremation Society	indigent burial	1,250.00	9/28/2018
CC-18-1296	Mid-Ohio Valley Cremation Society	indigent burial	1,250.00	9/28/2018
CC-18-1301	Mid-Ohio Valley Cremation Society	indigent burial	1,250.00	9/28/2018
CC-18-1300	Mid-Ohio Valley Cremation Society	indigent burial	1,250.00	9/28/2018
CC-18-1175	Morgan Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1180	Morgan Funeral Home	indigent burial	1,250.00	9/10/2018
CC-18-1392	Smith Funeral & Cremation Care	indigent burial	1,250.00	10/15/2018
CC-18-1369	Tankersley Funeral Home	indigent burial	1,250.00	10/15/2018
CC-18-1006	White Funeral Home	indigent burial	1,250.00	9/10/2018
Agency total:			\$75,434.00	

Claims Against the Racing Commission

<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-18-0276	Williams Racing Corporation	horse racing payouts	2,435.88	9/10/2018
Agency total:			\$2,435.88	
Grand total:			\$77,869.88	

Disallowed Claims Presented to the 2019 Legislature

Number	Name of Claimant	Name of Respondent	Amount Claimed	Final Disposition	Date of Opinion
17-0672	Cochran, Nick	Division of Corrections and Rehabilitation	654.08	Disallowed	5/2/2018
17-0245	Freeland, Aron	Division of Corrections and Rehabilitation	146.90	Disallowed	1/17/2018
17-0535	Horton, Charlton	Division of Corrections and Rehabilitation	701.79	Disallowed	5/2/2018
17-0602	Hudson, Jacob Corey	Division of Corrections and Rehabilitation	320.00	Disallowed	5/2/2018
17-0725	Jeffery, Joey	Division of Corrections and Rehabilitation	575.92	Disallowed	5/2/2018
16-0128	McClain, Marlin	Division of Corrections and Rehabilitation	265.05	Disallowed	1/15/2018
17-0279	Williams, Rocky	Division of Corrections and Rehabilitation	146.89	Disallowed	2/7/2018
17-0655	Shock, Jeffrey A. Shock and Nelina F.	Division of Highways	167.00	Disallowed	2/7/2018
17-0640	Allen, Jesse W.	Division of Highways		Disallowed	7/23/2018
16-0853	Ball Jr., Arnett W.	Division of Highways	127.90	Disallowed	6/12/2018
15-0087	Beasley, Ballas L.	Division of Highways	20,000.00	Disallowed	3/5/2018
17-0414	Bowe, Drema	Division of Highways	639.81	Disallowed	1/19/2018
17-0138	Callicoat, Julie G.	Division of Highways	180.00	Disallowed	6/12/2018
15-0626	Dobry, John J.	Division of Highways	1,027.00	Disallowed	2/5/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Final Disposition	Date of Opinion
17-0052	Ferrell, Kimberly Ferrell and Randy	Division of Highways	354.90	Disallowed	2/7/2018
15-0107	Fields, Richard	Division of Highways	20,000.00	Disallowed	2/5/2018
15-1757	Giegler, Thomas L.	Division of Highways	1,280.60	Disallowed	2/7/2018
16-0675	Harder, Linda G.	Division of Highways		Disallowed	2/5/2018
16-0676	Henry, Garrett W.	Division of Highways		Disallowed	2/5/2018
15-0975	Holcomb, Adlia S. Holcomb and Cynthia	Division of Highways	13,700.00	Disallowed	7/17/2018
13-0005	Hutchison, James A.	Division of Highways		Disallowed	2/5/2018
14-1421	Johnston, Daphne Johnston and Robert D.	Division of Highways	3,100.00	Disallowed	1/17/2018
15-2038	LaDayne, Danita LaDayne, Admin. of the Estate of Jonathan S.	Division of Highways	20,000.00	Disallowed	2/27/2018
18-0083	Lewis II, Max R.	Division of Highways	1,122.39	Disallowed	11/16/2018
15-1211	Morton, Leah G.	Division of Highways	1,069.85	Disallowed	7/17/2018
18-0082	Patteson, John T.	Division of Highways	97.00	Disallowed	11/16/2018
14-1020	Poteete, Lisa Hinchman and Keith	Division of Highways	3,787.87	Disallowed	1/17/2018
17-0656	Shock, Jeffrey A. Shock and Nellina F.	Division of Highways	250.00	Disallowed	2/7/2018
17-0005	Slaughter, Karleen	Division of Highways	3,500.00	Disallowed	2/7/2018
17-0013	Smith, Calvin Lee	Division of Highways	3,500.00	Disallowed	1/19/2018

Number	Name of Claimant	Name of Respondent	Amount Claimed	Final Disposition	Date of Opinion
17-0132	Taylor, Priscilla E.	Division of Highways	3,115.96	Disallowed	6/12/2018
14-1201	Wolfe, Roycelene	Division of Highways	500,000.00	Disallowed	2/27/2018
16-0272	Plumley, Virginia D.	Division of Motor Vehicles	3,418.25	Disallowed	3/26/2018
16-0215	The Car Shoppe,	Division of Motor Vehicles	469.95	Disallowed	3/26/2018
16-0815	Phipps, Deborah	Regional Jail and Correctional Facility Authori	592.31	Disallowed	5/24/2018
18-0005	Israel Jr., Glenn M.	Regional Jail Authority	700.00	Disallowed	5/2/2018

\$605,011.42

WEST VIRGINIA LEGISLATIVE CLAIMS COMMISSION
ABSTRACTS OF CLAIMS AWARDED

CLAIMS AGAINST THE DEPARTMENT OF ADMINISTRATION

CC-17-0466 WEST VIRGINIA ASSOCIATION OF REHABILITATION FACILITIES INC. v. DEPARTMENT OF ADMINISTRATION

The Claimant brought this claim to recover \$2,172.78 for services rendered to the Respondent as 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 Claims Commission recommended an award in the amount of \$2,172.78.

AMOUNT CLAIMED: \$2,172.78

AMOUNT AWARDED: \$2,172.78

CLAIMS AGAINST THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY

CC-17-0436 RICOH USA v. DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY

The Claimant brought this claim to recover \$92,727.00 for professional services rendered to the Respondent as 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 Claims Commission recommended an award in the amount of \$92,727.00.

AMOUNT CLAIMED: \$92,727.00

AMOUNT AWARDED: \$92,727.00

CC-18-0131 RICOH USA v. DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY

The Claimant brought this claim to recover \$23,640.96 for services rendered to the Respondent for providing copier machines, printers, system maintenance and other related services as 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 Claims Commission recommended an award of \$23,640.96.

AMOUNT CLAIMED: \$23,640.96

AMOUNT AWARDED: \$23,640.96

CC-17-0233 VERIZON BUSINESS v. DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY

The Claimant brought this claim to recover \$36,460.00 for professional services rendered to the Respondent as documented by unpaid invoices. The Respondent admitted the validity of the claim as to \$28,160.00 and stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Respondent denied the validity of the claim as to the sum of \$8,300.00 asserting that this sum was for services rendered before the effective date of the contract. The Claims Commission recommended an award in the amount of \$28,160.00.

AMOUNT CLAIMED: \$36,460.00

AMOUNT AWARDED: \$28,160.00

CC-18-0363 VERIZON BUSINESS v. DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY

The Claimant brought this claim to recover \$56,780.00 for professional communication services rendered to the Respondent pursuant to a contract and as 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 Claims Commission recommended an award in the amount of \$56,780.00.

AMOUNT CLAIMED: \$56,780.00

AMOUNT AWARDED: \$56,780.00

CLAIM AGAINST THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

CC-18-0907 POTESTA & ASSOCIATES INC. v. DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Claimant brought this claim to recover \$29,500.00 for providing professional engineering services pertaining to the South Charleston Landfill pursuant to a contract with the Respondent as 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 Claims Commission recommended an award in the amount of \$29,500.00

AMOUNT CLAIMED: \$29,500.00

AMOUNT AWARDED: \$29,500.00

CLAIMS AGAINST THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES

CC-18-0225 NATIONAL MEDICAL SERVICES INC., v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES

The Claimant brought this claim to recover \$104,388.86 for professional services for the forensic postmortem toxicology testing of samples received from the West Virginia Office of the Chief Medical Examiner pursuant to a contract with the Respondent as documented by unpaid invoices. The Respondent admitted the validity of the claim as to \$103,440.66 and stated that

there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Respondent denied the validity of the claim as to \$948.00, asserting that these costs were associated with specific forensic tests that were not included in the catalog contracts between the parties. No further evidence was submitted by the Claimant in support of the claim for \$948.00. The Claims Commission recommended an award in the amount of \$103,440.66.

AMOUNT CLAIMED: \$104,388.86

AMOUNT AWARDED: \$103,440.66

CLAIMS AGAINST THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU FOR BEHAVIORAL HEALTH

CC-17-0456 FIRST DATABANK INC. v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU FOR BEHAVIORAL HEALTH AND HEALTH FACILITIES

The Claimant brought this claim to recover \$23,235.00 for professional services rendered to the Respondent as 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 Claims Commission recommended an award in the amount of \$23,235.00.

AMOUNT CLAIMED: \$23,235.00

AMOUNT AWARDED: \$23,235.00

CLAIMS AGAINST THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU OF PUBLIC HEALTH

CC-17-0501 GLAXO SMITHKLINE PHARMACEUTICALS v. WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU OF PUBLIC HEALTH

The Claimant brought this claim to recover \$43,290.00 for the provision of pediatric influenza vaccines pursuant to a contract with the Respondent as 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 Claims Commission recommended an award in the amount of \$43,290.00.

AMOUNT CLAIMED: \$43,290.00

AMOUNT AWARDED: \$43,290.00

CC-17-0310 SANOFI PASTEUR INC. v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU OF PUBLIC HEALTH

The Claimant brought this claim to recover \$158,386.32 for the provision of pediatric influenza vaccines pursuant to a contract with the Respondent as 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 Claims Commission recommended an award in the amount of \$158,386.32.

AMOUNT CLAIMED: \$158,386.32

AMOUNT AWARDED: \$158,386.32

CC-18-0499 SOCIAL SOLUTIONS GLOBAL, INC. v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU FOR PUBLIC HEALTH, OFFICE OF MATERNAL CHILD AND FAMILY HEALTH, WV HOME VISITATION PROGRAM

The Claimant brought this claim to recover \$52,445.50 for the provision of professional web-based home visitation data collections system services pursuant to a contract with the Respondent as documented by unpaid invoices. The Respondent admitted the validity of the claim as to \$27,445.50, which represented services provided in good faith by the Claimant for a three month period following the expiration of the contract. The Respondent stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Respondent disputed the validity of the claim as to the sum of \$25,000.00 asserting that the Respondent had already paid that invoice. The Claimant did not respond or submit any additional documentation to support its claim for the disputed \$25,000.00. The Claims Commission recommended an award of \$27,445.50.

AMOUNT CLAIMED: \$52,445.50

AMOUNT AWARDED: \$27,445.50

CLAIMS AGAINST THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES, OFFICE OF CHIEF MEDICAL EXAMINER

CC-18-1329 MICROGENICS CORPORATION v. WEST VIRGINIA CHIEF MEDICAL EXAMINER

The Claimant brought this claim to recover \$6,167.00 for the provision of drug testing kits pursuant to a contract with the Respondent as documented by unpaid invoices. The Respondent admitted to 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 Claims Commission recommended an award in the amount of \$6,167.00.

AMOUNT CLAIMED: \$6,167.00

AMOUNT AWARDED: \$6,167.00

CLAIMS AGAINST THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES, OFFICE OF LABORATORY SERVICES

CC-17-0519 PITNEY BOWES, INC. v. DEPARTMENT OF HEALTH AND HUMAN RESOURCES, OFFICE OF LABORATORY SERVICES

The Claimant brought this claim to recover \$15,959.28 for the rental of digital mailing systems provided pursuant to a contract with the Respondent as documented by unpaid invoices. The Respondent admitted the validity of the claim as to the sum of \$11,969.46 and stated that there were sufficient funds expired in the appropriate fiscal year from which the invoices could have been paid. The Respondent denied the validity of the claim as to the sum of \$3,989.82, asserting that the Claimant did not submit any additional supporting invoices and receipts. The Claimant did not submit any additional invoices but did agree to accept the sum of \$11,969.46 in full payment of the claim. The Claims Commission recommended an award in the amount of \$11,969.46.

AMOUNT CLAIMED: \$15,959.28

AMOUNT AWARDED: \$11,969.46

CLAIMS AGAINST THE DEPARTMENT OF VETERANS ASSISTANCE

CC-18-0546 CARL E. SHORT v. DEPARTMENT OF VETERANS ASSISTANCE

The Claimant brought this claim to recover \$9,616.56 for the provision of goods and services to the Veteran's Home in Barboursville, Cabell County pursuant to a contract with the Respondent as 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 Claims Commission recommended an award of \$9,616.56.

AMOUNT CLAIMED: \$9,616.56

AMOUNT AWARDED: \$9,616.56

CC-17-0487 WEST VIRGINIA ASSOCIATION OF REHABILITATION FACILITIES, INC. v. DEPARTMENT OF VETERANS ASSISTANCE

The Claimant brought this claim to recover \$2,148.62 for the provision of laundry services and water services pursuant to a contract with the Respondent as 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 Claims Commission recommended an award in the amount of \$2,148.62.

AMOUNT CLAIMED: \$2,148.62

AMOUNT AWARDED: \$2,148.62

CLAIMS AGAINST THE DIVISION OF CORRECTIONS AND REHABILITATION

CC-15-0734 WENDELL K. ASH v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$52.92 for the loss of a Christmas gift package he ordered and never received. He alleged that the Respondent did not follow proper protocol for inmate purchases from outside vendors and as a result, he did not receive the prepaid package nor did he receive a refund. The Claims Commission found that the Respondent's Trustee Clerk in charge of inmate purchases from outside vendors did not follow the Respondent's established policies. Because a bailment situation was created between the parties, the Respondent was liable for the value of the Christmas gift package, which the Claims Commission found to be \$52.95

AMOUNT CLAIMED: \$52.95

AMOUNT AWARDED: \$52.95

CC-16-0137 WENDELL K. ASH v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$237.83 for the loss of personal property, including books, CD's, typewriter supplies, food items and shoes. He alleged that the items were lost by the State Shop while he was in punitive segregation. The Respondent did not dispute the validity of the claim. The Claims 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 Claims Commission found to be \$200.00.

AMOUNT CLAIMED: \$237.83

AMOUNT AWARDED: \$200.00

CC-17-0418 WENDELL K. ASH v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$33.49 for the loss of personal property, specifically his eyeglasses, which he alleged were destroyed by the Respondent. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission found to be \$33.49.

AMOUNT CLAIMED: \$33.49

AMOUNT AWARDED: \$33.49

CC-17-0745 GARY BAKER v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$25.00 for a lost refund. After he had submitted and paid for a commissary order, he then learned that he would be transferred to another facility. An employee of Mount Olive informed him that he would receive a refund for his commissary order; no refund was received. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the lost refund, which the Claims Commission found to be \$25.00.

AMOUNT CLAIMED: \$25.00

AMOUNT AWARDED: \$25.00

CC-17-0746 GARY BAKER v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$1,674.00 for the loss of personal property, including two gold rings, various clothing items, shoes, hats and a watch. The Claimant was transferred to Huttonsville Correctional Center but his property was not transferred with him. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for value of the property, which the Commission determined to be \$1,674.00.

AMOUNT CLAIMED: \$1,674.00

AMOUNT AWARDED: \$1,674.00

CC-16-0801 and CC-17-0155 FOSTER BOWEN v. DIVISION OF CORRECTIONS

The Claimant, an inmate at St. Mary's Correctional Center, sought to recover \$856.32 for the loss of personal property, including sweatpants, a hearing aid, a CD player, headphones and funds from his inmate account. He alleged that his property was stolen after the facility required him to provide them with the combination to the lock on his storage box. The Respondent did not dispute the validity of the claim. The Claims 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 Claims Commission found to be \$856.32.

AMOUNT CLAIMED: \$856.32

AMOUNT AWARDED: \$856.32

CC-17-0634 ANTHONY WILLIAM CARTAGENA v. DIVISION OF CORRECTIONS

The Claimant, now an inmate at Mount Olive Correctional Complex, sought to recover \$884.75 for the loss of personal property, including magazines, CD's, headphones, a CD player, an Xbox console, an Xbox hard drive, Xbox controllers, clothing items and personal hygiene items. The Claimant was placed in punitive segregation at Northern Correctional Center where his property was packed, inventoried and placed in the State Shop. The Claimant was transferred from segregation to Mount Olive Correctional Complex on May 25, 2017. He alleged that when he was moved to Mount Olive, not all of his property was transferred with him to Mount Olive. He further alleged that the Respondent's employees gave some of his property to another inmate and left some of his property in a multi-purpose room where other inmates were able to take his property. The Claimant's grievances were ultimately denied. The Respondent denied the validity of the claim in its pleadings and at the hearing. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission determined to be \$884.75.

AMOUNT CLAIMED: \$884.75

AMOUNT AWARDED: \$884.75

CC-16-0765 THOMAS G. CARTER, JR. v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$120.00 for the loss of his television set, which he alleged was damaged when an unknown individual entered his empty cell. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission found to be \$120.00

AMOUNT CLAIMED: \$120.00

AMOUNT AWARDED: \$120.00

CC-18-0149 BANNAR C. CATLETT v. DIVISION OF CORRECTIONS

The Claimant sought to recover \$4,745.84 for lost personal property, including complete copies of his criminal court records, books, sneakers, clothing items, boots and personal

hygiene items, which he alleged were lost by the Respondent's employees at Mount Olive Correctional Complex while he was housed in the medical unit. The Claimant was moved to the medical unit on January 18, 2018 where he stayed for five days. Upon his return to general population, he discovered that his property was missing and it could not be located. The Claimant requested several subpoenas for his scheduled hearing before the Legislative Claims Commission, including a subpoena for the Circuit Clerk of Berkeley County, whose testimony was needed in connection with the lost criminal court records. Upon receipt of the subpoena, the Claimant and the Office of the Circuit Court of Berkeley County were able to arrange for the copying and shipping of all of the Claimant's court records before the scheduled hearing occurred. The court records were valued at \$3,952.00; this arrangement resolved most of the Claimant's allegations against the Respondent. The Respondent did not object to the validity of the claim with respect to the remainder of the claim and stipulated to both liability and damages of \$793.00. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$793.00.

AMOUNT CLAIMED: \$4,745.84

AMOUNT AWARDED: \$793.00

CC-17-0563 JONATHAN CHARLES COCHRAN v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$240.00 for personal property, including clothing items, a pair of Reebok tennis shoes and a pair of Nike Air Jordan tennis shoes, that he alleged was lost when he was transferred to detention segregation. The Respondent denied the validity of the claim at the hearing. The Claims 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 Claims Commission found to be \$240.00.

AMOUNT CLAIMED: \$240.00

AMOUNT AWARDED: \$240.00

CC-18-0356 RONALD L. COSNER v. DIVISION OF CORRECTIONS AND REHABILITATION

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$1,060.45 for personal property, including a book, personal hygiene items, food items and photographs of family, that he alleged was lost when he was transferred from his cell to a local hospital and then the prison medical unit. The Claimant testified that he was taken to a local hospital for a medical emergency on December 30, 2017. He returned to Mount Olive that evening and was readmitted to the hospital on December 31, 2017 where he remained until January 2, 2018. He was discharged to the prison medical unit. When he returned to general population, he discovered that his property was missing and it had not been secured pursuant to the Respondent's policies. The Claimant acknowledged the Respondent's current policy permitting inmates to have only photocopies of photographs and not original photographs. The Claimant placed a value of \$1,000.00 on the photographs for their sentimental value. The Respondent denied the validity of the claim and asserted that all food items are destroyed after three (3) days pursuant to Operational Procedure #4.03(IV). The Claims Commission found that there can be no recovery for damages for sentimental value for lost or damaged personal

property; only the fair market value of reprinting photographs can be considered. The Claims Commission further found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission determined to be \$25.00.

AMOUNT CLAIMED: \$1,060.45

AMOUNT AWARDED: \$25.00

CC-18-1290 CROSIER'S SANITARY SERVICE, INC. v. REGIONAL JAIL FACILITY AUTHORITY

The Claimant brought this claim to recover \$19,044.50 for providing professional commercial septic tank and sanitary services to the North Central Regional Jail as 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 Claims Commission recommended an award in the amount of \$19,044.50.

AMOUNT CLAIMED: \$19,044.50

AMOUNT AWARDED: \$19,044.50

CC-18-1127 KEITH DEMENT v. DIVISION OF CORRECTIONS AND REHABILITATION

The parties stipulated to the following: On May 8, 2017, the Claimant was incarcerated at the Southern Regional Jail, having been transferred there from Mount Olive Correctional Complex. His personal property, which included multiple CD's, a CD player and a pair of sunglasses, was delivered to Southern Regional Jail. On May 17, 2018, the Claimant was transferred to Potomac Highlands Regional Jail. He was transferred back to Mount Olive Correctional Complex on June 29, 2018, at which time he discovered that his personal property was lost while being transferred from one facility to another. The Claimant placed a value of \$158.35 on his property. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$158.35.

AMOUNT CLAIMED: \$158.35

AMOUNT AWARDED: \$158.35

CC-16-0892 DAVID LAWRENCE DIXON v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$300.00 for the loss of personal property, including a watch, Xbox games, assorted Xbox accessories and a Native American pipe. He alleged that they were removed from his cell and destroyed by the Respondent. The Respondent did not dispute the validity of the claim. The Claims 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 Claims Commission found to be \$300.00.

AMOUNT CLAIMED: \$300.00

AMOUNT AWARDED: \$300.00

CC-18-1188 EARTHTEC ENVIRONMENTAL SERVICES LLC v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant brought this claim to recover \$7,500.00 for professional services related to the wastewater treatment facility serving the North Central Regional Jail, which were provided to the jail on an emergency basis without a written contract. A valid contract was entered into by the parties after the services were provided as 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 Claims Commission recommended an award in the amount of \$7,500.00.

AMOUNT CLAIMED: \$7,500.00

AMOUNT AWARDED: \$7,500.00

CC-18-0173 DESHAUN EVANS v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$491.27 for the loss of personal property, including a CD player, a television, a remote control device for the television, clothing items, a beard trimmer and a pair of shoes. He alleged that his property was lost when he was transferred from general population to punitive segregation. The Respondent denied the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$491.27.

AMOUNT CLAIMED: \$491.27

AMOUNT AWARDED: \$491.27

CC-18-0024 KEVIN S. FORD v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Huttonsville Correctional Center, sought to recover \$106.38 for the loss of personal property which included clothing items, a watch, tennis shoes, a belt and a sweatshirt. The Claimant alleged that his property was lost following his transfer from general population to punitive segregation. The Respondent denied the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission found to be \$106.38.

AMOUNT CLAIMED: \$106.38

AMOUNT AWARDED: \$106.38

CC-18-1347 JASON DOUGLAS FREEMAN v. DIVISION OF CORRECTIONS AND REHABILITATION

The Claimant sought to recover \$319.77 for the loss of personal property which included his wedding ring. At the hearing, the Claimant testified that he was incarcerated at Salem Correctional Center and moved to the segregation unit. He did not receive the property inventory form when his property was taken from his cell and packed for storage. He was later transferred to Mount Olive Correctional Center; none of his personal property was transferred from Salem to Mount Olive. He filed a grievance regarding the missing property which was

initially rejected for having excessive pages. The Claimant submitted correspondence from the Deputy Warden that adjusted and extended the time frames and deadlines for filing a grievance. His grievance was ultimately denied. The Respondent denied the validity of the claim. The Claims 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 Claims Commission determined to be \$319.77.

AMOUNT CLAIMED: \$319.77

AMOUNT AWARDED: \$319.77

CC-16-0670 TERRANCE HAMRICK v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Pruntytown Correctional Center, sought to recover \$220.60 for the loss of a television set, which he alleged was damaged by the Respondent when he was transferred to a different cell within the facility. The Respondent did not dispute the validity of the claim. The Claims 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 Claims Commission found to be \$220.60.

AMOUNT CLAIMED: \$220.60

AMOUNT AWARDED: \$220.60

CC-15-2007 FERLIN HEAVENER v. DIVISION OF CORRECTIONS

The Claimant, an inmate at the Stevens Correctional Center, sought to recover \$86.79 for the loss of personal property, including his Walkman radio and Koss headphones, that he alleged was stolen by his cellmates from his underbed storage box in his cell. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission found to be \$86.79.

AMOUNT CLAIMED: \$86.79

AMOUNT AWARDED: \$86.79

CC-17-0184 DOUGLAS C. JACKSON, JR. v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Stevens Correctional Center, sought to recover \$554.10 for the loss of personal property, including an Xbox 360 game console, an Xbox controller and other Xbox accessories, which he alleged was lost by the Respondent while he was hospitalized. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission found to be \$554.10.

AMOUNT CLAIMED: \$554.10

AMOUNT AWARDED: \$554.10

CC-17-0129 WILLIAM MACRI v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$3,200.00 for the loss of personal property, including an 18-carat gold necklace with a pyramid pendant. The Claimant opted to have his property items mailed out pursuant to the Respondent's policies; instead, his property was destroyed. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission determined to be \$3,200.00.

AMOUNT CLAIMED: \$3,200.00

AMOUNT AWARDED: \$3,200.00

CC-18-0016 BRIAN MARKLEY v. DIVISION OF CORRECTIONS

The Claimant sought to recover \$50.00 for the loss of personal property which included a pair of battery-operated gloves that the Claimant used to alleviate Raynaud's Syndrome. At the hearing, he testified that when he was transferred from Mount Olive Correctional Complex to Stevens Correctional Center, his gloves were lost. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$50.00.

AMOUNT CLAIMED: \$50.00

AMOUNT AWARDED: \$50.00

CC-18-0317 MARK MCATEE v. DIVISION OF CORRECTIONS AND REHABILITATION

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$80.90 for the loss of personal property, including books, photographs, envelopes, pens, dishes, personal hygiene items as well as postage and photocopying costs associated with the filing of his grievances. The Claimant alleged that his property was lost when he was moved from general population to the medical unit for an extended stay. The Respondent admitted the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$70.60,

AMOUNT CLAIMED: \$80.90

AMOUNT AWARDED: \$70.60

CC-13-0632 MARLIN MCCLAIN v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$42.50 for the value of personal property allegedly damaged by the Respondent during a cell search. The Claimant alleged that the Respondent's officers broke the paper holder on his word processing machine while searching his cell. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission found to be \$42.50.

AMOUNT CLAIMED: \$42.50

AMOUNT AWARDED: \$42.50

CC-17-0715 MARLIN MCCLAIN v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$1,000.00 plus interest, for the value of personal property allegedly lost and damaged by the Respondent. The Claimant testified that he was transferred to punitive segregation on November 18, 2015; his property, including photo albums, cables for his gaming system, a word processor and glasses, was left behind for the Respondent's employee to inventory and pack up for storage in the State Shop. He requested that his property be mailed out to a family member; his property was stored instead. He testified that when he returned to general population, he discovered that his word processor was broken. The Respondent denied the validity of the claim in its pleadings and at the hearing. The Claimant, a frequent litigant before the Claims Commission, had previously filed a claim for the cables, antennas and glasses; under the doctrine of *res judicata*, recovery for those items was barred in this claim. As to the word processor, the Claims 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 Claims Commission determined as \$730.00.

AMOUNT CLAIMED: \$730.00

AMOUNT AWARDED: \$730.00

CC-15-1582 BRENT LEVI VICTOR MCGILTON v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$90.30 for personal property, including clothing, CD's, headphones, a hat and sunglasses, allegedly lost by the Respondent when the Claimant was moved to a punitive segregation unit. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$90.30.

AMOUNT CLAIMED: \$90.30

AMOUNT AWARDED: \$90.30

CC-17-0479 JUSTIN MCKENZIE v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Salem Correctional Center, sought to recover \$155.00 for personal property, including a hat, Timberland boots and various commissary items, that were

lost when he was transferred first to a punitive segregation unit at Salem and then to Huttonsville Correctional Center. The Respondent did not object to the validity of the claim; however, the Respondent's policies prohibit the transfer of commissary items from one facility to another. The Claims Commission found that a bailment situation was created between the parties with respect to the non-commissary items and that the Respondent was liable for the value of the lost property, which the Claims Commission determined to be \$99.17.

AMOUNT CLAIMED: \$155.00

AMOUNT AWARDED: \$99.17

CC-16-0914 LETCHER MCKINNEY II v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Northern Correctional Center, sought to recover \$527.12 for the value of personal property allegedly damaged by the Respondent when he was transferred to St. Mary's Correctional Center. The Claimant owned various arts and crafts supplies that were permitted at Northern but not at St. Mary's. The Respondent insisted that the materials be mailed to the Claimant's sister rather than permitting her to pick them up from the facility, despite the Respondent's policy that allowed for a family member to pick up an inmate's personal property for situations such as this. The Claimant's property was not properly packed by the Respondent; it was broken and damaged when it arrived at the residence of the Claimant's sister. The Claims Commission found that a bailment situation was created between the parties. The Claims Commission further found that the Respondent was liable to the Claimant for the value of the property, which the Claims Commission found to be \$527.12.

AMOUNT CLAIMED: \$527.12

AMOUNT AWARDED: \$527.12

CC-17-0595 RODGER D. MITCHELL v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Huttonsville Correctional Center, sought to recover \$14.00 for the loss of a pair of pants that was missing from his cell following a shakedown of his unit on September 6, 2017. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission determined was \$14.00.

AMOUNT CLAIMED: \$14.00

AMOUNT AWARDED: \$14.00

CC-16-0174 GARLAND MURRAY v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$275.00 for the loss of personal property, including a sweat suit, sneakers and CD's, that he alleged was lost by the Respondent's State Shop while he was in punitive segregation. The Claims 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 Claims Commission found to be \$275.00.

AMOUNT CLAIMED: \$275.00

AMOUNT AWARDED: \$275.00

CC-13-0529 JASON PERRY v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Northern Correctional Facility, sought to recover \$570.00 for the loss of personal property, including books, headphones, clothing, shoes and sunglasses, which he alleged were lost when he was transferred from Mount Olive Correctional Center to Northern. The Respondent did not dispute the validity of the claim. The Claims 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 Claims Commission found to be \$570.00.

AMOUNT CLAIMED: \$570.00

AMOUNT AWARDED: \$570.00

CC-17-0662 MATTHEW REED v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Huttonsville Correctional Center, sought to recover \$30.00 for the loss of a dictionary, which he alleged was lost when he was transferred from Pruntytown Correctional Center to Huttonsville. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation was created between parties and that the Respondent was liable for the value of the property, which the Claims Commission determined was \$30.00.

AMOUNT CLAIMED: \$30.00

AMOUNT AWARDED: \$30.00

CC-17-0659 MATTHEW D. REED v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Huttonsville Correctional Center, sought to recover \$44.04 for the loss of personal property, specifically his laundry. The Claimant testified that his laundry bag was labeled with his identification number on the side when it was collected. His laundry bag was missing when the clean laundry was distributed and he was charged for the replacement of his state issued clothing that was lost in the laundry room. The Claimant testified that the laundry room is staffed by other inmates, but it is not his work assignment. The Claims Commission found that a bailment was created between the two parties and that the Respondent was liable for the value of the property, which the Claims Commission determined was \$44.04.

AMOUNT CLAIMED: \$44.04

AMOUNT AWARDED: \$44.04

CC-18-0010 MARTIN RILEY ROBINSON v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$659.64 for the loss of personal property, including a television set, an Xbox game system, Xbox controllers and Xbox games. He testified that his property was in his cell when he left for dinner but when he returned, his property was gone. After meals, it is the facility's practice for an inmate to stand in front of his cell, call out his cell number to the attending correctional officer on duty, who then opens the cell door using a key pad at the correctional officer's security station. The Claimant alleged that other inmates stole his property after calling out his cell number to gain access to his cell. The Claims Commission found that a bailment situation existed between

the parties and that the Respondent was liable for the value of the property, which the Claims Commission found to be \$659.64.

AMOUNT CLAIMED: \$659.64

AMOUNT AWARDED: \$659.64

CC-18-0580 CHRISTOPHER ROOF v. DIVISION OF CORRECTIONS AND REHABILITATION

The Claimant, an inmate at Huttonsville Correctional Center, brought this claim to recover \$83.00 for the loss of personal property, which included numerous specially ordered color photographs. The Claimant ordered several sets of photographs from an approved vendor. Between the time his order was placed and paid for and the time the photographs were delivered, Huttonsville Correctional Center enacted a new policy that prohibited inmates from having original photographs in their possession. When the photographs that the Claimant ordered arrived, he received black and white photocopies and the originals were destroyed. The Respondent denied the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent is liable for the value of the lost property, which the Claims Commission found to be \$41.50.

AMOUNT CLAIMED: \$83.00

AMOUNT AWARDED: \$41.50

CC-18-0591 CHRISTOPHER ROOF v. DIVISION OF CORRECTIONS AND REHABILITATION

The Claimant sought to recover \$375.00 for personal property that he alleged was destroyed while he was incarcerated at Huttonsville Correctional Center. At the hearing, the Claimant testified that on September 5, 2017, he left his prescription Prada eyeglasses in his cell during a shakedown. When he returned to his cell, he discovered that his eyeglasses were broken and one lens was missing. The Claimant testified that his family had sent his eyeglasses to him after his incarceration but there was no record of the eyeglasses on the facility's property logs. The Claimant acknowledged that he was eligible to receive a replacement pair of eyeglasses through the facility's medical unit, but the frames would be not be the same brand as the damaged pair. The Respondent denied the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property. The Claims Commission recommended an award of \$187.50.

AMOUNT CLAIMED: \$375.00

AMOUNT AWARDED: \$187.50

CC-18-0118 BRIAN JOHN STONE v. DIVISION OF CORRECTIONS

The Claimant sought to recover \$1,474.34 for personal property that he alleged was lost and stolen while he was incarcerated at Mount Olive Correctional Complex. He testified at the hearing that on December 8, 2017, he was out of his cell catering a Christmas holiday party within the facility as part of his participation in the culinary arts program. When he returned to his cell, he found that his personal property had been taken from his cell. He testified that his

personal property included his guitar, an Xbox gaming system, a television, cables, a CD player, clothing, boots, books, CD's, art supplies, a watch, personal hygiene items, a hat, sunglasses and a rug. Some of his property was located in the cells of other inmates, but most of it was never recovered. He placed a value of \$1,474.34 on his property and believed that the correctional officers should have assured that his cell remained locked while he was not in it. The Respondent denied the validity of the claim. The Claims 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 Claims Commission found to be \$1,179.47.

AMOUNT CLAIMED: \$1,474.34

AMOUNT AWARDED: \$1,179.47

CC-17-0588 CHARLES TAYLOR v. DIVISION OF CORRECTIONS

The Claimant sought to recover \$40.00 for personal property that he alleged was lost while he was incarcerated at Huttonsville Correctional Center on July 29, 2017. He testified at the hearing that he had hand washed a pair of shorts and a shirt; both were the Under Armour brand. He hung the clothing items in the shower to dry overnight; when he went to retrieve the items at 3 am to get ready for his work shift in the kitchen, the items were gone. He later learned that the clothing had been confiscated by an officer and allegedly taken to the State Shop. The Claimant testified that he did not receive a personal property seizure report or any other documentation for his clothing; his clothing was never located. The Respondent denied the validity of the claim at the hearing. The Claims Commission found that a bailment situation had been created between the two parties and that the Respondent was liable for the value of the property, which the Claims Commission determined to be \$40.00.

AMOUNT CLAIMED: \$40.00

AMOUNT AWARDED: \$40.00

CC-14-0974 JEFFREY TAYLOR v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$130.00 for the loss of his television that he alleged was lost by the Respondent while the Claimant was in punitive segregation. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission found to be \$130.00.

AMOUNT CLAIMED: \$130.00

AMOUNT AWARDED: \$130.00

CC-17-0680 ARTHUR THORNTON v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Huttonsville Correctional Center, sought to recover \$30.44 for the loss of personal property, including a pair of workout gloves and personal hygiene items, that was lost when he was transferred from Pruntytown Correctional Center to Huttonsville. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission determined to be \$30.44.

AMOUNT CLAIMED: \$30.44

AMOUNT AWARDED: \$30.44

CC-18-0715 RAYMOND S. WALLACE v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$235.00 for the loss of personal property, including a CD player and Nike Shock running shoes, that he alleged was lost during a shakedown on his pod. The Claimant testified at the hearing that on March 26, 2018, he returned to his cell following a shakedown and discovered that his personal property was missing. The Respondent denied the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$223.21

AMOUNT CLAIMED: \$235.00

AMOUNT AWARDED: \$223.21

CC-18-1118 PHILLIP A. WARD v. DIVISION OF CORRECTIONS AND REHABILITATION

The Claimant sought to recover \$511.27 for the loss of personal property, which included five video games, an Xbox hard drive, an Xbox controller, a cable for the Xbox, computer disks, a blanket, a watch and a wastepaper can. The Claimant alleged that these items were lost when he was transferred from Mount Olive Correctional Complex to Western Regional Jail. The Respondent denied the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$511.27.

AMOUNT CLAIMED: \$511.27

AMOUNT AWARDED: \$511.27

CC-16-0102 JOSHUA WEBSTER v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$450.00 for the loss of two televisions. He alleged that one was lost while he was in punitive segregation and that the other one, allegedly a gift from another inmate, was improperly seized during a shakedown. The evidence presented at the hearing indicated that the television seized during the shakedown did not legitimately belong to the Claimant as there was no documentation to show the transfer of the television from the other inmate to the Claimant. More importantly, the Claimant did not have any documentation to substantiate the value of the television seized during the shakedown. The Claimant submitted the appropriate

documentation with respect to the television lost while he was in punitive segregation. The Claims Commission found that a bailment situation was created between the parties for the first television and that the Respondent was liable for the value of the property, which the Claims Commission found to be \$222.60.

AMOUNT CLAIMED: \$450.00

AMOUNT AWARDED: \$222.60

CC-16-0552 JOSHUA WEBSTER v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex at the time of this incident, sought to recover \$415.00 for lost personal property, including magazines, books, stamped envelopes, food stuffs and a pair of insoles. He alleged that these items were lost or destroyed during a shakedown on his unit on March 9, 2016 and that he did not receive any seizure report or other documentation as required pursuant to the Respondent's policies. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission found to be \$415.00.

AMOUNT CLAIMED: \$415.00

AMOUNT AWARDED: \$415.00

CC-16-0962 JOHN WILSON v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Northern Correctional Facility, sought to recover \$130.00 for the loss of his eyeglasses, which he alleged were damaged during a pod-wide cell search conducted by the Respondent. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission found to be \$130.00.

AMOUNT CLAIMED: \$130.00

AMOUNT AWARDED: \$130.00

CC-18-1281 ROY LEE WISOTZKEY v. DIVISION OF CORRECTIONS AND REHABILITATION

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$832.81 for the loss of personal property which included several CD's, an Xbox hard drive, an Xbox game, commissary items, cables and headphones. At the hearing, the Claimant testified that he had gone outside for recreation and locked his cell door. Before his recreation time was over, he was called back inside and notified that his cell had been burglarized. Most of his property was recovered; he filed this claim to recover the value of the property that could not be located. The Respondent denied the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission found to be \$832.81.

AMOUNT CLAIMED: \$832.81

AMOUNT AWARDED: \$832.81

CC-14-1418 BRIAN K. WOODSON v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$200.00 for the loss of a television given to him by another inmate he alleged was damaged by the Respondent. The transfer of the donated television was processed through the State Shop. When it was received by the Claimant, the screen was damaged and the television did not work. The Respondent did not dispute the validity of the claim. The Claims 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 Claims Commission found to be \$150.00.

AMOUNT CLAIMED: \$200.00

AMOUNT AWARDED: \$150.00

CC-17-0698 LARRY WOOTEN v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Huttonsville Correctional Center, sought to recover \$60.47 for the loss of personal property, specifically a CD player and headphones, which he alleged had been stolen from his cell. The Claims Commission found that a bailment situation existed between the parties and the Respondent was liable for the value of the property, which the Claims Commission determined to be \$60.47.

AMOUNT CLAIMED: \$60.47

AMOUNT AWARDED: \$60.47

CC-16-0752 EDWIN LEE WRIGHT v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Center, sought to recover \$763.00 for the loss of personal property, including an Xbox 360, an Xbox controller and multiple games, which he alleged was lost or stolen when his cell door was opened by mistake allowing other inmates access to his property while the Claimant was out of his cell. The Respondent did not object to the validity of the claim. The Claims 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 Claims Commission found to be \$763.00.

AMOUNT CLAIMED: \$763.00

AMOUNT AWARDED: \$763.00

CC-18-1230 WILLIAM B. WRISTON v. DIVISION OF CORRECTIONS AND REHABILITATION

The Claimant sought to recover \$54.74 for the loss of personal property which included various religious items and Native American items. He testified at the hearing that he was formerly incarcerated at Anthony Correctional Center when the facility was shut down due an outbreak of black mold. All inmates, including the Claimant, were transferred to other facilities and all inmate property was seized and destroyed due to its exposure to black mold. The Claimant testified that the inmates were to be reimbursed for their property seizures, but for some unknown reason, he did not receive a reimbursement. His grievance was ultimately denied. The Respondent denied the validity of the claim. The Claims Commission found that a

bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission found to be \$54.74.

AMOUNT CLAIMED: \$54.74

AMOUNT AWARDED: \$54.74

CC-14-1426 HENRY KEITH WYKLE v. DIVISION OF CORRECTIONS

The Claimant, an inmate at Mount Olive Correctional Complex, sought to recover \$252.90 for the loss of personal property, including clothing, a blanket, a cross, a necklace and various toiletries, that he alleged was destroyed by the Respondent following a cell search. The Claims 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 Claims Commission found to be \$252.90

AMOUNT CLAIMED: \$252.90

AMOUNT AWARDED: \$252.90

CLAIMS AGAINST THE DIVISION OF CORRECTIONS AND REHABILITATION AND REGIONAL JAIL CORRECTIONAL FACILITY AUTHORITY

CC-18-1158 JASON RAY BLANKENSHIP v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant sought to recover \$883.96 for the loss of personal property including a full set of dentures, prescription eyeglasses with transitional lenses, a wedding band, personal hygiene items, stamped envelopes, clothing items and books. The Claimant testified that he was incarcerated at Western Regional Jail when the water to his cell was turned off. He became angry and struck the window of his cell door to alert a correctional officer that there was a problem with the water; the window broke when the Claimant struck it. He was moved to the detention unit as a result. When he returned to general population, he testified that he discovered that his property was missing. The Claimant testified that he filed two grievances regarding the missing property but did not receive any type of response. The Respondent denied the validity of the claim and specifically disputed the value of the missing items and whether the Claimant had the prescription eyeglasses in his possession upon his admission to Western Regional Jail. The Claims Commission noted that the Claimant did not submit any personal property forms in support of his claim although an intake form submitted by the Respondent indicated that the Claimant was in possession of a full set of dentures. The failure of the Respondent to respond to the Claimant's grievances is problematic to the Claims Commission. Based on the evidence submitted, the Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of lost property, which the Claims Commission found to be \$441.98.

AMOUNT CLAIMED: \$883.96

AMOUNT AWARDED: \$441.98

CC-18-0865 JUSTIN T. MITCHELL v. DIVISION OF CORRECTIONS AND REHABILITATION AND REGIONAL JAIL CORRECTIONAL FACILITY AUTHORITY

The Claimant sought to recover \$1,500.00 for the loss of personal property, including a partial upper denture, that he alleged was lost while he was incarcerated at the Eastern Regional Jail. He testified that the upper denture broke on or about April 11, 2018 when he dropped it in his cell; several of the individual teeth were loosened. The Claimant gave the loose teeth to a nurse for "safe keeping". When he was released from Eastern in July, 2018, the teeth for the upper denture could not be located. He testified that the upper denture cannot be repaired without the missing teeth or worn in its present condition. The Respondent admitted liability but disputed the value of the upper denture. The Claims 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 Claims Commission found to be \$784.00.

AMOUNT CLAIMED: \$1,500.00

AMOUNT AWARDED: \$784.00

CLAIMS AGAINST THE DIVISION OF HIGHWAYS

CC-15-1840 MOHAMED ABOELMAGD v. DIVISION OF HIGHWAYS

The Claimant was driving his 2011 Toyota Camry on Boonesborough Road in Deep Water, Fayette County on April 9, 2015 when his vehicle struck several potholes in the roadway. He lost control of his vehicle, drove off the road and struck a metal beam on the roadside; his vehicle came to rest on its side. The Claimant's vehicle was considered a total loss; his collision insurance required a deductible of \$1,000.00. The investigating officer noted that the actions of the Claimant were a contributing cause of the accident. The Respondent initially denied all allegations but at the hearing, it did not dispute the validity of the claim. The Claims Commission found that the Respondent was negligent in its maintenance of Boonesborough Road and failed to properly do so on the date of this incident. The Claims Commission apportioned some negligence to the Claimant and recommended an award of \$800.00.

AMOUNT CLAIMED: \$1,000.00

AMOUNT AWARDED: \$800.00

CC-18-0529 CHRISTOPHER ABRAHAM v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 1, 2018, the Claimant was driving his 2014 Lexus IS250 AWD on Willowdale Drive in Morgantown, Monongalia County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$212.35; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Willowdale Drive and failed to do so properly on the date of the incident. The sum of \$212.35 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$212.35

AMOUNT AWARDED: \$212.35

CC-17-0403 BENJAMIN C. ADAMS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2003 Audi A4 on Route 20 North in Barbour County on May 7, 2017 when his vehicle struck a large cut-out section in the road spanning the entire width of the roadway. The Claimant's vehicle sustained damages in the amount of \$2,800.00; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of Route 20 North on the date of the incident and failed to do so properly. The Claimant and the Respondent agreed that the sum of \$2,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,800.00

AMOUNT AWARDED: \$2,000.00

CC-17-0252 KAREN S. ADAMS v. DIVISION OF HIGHWAYS

The Claimant brought this claim alleging that the negligence of the Respondent was the cause of damages to her vehicle. At the hearing, the Claimant testified that she drove her 2009 Chevrolet Malibu on various roads in the Bruceton Mills area of Preston County, including West Virginia Route 26, Wooden Mill Road, Brandonville Pike, Centenary Road and Cuzzart Road in late 2016 and early 2017. She believed that her vehicle had sustained damage from striking potholes and driving on roads with missing blacktop. She submitted invoices for damages in the amount of \$1,035.59. Her collision insurance required a deductible of \$1,000.00 and her comprehensive insurance required a deductible of \$500.00. The Claimant testified that on one occasion she was trying to avoid a deep pothole and instead collided with a deer. The Claimant and her witness both testified that they had contacted the Respondent's local garage to report the hazardous road conditions in their area. Numerous photographs and newspaper articles were submitted by the Claimant with her claim. The Respondent denied the validity of the claim and disputed the amount of damages alleged to be its responsibility. The Claims Commission found that the Respondent is not liable for damages resulting from collisions with deer and other wildlife, thus denying \$636.53 of the Claimant's damages. The Claims Commission further found, based on the evidence submitted, that the Respondent was negligent in its maintenance of West Virginia Route 26, Wooden Mill Road, Brandonville Pike, Centenary Road and Cuzzart Road at the time of the incidents and that such negligence was a cause of the Claimant's damages. The Claims Commission recommended an award of \$399.06

AMOUNT CLAIMED: \$1,035.59

AMOUNT AWARDED: \$399.06

CC-17-0416 KAREN S. ADAMS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2009 Chevrolet Malibu on Cuzzart Road and Centenary Road in Bruceton Mills, Preston County on May 28, 2017 when her vehicle struck several large holes in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$183.87; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Cuzzart Road and Centenary Road on the date of the incident and failed to do so properly. The sum of \$183.87 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$183.87

AMOUNT AWARDED: \$183.87

CC-17-0553 ARTVETTA ALEXANDER and MARCUS K. PATTERSON v. DIVISION OF HIGHWAYS

The Claimant sought to recover \$79.22 for damages sustained to her vehicle, which were alleged to have been caused by the Respondent's negligence. On May 24, 2017, the Claimant testified that she was driving her 2017 Hyundai on Maplewood Road in Princeton, Mercer County when a large piece of gravel rock became embedded in her tire and tore a large hole in the tire. The Claimant testified that gravel from Maplewood Road had damaged her tires on previous occasions as well. The Claimant's vehicle sustained damages in the sum of \$79.22; her collision insurance required a deductible of \$1,000.00. The Claims Commission found that the Respondent was negligent in its application of the gravel to Maplewood Road in that it failed to properly roll or press the gravel, which then caused the damages sustained by the Claimants. The Claims Commission recommended an award of \$79.22.

AMOUNT CLAIMED: \$79.22

AMOUNT AWARDED: \$79.22

CC-17-0584 JOSEPH ALTIZER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On August 18, 2017, the Claimant's wife was driving his 2016 Mercedes C300 on Route 10 in West Logan, Logan County, when his vehicle was struck by a large, low hanging tree branch. The Claimant's vehicle sustained damages in the sum of \$509.19; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 10 on the date of the incident and failed to do so properly. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$509.19

AMOUNT AWARDED: \$500.00

CC-18-0377 MICHAEL ALVAREZ v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 13, 2018, the Claimant was driving his 2011 Jeep Liberty on West Virginia Route 2 between McMechen and Benwood, Marshall County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$109.50; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of West Virginia Route 2 and failed to do so properly on the date of the incident. The sum of \$109.50 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$109.50

AMOUNT AWARDED: \$109.50

CC-18-0408 TIMOTHY A. AMICK v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2011 Ford Fusion SE on Grand Central Avenue in Vienna, Wood County on February 24, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$119.99; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of Grand Central Avenue on the date of the

incident and failed to do so properly. The sum of \$119.99 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$119.99

AMOUNT AWARDED: \$119.99

CC-18-0548 THOMAS ANDREAS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On March 31, 2018, the Claimant was driving his 2011 BMW 335XI on Interstate 70 West in Wheeling, Ohio County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$480.05; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to do so properly on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$480.05

AMOUNT AWARDED: \$250.00

CC-18-0250 IVAN ANTILL, JR. v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2009 Subaru Legacy on 12th Street, West Virginia Route 17, in Moundsville, Marshall County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$318.09; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of 12th Street, West Virginia Route 17, on the date of the incident and failed to properly do so. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$318.09

AMOUNT AWARDED: \$250.00

CC-18-0828 DAVID W. APTS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2000 Porsche 911 on April 25, 2018 and struck a pothole in the roadway as he merged from Interstate 79 South onto Interstate 64 West in Charleston, Kanawha County. The Claimant's vehicle sustained damages in the amount of \$1,363.63; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 79 South and Interstate 64 West on the date of the incident and failed to do so properly. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,363.63

AMOUNT AWARDED: \$1,000.00

CC-18-0842 CHARLES ARTHURS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 2, 2018, the Claimant was driving his 2008 Mitsubishi Lancer on West Virginia Route 67 in Wellsburg, Brooke County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$303.88; his collision insurance required a deductible of \$250.00. The Respondent was

responsible for the maintenance of West Virginia Route 67 and failed to do so properly on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$303.88

AMOUNT AWARDED: \$250.00

CC-17-0635 RICHARD ASHERMAN v. DIVISION OF HIGHWAYS

The Claimant brought this claim alleging that he suffered economic damages and losses due to the negligence of the Respondent. The Claimant, a long distance truck driver specializing in transporting over-dimensional loads, owns a specialized tractor trailer unit, which he leases to Landstar, a national trucking company. The Claimant was hauling an oversized load from Louisville, Kentucky to Monaca, Pennsylvania which required that he obtain certain required federal permits from the states he was traveling through, including West Virginia. He submitted the appropriate paperwork to the West Virginia Division of Highways for the travel permits; his paperwork was approved by the Respondent and the permit was awarded. The permit specified which roads the Claimant was allowed to use while traveling through West Virginia and included a designated route, along with designated days and times of travel. The Claimant testified that he had no issues with the travel permits until he arrived in Lewis County, West Virginia. The permit instructed him to exit Interstate 79, travel on US Route 33 and then turn onto County Route 14, which was a narrow, two-lane rural road. The Claimant testified that as he traveled on County Route 14, the road narrowed to the point of being a single lane road and due to both the narrowness of the road and the S-curves in the road, he was unable to continue driving the route designated in the permit without causing an accident. The State Police were called as the Claimant and his load were blocking all other traffic. A towing company was called by the State Police to remove the Claimant's vehicle from the narrow road and tow it to a local truck stop. The Claimant was advised by both the responding state trooper and the towing company employees that he should not have been traveling on County Route 14 as tractor trailers were not permitted to travel that roadway. In discussing the permit and designated travel route with the Respondent's employee involved in the permit process, the Respondent's employee confirmed that the Claimant should not have been routed on County Route 14 and that there was a glitch in the computer software program that generated the Claimant's travel route. The Claimant received a towing bill in the amount of \$17,152.00; this invoice was paid by Landstar so that the Claimant could deliver his load to Pennsylvania on time. However, Landstar required the Claimant to reimburse it for the towing bill, which resulted in the Claimant having significant deductions taken from his pay, which in turn resulted in significant financial hardships for the Claimant and his family.

The Respondent did not dispute the validity of the claim and acknowledged that there were errors in the permitting process that adversely affected the Claimant through no fault of his own.

The Claims Commission found that the Respondent was solely responsible for the issuance of the erroneous travel permits and that it was liable for the undue expenses and loss of income incurred by the Claimant. The Claims Commission granted an award of \$17,152.00.

AMOUNT CLAIMED: \$17,152.00

AMOUNT AWARDED: \$17,152.00

CC-18-1009 JASMINE AUSTIN v. DIVISION OF HIGHWAYS

The Claimant brought this claim alleging that the negligence of the Respondent was the cause of damages to her vehicle. At the hearing, the Claimant testified that she was driving her 2004 Toyota Highlander on Harrison Avenue in Elkins, Randolph County on April 24, 2018 when her vehicle struck a large piece of guardrail extending into the traveling portion of the roadway. The Claimant had just picked up her six year old daughter from day care and had pulled onto Harrison Avenue from the day care parking lot. Because of oncoming traffic, the Claimant was unable to avoid the guardrail. The edge of the guardrail became caught on the passenger side of the vehicle, damaging the front door and tearing the rear door completely off the vehicle. The Claimant testified that the vehicle was undriveable because the door frames were bent and the post between the doors had been severely damaged. She further testified that immediately after this incident, she notified the Respondent's local office and learned that the guardrail had been previously damaged; the Respondent attempted to temporarily fix the guardrail with a tie of some sort. Between the time of the temporary fix and the Claimant's incident, the temporary tie was stolen, causing the guardrail to fling outward and extend into the roadway. The Claimant testified that her vehicle sustained damages in the amount of \$4,567.39; she did not carry collision insurance on her vehicle.

The Respondent denied the validity of the claim. The Respondent's witness testified that the Respondent's work crew applied a temporary strap or chain to the broken guardrail in an attempt to fix it while waiting for a contractor to repair it. However, the temporary strap or chain was stolen. Following the Claimant's incident, the Respondent's work crew applied a strap or chain similar to the initial fix but also applied a locking system to keep the strap in place and to prevent it from being stolen again.

The Claims Commission found that, based on the evidence submitted, the Respondent should have applied a strap or chain with a locking system when the guardrail was initially repaired, especially in light of the fact that the guardrail in question was located on a section of the roadway going into a curve which severely limited a driver's ability to avoid striking the extended guardrail. The Claims Commission further found that the Respondent was negligent in its repair of the guardrail and the maintenance of Harrison Avenue on the date of the Claimant's incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award of \$4,567.39.

AMOUNT CLAIMED: \$4,567.39

AMOUNT AWARDED: \$4,567.39

CC-18-1229 MONTANA L. BAILEY and JEFFERY T. BAILEY II v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On July 28, 2018, the Claimant was driving her 2017 Kia Forte on Washington Street, West, in Cross Lanes, Kanawha County, when her vehicle struck a large slip in the roadway. The Claimants' vehicle sustained damages in the amount of \$506.32; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Washington Street, West, and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$506.32

AMOUNT AWARDED: \$500.00

CC-18-0333 JENNIFER R. BALDWIN and BRIAN D. BALDWIN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2011 Ford Fusion on West Virginia Route 14, Pike Street, in Parkersburg, Wood County on January 18, 2018 when her vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$225.07; they did not carry collision insurance on their vehicle. The Respondent was responsible for the maintenance of West Virginia Route 14 on the date of the incident and failed to do so properly. The sum of \$225.07 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$225.07

AMOUNT AWARDED: \$225.07

CC-18-0281 GREG BAMBERGER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 2, 2018, the Claimant was driving his 2008 Honda Accord on Interstate 70 West in Wheeling, Ohio County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$132.50; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to do so properly on the date of the incident. The sum of \$132.50 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$132.50

AMOUNT AWARDED: \$132.50

CC-17-0259 JOHN BARKLEY and MARY C. BARKLEY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2010 Ford 150 pickup truck on US Route 50 West near Evansville, Preston County when his vehicle struck a large hole in the roadway. The Claimants' vehicle sustained damages in the amount of \$497.35; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 50 West and failed to do so properly on the date of the incident. The sum of \$497.35 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$497.35

AMOUNT AWARDED: \$497.35

CC-18-0135 SAMANTHA BARLOW, WILLIAM D. SQUIRES and BRITTANY M. SQUIRES v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving her 2010 Subaru Legacy on Interstate 79 South in Morgantown, Monongalia County on February 16, 2018 when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,281.15; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 79 South and failed to properly do so on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,218.15

AMOUNT AWARDED: \$500.00

CC-18-0183 NATHAN BARNES and JESSICA BARNES v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 15, 2018, the Claimant was driving his 2008 Chevy Cobalt on Interstate 64 West near Hurricane, Putnam County when their vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the sum of \$276.24; they carried only liability insurance on their vehicle. The Respondent was responsible for the maintenance of Interstate 64 West on the date of the incident and failed to do so properly. The sum of \$276.24 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$276.24

AMOUNT AWARDED: \$276.24

CC-18-0312 KEIRSTEN BARNETT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Subaru Impreza on Route 587 in Morgantown, Monongalia County on February 13, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$933.33; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 857 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$933.33

AMOUNT AWARDED: \$500.00

CC-17-0587 NADINE BATEMAN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2010 Chevrolet Suburban on Holly River Road, Route 20, in Flatwoods, Braxton County, on June 23, 2017, when her vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the sum of \$1,286.65; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Holly River Road, Route 20, and failed to properly do so on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,286.65

AMOUNT AWARDED: \$500.00

CC-17-0207 EDWARD BEECH and BARBARA BEECH v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 31, 2017, the Claimant was driving his 2013 Mercedes E350 on Brushy Fork Road in Bridgeport, Harrison County when his vehicle struck a large hole in the roadway. The Claimants' vehicle sustained damages in the amount of \$572.61; their collision insurance required 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 sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$572.61

AMOUNT AWARDED: \$500.00

CC-14-1370 SABRINA BELCHER, RENA LAWLESS and RANDALL LAWLESS v. DIVISION OF HIGHWAYS

On May 21, 2014, the Claimant, Sabrina Belcher, was driving her 2011 Nissan Pathfinder on Old Bluefield Road in Princeton, Mercer County, when her vehicle struck an unavoidable pothole in the roadway. As a result, she lost control of her vehicle; her vehicle flipped over three times before coming to a stop. The Claimant was extricated from her vehicle by the responding paramedics and taken to a local hospital for medical treatment. She was diagnosed with whiplash and a dislocated left shoulder; she underwent physical therapy for several months. The Claimant was also prohibited from working at her part-time job at a local fast food restaurant for several months. The Claimants' vehicle was declared a total loss; their collision insurance required a deductible of \$500.00. Most of the Claimant's medical expenses were paid except for the sum of \$3,020.42. The Claims Commission found that the Respondent was negligent in its maintenance of Old Bluefield Road on the date of the incident and that this negligence was a proximate cause of the damages sustained by the Claimants. The Claims Commission recommended an award of \$3,977.17.

AMOUNT CLAIMED: \$58,520.42

AMOUNT AWARDED: \$3,977.17

CC-18-0139 TAMMY BELCHER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2008 Nissan Maxima on Route 2 in Glenwood, Mason County on February 12, 2018 when her vehicle struck several potholes in the roadway. The Claimant's vehicle sustained damages in the amount of \$869.15; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 2 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$869.15

AMOUNT AWARDED: \$500.00

CC-17-0325 STEVE'S AUTO SALES and STEVEN BELLMAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 4, 2017, the Claimant was driving his 2009 Dodge Caravan on US Route 119, Easton Hill, in Morgantown, Monongalia County when his vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$815.73; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 119, Easton Hill, on the date of the incident and failed to properly do so. The sum of \$815.73 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$815.73

AMOUNT AWARDED: \$815.73

CC-18-0487 VIRGIL BIRKHIMER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2010 Chevrolet Silverado on West Virginia Route 22 in Weirton, Brooke County on March 29, 2018 when his

vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$138.50; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 22 on the date of the incident and failed to do so properly. The sum of \$138.50 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$138.50

AMOUNT AWARDED: \$138.50

CC-18-0058 LARRY J. BISE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On January 9, 2018, the Claimant was driving his 2017 Ford Escape on West Virginia Route 14 in Elizabeth, Wirt County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$275.60; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 14 and failed to do so properly on the date of the incident. The sum of \$275.60 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$275.60

AMOUNT AWARDED: \$275.60

CC-16-0289 ANDREA BLACKSHIRE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2013 Volkswagen Jetta on Interstate 64 near Huntington, Cabell County in November 2015 when her vehicle struck a large pothole in the traveling portion of the roadway. Her vehicle sustained damages in the sum of \$920.03; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 64 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$920.03

AMOUNT AWARDED: \$500.00

CC-18-0165 ASHLEY BENNETT BLANKENSHIP and COLONEL R. BLANKENSHIP v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving her 2013 Hyundai Veloster on West Virginia Route 270 near Lost Creek, Harrison County when her vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,407.20; their collision insurance required a deductible of \$600.00. The Respondent was responsible for the maintenance of West Virginia Route 270 and failed to do so properly on the date of the incident. The sum of \$600.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,407.20

AMOUNT AWARDED: \$600.00

CC-18-0134 SUE A. BLANKENSHIP and CLAYTON L. BLANKENSHIP v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 15, 2018, the Claimant was driving her 2015 Dodge Dart on Pleasant Valley Run Road in Kenna, Jackson County, when her vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$628.58; their collision insurance required a deductible of \$750.00. The Respondent was responsible for the maintenance of Pleasant Valley Run Road and failed to properly do so on the date of the incident. The sum of \$628.58 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$628.58

AMOUNT AWARDED: \$628.58

CC-16-0457 MARRA O. BODKIN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On December 2, 2015, the Claimant was driving her 2008 Honda Accord near the intersection of Interstate 68 and Interstate 79 near Exit 148 in Morgantown, Monongalia County when a tractor trailer traveling in the adjacent lane struck an orange construction barrel that was sitting in the traveling portion of the roadway. The orange construction barrel became airborne and struck the Claimant's vehicle. The Claimant's vehicle sustained damages in the amount of \$1,081.48; her comprehensive insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Interstate 68 and Interstate 79 and failed to do so properly on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,081.48

AMOUNT AWARDED: \$250.00

CC-17-0083 BRENDA DIANNE BONNETT and DON BONNETT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2009 Honda Accord on Route 705 East in Morgantown, Monongalia County on January 3, 2017 when her vehicle struck a large hole in the roadway. The Claimants' vehicle sustained damages in the amount of \$519.40; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 705 East and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$519.40

AMOUNT AWARDED: \$500.00

CC-17-0373 CLEMENT A. BOSSIE v. DIVISION OF HIGHWAYS

The Claimant was traveling on Interstate 79 North near Charleston, Kanawha County on May 14, 2017. The Claimant's vehicle, a 2011 Toyota Scion XB, was struck by a piece of flying road debris, damaging his tire and wheel rim. The repairs to the Claimant's vehicle totaled \$415.52; the Claimant carried only liability insurance on his vehicle. The Respondent did not dispute the validity of the claim. The Claims Commission found that the Respondent was negligent in its maintenance of Interstate 79 North on the date of the incident, and such

negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award of \$415.52.

AMOUNT CLAIMED: \$415.52

AMOUNT AWARDED: \$415.52

CC-18-0365 DAVID E. BOWLES v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 25, 2018, the Claimant was driving his 2006 Dodge Magnum on Strawberry Road in St. Albans, Kanawha County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$208.27; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of Strawberry Road and failed to do so properly on the date of the incident. The sum of \$208.27 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$208.27

AMOUNT AWARDED: \$208.27

CC-18-0872 HALEY N. BOWMAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 19, 2018, the Claimant was driving her 2012 Ford Focus on 49 Hill Road in Beech Bottom, Brooke County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$466.42; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of 49 Hill Road and failed to do so properly on the date of the incident. The sum of \$466.42 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$466.42

AMOUNT AWARDED: \$466.42

CC-18-0632 FRANKLIN BOYCE and KRISTEN BOYCE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2012 Subaru Legacy on US Route 250 North in Katy, Marion County on April 4, 2018 when his vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$587.79; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 250 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$587.79

AMOUNT AWARDED: \$500.00

CC-17-0291 MARK D. BOYCE v. DIVISION OF HIGHWAYS

The Claimant was driving his 2008 Peterbilt 387 on West Virginia Route 2 in Follansbee, Brooke County on May 1, 2017. At the hearing, the Claimant testified that when he was at the intersection of West Virginia Route 2 and Cross Creek Road, another vehicle entered the intersection spinning out of control. He took evasive action to avoid a collision and in doing so, he drove onto a divided highway pad, which served as a median even though it was not marked

as a median. Unknowingly, the Claimant's vehicle struck a road sign post stub that was protruding from the concrete pad, damaging five tires. The Claimant's vehicle sustained damages in the sum of \$2,972.94; his collision insurance required a deductible of \$1,000.00. The Respondent's witness testified that there had been a road sign in the location where the Claimant's vehicle struck the sign post. The Respondent submitted email correspondence that indicated that the Respondent had notice earlier in the day on the date of the Claimant's incident that the sign had been knocked down and needed to be replaced. The Claimant Commission found that the Respondent was negligent in its maintenance of West Virginia Route 2 and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award in the sum of \$1,000.00.

AMOUNT CLAIMED: \$2,972.94

AMOUNT AWARDED: \$1,000.00

CC-16-0376 SHEILA J. BRADDOCK v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On April 2, 2016, the Claimant was driving her 2014 Hyundai Tucson Sport on Interstate 79 North near Weston, Lewis County when the Claimant's vehicle was hit by a piece of metal that had been in the roadway. The Claimant's vehicle sustained damages in the sum of \$479.54; her collision insurance required a deductible of \$100.00. The Respondent was responsible for the maintenance of Interstate 79 North and failed to do so properly on the date of the incident. The sum of \$100.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$479.54

AMOUNT AWARDED: \$100.00

CC-18-0701 GERALD BRADY JR. v. DIVISION OF HIGHWAYS

The Claimant filed this claim alleging that the negligence of the Respondent was the cause of damages to his vehicle. At the hearing, the Claimant testified that on February 25, 2018, he was driving his 2015 Ford Fusion on Washington Pike in Wellsburg, Brooke County when his vehicle struck a large pothole in the roadway. One tire on his vehicle deflated and he pulled over to change it, installing the donut size spare tire. As he continued on Washington Pike, his vehicle struck a second pothole, which damaged both tires and rims on the opposite side of the vehicle. The Claimant submitted invoices totaling \$2,149.97; his collision insurance required a deductible of \$750.00. The Respondent denied the validity of the claim. The Claims Commission found that the Respondent was negligent in its maintenance of Washington Pike on the date of the Claimant's incidents and that such negligence was the proximate cause of his damages. The Claims Commission recommended an award in the amount of \$750.00

AMOUNT CLAIMED: \$2,149.97

AMOUNT AWARDED: \$750.00

CC-18-0806 VERNON J. BRAHAM and SHIRLEY BRAHAM v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 6, 2018, the Claimant was driving his 2013 Cadillac XTS on US Route 50 in Parkersburg, Wood County when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$418.03;

their collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of US Route 50 and failed to do so properly on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$418.03

AMOUNT AWARDED: \$250.00

CC-17-0292 RALPH BRANDON and TAMMY BRANDON v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On or about March 30, 2017, the Claimant was driving her 2011 Ford Fiesta on the 4th Street ramp in Benwood, Marshall County and other area locations when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$826.39; their collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of the 4th Street ramp and other area locations and failed to do so properly on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$826.39

AMOUNT AWARDED: \$250.00

CC-18-0266 RALPH BRANDON and TAMMY BRANDON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving her 2011 Ford Fiesta on West Virginia Alternate Route 2 in Benwood, Marshall County on February 16, 2018 when her vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$625.18; their collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of West Virginia Alternate Route 2 and failed to do so properly on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$625.18

AMOUNT AWARDED: \$250.00

CC-18-0572 AARON L. BROWN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 17, 2018, the Claimant was driving his 2017 Dodge Charger on Smith Creek Road near South Charleston, Kanawha County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,697.77; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Smith Creek Road and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,697.77

AMOUNT AWARDED: \$500.00

CC-18-0045 BRANDI LYNN BROWN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On December 13, 2017, the Claimant was driving her 2016 Kia Optima on Sycamore Road, County Route 33, in Clarksburg, Harrison County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in

the amount of \$459.54; her collision insurance required a deductible of \$2,000.00. The Respondent was responsible for the maintenance of Sycamore Road, County Route 33, and failed to do so properly on the date of the incident. The sum of \$459.54 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$459.54

AMOUNT AWARDED: \$459.54

CC-17-0667 DALE A. BROWN and REGINA L. BROWN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2006 Lincoln Navigator on Vago Road in Frankford, Greenbrier County on October 8, 2017 when his vehicle struck a low hanging broken tree limb that extended into the roadway. The Claimants' vehicle sustained damages in the sum of \$817.39; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Vago Road on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$817.39

AMOUNT AWARDED: \$500.00

CC-18-0055 DANIELLE R. BROWN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On January 24, 2018, the Claimant was driving her 2015 Dodge Dart on Interstate 470 West in Wheeling, Ohio County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$430.09; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West and failed to do so properly on the date of the incident. The sum of \$430.09 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$430.09

AMOUNT AWARDED: \$430.09

CC-18-0240 KELLIE BROWN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On January 12, 2018, the Claimant was driving her 2013 Kia Optima on Interstate 64 East between Barboursville and Milton, Cabell County when her vehicle struck a stranded construction cone in the middle of the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,269.69; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 64 East on the date of the incident and failed to properly do so. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,269.69

AMOUNT AWARDED: \$1,000.00

CC-15-0891 NICHOLAS BROWN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 25, 2015, the Claimant was driving his 2007 Volkswagen Jetta on Van Voorhis Road in Morgantown, Monongalia County when his

vehicle struck a pothole in the roadway. Again, on March 4, 2015, the Claimant was driving the same vehicle on Van Voorhis Road in Morgantown, Monongalia County when his vehicle struck a second pothole in the road. The Claimant's vehicle sustained damages in the sum of \$1,007.87; his collision insurance required a deductible of \$500.00 per incident. The Respondent is responsible for the maintenance of Van Voorhis Road and failed to do so properly on the dates of the incidents. The Claimant and the Respondent agreed that the sum of \$654.74 is a fair and reasonable amount to settle this claim.

AMOUNT CLAIMED: \$1,007.87

AMOUNT AWARDED: \$654.74

CC-18-0179 PEGGY L. BROWN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2007 Cadillac CTS on West Virginia Route 114, Greenbrier Street, in Charleston, Kanawha County on January 29, 2018 when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$279.23; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Rote 114, Greenbrier Street, on the date of the incident and failed to do so properly. The sum of \$279.23 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$279.23

AMOUNT AWARDED: \$279.23

CC-18-0020 SHANNON BROWN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On January 13, 2018, the Claimant was driving her 2007 Pontiac G6 on Interstate 70 West in Wheeling, Ohio County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$783.49; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$783.49

AMOUNT AWARDED: \$500.00

CC-16-0681 JERRY BROWN, and KATHY BROWN, his wife v. DIVISION OF HIGHWAYS

The Claimants filed this claim to recover for property damages sustained during a heavy rainstorm, alleging their damages were caused by the negligence of the Respondent. At the hearing, the Claimants testified that they first experienced water seeping into the basement of their home in Belle, Kanawha County in January, 2016, which they attributed to a large amount of melting snow. The Claimants learned from their neighbors that a pipe had been installed in the ditch across the street from their house decades before they purchased their home. Concrete had been poured on top of both the ditch and the pipe causing the culvert to become obstructed and non-operational. The Claimants testified that beginning in January, 2016 they called the Respondent's local department to report the water seepage in their basement and the presence of this pipe that prohibited the culvert from working properly. They called at least once a month for the next five months to report the same problem. The Claimants also testified that

CC-18-0513 KAYLA BURNEM v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2007 Nissan Maxima on Robert C. Byrd Highway in Parkersburg, Wood County on February 18, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$547.31; she did not carry collision insurance on her vehicle. The Respondent was responsible for the maintenance of Robert C. Byrd Highway on the date of the incident and failed to do so properly. The sum of \$547.31 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$547.31

AMOUNT AWARDED: \$547.31

CC-17-0717 VICKIE CADLE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On November 6, 2017, the Claimant was driving her 2018 Mitsubishi Mirage on Interstate 79 near Lost Creek, Harrison County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$264.96; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 79 and failed to do so properly on the date of the incident. The sum of \$264.96 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$264.96

AMOUNT AWARDED: \$264.96

CC-18-0130 PHILLIP J. CAMPBELL and KRISTYN CAMPBELL v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 16, 2018, the Claimant was driving his 2011 Ford Focus on West Virginia Route 2 between Wellsburg and Follansbee, Brooke County when his vehicle struck several large potholes in the roadway. The Claimants' vehicle sustained damages in the amount of \$222.18; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 and failed to do so properly on the date of the incident. The sum of \$222.18 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$222.18

AMOUNT AWARDED: \$222.18

CC-17-0523 CHRISTOPHER CASTILLO v. DIVISION OF HIGHWAYS

On July 11, 2017, the Claimant was traveling northbound on the Interstate 77/64 split bridge near Beckley, Raleigh County, when his 2016 Ram 1500 truck struck a raised bridge connector. The Claimant's vehicle sustained \$1,557.71 in damages; his collision insurance required a deductible of \$500.00. The Respondent did not dispute the validity of the claim. The Claims Commission found that the Respondent was negligent in its maintenance of the Interstate 77/64 split bridge and failed to do so properly on the date of the incident. The Claims Commission recommended an award of \$500.00.

AMOUNT CLAIMED: \$1,557.71

AMOUNT AWARDED: \$500.00

CC-18-0241 MICHAEL J. CESTARIC v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 4, 2018, the Claimant was driving his 2015 Kia Cadenza on West Virginia Route 68 in Ravenswood, Jackson County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$594.92; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of West Virginia Route 68 on the date of the incident and failed to do so properly. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$594.92

AMOUNT AWARDED: \$250.00

CC-18-0863 MARK CHAMBERS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 19, 2018, the Claimant was driving his 2010 Jeep Compass on Route 7 near Core, Monongalia County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$515.73; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 7 and failed to do so properly on the date of the incident. The sum of \$515.73 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$515.73

AMOUNT AWARDED: \$515.73

CC-18-0038 CHARLES CHAMBLISS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2006 Hyundai Sonata on West Virginia Route 2 South in Benwood, Marshall County on January 11, 2018 when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$68.90; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 2 South on the date of the incident and failed to do so properly. The sum of \$68.90 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$68.90

AMOUNT AWARDED: \$68.90

CC-18-0238 MICHAEL A. CHAUVET v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2008 BMW on Interstate 70 East in Triadelphia, Ohio County on March 1, 2018 when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$320.14; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 East on the date of the incident and failed to properly do so. The sum of \$320.14 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$320.14

AMOUNT AWARDED: \$320.14

CC-17-0442 JUSTIN CHERRY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On June 12, 2017, the Claimant was driving his 2016 Honda Accord on Interstate 64 West near Teays Valley, Putnam County when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the sum of \$544.18; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 64 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$544.18

AMOUNT AWARDED: \$500.00

CC-18-0411 JONATHAN CHILDERS v. DIVISION OF HIGHWAYS

The Claimant brought this action alleging that the negligence of the Respondent was the cause of damages to his vehicle. At the hearing, the Claimant testified that he was driving his 2011 Kia Sorrento on County Route 66, Smith Creek Road, in Salt Rock, Cabell County on January 6, 2018 when his vehicle struck a large pothole in the traveling portion of the roadway. He testified that the road began to deteriorate following a flood in December, 2015. A maintenance crew from the Respondent's local garage patched parts of the road but did not completely patch all of the potholes and did not even work on many of them. The potholes have worsened over time in the unpatched portion of the road. The Claimant testified that he and his neighbors have called the Respondent's local garage on numerous occasions to report the potholes and the deteriorating condition of the road to no avail. The Claimant testified that one of the residents in his neighborhood posted a sign along the roadway urging neighbors to call the Respondent to report the condition of the road. A paving crew responded in 2017 and paved approximately 100 yards of the road before an equipment failure forced them to leave. The paving crew never returned to complete the paving on Smith Creek Road. The Claimant submitted invoices in the amount of \$990.25; his collision insurance required a deductible of \$500.00. The Respondent denied the validity of the claim. The Claims Commission found that, based on the evidence submitted, including photographs of the road in question, the Respondent was negligent in its maintenance of County Route 66, Smith Creek Road, on the date of the incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award of \$500.00.

AMOUNT CLAIMED: \$990.25

AMOUNT AWARDED: \$500.00

CC-16-0903 ROGER COCHRAN SR. v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2014 Hyundai Accent-GS over the Winfield Bridge in Winfield, Putnam County in 2016 when his vehicle was sprayed with a paint-like substance. The Claimant's vehicle sustained damages in the amount of \$212.00; his comprehensive insurance required a deductible of \$50.00. The Respondent had contracted with Orders Construction to make paint related repairs on the date of the incident; it issued a demand letter to Orders Construction to defend and indemnify the Respondent pursuant to the contract obligations. Orders Construction did not respond or otherwise participate in the determination of the claim. The Respondent was ultimately responsible for the

maintenance of the Winfield Bridge and failed to properly do so on the date of the incident. The sum of \$50.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$212.00

AMOUNT AWARDED: \$50.00

CC-18-0252 DENNIS L. COE and RENEE COE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 1, 2018, the Claimant was driving her 2015 Chevrolet Impala on US Route 250 in Limestone, Marshall County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$967.00; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 250 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$967.00

AMOUNT AWARDED: \$500.00

CC-18-0202 WHITNEY COLVIN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2004 Volkswagen Jetta TDi on Chestnut Ridge Road in Morgantown, Monongalia County when her vehicle struck part of a protruding manhole in the travel portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$979.44; her collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Chestnut Ridge Road on the date of the incident and failed to do so properly. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$979.44

AMOUNT AWARDED: \$250.00

CC-17-0539 LOGAN T. CONRAD v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 1, 2017, the Claimant was driving her 2017 Honda Accord on Tyler Creek Road in Salt Rock, Cabell County when the Claimant's vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$230.00; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Tyler Creek Road and failed to properly do so on the date of the incident. The sum of \$230.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$230.00

AMOUNT AWARDED: \$230.00

CC-18-0590 JAMES D. COOK and BETH COOK v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2016 Ford Fusion on West Virginia Route 62 near Evans, Jackson County on April 1, 2018 when his vehicle struck a large hole in the roadway. The Claimants' vehicle sustained damages in the amount of \$719.57; their collision insurance required a deductible of \$500.00. The Respondent was

responsible for the maintenance of West Virginia Route 62 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$719.57

AMOUNT AWARDED: \$500.00

CC-17-0733 TIMMY E. COOK and SUZETTE COOK v. DIVISION OF HIGHWAYS

On November 22, 2017, the Claimant was driving his 2004 Chevrolet Aveo on Route 10 in Davin, Logan County when he encountered another vehicle traveling towards his vehicle. The Claimant edged closer to the white line of his lane of traffic to avoid a collision with the oncoming vehicle; his vehicle struck a portion of the road that had broken away, creating a drop-off of approximately 12-14 inches. The Claimants' vehicle sustained damages in the amount of \$786.78; they carried only liability insurance on their vehicle. The Claims Commission found that the Respondent was negligent in its maintenance of Route 10 on the date of the incident and that this negligence was the proximate cause of the Claimants' damages. The Claims Commission recommended an award of \$786.78.

AMOUNT CLAIMED: \$786.78

AMOUNT AWARDED: \$786.78

CC-17-0569 SHAYNE M. COOPER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On or about June 28, 2016, the Claimant was driving his 2006 Chevrolet Cobalt on Interstate 77 South near mile marker 99 in Charleston, Kanawha County when the Claimant's vehicle struck a large piece of an expansion joint that had broken loose. The Claimant's vehicle also struck a large chunk of concrete that had been dislodged by the loose expansion joint. Both the expansion joint and the concrete were situated in the traveling portion of the roadway. The Claimant sought medical treatment following the incident and was diagnosed with neck, back and shoulder injuries. The Claimant sought damages in the sum of \$12,598.36; the Claimant carried only liability insurance on his vehicle. The Respondent was responsible for the maintenance of Interstate 77 South near mile marker 99 on the date of the incident and failed to properly do so. The sum of \$12,500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$12,598.36

AMOUNT AWARDED: \$12,500.00

CC-18-0441 DANNY LEE CORNELL v. DIVISION OF HIGHWAYS

The Claimant filed this claim alleging that the negligence of the Respondent was the cause of damages to his vehicle. At the hearing, the Claimant's sister, Tacy Bennett, testified that on October 2, 2017, she was driving the Claimant's 2015 Kia Rio on Interstate 64 West at mile marker 136.5 near the Sandstone Mountain exit in Summers County when the vehicle struck a very large rock in the traveling lane of the roadway. Ms. Bennett testified that she tried to avoid the rock but due to its size she was unable to completely avoid any contact with it. An unidentified state trooper stopped to provide assistance to Ms. Bennett; he was unable to remove the rock from the roadway. At the time of this incident, a work crew of the Respondent's was working on the runaway truck ramp on the opposite side of the Interstate. The state trooper

recruited this work crew to assist in removing the rock from the roadway. Ms. Bennett further testified that she traveled this section of the Interstate on previous occasions and noticed that rocks periodically fell from Sandstone Mountain and were found on the side of the roadway. The Claimant testified that his vehicle sustained damages in the amount of \$4,305.23; his collision insurance required a deductible of \$1,000.00. The Respondent denied the validity of the claim. The Claims Commission found that, based on the evidence, this area of the Interstate near Sandstone Mountain is a known area for rock falls and that the Respondent, at a minimum, had constructive notice of falling rocks. The Claims Commission further found that the Respondent was negligent in its maintenance of Interstate 64 West near mile marker 136.5 on the date of the incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award of \$1,000.00.

AMOUNT CLAIMED: \$4,305.23

AMOUNT AWARDED: \$1,000.00

CC-18-0738 FRANK CORONA v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2014 Acura 1LX on Colliers Way, West Virginia Route 105, in Weirton, Hancock County on February 24, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$218.30; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Colliers Way, West Virginia Route 105 on the date of the incident and failed to do so properly. The sum of \$218.30 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$218.30

AMOUNT AWARDED: \$218.30

CC-18-0678 MICHAEL R. COSTELLO v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 30, 2018, the Claimant was driving his 2017 Nissan Maxima on Interstate 70 West in Wheeling, Ohio County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$389.91; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to do so properly on the date of the incident. The sum of \$389.91 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$389.91

AMOUNT AWARDED: \$389.91

CC-18-1261 EARNEST COVINGTON III v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2005 Cadillac CTS on Interstate 64 West and Exit 39 in Teays Valley, Putnam County on August 9, 2018 when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$363.90; his collision insurance required a deductible of \$2,000.00. The Respondent was responsible for the maintenance of Interstate 64 West and Exit 39 on the date of the incident and failed to do so properly. The sum of \$363.90 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$363.90

AMOUNT AWARDED: \$363.90

CC-17-0401 DONNA K. CRAMER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 18, 2017, the Claimant was driving her 2014 Hyundai Elantra on West Virginia Route 7 East in Masontown, Monongalia County when her vehicle struck a large rock in the roadway. The Claimant's vehicle sustained damages in the amount of \$3,760.52, which included lost wages in the sum of \$427.15; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 7 East and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$3,760.52

AMOUNT AWARDED: \$500.00

CC-17-0597 LINDA CRANE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving her 2011 Subaru Impreza on Rohr Road in Masontown, Preston County in August to September, 2017 when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$352.76; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Rohr Road and failed to do so properly on the date of the incident. The sum of \$352.76 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$352.76

AMOUNT AWARDED: \$352.76

CC-18-0551 TONYA L. CROSS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving her 2016 Dodge Dart on West Virginia Route 2 North and exiting onto Interstate 70 East in Wheeling, Ohio County on April 2, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$454.26; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 North and Interstate 70 East on the date of the incident and failed to do so properly. The sum of \$454.26 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$454.26

AMOUNT AWARDED: \$454.26

CC-18-0221 TIMOTHY CUNNINGHAM v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 22, 2018, the Claimant was driving his 2014 Toyota Corolla on West Virginia Route 44 in Omar, Logan County when his vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the amount of \$387.96; his collision insurance required a deductible of \$100.00. The Respondent was responsible for the maintenance of West Virginia Route 44 and failed to do so properly on the date of the incident. The sum of \$100.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$387.96

AMOUNT AWARDED: \$100.00

CC-16-0410 DONALD JOSEPH CURRIER v. DIVISION OF HIGHWAYS

The Claimant brought this claim alleging that the negligence of the Respondent was the proximate cause of his accident and resulting personal injuries. At the hearing before the Claims Commission, the Claimant testified that he was driving his 2008 Street Glide Harley-Davidson motorcycle on US Route 60 near Quincy, Kanawha County on May 18, 2014. The Claimant was traveling in formation with six other motorcyclists, at the rear of the formation, when he struck a very large pothole in the roadway that was approximately three to four feet in length, twelve to eighteen inches wide and three to four inches deep. Upon striking this pothole, the Claimant testified that he lost control of his motorcycle, flipped his motorcycle and launched over the handlebars. He landed on the roadway and rolled approximately fifty feet before coming to rest against the concrete barrier in the middle of the road. The Claimant's motorcycle was deemed a total loss. The Claimant was transported to a local hospital where he was diagnosed with multiple fractures to both of his ankles, his left scapula and several ribs. He underwent several surgeries to repair and reconstruct both ankles and his scapula. After a nine day hospitalization, he was released to continue his medical treatment, which included physical therapy and additional shoulder surgeries. The Claimant, a motorcycle trooper with the Florida Highway Patrol, was off work and unable to return to full duty for approximately nine months. In addition to his claim for medical expenses, the Claimant also submitted evidence in support of a claim for lost wages and loss of future earning capacity.

The Claimant presented several witnesses at the hearing before the Claims Commission. One witness testified that, within the two weeks before the Claimant's accident, he had reported, via text message, the deteriorating condition of US Route 60 and the presence of potholes in the roadway, to an acquaintance that was employed at the Respondent's primary headquarters in Charleston, as he had done on several other occasions. The state trooper who responded to and investigated the Claimant's accident noted in his official report that the condition of the road was the primary cause of the accident. A third witness also confirmed the deplorable condition of the roadway and noted that there were no warning signs posted in this area of US Route 60. This same witness, a former law enforcement officer, testified that US Route 60 was in a hazardous condition on the day of the Claimant's accident and constituted a danger to the traveling public.

The Respondent stipulated to damages, contesting only the issue of liability. The Respondent's witness testified that the daily traffic numbers on US Route 60 categorize the road as a heavily traveled roadway and therefore it is a priority road requiring priority care, upkeep and maintenance. The Respondent's witness also testified that visual inspections are

conducted on a daily basis by employees; because of the nature of vehicular traffic on US Route 60, a "primary emphasis" is placed upon daily inspections. He further acknowledged that the Division of Tourism's active promotion of US Route 60 as a "scenic highway for motorcycles" seemingly imposed an extra obligation upon the Respondent to ensure the safety of US Route 60 for all drivers, especially motorcycle riders. This witness also testified that it is unacceptable for a pothole to be on US Route 60 of such a size to flip a motorcycle end over end.

The Claims Commission found, based on the evidence submitted at the hearing, that US Route 60 was actively promoted by the Division of Tourism as an ideal route for motorcycle riders such as the Claimant. The Commission further found that not only did the Respondent have actual notice of this particular pothole, but the evidence submitted – the dimensions of the pothole, the Respondent's designation of US Route 60 as a priority road demanding priority care and the Respondent's assigning two employees to conduct daily inspections of this roadway – met the criteria for constructive notice. The Claims Commission found that the Respondent was negligent in its maintenance of US Route 60 on the date of the Claimant's accident and that its negligence was the proximate cause of the Claimant's catastrophic injuries. The Claims Commission recommended an award of \$1,295,332.00.

AMOUNT CLAIMED: \$2,100,000.00

AMOUNT AWARDED: \$1,295,332.00

CC-18-0439 JEANNIE DAILEY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Kia Sedona LX on Main Street in St. Albans, Kanawha County on December 27, 2017 and again on March 22, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$630.36; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Main Street on the dates of the incidents and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$630.36

AMOUNT AWARDED: \$500.00

CC-18-0195 DONALD A. DARE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2013 Ford Focus on Interstate 470 in Elm Grove, Ohio County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$892.32; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 on the date of the incident and failed to do so properly. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$892.32

AMOUNT AWARDED: \$500.00

CC-17-0400 ANTHONY DAVIS and SHERRY DAVIS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On June 26, 2017, the Claimant was driving his 2011 Ford Edge on US Route 219 in Organ Cave, Greenbrier County when his vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,051.41; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 219 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,051.41

AMOUNT AWARDED: \$500.00

CC-16-0309 WILLIAM R. DEAN and CYNTHIA Y. DEAN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On January 17, 2016 the Claimant was driving his 2014 Subaru Impreza on Cheat Road in Morgantown, Monongalia County when the Claimants' vehicle struck a storm drain bordering the roadway. The Claimants' vehicle suffered damages in the sum of \$776.50; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Cheat Road and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$776.50

AMOUNT AWARDED: \$500.00

CC-16-0836 CHERYL L. DEANER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On September 24, 2016, the Claimant was driving her 2013 Mazda 3 on Monongahela Boulevard in Morgantown, Monongalia County when her vehicle struck a large road sign laying in the travel portion of the roadway. The Claimant's vehicle sustained damages in the sum of \$1,599.48; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Monongahela Boulevard and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,599.48

AMOUNT AWARDED: \$500.00

CC-18-0367 KEVIN M. DELAPLAIN and JULIE DELAPLAIN v. DIVISION OF HIGHWAYS

The Claimants brought this claim alleging that the negligence of the Respondent was the cause of damages to their vehicle. At the hearing, the Claimant testified that on February 1, 2018, he was driving his 2014 Dodge Durango on US Route 50 West near Bridgeport, Harrison County when his vehicle struck a large rock in the roadway. He testified that the rock was approximately the size of a soccer ball or basketball; he was unable to avoid it due to oncoming traffic. He further testified that this area was known for rock falls and he noticed rocks in the roadway on previous occasions. The Claimant asserted that the Respondent had notice of rock falls in this area since the Respondent had installed a diamond-shaped yellow warning sign which stated "Falling Rock" in this area. The Claimants' vehicle sustained damages in the amount of \$1,710.35; their collision insurance required a deductible of \$500.00. The

Respondent denied the validity of the claim, stating that it had no notice of this particular rock. However, the Respondent acknowledged that this area of US Route 50 was a known rock fall area and because of that, it had installed the warning sign. The Claims Commission found that the Respondent had constructive notice of the rock that the Claimants' vehicle struck by virtue of its prior knowledge and the posting of a warning sign. The Claims Commission further found that the Respondent was negligent in its maintenance of US Route 50 West on the date of the Claimants' incident and that such negligence was the proximate cause of the Claimants' damages. The Claims Commission recommended an award of \$500.00.

AMOUNT CLAIMED: \$1,710.35

AMOUNT AWARDED: \$500.00

CC-18-0256 DENNISON EQUIPMENT COMPANY LLC v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 19, 2018, the Claimant's employee was driving the Claimant's 2008 Ford F250 on US Route 50 in Ellenboro, Ritchie County when the Claimant's vehicle struck a dislodged reflective marker laying in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,450.22; its collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 50 and failed to do so properly on the date of the incident. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,450.22

AMOUNT AWARDED: \$1,000.00

CC-18-0870 STEVEN WALTER DESPOT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2013 Mercedes-Benz C300 on Interstate 79 South near Exit 155, Granville, Monongalia County on April 6, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$576.22; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 79 South near Exit 155 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$576.22

AMOUNT AWARDED: \$500.00

CC-17-0512 JAMES RAY DICKENS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2015 Ford Fusion on West Virginia Route 10 near Naoma, Raleigh County on August 16, 2017 when his vehicle struck a deteriorated section of the roadway. His vehicle sustained damages in the amount of \$228.96; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 10 and failed to do so properly on the date of the incident. The amount of \$228.96 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$228.96

AMOUNT AWARDED: \$228.96

CC-15-0819 KATHY DICOLA v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On December 12, 2014, the Claimant was driving her 2008 Nissan Maxima on West Virginia Route 2 in Natrium, Marshall County when her vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,015.60; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,015.60

AMOUNT AWARDED: \$500.00

CC-18-0704 SHARON K. DILLON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 5, 2018, the Claimant was driving her 2010 Honda Accord on Madison Avenue in Huntington, Cabell County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$148.67; her collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Madison Avenue and failed to do so properly on the date of the incident. The sum of \$148.67 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$148.67

AMOUNT AWARDED: \$148.67

CC-18-0649 PETER DINARDI v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2012 Mercedes Benz GLK on the ramp leading to Interstate 470 near Wheeling, Ohio County on February 21, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$914.29; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of the ramps leading to Interstate 470 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$914.29

AMOUNT AWARDED: \$500.00

CC-18-0795 AMIE M. DIXON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 3, 2018, the Claimant was driving her 2015 Buick Verano on Interstate 470 West in Bethlehem, Ohio County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$605.35; her collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Interstate 470 West and failed to do so properly on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$605.35

AMOUNT AWARDED: \$250.00

CC-17-0496 KATHLEEN DODSON and JOSHUA DODSON v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On July 9, 2017, the Claimant was driving her 2013 Toyota Sienna on West Virginia Route 25 East in Institute, Kanawha County, when her vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$626.80; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 25 on the date of the incident and failed to do so properly. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$626.80

AMOUNT AWARDED: \$500.00

CC-18-0223 DEBORAH DOOLEY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2009 Mercedes CLS 550 on US Route 19 in Rivesville, Marion County on April 8, 2017 when her vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$2,940.13; her collision insurance required a deductible of \$2,000.00. The Respondent was responsible for the maintenance of US Route 19 and failed to do so properly on the date of the incident. The sum of \$2,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,940.13

AMOUNT AWARDED: \$2,000.00

CC-15-1527 KELLY DORAZIO v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 27, 2015, the Claimant was driving her 2004 Toyota Avalon on US Route 119 North, Point Marion Road, in Morgantown, Monongalia County when her vehicle struck a pothole in the road. The Claimant's vehicle sustained damages in the sum of \$397.00; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 119 North, Point Marion Road, on the date of the incident and failed to do so properly. The sum of \$397.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$397.00

AMOUNT AWARDED: \$397.00

CC-18-0331 KEVIN DOSS v. DIVISION OF HIGHWAYS

The Claimant filed this claim to recover for damages to his vehicle which he alleged were caused by the negligence of the Respondent. At the hearing, the Claimant testified that he was driving his 2015 Kia Optima on Interstate 64 West towards Exit 40 near Winfield, Putnam County when his vehicle struck a series of potholes. These potholes were situated between the dotted white lines that delineated the travel lane and the exit lane. The Claimant testified that he had to replace four rims on his vehicle; he submitted receipts for these repairs in the sum of \$2,342.60. His collision insurance required a deductible of \$2,000.00. The Respondent denied the validity of the claim initially but admitted to liability at the hearing. The Respondent disputed

the amount of damages claimed by the Claimant inasmuch as the tires on the vehicle were not damaged. The Claims Commission found that based on the evidence submitted, the Respondent was negligent in its maintenance of Interstate 64 West on the date of the incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award in the amount of \$1,650.00.

AMOUNT CLAIMED: \$2,342.60

AMOUNT AWARDED: \$1,650.00

CC-18-0406 JOHN K. DUGAN and HELENA M. DUGAN v. DIVISION OF HIGHWAYS

The Claimants brought this claim alleging that the negligence of the Respondent was the cause of damages to their vehicle. At the hearing, the Claimant testified that he was driving his 2015 Subaru Legacy on Little Falls Road in Morgantown, Monongalia County throughout 2017. He stated that the road was "deplorable"; the culverts on the road were never cleaned out or otherwise maintained which caused the road to be washed out and eroded. He testified that he called the Respondent's local garage on several occasions to no avail. After multiple trips on this road throughout 2017 and into 2018, the Claimants' vehicle needed four new tires and an alignment. They submitted invoices totaling \$1,063.29. While their collision insurance required a deductible of \$100.00, their comprehensive insurance provided full coverage. The Respondent denied the validity of the claim initially. However, at the hearing, the Respondent, through its counsel, offered to stipulate to liability and pay the Claimants' the amount of their collision insurance deductible. This offer was rejected by the Claimants. Instead, the Claimants urged the Claims Commission to make a finding that their damages should fall under their comprehensive insurance and not their collision insurance. The Claims Commission found that comprehensive and collision insurance coverage are not interchangeable and determined that the Claimants' claim fell under the collision insurance coverage of their policy as defined by their own insurance company. The Claims Commission further found that the Respondent was negligent in its maintenance of Little Falls Road on the dates of the Claimants' incidents and that such negligence was the proximate cause of their damages. In accordance with the terms of the Claimants' insurance policy in effect on the dates of the incidents, the Claims Commission recommended an award of \$100.00.

AMOUNT CLAIMED: \$1,063.29

AMOUNT AWARDED: \$100.00

CC-16-0737 MICHAEL F. DUPLAGA, JR. v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2014 Cadi CTS on Interstate 70 in Triadelphia, Ohio County when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$544.45; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$544.45

AMOUNT AWARDED: \$500.00

CC-18-0044 RACHEL M. EDGE v. DIVISION OF HIGHWAYS

The Claimant sought to recover for damages to her vehicle that she alleged were caused by the negligence of the Respondent. At the hearing, the Claimant testified that she was driving her 2015 Kia Sportage on West Virginia Route 2 in Wheeling, Ohio County on January 6, 2018 when her vehicle struck an unavoidable pothole. She testified that there were loose chunks of asphalt in the pothole and one of the chunks became airborne and struck the undercarriage of her vehicle, causing damage. The Claimant's vehicle sustained damages in the amount of \$455.35; her collision insurance required a deductible of \$500.00. The Respondent denied the validity of the claim. The Claims Commission found, based on the evidence submitted, including photographs of the pothole in question, that the Respondent was negligent in its maintenance of West Virginia Route 2 on the date of the incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award in the amount of \$455.35.

AMOUNT CLAIMED: \$455.35

AMOUNT AWARDED: \$455.35

CC-18-0319 TERESA EDWARDS and LLOYD EDWARDS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2001 Hyundai Elantra on West Virginia Route 41 in Mineral Wells, Wood County on January 20, 2018 when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$575.04; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 41 on the date of the incident and failed to do so properly. The Claimant and the Respondent agreed that the sum of \$190.01 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$575.04

AMOUNT AWARDED: \$190.01

CC-18-0453 STACEY A. EISEL v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2012 Dodge Charger on the entrance ramp to Interstate 64 East in Cross Lanes, Kanawha County on February 8, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,369.76; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of the entrance ramp to Interstate 64 East on the date of the incident and failed to do so properly. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,369.76

AMOUNT AWARDED: \$1,000.00

CC-16-0718 JENNIFER R. ERVIN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On July 29, 2016, the Claimant was driving her 2016 Chevrolet Cruze on Route 57 near Quiet Dell, Harrison County when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$234.53; her

collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 57 on the date of the incident and failed to do so properly. The sum of \$234.53 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$234.53

AMOUNT AWARDED: \$234.53

CC-17-0504 RICHARD D. ESTEP and MELISSA K. ESTEP v. DIVISION OF HIGHWAYS

The Claimants brought this claim alleging that the negligence of the Respondent was the proximate cause of damages to their 2014 Toyota Corolla. At a hearing before the Claims Commission, the Claimants testified that their vehicle struck a series of potholes in April, 2017 and on May 1, 2017 on Route 20 near Bellwood, Fayette County, Route 20 near Quinwood, Greenbrier County, Brookhaven Road in Morgantown, Monongalia County and on Interstate 64 East between the Hinton and Meadow Bridge exits in Summers County. The Claimants' vehicle sustained damages in the sum of \$1,144.95 from these incidents; their collision insurance required a deductible of \$1,000.00. The Claims Commission found the Respondent to be negligent in its maintenance of these roads on the dates of the incidents and that it failed to do so properly. The Claims Commission recommended an award of \$1,000.00.

AMOUNT CLAIMED: \$1,144.95

AMOUNT AWARDED: \$1,000.00

CC-17-0356 ROBIN EVANS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 1, 2017, the Claimant was driving her 2014 Ford Fusion on County Route 21 in Sissonville, Kanawha County when the Claimant's vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained \$924.32 in damages; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of County Route 21 on the date of the incident and failed to do so properly. The amount of \$924.32 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$924.32

AMOUNT AWARDED: \$924.32

CC-18-0257 WILLIAM C. EVANS and JULIE EVANS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2013 Cadillac ATS on US Route 119 North in Mink Shoals, Kanawha County on February 11, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$273.48; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 119 on the date of the incident and failed to do so properly. The sum of \$273.48 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$273.48

AMOUNT AWARDED: \$273.48

CC-18-0271 ANTOINETTE FARKAS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 26, 2018, the Claimant was driving her 2015 Hyundai Elantra on West Virginia Route 2 South in McMechen, Marshall County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$349.35; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 South and failed to do so properly on the date of the incident. The sum of \$349.35 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$349.35

AMOUNT AWARDED: \$349.35

CC-18-0552 GUY R. FIZER, JR. v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2016 Hyundai Veloster on Mileground Road in Morgantown, Monongalia County on April 1, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$404.00; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Mileground Road on the date of the incident and failed to do so properly. The sum of \$404.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$404.00

AMOUNT AWARDED: \$404.00

CC-17-0608 TINA M. FORSHEY and TERRY L. FORSHEY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2007 Lincoln MKZ on Bull Run Road in Waverly, Wood County on September 14, 2017 when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the sum of \$61.08; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Bull Run Road and failed to do so properly on the date of the incident. The sum of \$61.08 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$61.08

AMOUNT AWARDED: \$61.08

CC-18-0587 JESSE R. FRANCIS and MEGAN R. FRANCIS v. DIVISION OF HIGHWAYS

The Claimants brought this claim alleging that the negligence of the Respondent was the cause of damage to their vehicle. At the hearing, the Claimant testified that she was driving her 2017 Dodge Journey on US Route 50 West in Cairo, Ritchie County on March 30, 2018 when her vehicle struck a large pothole in the roadway, damaging two tires. She testified that she had to replace all four tires because her vehicle is four wheel drive, rather than just the two damaged tires. The Claimants also had to replace the strut, pay for a rental vehicle and a betterment percentage on the new tires. They submitted invoices that totaled \$1,061.00; their collision insurance required a deductible of \$500.00. The Claimant testified that she believed the Respondent should be liable for the entire amount of her damages, including all four tires that

were required to keep her vehicle in a drivable condition and not just her deductible, because of the very poor road conditions in her area. The Respondent denied the validity of the claim; at the hearing the Respondent offered to stipulate to the deductible amount and admit liability. The Claimants refused this offer and opted to submit their claim to the Claims Commission for a decision. The Claims Commission found that the Respondent was negligent in its maintenance of US Route 50 West on the date of the incident and that such negligence was the proximate cause of the Claimants' damages. The Claims Commission recommended an award of \$500.00., the amount of their collision deductible.

AMOUNT CLAIMED: \$1,061.00

AMOUNT AWARDED: \$500.00

CC-18-0091 JULIE FRANCIS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2016 Ford Escape on Long Drain Road in Core, Monongalia County on December 29, 2017 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$739.54; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Long Drain Road on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$739.54

AMOUNT AWARDED: \$500.00

CC-17-0358 LINDA FRIEND v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 13, 2017, the Claimant was driving her 2011 GMC Terrain on Route 36, Afton Road, in Terra Alta, Preston County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$371.00; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 36, Afton Road, and failed to do so properly on the date of the incident. The sum of \$371.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$371.00

AMOUNT AWARDED: \$371.00

CC-18-0608 JAMES L. GALLOWAY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 16, 2018, the Claimant was driving his 2016 Mercedes C300 on Interstate 470 West in Elm Grove, Ohio County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$276.66; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West and failed to do so properly on the date of the incident. The sum of \$276.66 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$276.66

AMOUNT AWARDED: \$276.66

CC-17-0728 JASON GALLOWAY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2009 Pontiac G8 on US Route 19 in Monongah, Marion County on March 24, 2018 when his vehicle struck a series of large potholes in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$869.39; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 19 on the date of the incident and failed to do so properly. The sum of \$869.39 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$869.39

AMOUNT AWARDED: \$869.39

CC-16-0655 DEBORAH GARRISON v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Subaru Impreza on Route 17, Fairview Road, in Grant Town, Marion County on April 27, 2016 when her vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the amount of \$265.00; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 17, Fairview Road, on the date of the incident and failed to do so properly. The sum of \$265.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$265.00

AMOUNT AWARDED: \$265.00

CC-18-0978 JASON GAUTIER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On June 7, 2018, the Claimant was driving his 2001 Kawasaki 2X9R on West Virginia Route 67 between Bethany and Wellsburg, Brooke County when his vehicle struck a large depression in the roadway. The Claimant's vehicle sustained damages in the amount of \$963.09; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of West Virginia Route 67 and failed to do so properly on the date of the incident. The sum of \$963.09 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$963.09

AMOUNT AWARDED: \$963.09

CC-17-0508 RUTH E. GILDAY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On June 29, 2017, the Claimant was driving her 2014 Ford Escape on the Harmon Creek entrance ramp to US Route 22 West in Weirton, Brooke County, when her vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the sum of \$2,001.58; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of the Harmon Creek entrance ramp to US Route 22 on the date of the incident and failed to do so properly. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,001.58

AMOUNT AWARDED: \$500.00

CC-18-0286 KORENA GLOVER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2013 Cadillac ATS on Interstate 70 West in Wheeling, Ohio County on February 28, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$883.95; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$883.95

AMOUNT AWARDED: \$500.00

CC-17-0391 TIM GOLONKA v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2006 Ford Focus on US Route 22/30 near Collier's Way in Weirton, Hancock County on June 18, 2017 when his vehicle struck a series of large holes in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$531.72; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of US Route 22/30 near Collier's Way on the date of the incident and failed to do so properly. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$531.72

AMOUNT AWARDED: \$250.00

CC-18-0495 JAMES E. GOODMAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 20, 2018, the Claimant was driving his 2006 Pontiac G6 on US Route 25 North exiting to Interstate 470 East in Wheeling, Ohio County when his vehicle struck several potholes in the roadway. The Claimant's vehicle sustained damages in the amount of \$365.70; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 25 North and Interstate 470 East and failed to do so properly on the date of the incident. The sum of \$365.70 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$365.70

AMOUNT AWARDED: \$365.70

CC-18-0652 WALTER L. GREENHOWE, JR. v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2018 BMW 750i on Interstate 64 West in Cross Lanes, Kanawha County on March 25, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,388.80; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 64 West on the date of the incident and failed to do so properly. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,388.80

AMOUNT AWARDED: \$1,000.00

CC-18-0272 ALBERT J. GREGORY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 5, 2018, the Claimant was driving his 2018 Nissan Sentra on Interstate 64 East near St. Albans, Kanawha County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$136.96; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 64 East and failed to do so properly on the date of the incident. The sum of \$136.96 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$136.96

AMOUNT AWARDED: \$136.96

CC-17-0086 DOYLE T. GRIFFITH v. DIVISION OF HIGHWAYS

The Claimant was driving his 2004 Massey-Ferguson 481 tractor on County Road 26, #2 Ridge, in Dallas, Marshall County on September 22, 2016. At the hearing, he testified that he pulled over to the shoulder to allow traffic to pass; his vehicle struck the broken-off base of a road sign damaging his tractor tires. The Claimant discovered the upper portion of the road sign laying on the ground. The Claimant's tractor sustained damages in the amount of \$1,436.25; he did not carry collision insurance on his vehicle. The Claims Commission found that the Respondent was negligent in its maintenance of County Road 26, #2 Ridge, on the date of the incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award in the sum of \$1,436.25.

AMOUNT CLAIMED: \$1,436.25

AMOUNT AWARDED: \$1,436.25

CC-15-1811 CHRISTINE S. HALL v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 1998 Pontiac Sunfire SE on US Route 19, Locust Avenue, in Fairmont, Marion County on September 2, 2015 when her vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the sum of \$339.16; she carried only liability insurance on her vehicle. The Respondent was responsible for the maintenance of US Route 19, Locust Avenue, on the date of the incident and failed to do so properly. The amount of \$339.16 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$339.16

AMOUNT AWARDED: \$339.16

CC-18-0293 MEAGAN HAMMOND and CHRISTOPHER HAMMOND v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 16, 2018, the Claimant was driving her 2012 Chevrolet Malibu on Interstate 70 West in Wheeling, Ohio County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$880.32; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$880.32

AMOUNT AWARDED: \$500.00

CC-18-0162 WILLIAM H. HANNA v. DIVISION OF HIGHWAYS

The Claimant brought this action to recover for damages which he alleged were caused by the negligence of the Respondent. At the hearing, the Claimant testified that on February 15, 2018, he was driving his 2017 Toyota Sienna on Gihon Road in Parkersburg, Wood County. His vehicle struck a large pothole in the roadway damaging two tires. The Claimant chose to replace all four tires and submitted invoices totaling \$721.18; his collision insurance required a deductible of \$250.00. The Respondent denied the validity of the claim. The Claims Commission found that the Respondent was negligent in its maintenance of Gihon Road on the date of the incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award of \$250.00.

AMOUNT CLAIMED: \$721.18

AMOUNT AWARDED: \$250.00

CC-18-0469 JAIME LEIGH HARBERT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2014 Subaru Impreza on Saltwell Road in Shinnston, Harrison County on February 22, 2108 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$209.61; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Saltwell Road on the date of the incident and failed to do so properly. The sum of \$209.61 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$209.61

AMOUNT AWARDED: \$209.61

CC-17-0332 TARA HARPER and BROCK HARPER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 1, 2017, the Claimant was driving her 2015 Chevrolet Impala on Sun Valley Road in Lubeck, Wood County when her vehicle struck a low hanging tree branch extending into the roadway. The Claimants' vehicle sustained damages in the amount of \$2,333.65; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Sun Valley Road and failed to do so

properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,333.65

AMOUNT AWARDED: \$500.00

CC-18-0291 LAURA B. HARSHBARGER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2014 Ford Escape at the intersection of Lamberton Road and US Route 50 near Pennsboro, Ritchie County on February 16, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$192.88; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Lamberton Road and US Route 50 on the date of the incident and failed to do so properly. The sum of \$192.88 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$192.88

AMOUNT AWARDED: \$192.88

CC-15-1927 ANNA M. HAYNES v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 13, 2015, the Claimant's husband, now deceased, was driving his 2011 Mercedes Benz E350 on West Virginia Route 2 near Paden City, Wetzel County when his vehicle struck a large pothole in the roadway. On September 8, 2015, the Claimant's husband struck a second pothole on West Virginia Route 7 near Wileyville, Wetzel County. Again, on September 24, 2105, the Claimant's husband struck a third pothole on West Virginia Route 2 near Moundsville, Marshall County. The Claim was filed following this with both the Claimant and her late husband listed as Claimants on the Notice of Claim. The Claimants' vehicle sustained damages in the amount of \$748.72; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 2 and West Virginia Route 7 and failed to do so properly on the dates of the incidents. The sum of \$748.72 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$748.72

AMOUNT AWARDED: \$748.72

CC-14-1186 WILLIAM HENSLEY, BY AND ON BEHALF OF LUTHER HENSLEY v. DIVISION OF HIGHWAYS

The Claimant filed this claim on behalf of his father alleging that the negligence of the Respondent was the proximate cause of personal injury to his father and damage to his father's vehicle. The claim was originally filed by the Claimant's father in his own capacity. A hearing was held before the West Virginia Court of Claims, at which time the style of the claim was amended to reflect that the Claimant was serving as the Power of Attorney for his father. After the hearing, the Court of Claims issued an Opinion recommending an award for the Claimant's father; this award was included in the 2016 Claims Bill and approved and funded by the Legislature. The Claimant refused to accept the original award because he believed that the accident that occurred on February 9, 2014 was the proximate cause of his father's deteriorating health. He sought to reopen the claim before the Legislative Claims Commission. Two

hearings were held on the issue of reopening the claim; the Claims Commission gave the Claimant a deadline in which to submit medical records and reports that affirmatively linked his father's health condition, Progressive Supranuclear Palsy (PSP), Parkinson's Disease and Parkinson's Plus Disorder to the accident of February 9, 2014. The Respondent objected to the reopening of the claim in that the Claimant was unable to provide the requested medical information and also argued that the doctrine of *res judicata* applied. After the deadline expired and the Claimant did not submit the requested medical information, he notified the Office of the Legislative Claims Commission that he wished to have the previously rejected award reinstated and submitted to the Legislature for approval and funding. As stated in the initial Opinion that was issued in this claim, the Claimant's father was driving his 2000 Ford Explorer on US Route 60 near St. Albans, Kanawha County on February 9, 2014 when he struck a series of potholes and then a concrete wall. The Claimant's father received some medical treatment at the scene and later went to a local emergency room for further treatment. At the initial hearing, the Claimant's father testified that his vehicle was considered a total loss and he incurred expenses in the sum of \$3,031.00. The award originally recommended was for the sum of \$3,031.00. The Claims Commission found that it was proper to reinstate the Opinion that was originally issued on July 7, 2015 and submit the award for approval and funding to the Legislature.

AMOUNT CLAIMED: \$3,031.00

AMOUNT AWARDED: \$3,031.00

CC-15-0986 RILEY W. HESS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 25, 2015, the Claimant was driving his 2010 Volkswagen Jetta on Interstate 77 South in Ripley, Jackson County when his vehicle struck a large hole in the traveling portion of the roadway. His vehicle sustained damages in the amount of \$494.29; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 77 South on the date of the incident and failed to do so properly. The amount of \$494.29 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$494.29

AMOUNT AWARDED: \$494.24

CC-17-0560 RANDALL HILL and SARAH HILL v. DIVISION OF HIGHWAYS

On June 9, 2017, the Claimant was driving his 2007 Chevrolet Avalanche on Route 34 near Teays Valley, Putnam County when a white substance, later determined to be white paint, splashed from the roadway onto his vehicle. Close to the site where his vehicle was sprayed was a large paint bucket resting on the side of the road. The Claimant testified that there were workers wearing yellow safety vests in the same area setting out traffic cones; a white truck that appeared to be one of the Respondent's vehicles was in the same area. The Claimant also testified that there were large paint buckets in the back of this vehicle as well as a sign that read "Painting Ahead". He further testified that he had observed paint crews in this area of Route 34 for several days preceding his incident. The paint spill in the roadway extended across one full lane of traffic and partially into a second lane. The Claimant's vehicle sustained damages in the sum of \$2,610.91; his collision insurance required a deductible of \$500.00. The Respondent disputed the validity of the claim at the hearing. The Respondent had also requested that its contractor indemnify and defend this claim, which the contractor refused to do. The Claims

Commission found that the Respondent, by and through its contractor, was negligent on the day of the Claimant's incident; it should have known that it was likely for paint to be spilled on the roadway, thus creating a hazard for drivers in the area. The Claims Commission recommended an award of \$500.00.

AMOUNT CLAIMED: \$2,610.91

AMOUNT AWARDED: \$500.00

CC-18-0192 SALLY HODGKISS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2010 Chevrolet Malibu on Interstate 470 West in Wheeling, Ohio County on February 22, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$139.30; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West on the date of the incident and failed to do so properly. The sum of \$139.30 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$139.30

AMOUNT AWARDED: \$139.30

CC-14-0931 AUSTIN HOLBERT and MATT C. HOLBERT v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 29, 2014, the Claimant was driving his 2001 Audi A6 on Lazelle Union Road (River Road) in Morgantown, Monongalia County when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$970.35; they carried only liability insurance on their vehicle. The Respondent was responsible for the maintenance on Lazelle Union Road (River Road) and failed to do so on the date of the incident. The sum of \$970.35 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$970.35

AMOUNT AWARDED: \$970.35

CC-18-0398 BRANDON HOLDREN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 24, 2018, the Claimant was driving his 2015 Kia Optima on West Virginia Route 18 near West Union, Doddridge County when his vehicle struck a large pothole in traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$691.76; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 18 and failed to do so properly on the date of the incident. The sum of \$691.76 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$691.76

AMOUNT AWARDED: \$691.76

CC-18-1211 JENNIFER HONAKER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2013 Ford Fusion SE on West Virginia Route 62, Washington Street, West, near Cross Lanes, Kanawha County

on June 30, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$355.14; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 62, Washington Street, West, on the date of the incident and failed to do so properly. The sum of \$355.14 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$355.14

AMOUNT AWARDED: \$355.14

CC-17-0592 PIERCE HOOPER and HANNAH HOOPER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2001 Volkswagen Jetta on Glade Farms Road in Bruceton Mills, Preston County when his vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the sum of \$1,019.20; they carried only liability insurance on their vehicle. The Respondent was responsible for the maintenance of Glade Farms Road and failed to do so properly on the date of the incident. The amount of \$1,019.20 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,019.20

AMOUNT AWARDED: \$1,019.20

CC-17-0713 SUSAN HOOTON v. DIVISION OF HIGHWAYS

The Claimant brought this claim alleging that the negligence of the Respondent was the cause of damage to her vehicle. At the hearing, the Claimant testified that throughout 2017, she drove her 2003 Ford Explorer on Saltlick Road in Terra Alta, Preston County. She testified that she had called the local Division of Highways garage on several occasions to report the deteriorating condition of the road. Her vehicle sustained damages in the sum of \$4,312.82 due to daily driving on Saltlick Road. The Claimant carried only liability insurance on her vehicle. The Claims Commission found that the Respondent had notice of the defects in the road, that it was negligent in its maintenance of the road on the dates of the incidents and that such negligence was the proximate cause of the Claimant's damages. The Commission recommended an award of \$1500.00.

AMOUNT CLAIMED: \$4,312.82

AMOUNT AWARDED: \$1,500.00

CC-16-0894 JERRY L. HOSAFLOOK and EVELYN HOSAFLOOK v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On October 19, 2016, the Claimant was driving his 2016 Chevrolet Colorado on Route 50 West in Salem, Harrison County when his vehicle struck a large piece of concrete in the roadway which had fallen from a nearby bridge. The Claimants' vehicle sustained damages in the amount of \$1,122.19; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 50 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,122.19

AMOUNT AWARDED: \$500.00

CC-18-0326 MARY N. HOWARD v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2004 Chrysler Town and Country on West Virginia Route 114, Greenbrier Street, in Charleston, Kanawha County on March 4, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$201.08; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 114, Greenbrier Street, on the date of the incident and failed to do so properly. The sum of \$201.08 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$201.08

AMOUNT AWARDED: \$201.08

CC-18-0575 ARLIE HUBBARD v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2010 Volvo XC70 on 5th Avenue in Huntington, Cabell County on August 10, 2016 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$253.47; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of 5th Avenue on the date of the incident and failed to do so properly. The sum of \$253.47 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$253.47

AMOUNT AWARDED: \$253.47

CC-18-0576 ARLIE HUBBARD v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On January 15, 2017, the Claimant was driving his 2016 Honda Accord on 5th Avenue in Huntington, Cabell County when his vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the amount of \$379.20; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of 5th Avenue on the date of the incident and failed to do so properly. The sum of \$379.20 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$379.20

AMOUNT AWARDED: \$379.20

CC-18-0851 KENNETH B. HUNLEY and STEPHANIE L. HUNLEY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 1, 2018, the Claimant was driving his 2013 Toyota Avalon on Interstate 70 West in Wheeling, Ohio County when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$479.34; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to do so properly on the date of the incident. The sum of \$479.34 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$479.34

AMOUNT AWARDED: \$479.34

CC-16-0640 WILLIAM S. HURST and SUE E. HURST v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2008 Chevrolet Uplander on Route 7 in Harrison County when his vehicle struck a large flat rock in the roadway. The Claimants' vehicle sustained damages in the amount of \$156.78; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 7 on the date of the incident and failed to do so properly. The sum of \$156.78 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$156.78

AMOUNT AWARDED: \$156.78

CC-18-0787 TIMOTHY ICKES v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2014 Hyundai Elantra Sport on Interstate 70 West in Wheeling, Ohio County on April 24, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$214.00; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West on the date of the incident and failed to do so properly. The sum of \$214.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$214.00

AMOUNT AWARDED: \$214.00

CC-18-0043 CHRISTINA INGELS and GEORGE INGELS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On January 9, 2018, the Claimant was driving her 2008 Mercedes R320CDI on West Virginia Route 94 in Hernshaw, Kanawha County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,234.29; they did not carry collision insurance on their vehicle. The Respondent was responsible for the maintenance of West Virginia Route 94 and failed to do so properly on the date of the incident. The Claimant and the Respondent agreed that the sum of \$427.94 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,234.29

AMOUNT AWARDED: \$427.94

CC-14-0160 MELISSA R. ISOM v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 17, 2014, the Claimant was driving her 2012 Chrysler 200 on US Route 52 in Fort Gay, Wayne County when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$286.85; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 52 on the date of the incident and failed to properly do so. The sum of \$286.85 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$286.85

AMOUNT AWARDED: \$286.85

CC-18-1227 LISA ANNE CREASY JAHNKE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2013 Toyota RAV4 on Interstate 64 West in Cross Lanes, Kanawha County on June 29, 2018 when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$537.16; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 64 West on the date of the incident and failed to do so properly. The sum of \$537.16 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$537.16

AMOUNT AWARDED: \$537.16

CC-17-0042 LARRY B. JARRELL v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2013 GMC Terrain on Interstate 64 West near Teays Valley, Putnam County on January 21, 2017 when his vehicle was struck by a loose road reflector. The Claimant's vehicle sustained damages in the sum of \$3,133.97; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Interstate 64 West on the date of the accident and failed to do so properly. The amount of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$3,133.97

AMOUNT AWARDED: \$250.00

CC-18-0821 MARY P. JASINSKI v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2016 Honda Fit on West Virginia Route 2 in Benwood, Marshall County on April 4, 2018 when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$672.75; collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$672.75

AMOUNT AWARDED: \$500.00

CC-18-0762 MICHAEL C. JENKINS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2012 Chrysler 200 Limited on Main Street in Weirton, Brooke County on February 16, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$255.76; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Main Street on the date of the incident and failed to do so properly. The sum of \$255.76 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$255.76

AMOUNT AWARDED: \$255.76

CC-17-0612 ROBERT JOHNSON and BARBARA LEE MILLER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2008 Cadillac DTS on Bull Run Road in Waverly, Wood County on September 21, 2017 when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the sum of \$526.01; their collision insurance required a deductible of \$750.00. The Respondent was responsible for the maintenance of Bull Run Road and failed to do so properly on the date of the incident. The sum of \$526.01 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$526.01

AMOUNT AWARDED: \$526.01

CC-17-0573 ISAAC A. JONES and JENNY L. JONES v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On June 18, 2017, the Claimant was driving his 2008 Scion TC on West Virginia Route 25 between Nitro and Institute, Kanawha County, when his vehicle struck a pothole in the roadway. The Claimants' vehicle suffered damages in the sum of \$5,141.70; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 25 on the date of this incident and failed to do so properly. The amount of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$5,141.70

AMOUNT AWARDED: \$1,000.00

CC-18-0812 RANDY P. JONES v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2010 Mazda 3 on Interstate 79 South near Morgantown, Monongalia County on March 8, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$222.40; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 79 South on the date of the incident and failed to do so properly. The sum of \$222.40 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$222.40

AMOUNT AWARDED: \$222.40

CC-17-0438 JONES TRUCKING, INC. and ROY H. JONES v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 2, 2017, the Claimants' employee was driving the Claimants' 2006 International Tri-axle DT on Route 50 East near the intersection of Route 50 East and Route 24 North in Elk Garden, Mineral County. The Claimants' vehicle struck a loose reflector from the roadway, which became embedded in the vehicle's tire. The Claimants' vehicle sustained damages in the amount of \$1,237.33; their collision insurance required a deductible of \$5,000.00. The Respondent was responsible for the maintenance of Route 50 East and Route 24 North and failed to do so properly on the date of the incident. The sum of \$1,237.33 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,237.33

AMOUNT AWARDED: \$1,237.33

CC-18-0193 AMANDA JULIAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving her 2014 Lexus IS250 on West Virginia Route 2 North in Wellsburg, Brooke County on February 15, 2018 when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$185.42; her collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of West Virginia Route 2 North and failed to do so properly on the date of the incident. The sum of \$185.42 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$185.42

AMOUNT AWARDED: \$185.42

CC-16-0181 JONATHAN EDWARD KEESEE v. DIVISION OF HIGHWAYS

On February 24, 2016, the Claimant was driving his 2014 Honda Accord on US Route 460 West near Kellysville, Mercer County when his vehicle struck a large hole in the roadway. His vehicle sustained damages in the sum of \$489.00, which included the cost of a hotel room for one night. The Claimant's collision insurance required a deductible of \$500.00. The Claims Commission found that the Respondent was responsible for the maintenance of US Route 460 West on the date of the incident and failed to do so properly. The Claims Commission granted an award of \$173.50, which was the cost of replacing one tire.

AMOUNT CLAIMED: \$489.00

AMOUNT AWARDED: \$173.50

CC-18-0123 ANNE L. KELLER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On January 22, 2018, the Claimant was driving her 2004 BMW 330XI on Jefferson Road in South Charleston, Kanawha County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$136.97; her collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Jefferson Road and failed to properly do so on the date of the incident. The sum of \$136.97 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$136.97

AMOUNT AWARDED: \$136.97

CC-17-0307 ERNEST L. KELLER and LOU ANN KELLER v. DIVISION OF HIGHWAYS

The Claimants brought this action alleging that the negligence of the Respondent was the cause of damage to their property. At the hearing, the Claimants testified that they have lived in their current residence for almost twenty years. The main thoroughfare in their neighborhood, Thicket Drive, is a former orphan road now in the care of the Respondent. On one side of Thicket Drive is a mountain; the Claimants' property is on the other side. There are two driveways that the Claimants use to access their property; one connects to Thicket Drive and the other connects to Route 28. The driveways are constructed primarily of gravel and the Claimants have made arrangements for gravel to be added to their driveways as necessary. The Claimants also have two culverts on their property which they maintain.

Starting in early 2017, the Claimants began calling the local office of the Respondent to report that the ditch along Thicket Drive was clogged with leaves, branches, tree and road debris and other trash that had washed down the mountain side into the ditch. The Claimants' were concerned that the clogged ditches would overflow during a heavy rainstorm and the resulting runoff water would flood their driveways, culverts and yard. The Claimants called multiple times throughout the first quarter of 2017 with no corrective action taken by the Respondent. In April, 2017, the Claimants purchased 100 tons of gravel to regrade their driveways. One month later, a heavy thunderstorm occurred and the ditch along Thicket Drive was still clogged with debris. The stormwaters coming off the mountainside overwhelmed the clogged ditch and flowed onto the Claimants' property, flooding their yard and driveways. The failed ditch created divots, gouges and ruts in the Claimants' driveways; this caused the recently applied gravel to wash out into Claimants' culverts. The culverts became clogged and then caused massive flooding on the Claimants' property. The Claimants submitted photographs, invoices and other evidence to support their claimed damages of \$6,200.00. The Respondent denied the validity of the claim but its scheduled witness failed to attend the hearing. The Claims Commission found that based on the evidence submitted, the Respondent had actual notice of the clogged ditch and had more than a reasonable time in which to take corrective action. The Claims Commission further found that the Respondent was negligent in its maintenance of the ditch adjacent to Thicket Drive and that such negligence was the proximate cause of the damages sustained by the Claimants. An award of \$6,200.00 was recommended.

AMOUNT CLAIMED: \$6,200.00

AMOUNT AWARDED: \$6,200.00

CC-17-0629 ANGELA S. KERNS and JOHN W. KERNS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On September 22, 2017, the Claimants' son was driving their 2005 Dodge Stratus on Route 21, Church Street, in Ripley, Jackson County when their vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the sum of \$564.00; they carried only liability insurance on their vehicle. The Respondent was responsible for the maintenance of Route 21, Church Street, on the date of the incident and failed to properly do so. The amount of \$564.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$564.00

AMOUNT AWARDED: \$564.00

CC-18-0500 BRETT M. KERNS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2013 Scion IQ on West Virginia Route 2 North in St. Mary's, Pleasants County on February 23, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$199.28; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 North on the date of the incident and failed to do so properly. The sum of \$199.28 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$199.28

AMOUNT AWARDED: \$199.28

CC-18-0592 CHRISTOPHER KINNEY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 29, 2018, the Claimant was driving his 2006 Honda Accord on Interstate 70 West in Elm Grove, Ohio County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$489.19; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to do so properly on the date of the incident. The sum of \$489.19 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$489.19

AMOUNT AWARDED: \$489.19

CC-16-0859 SARAH KITTELSTAD and THOMAS KITTELSTAD v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2008 Dodge Caravan on Hite Road in Leetown, Jefferson County on October 6, 2016 when her vehicle struck a large rock protruding from the shoulder of the road into the traveling portion of the roadway. The Claimants' vehicle sustained damages in the sum of \$1,578.44; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Hite Road and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,578.44

AMOUNT AWARDED: \$500.00

CC-18-0301 WILLIAM A. KOLIBASH v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2017 Jeep Grand Cherokee on Interstate 70 West in Wheeling, Ohio Cqunty on February 21, 2018 when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$224.70; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West on the date of the incident and failed to do so properly. The sum of \$224.70 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$224.70

AMOUNT AWARDED: \$224.70

CC-16-0548 MERG KONG v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 21, 2016, the Claimant was driving her 2016 Audi A3 on Pleasant Valley Road in Fairmont, Marion County when her vehicle struck rough, uneven pavement in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the sum of \$397.44; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Pleasant Valley Road on the date of the incident and failed to properly do so. The sum of \$397.74 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$397.74

AMOUNT AWARDED: \$397.74

CC-18-0893 RAYMOND KUDERSKI v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 22, 2018, the Claimant was driving his 2007 Toyota Sienna on West Virginia Route 2 in Glen Dale, Marshall County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$752.84; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$752.84

AMOUNT AWARDED: \$500.00

CC-18-0516 TRACEY A. KUDYBA v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On August 27, 2017, the Claimant was driving her 2006 Mercedes S500 on Glade Farm Road in Bruceton Mills, Preston County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$910.83; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Glade Farm Road and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$910.83

AMOUNT AWARDED: \$500.00

CC-16-0095 TINA D. KWUN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Nissan Rogue on Route 52 near Bluewell, Mercer County on February 3, 2016. As she was veering away from a large rock that had fallen in the roadway as a result of a rock slide, her vehicle struck another large rock that fell from the same mountain and landed in her lane of traffic. The Claimant's vehicle sustained damages in the amount of \$800.26; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 52 and failed to do so properly on the date of the incident. The amount of \$800.26 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$800.26

AMOUNT AWARDED: \$800.26

CC-17-0521 LINDA E. KYLE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On August 13, 2017, the Claimant was driving her 2014 Ford Fiesta on Glade Farms Road in Bruceton Mills, Preston County when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$281.49; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Glade Farms Road on the date of the incident and failed to properly do so. The sum of \$281.40 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$281.40

AMOUNT AWARDED: \$281.40

CC-18-0167 MATTHEW LAHR v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2014 Toyota Camry on West Virginia Route 2 North in Follansbee, Brooke County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$600.65; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 North on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$600.65

AMOUNT AWARDED: \$500.00

CC-17-0645 BARBARA LAMBERT and LENIA LAMBERT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2016 Mitsubishi Outlander Sport on Route 10, McClellan Highway, near Harts, Lincoln County on October 13, 2017 when an overhead tree branch fell and struck her vehicle. The Claimant's vehicle sustained damages in the amount of \$1,698.03; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 10, McClellan Highway, on the date of the accident and failed to do so properly. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,698.03

AMOUNT AWARDED: \$1,000.00

CC-18-0668 TAMALA LANHAM v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 1, 2018, the Claimant was driving her 2012 Mercedes Benz C300 on Big Tyler Road in Cross Lanes, Kanawha County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$407.12; her collision insurance required a deductible of \$2,000.00. The Respondent was responsible for the maintenance of Big Tyler Road and failed to do so properly on the date of the incident. The sum of \$407.12 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$407.12

AMOUNT AWARDED: \$407.12

CC-17-0276 FRANK S. LAW and TANYA LAW v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 1, 2017, the Claimant was driving his 2012 Mercedes E-350 on Oakwood Road in Charleston, Kanawha County when the Claimants' vehicle struck a pothole in the roadway, sustaining \$303.88 in damages. The Claimants' collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Oakwood Road on the date of the incident and failed to do so properly. The amount of \$303.88 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$303.88

AMOUNT AWARDED: \$303.88

CC-18-0869 SUSAN LEASURE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 4, 2018, the Claimant was driving her 2011 Kia Soul on West Virginia Route 892, Dupont Road, in Washington, Wood County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$103.79; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 892, Dupont Road, and failed to do so properly on the date of the incident. The sum of \$103.79 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$103.79

AMOUNT AWARDED: \$103.79

CC-17-0626 MELISSA LESTER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On October 13, 2017, the Claimant was driving her 2012 Honda Accord on Green Valley Road 34/6 in Huntington, Cabell County when her vehicle struck a pothole in the roadway. Her vehicle sustained damages in the sum of \$264.77; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Green Valley Road 34/6 on the date of the incident and failed to do so properly. The amount of \$264.77 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$264.77

AMOUNT AWARDED: \$264.77

CC-18-0033 KIRK LIGHTNER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2014 Honda Accord on Interstate 64 West on January 4, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$164.60; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 64 West on the date of the incident and failed to do so properly. The sum of \$164.60 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$164.60

AMOUNT AWARDED: \$164.60

CC-16-0554 LLOYD W. LIGHTNER, JR. v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2007 Dodge Ram 2500 on West Virginia Route 3/12 in Pence Springs, Summers County when his vehicle struck a broken guardrail that extended into the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$2,723.29; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 3/12 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,723.29

AMOUNT AWARDED: \$500.00

CC-18-0493 MICHAEL LITTLE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 21, 2018, the Claimant was driving his 2010 Range Rover Sport on Bethlehem Boulevard, West Virginia Route 88, in Wheeling, Ohio County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,179.96; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Bethlehem Boulevard, West Virginia Route 88, and failed to do so properly on the date of the incident. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,179.96

AMOUNT AWARDED: \$1,000.00

CC-18-0062 GARY LONG v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 4, 2017, the Claimant was driving his 2009 Chevy Malibu on US Route 30 in Chester, Hancock County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$157.46; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 30 and failed to do so properly on the date of the incident. The sum of \$157.46 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$157.46

AMOUNT AWARDED: \$157.46

CC-18-0679 THOMAS LOVEJOY v. DIVISION OF HIGHWAYS

The Claimant filed this claim alleging that the negligence of the Respondent was the cause of damages to his vehicle. At the hearing, the Claimant testified that he was driving his 2007 Chevrolet Silverado on US Route 60 in Hurricane, Putnam County on April 24, 2018 when his vehicle struck a pothole in the roadway. He had to replace the control arms and ball joints in his vehicle. He testified that he had no mechanical problems with his vehicle until this incident. The odometer on his vehicle read over 119,000 miles at the time of the incident. The Claimant submitted receipts totaling \$735.00; his collision insurance required a deductible of \$1,000.00. The Respondent denied the validity of the claim. The Claims Commission found that the Respondent was negligent in its maintenance of US Route 60 on the date of the incident and

that such negligence was the proximate cause of the Claimant's damages. The Claim Commission recommended an award of \$491.96, which was the total for all receipts that were dated for the day after the Claimant's incident.

AMOUNT CLAIMED: \$735.00

AMOUNT AWARDED: \$491.96

CC-18-0343 MICHAEL A. LOWRY and MEGAN M. LOWRY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2008 Chevrolet Uplander on West Virginia Route 114, Greenbrier Street, in Charleston, Kanawha County on February 26, 2018 when his vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$45.56; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 114, Greenbrier Street, on the date of the incident and failed to do so properly. The sum of \$45.56 is a fair and reasonable amount to settle the claim. \$45.56

AMOUNT CLAIMED: \$45.56

AMOUNT AWARDED:

CC-17-0209 TABITHA LUCKEY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 3, 2017, the Claimant was driving her 2014 Subaru Legacy on Van Voorhis Road in Morgantown, Monongalia County when her vehicle struck a large piece of concrete located next to a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$2,787.98; her collision insurance required a deductible of \$1,000.00. The Respondent is responsible for the maintenance of Van Voorhis Road and failed to properly do so on the date of the incident. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,787.98

AMOUNT AWARDED: \$1,000.00

CC-18-0273 JOYCE S. LUPARDUS and JAMES LUPARDUS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Ford Fiesta on US Route 119 near Clendenin, Kanawha County on February 1, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$154.55; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 119 on the date of the incident and failed to do so properly. The sum of \$154.55 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$154.55

AMOUNT AWARDED: \$154.55

CC-16-0806 KAREN MACHEN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2008 Chevrolet Impala SS on West Virginia Route 2 in Weirton, Brooke County on September 30, 2016 when

another vehicle struck debris in the roadway, which then became airborne and struck the windshield of her vehicle. The Claimant's vehicle sustained damages in the sum of \$254.29; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 on the date of the incident and failed to properly do so. The sum of \$254.29 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$254.29

AMOUNT AWARDED: \$254.29

CC-18-0268 CAROLINE MADER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 8, 2018, the Claimant was driving her 1994 Honda Accord on US Route 22 West in Weirton, Brooke County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$604.59, including the Claimant's lost wages in the sum of \$240.00; she did not carry collision insurance on her vehicle. The Respondent was responsible for the maintenance of US Route 22 West and failed to do so properly on the date of the incident. The Claimant and the Respondent agreed that the sum of \$314.59 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$604.59

AMOUNT AWARDED: \$314.59

CC-18-0176 JULIE MANCINI v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 22, 2018, the Claimant was driving her 2010 Lincoln MKZ on State Route 131, Saltwell Road, in Shinnston, Harrison County when her vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$503.35; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of State Route 131 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$503.35

AMOUNT AWARDED: \$500.00

CC-17-0565 NOAH MARCUM and DEBORAH MARCUM v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Toyota Corolla on Route 2 in Gallipolis Ferry, Mason County on September 1, 2017 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$492.75; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 2 on the date of the incident and failed to properly do so. The amount of \$492.75 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$492.75

AMOUNT AWARDED: \$492.75

CC-18-0198 VINCENT MARINO and CUSTOM CONTRACTING v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2017 Mercedes Benz GLS 450 on Interstate 79 South between Fairmont and White Hall, Marion County on or about September 21, 2017 when his vehicle struck a large hole in the roadway. The Claimants' vehicle sustained damages in the amount of \$309.93; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 79 South and failed to do so on the date of the incident. The sum of \$309.93 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$309.93

AMOUNT AWARDED: \$309.93

CC-18-0454 PHILLIP MARQUART v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2014 Cadillac XTS V-Sport AWD on McCutcheon Road in Triadelphia, Ohio County on March 15, 2018 when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,398.70; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of McCutcheon Road on the date of the incident and failed to do so properly. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,398.70

AMOUNT AWARDED: \$250.00

CC-17-0004 JUDY K. MARSHALL v. DIVISION OF HIGHWAYS

On December 22, 2016, the Claimant was driving her 2013 Chevrolet Sonic on Interstate 79 South in Bridgeport, Harrison County. She testified at the hearing that she drove through a construction zone where one lane of traffic had been blocked off with orange cones. Approximately one-half mile past the construction zone, her vehicle struck a lone orange cone in her lane of traffic. The Claimant was unable to avoid the cone and as a result, her vehicle sustained damages in the sum of \$2,467.46; her collision insurance required a deductible of \$1,000.00. The Claims Commission found that it was foreseeable that an orange cone could be present in the near vicinity of a construction zone and that the Respondent was negligent in its maintenance of Interstate 79 South on the date of this incident. The Claims Commission further determined that, based on the testimony of the Claimant, speed was a factor in this incident and reduced the recommended award accordingly. The Claims Commission recommended an award of \$800.00.

AMOUNT CLAIMED: \$2,467.46

AMOUNT AWARDED: \$800.00

CC-18-0434 SARAH SATTERFIELD MARSHALL v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2017 Jeep Cherokee on Murdoch Avenue in Parkersburg, Wood County on February 16, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle

sustained damages in the amount of \$368.54; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Murdoch Avenue on the date of the incident and failed to do so properly. The sum of \$368.54 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$368.54

AMOUNT AWARDED: \$368.54

CC-17-0352 MICHAEL MARTIN and LYNN MARTIN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 28, 2017, the Claimant was driving his 2013 BMW 535i on Two Mile Road in Branchland, Lincoln County when the Claimants' vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the sum of \$1,086.12; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Two Mile Road on the date of the incident and failed to do so properly. The amount of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,086.12

AMOUNT AWARDED: \$1,000.00

CC-17-0208 SHARON L. MARTIN v. DIVISION OF HIGHWAYS

The Claimant sought to recover for damages to her vehicle which were alleged to be caused by the negligence of the Respondent. At the hearing, the Claimant testified that on December 21, 2016, she was driving her 2013 Honda Pilot on Lubuck Lane near Cheat Lake, Morgantown, Monongalia County. She testified that Lubuck Lane is a poorly maintained gravel road with numerous holes, gouges and channels in the roadway. She traveled this road multiple times each day and on the date of the incident, her vehicle struck a large hole; the steering column in her vehicle cracked, necessitating its replacement. The Claimant further testified that she sent multiple emails to various individuals at the Respondent's local office to report the hazardous condition of the roadway, requesting that the road be either graded or paved. The Claimant submitted these email communications and numerous photographs of the roadway in support of her claim. The Claimant testified that her vehicle sustained damages in the amount of \$1,860.27; her collision insurance required a deductible of \$250.00.

The Respondent's witness, the area maintenance assistant, testified that Lubuck Lane is considered a priority three road; it has no business, no school buses travel the road and it has a very low daily traffic count. This witness further testified that the Respondent is currently working to complete two large FEMA funded projects under strict deadlines. Because the Respondent's Monongalia County location is operating at only two-thirds staff, other counties are sending manpower to assist in the completion of the FEMA projects. The Respondent's witness further testified that between the FEMA projects and the maintenance of priority one and priority two roads, the Respondent's Monongalia County office is essentially maxed out. Lubuck Lane will be maintained according to the Respondent's core plan.

The Claims Commission found that the Respondent, based on the evidence submitted, had actual notice of the road defects of Lubuck Lane as well as ample time to correct the defects, but did not do so. The Claims Commission further found that lack of staffing and

manpower is not an acceptable defense for the failure to maintain roads and otherwise fail to respond to repeated citizen complaints about hazardous road conditions. The Claims Commission found that the Respondent was negligent in its maintenance of Lubbuck Lane on the date of the incident and that such negligence was the proximate cause of the damages to the Claimant's vehicle. An award for the Claimant of \$250.00 was recommended.

AMOUNT CLAIMED: \$1,860.27

AMOUNT AWARDED: \$250.00

CC-17-0453 ROBERT J. MATHENY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 30, 2017 the Claimant was driving his 2012 Buick Lacrosse on Route 2, near Millwood, Jackson County when his vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle suffered damages in the sum of \$491.37; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 2 and failed to do so properly on the date of the incident. The sum of \$491.37 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$491.37

AMOUNT AWARDED: \$491.37

CC-17-0439 CAROL D. MATTOX v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2006 Honda Accord on Interstate 64 West near Exit 40 near Teays Valley, Putnam County on June 23, 2017 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$700.93; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 64 West near Exit 40 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$700.93

AMOUNT AWARDED: \$500.00

CC-17-0748 JENNIFER MCCAFFERTY and CLIFFORD TERRELL v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 24, 2017, the Claimant was driving her 2013 Hyundai Santa Fe on Interstate 77 South in Charleston, Kanawha County when her vehicle struck a gap in the roadway caused by a break in an expansion joint. The Claimants' vehicle sustained \$2,449.25 in damages; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 77 South and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,449.25

AMOUNT AWARDED: \$500.00

CC-16-0452 GREG MCCOY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On May 6, 2016, the Claimant was driving his 2011 BMW 328i on Phillipi Pike near Clarksburg, Harrison County when the Claimant's vehicle struck a pothole in the roadway. The Claimant's vehicle suffered damages in the amount of \$505.52; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Phillipi Pike and failed to do so properly on the date of the incident. The sum of \$505.52 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$505.52

AMOUNT AWARDED: \$505.52

CC-17-0432 DENNIS MCNABOE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On July 19, 2017, the Claimant was driving his 2014 Hyundai Elantra on K.D. Hurley Boulevard in Salem, Harrison County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$127.55; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of K.D. Hurley Boulevard and failed to do so properly on the date of the incident. The sum of \$127.55 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$127.55

AMOUNT AWARDED: \$127.55

CC-18-0147 DENNIS L. MCNINCH v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On January 10, 2018, the Claimant was driving his 2017 BMW 430i on Interstate 479 West in Elm Grove, Ohio County when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$335.93; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West on the date of the incident and failed to do so properly. The sum of \$335.93 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$335.93

AMOUNT AWARDED: \$335.93

CC-18-0505 COLLEEN C. MEGNA v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2010 Kia Forte on Interstate 70 East in Triadelphia, Ohio County on April 2, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$116.54; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 East on the date of the incident and failed to do so properly. The sum of \$116.54 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$116.54

AMOUNT AWARDED: \$116.54

CC-16-0723 DENNIS MELTON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On August 11, 2016, the Claimant was driving his 2015 Chevrolet Silverado on Berlin Jane Lew Road 7 in Jane Lew, Lewis County when his vehicle struck the top of a road hazard sign partially sitting in the travel portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,827.28; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Berlin Jane Lew Road 7 on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,827.28

AMOUNT AWARDED: \$500.00

CC-16-0960 JAMIE MIDCAP and JOHNNIE MIDCAP v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On September 30, 2016, the Claimant was driving her 2015 Toyota Corolla on Lafayette Avenue in Moundsville, Marshall County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$757.53; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Lafayette Avenue and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$757.53

AMOUNT AWARDED: \$500.00

CC-18-0285 DAVID K. MINTURN and SANDRA L. MINTURN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On January 13, 2018, the Claimant was driving his 2005 Chevrolet Trailblazer on West Virginia Route 3 in Orgas, Boone County when his vehicle struck two potholes in the roadway. The Claimants' vehicle sustained damages in the amount of \$246.00; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 3 and failed to do so properly on the date of the incident. The sum of \$246.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$246.00

AMOUNT AWARDED: \$246.00

CC-17-0566 CARL D. MOORE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2007 Hyundai Santa Fe on Ambler Ridge Road in Walton, Roane County when the Claimant's vehicle struck a fallen tree that was partially laying in the roadway. The Claimant's vehicle sustained damages in the sum of \$1,876.74; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Ambler Ridge Road and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,876.74

AMOUNT AWARDED: \$500.00

CC-18-0643 ELLEN MOORE and JESSE MOORE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2003 Volkswagen Jetta on West Virginia Route 62 North in Cross Lanes, Kanawha County on April 14, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$1,728.31; they did not carry collision insurance on their vehicle. The Respondent was responsible for the maintenance of West Virginia Route 62 North on the date of the incident and failed to do so properly. The sum of \$1,728.31 is a fair and reasonable amount to settle the \$1,728.31 claim.

AMOUNT CLAIMED: \$1,728.31

AMOUNT AWARDED: \$1,728.31

CC-18-0613 TIMOTHY MOORE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 30, 2018, the Claimant was driving his 2006 Ford 500 on County Route 40, Dry Fork Road, in Whitmer, Randolph County when his vehicle struck a large rock in the roadway where a utility had been working. The Claimant's vehicle sustained damages in the amount of \$663.00; he did not carry collision insurance on his vehicle. The Respondent was partially responsible for the maintenance of County Route 40, Dry Fork Road, and failed to do so properly on the date of the incident. The Claimant and the Respondent agreed that the sum of \$146.00 is a fair and reasonable amount to settle the claim against the Respondent. The Claimant will pursue the balance of his damages against the utility contractor.

AMOUNT CLAIMED: \$663.00

AMOUNT AWARDED: \$146.00

CC-18-0847 VIRGINIA ELAINE MORRIS and BRIAN N. MORRIS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2017 Chevrolet Sonic on West Virginia Route 2 South in Wheeling, Ohio County on April 24, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$290.22; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 on the date of the incident and failed to do so properly. The sum of \$290.22 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$290.22

AMOUNT AWARDED: \$290.22

CC-16-0757 LESLIE MOZIEJKO and RANDY MOZIEJKO v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On September 3, 2016, the Claimant was driving her 2009 Saturn Aura on US Route 22 West at the Harmon Road exit near Weirton, Hancock County, when her vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$1,178.14; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US

Route 22 West at the Harmon Road exit on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,178.14

AMOUNT AWARDED: \$500.00

CC-17-0493 JEAN MULLINS and RONNIE L. MULLINS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On July 24, 2017, the Claimant was driving her 2017 Chevy Trax on Big Pigeon Road in Pigeon, Roane County when her vehicle struck a defect in the roadway. The Claimants' vehicle sustained damages in the amount of \$200.00; their collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Big Pigeon Road and failed to do so properly on the date of the incident. The sum of \$200.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED:\$200.00

AMOUNT AWARDED: \$200.00

CC-16-0953 TIMMY MULLINS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On June 5, 2016, the Claimant was driving his 2001 Lincoln Continental on Amma Road in Amma, Roane County when his vehicle struck a large pothole, sustaining \$4,250.46 in damages. The Claimant did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of Amma Road in Amma, Roane County and failed to do so on the date of the accident. The sum of \$4,250.46 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$5,174.14

AMOUNT AWARDED: \$4,250.46

CC-18-0161 LORI D. MUSGRAVE and JAMES MUSGRAVE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving her 2015 Kia Optima on Interstate 470 West in Elm Grove, Ohio County on February 7, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$437.45; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West on the date of the incident and failed to properly do so. The sum of \$437.45 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$437.45

AMOUNT AWARDED: \$437.45

CC-16-0129 JILL MYERS and SARAH MAYLE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On January 31, 2016, the Claimant was driving her 2015 Kia Optima on US Route 50 near Racoon Run Road in Harrison County when her vehicle struck several rocks in the roadway. The Claimants' vehicle sustained damages in the sum of \$614.76; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 50 near Racoon Run Road and failed to do

so properly on the date of the incident. The sum of \$614.76 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$614.76

AMOUNT AWARDED: \$614.76

CC-17-0500 VALORI NEWMAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: In March 2017, the Claimant was driving her 2006 Jaguar X-type on Duck Creek Road in West Milford, Harrison County when her vehicle struck several potholes in the roadway. As a result of this incident and other incidents not included in this claim, the Claimant's vehicle sustained damages in the amount of \$1,447.55; the Claims Commission determined that the damages attributable to the incident that was the subject of this claim were \$369.65. The Claimant did not carry collision insurance on her vehicle. The Respondent was responsible for the maintenance of Duck Creek Road and failed to do so properly on the date of the incident. The sum of \$369.65 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,447.55

AMOUNT AWARDED: \$369.65

CC-18-0199 DONAVAN NICHOLSON II v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2003 Mercedes CLK500 on Oxford Road in West Union, Doddridge County on January 28, 2018 when his vehicle struck a pothole in the roadway, causing loose asphalt to become airborne and strike the rear panels of his vehicle. The Claimant's vehicle sustained damages in the amount of \$2,555.08; he carried only liability insurance on his vehicle. The Respondent was responsible for the maintenance of Oxford Road and failed to properly do so on the date of the incident. The Respondent and the Claimant agreed that the sum of \$2,000.00 was a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,555.08

AMOUNT AWARDED: \$2,000.00

CC-18-0329 ANGELITA NIXON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 18, 2018, the Claimant was driving her 2015 Audi A3 on West Virginia Route 817 in St. Albans, Kanawha County when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$2,242.43; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 817 and failed to do so properly on the date of the incident. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,242.43

AMOUNT AWARDED: \$1,000.00

CC-18-0330 ANGELITA NIXON v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Audi A3 on Farmdale Road in Barboursville, Cabell County on October 7, 2017 when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$382.61; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Farmdale Road and failed to do so properly on the date of the incident. The sum of \$382.61 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$382.61

AMOUNT AWARDED: \$382.61

CC-18-0554 LINDA NORMAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 1, 208, the Claimant was driving her 2013 Ford Fusion on Interstate 470 West in Bethlehem, Ohio County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$135.15; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West and failed to do so properly on the date of the incident. The sum of \$135.15 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$135.15

AMOUNT AWARDED: \$135.15

CC-16-0559 NTS, LLC and NOBLE OIL SERVICES, INC. v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 28, 2016, the Claimants' employee was driving its 2013 Mack CXU613 Road Tractor on Interstate East 64 in Charleston, Kanawha County when the Claimants' vehicle struck several metal pieces in the traveling portion of the roadway. The metal pieces had come from a broken expansion joint on the Interstate 64 Bridge. The tractor of the Claimants' vehicle suffered damages in the sum of \$1,000.76; the collision insurance for the tractor required a deductible of \$3,000.00. The trailer of the Claimants' vehicle sustained damages in the sum of \$1,802.00; the collision insurance for the trailer required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 64 East on the date of the incident and failed to do so properly. The total sum of \$2,000.76 is a fair and reasonable amount to resolve the claim.

AMOUNT CLAIMED: \$2,802.76

AMOUNT AWARDED: \$2,000.76

CC-18-0687 MICHAEL H. OLIVER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2016 BMW X-1 on West Virginia Route 37 in Wayne, Wayne County on April 19, 2018 when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$385.34; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 37 on the date of the incident and failed to do so properly. The sum of \$385.34 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$385.34

AMOUNT AWARDED: \$385.34

CC-18-0132 PRISCILLA OLIVER and RICHARD OLIVER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving her 2012 Lincoln MKZ on West Virginia Route 2 in Wellsburg, Brooke County on February 12, 2018 when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$71.16; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 on the date of the incident and failed to properly do so. The sum of \$71.16 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$71.16

AMOUNT AWARDED: \$71.16

CC-17-0452 FRANK OLIVERIO v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On July 7, 2017, the Claimant was driving his 2009 Cadillac DTS Sedan on Interstate 79 South in Morgantown, Monongalia County when his vehicle struck a large rock in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,173.23; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 79 South and failed to do so properly on the date of the incident. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,173.23

AMOUNT AWARDED: \$1,000.00

CC-16-0339 TRAVIS L. OLSON v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On October 4, 2015, the Claimant was riding his 2012 Cannondale CAADX bicycle on County Route 33, Bunner Ridge Road, in Fairmont, Marion County, when the Claimant's vehicle struck a large pothole in the roadway. The Claimant suffered personal injuries which required surgery on his clavicle; his vehicle sustained damages in the amount of \$2,092.71. The Claimant did not carry insurance on his bicycle. The Respondent was responsible for the maintenance of County Route 33, Bunner Ridge Road, on the date of the incident and failed to do so properly. The sum of \$2,092.71 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,092.71

AMOUNT AWARDED: \$2,092.71

CC-17-0502 JESSICA ORGOVAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On August 8, 2017, the Claimant was driving her 2014 Ford Fiesta on US Route 22 West in Weirton, Brooke County when her vehicle struck a series of large holes in the roadway. The Claimant's vehicle sustained damages in the amount of \$2,574.73; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 22 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,574.73

AMOUNT AWARDED: \$500.00

CC-18-1263 BERNIE OSBORNE and ELIZABETH OSBORNE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2016 Audi A3 on Hurricane Creek Road in Frazier's Bottom, Putnam County on July 5, 2018 when his vehicle struck a large hole in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,022.92; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Hurricane Creek Road on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,022.92

AMOUNT AWARDED: \$500.00

CC-18-0621 JEFFREY C. OTT and SUSAN L. OTT v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 4, 2018, the Claimant was driving his 2004 Chrysler 300M on Route 10 in Pineville, Wyoming County when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,599.31; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 10 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,599.31

AMOUNT AWARDED: \$500.00

CC-18-0445 JASON OTTO v. DIVISION OF HIGHWAYS

The Claimant filed this claim alleging that the negligence of the Respondent was the cause of damage to his vehicle. At the hearing, the Claimant testified that on February 18, 2018, he was driving his 2012 Dodge Avenger on US Route 50 in Parkersburg, Wood County when his vehicle struck a large pothole in the roadway. His vehicle sustained damages in the amount of \$260.49, which included the repair of a wheel rim and the replacement of a bearing. His collision insurance required a deductible of \$500.00. The Respondent denied the validity of the claim. The Claims Commission found that, based on the evidence, the Respondent was negligent in its maintenance of US Route 50 on the date of the Claimant's incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award of \$195.37.

AMOUNT CLAIMED: \$260.49

AMOUNT AWARDED: \$195.37

CC-18-0284 MEGAN OUELLETTE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Subaru Legacy on Route 16 in MacArthur and Crab Orchard, Raleigh County on February 2, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$120.13; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 16 on the date of the incident and failed to do so properly. The sum of \$120.13 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$120.13

AMOUNT AWARDED: \$120.13

CC-18-0041 ANDREW OVERBAUGH v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On December 5, 2017, the Claimant was driving his 2000 Ford Ranger on the bridge on Hilton Road in Richwood, Nicholas County when his vehicle struck several nails extending upward through the bridge surface and roadway. The Claimant's vehicle sustained damages in the amount of \$911.39; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of the bridge on Hilton Road and failed to do so properly on the date of the incident. The sum of \$911.39 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$911.39

AMOUNT AWARDED: \$911.39

CC-18-0629 JARROD OWSLEY and JENNIFER OWSLEY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2014 Volkswagen Jetta on 8th Avenue in Huntington, Cabell County on April 1, 2018 when his vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$513.64; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of 8th Avenue on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$513.64

AMOUNT AWARDED: \$500.00

CC-18-0269 BETTYLOU PALMER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2016 Ford Focus on Shortcreek Road in Wellsburg, Brooke County on March 1, 2018 when her vehicle struck several large rocks in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$371.15; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Shortcreek Road on the date of the incident and failed to do so properly. The sum of \$371.15 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$371.15

AMOUNT AWARDED: \$371.15

CC-15-2066 JESSIE PARKER and NORMA PARKER v. DIVISION OF HIGHWAYS

In June, 2015 the Respondent's contractor, West Virginia Paving, began a paving project to repave Plantation Road in front of the Claimants' home. The new layer of asphalt altered the slope of the roadway where it connected to the Claimants' driveway so that the Claimants' vehicles were damaged. The Claimants submitted invoices for the rebuilding of their driveway and adjusting the incline of the driveway to avoid scraping the undercarriage of their vehicles when they turned from their driveway onto Plantation Road. The Claims Commission found that the Respondent and its contractor materially altered the condition of Plantation Road where it connected to the Claimants' driveway, causing damages to the Claimants' vehicles and driveway. The Claims Commission further found that the Respondent was negligent in its maintenance of Plantation Road and failed to do so properly. The Claims Commission recommended an award of \$7,883.64.

AMOUNT CLAIMED: \$7,883.64

AMOUNT AWARDED: \$7,883.64

CC-16-0638 EVELYN J. PARSONS v. DIVISION OF HIGHWAYS

The Claimant's daughter was driving the Claimant's 2012 Hyundai Sonata GLC on West Virginia Route 62, near Millwood, Jackson County on July 14, 2016 when a rock flew from the back of a passing dump truck belonging to the Respondent. The rock struck the windshield of the vehicle and cracked it. The Claimant submitted invoices in the sum of \$570.19; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 62 and failed to do so properly on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$570.19

AMOUNT AWARDED: \$500.00

CC-18-0359 H. DEWAYNE PARSONS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 18, 2018, the Claimant was driving his 1998 Mercedes E320 on West Virginia Route 14 in Vienna, Wood County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,019.70; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of West Virginia Route 14 and failed to do so properly on the date of the incident. The sum of \$1,019.70 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,019.70

AMOUNT AWARDED: \$1,019.70

CC-18-0023 EVAN S. PAULEY v. DIVISION OF HIGHWAYS

The Claimant brought this claim alleging that the negligence of the Respondent was the cause of damages to his vehicle. At the hearing, the Claimant testified that he was driving his 2007 Suzuki XL7 on Quick Road in Elkview, Kanawha County on January 9, 2018. Quick Road is a two lane road and the Claimant moved his vehicle to the far right lane of travel to avoid an oncoming vehicle. His vehicle struck a large pothole that was at the very edge of the white line;

a large portion of this pothole extended into the shoulder of the roadway past the white line. The Claimant testified that when his vehicle struck the pothole, his airbags deployed. His vehicle was deemed a total loss with \$4,798.41 sustained in damages. He did not carry collision insurance on his vehicle. The Respondent denied the validity of the claim, asserting that the pothole in question was outside the lane of travel and that it did not have sufficient notice of the pothole. The Respondent also submitted evidence supporting the present fair market value of the vehicle as \$3,950.00. The Claims Commission, based on all the evidence submitted, found that the pothole in question was partially in the traveling lane of the roadway as well as extending into the shoulder where the Respondent owns a right of way. The Claims Commission further found that by virtue of the size of the pothole, the Respondent should have known of its existence and constructive notice was established. The Claims Commission further found that the Respondent was negligent in its maintenance of Quick Road on the date of the incident and that such negligence was the proximate cause of the damages sustained by the Claimant. An award of \$3,950.00 is recommended.

AMOUNT CLAIMED: \$4,798.41

AMOUNT AWARDED: \$3,950.00

CC-15-1244 JEANETTE L. PERRY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On March 8, 2015, the Claimant was driving her 2014 Chevrolet Impala on the entrance ramp to Interstate 79 near Star City, Monongalia County when her vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the sum of \$260.87; her collision insurance required a deductible of \$250.00. The Respondent is responsible for the maintenance of the entrance ramp to Interstate 79 and failed to properly do so on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$260.87

AMOUNT AWARDED: \$250.00

CC-18-0352 ETHAN PETERS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 5, 2018, the Claimant was driving his 2010 Chevrolet Aveo on US Route 22 West in Weirton, Hancock County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$596.72; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 22 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$596.72

AMOUNT AWARDED: \$500.00

CC-18-0843 KAREN PITSENBARGER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2002 Volkswagen Beetle on Black Thorn Road in Sugar Grove, Pendleton County in mid-March 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$839.30; her collision insurance required a deductible of

\$100.00. The Respondent was responsible for the maintenance of Black Thorn Road on the date of the incident and failed to do so properly. The sum of \$100.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$839.30

AMOUNT AWARDED: \$100.00

CC-18-0463 ANN POTTER and DOUGLAS POTTER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 8, 2018, the Claimant was driving her 2016 GMC Yukon on Interstate 64 West between Beaver and Beckley. Her vehicle struck asphalt pieces in the traveling lane of the roadway that had come loose from a pothole. The Claimants' vehicle sustained damages in the amount of \$931.54; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 64 West and failed to do so properly on the date of the incident. The sum of \$931.54 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$931.54

AMOUNT AWARDED: \$931.54

CC-18-0823 BETTY JO PRYCE-MOREHEAD v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 30, 2018, the Claimant was driving her 2002 Toyota Sienna on West Virginia Route 14 in Pettyville, Wood County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$531.99; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 14 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$531.99

AMOUNT AWARDED: \$500.00

CC-18-0261 LISA D. RABER and BRYAN RABER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 28, 2018, the Claimant was driving her 2003 Subaru Legacy on Statler Run Road in Fairview, Monongalia County when her vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$393.28; they carried only liability insurance on their vehicle. The Respondent was responsible for the maintenance of Statler Run Road and failed to do so properly on the date of the incident. The sum of \$393.26 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$393.26

AMOUNT AWARDED: \$393.26

CC-17-0048 MELISSA A. RABER and JOSEPH A. RABER v. DIVISION OF HIGHWAYS

The Claimants, mother and son, brought this claim alleging that the negligence of the Respondent was the proximate cause of their injuries and damages. At the hearing, the Claimant testified that he was driving his 1997 Dodge Dakota truck on US Route 19 in Morgantown, Monongalia County on November 14, 2016 when his vehicle struck a patch of ice,

spun around, crossed into the other lane of traffic and overturned. He was transported by ambulance to a local hospital where he was diagnosed with a severe concussion. The Claimant, a pipeline inspector, was forced to take off work for approximately two months and ultimately lost his job as a result of these injuries. He was unable to find comparative work once he was released by his treating physician; he now works as a pilot driver for tractor trailers hauling oversized loads at a reduced rate of pay. His vehicle was declared a total loss by his insurance company; he carried only liability insurance on the vehicle.

The Claimants alleged that the Respondent was negligent in its maintenance of US Route 19 where the accident occurred. The testimony indicated there was a truck turnaround area in this same spot; the Respondent owned a partial right of way to the turnaround. Numerous potholes were in the right of way which were not filled, patched or otherwise repaired. The potholes would fill with water and then overflow onto US Route 19, creating a dangerous situation. It was further alleged that the Respondent failed to properly maintain and clean out the ditches alongside the traveling portions of US Route 19, which caused water to pool on the highway, rather than drain into the ditches as intended. The Claimants testified that they drove this road daily several times; they often saw the potholes full of water and also water pooling on the roadway. Standing water in the area was a recurring problem and the Claimants believed that the Respondent should have known that this created a dangerous situation to drivers. The investigating officer noted on the accident report that ice and frost on the roadway were contributing factors to the accident.

One of the Respondent's witness, the area maintenance supervisor, testified that, in his opinion, there were no significant drainage issues in this area of the road and that the road was designed to prevent standing water in the roadway. He further testified that US Route 19 is subject to daily visual inspections by the Respondent's employees. The Respondent's other witness, the investigator, testified that the turnaround area was full of potholes on the date of his inspection of the accident site. His investigation revealed that the temperature on the date of the Claimant's accident was cold enough for ice to form on the roadway.

The Claims Commission found that the Respondent should have known of both the propensity for standing water to accumulate on this section of US Route 19 based on its daily visual inspections of the roadway and the presence of the potholes located in the truck turnaround where the Respondent possesses a right of way. The Claims Commission further found that the Respondent was negligent in its maintenance of US Route 19 on the date of the Claimant's accident and that such negligence was the proximate cause of the Claimants' injuries and damages. An award of \$6,500.00 was recommended.

AMOUNT CLAIMED: \$20,000.00

AMOUNT AWARDED: \$6,500.00

CC-18-0103 LISA RENNER and DAVID RENNER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 5, 2018, the Claimant was driving her 2008 Pontiac Bonneville on US Route 22 near Weirton, Hancock County when her vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$456.00; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 22 and failed to do so properly on the date of the incident. The sum of \$456.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$456.00

AMOUNT AWARDED: \$456.00

CC-17-0611 STEVE A. REYNOLDS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2007 Lexus GS450H on Route 61 West near Hansford, Kanawha County on September 15, 2017 when the Claimant's vehicle struck a cutout area in the roadway. The Claimant's vehicle sustained damages in the amount of \$2,200.00; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 61 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,200.00

AMOUNT AWARDED: \$500.00

CC-15-1635 JAMES W. RIFFLE III and JAMIE D. RIFFLE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2012 Toyota Corolla on Route 100 in Granville, Monongalia County on March 25, 2015, when the Claimants' vehicle struck a large hole in the roadway. Their vehicle sustained damages in the sum of \$881.99; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 100 on the date of the accident and failed to properly do so. The amount of \$881.99 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$881.99

AMOUNT AWARDED: \$881.99

CC-15-1997 JEFFERY S. RILEY v. DIVISION OF HIGHWAYS

The Claimant sought to recover \$457.68 for repairs to his 2010 Ford F-150 pickup, alleging that the negligence of the Respondent was the proximate cause of damage to his vehicle. The Claimant testified that he traveled West Virginia Route 705, West Virginia Route 857 and Chestnut Ridge Road on an almost daily basis. Following the Winter of 2015, he was advised during a routine maintenance check that the front springs on his vehicle had sustained significant damage due to the rough condition of the roads he traveled. The Claimant submitted receipts, photographs and newspaper articles in support of his claim. His collision insurance required a deductible of \$500.00. The Claims Commission found that the Respondent was responsible for the maintenance of West Virginia Route 705, West Virginia Route 857 and Chestnut Ridge Road and failed to do so properly during the Winter of 2015. The Claims Commission recommended an award of \$457.68.

AMOUNT CLAIMED: \$457.68

AMOUNT AWARDED: \$457.68

CC-15-0311 CORINNA O. VAN DYNE RITZ v. DIVISION OF HIGHWAYS

The Claimant was driving her 2013 Nissan Frontier on West Virginia Route 31 in Waverly, Wood County on January 5, 2015 when her vehicle struck a series of potholes in the roadway. Her vehicle sustained a damage to the tire, which the Claimant replaced. Again, on March 11, 2015, the Claimant was driving the same vehicle on the same road and struck another pothole in the road. Her vehicle sustained damage to the tire which she had previously replaced. The Claimant testified that she drove this road daily to and from work and she did not see any evidence of patching or other pothole repair on this roadway between the two incidents. The Claimant claimed damages in the sum of \$609.45; her collision insurance required a deductible of \$500.00. During the hearing, the Claimant testified that she would be willing to accept the sum of \$370.00 to cover her damages for both incidents. The Claims Commission found that the Respondent was responsible for the maintenance of West Virginia Route 31 on the date of the incident and failed to do so properly. The Claims Commission recommended an award in the sum of \$370.00.

AMOUNT CLAIMED: \$609.45

AMOUNT AWARDED: \$370.00

CC-18-0796 MICHAEL ROBINSON and DEANNA ROBINSON v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2009 BMW 328XI on Interstate 64 near Milton, Cabell County on April 18, 2018 when his vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$732.13; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 64 on the date of the incident and failed to do so properly. The sum of \$732.13 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$732.13

AMOUNT AWARDED: \$732.13

CC-15-0812 REBECCA ROBINSON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 18, 2015, the Claimant was driving her 2002 Toyota Celica on Canyon Road in Morgantown, Monongalia County when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the sum of \$378.86; the Claimant carried only liability insurance on her vehicle. The Respondent was responsible for the maintenance of Canyon Road on the date of the incident and failed to do so properly. The sum of \$378.86 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$378.86

AMOUNT AWARDED: \$378.86

CC-17-0366 JOHN J. ROOP v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2004 Dodge Ram 3500 truck on Chestnut Hill Road in Harpers Ferry, Jefferson County on June 11, 2017 when his vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle was towing a camper which swerved over the white line after the truck struck the pothole. The camper then struck several logs and other tree debris left over from a fallen tree that had been cut up and left at the edge of the roadway. The Claimant's vehicle sustained damages in the amount of \$223.63; he carried only liability insurance on the camper. The Respondent was responsible for the maintenance of Chestnut Hill Road on the date of the incident and failed to do so properly. The sum of \$223.63 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$223.63

AMOUNT AWARDED: \$223.63

CC-18-0726 MCKENZIE ROSE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 1, 2018, the Claimant was driving her 2015 Mitsubishi Mirage on West Virginia Route 2 in Sistersville, Tyler County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$147.47; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 and failed to do so properly on the date of the incident. The sum of \$147.47 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$147.47

AMOUNT AWARDED: \$147.47

CC-15-0890 JANICE ROSS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2012 Honda Accord on Route 65 in Point Pleasant, Mason County on March 13, 2015 when her vehicle struck a pothole in the roadway. Her vehicle sustained damages in the sum of \$342.75; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 65 on the date of the accident and failed to do so properly. The amount of \$342.75 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$342.75

AMOUNT AWARDED: \$342.75

CC-15-2012 DONNA RUMER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On November 20, 2015, the Claimant was driving her 2013 Ford Escape on Morgantown Road in Lahmansville, Grant County on November 20, 2015 when her vehicle struck a large tree limb that had been left in the roadway by the Respondent's tree trimming crew earlier in the day. The Claimant's vehicle sustained damages in the sum of \$530.70; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Morgantown Road on the date of the incident and failed to properly do so. The amount of \$500.00 is a fair and reasonable sum to settle the claim.

AMOUNT CLAIMED: \$530.70

AMOUNT AWARDED: \$500.00

CC-17-0725 VICKY SAMMONS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2008 Chevrolet Silverado 1500 on US Route 119 North near Nolan, Mingo County on May 2, 2017 when the Claimant's vehicle struck lights, brackets and other debris from an overhead road sign that had fallen on the roadway. The Claimant's vehicle incurred damages in the sum of \$782.31; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of US Route 119 North and failed to do so properly on the date of the incident. The amount of \$782.31 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$782.31

AMOUNT AWARDED: \$782.31

CC-18-0247 EVERETT E. SANSOM v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 22, 2018, the Claimant was driving his 2015 Chevrolet Equinox on Cross Lanes Drive in Nitro, Kanawha County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$214.85; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Cross Lanes Drive and failed to properly do so on the date of the incident. The sum of \$214.85 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$214.85

AMOUNT AWARDED: \$214.85

CC-17-0334 DIANE M. SANTOMENNA v. DIVISION OF HIGHWAYS

The Claimant brought this action to recover for damages to her vehicle which she alleged were caused by the negligence of the Respondent. At the hearing, the Claimant testified that she was driving her 2006 BMW 330xi on Interstate 79 South in a construction zone near Jane Lew, Lewis County. The Claimant was driving in the single lane designated for traffic when her vehicle struck a section of the roadway in her lane that had been chiseled out, damaging her vehicle. She testified that there were no warning signs posted and no construction workers present when the incident occurred. Her vehicle sustained damages in the amount of \$498.39; her collision insurance required a deductible of \$500.00. The Respondent denied the validity of the claim. During the hearing, the Respondent's witness identified Triton

Construction as being responsible for the construction zone on the date of the Claimant's incident. The witness further testified that Triton's responsibilities included the posting of warning signs and indemnifying the Respondent for claims such as the Claimant's. The Respondent did not put Triton on notice of this claim nor did it seek a continuance of the matter in order to have sufficient time to notify Triton. The Claims Commission found, based on the evidence submitted, that the Respondent failed to timely notify its contractor of the Claimant's claim and cannot now absolve itself from liability by attempting to assign responsibility to its contractor. The Claims Commission further found that the Respondent was negligent in its maintenance of Interstate 79 South on the date of the incident and that such negligence was the proximate cause of the Claimant's damages and recommended an award of \$498.39. The Claims Commission noted that the Respondent may still seek reimbursement and indemnification from its contractor for this award.

AMOUNT CLAIMED: \$498.39

AMOUNT AWARDED: \$498.39

CC-17-0448 KAREN S. SANTOWASSO and ARTIE SANTOWASSO v. DIVISION OF HIGHWAYS

The parties stipulated as follows: In March, 2017, the Claimant was driving her 2006 Lincoln Town Car on Laurel Run Road in Lumberport, Harrison County when her vehicle struck several large potholes in the roadway. The Claimants' vehicle sustained damages in the amount of \$95.59; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Laurel Run Road and failed to do so properly on the date of the incident. The sum of \$95.59 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$95.59

AMOUNT AWARDED: \$95.59

CC-17-0458 KAREN S. SANTOWASSO and ARTIE SANTOWASSO v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On July 20, 2017, the Claimant was driving her 2006 Lincoln Town Car on West Virginia Route 20 in Lumberport, Harrison County when her vehicle struck a large pothole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$89.99; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 20 and failed to do so properly on the date of the incident. The sum of \$89.99 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$89.99

AMOUNT AWARDED: \$89.99

CC-18-0107 MOHAMAD SARRAJ and GHADDY ALSATY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2017 Honda Accord on Valley View Avenue in Morgantown, Monongalia County on April 12, 2017 when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$344.27; their collision insurance required a deductible of \$500.00.

The Respondent was responsible for the maintenance of Valley View Avenue and failed to do so properly on the date of the incident. The sum of \$344.27 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$344.27

AMOUNT AWARDED: \$344.27

CC-18-0260 JOHN SAUNDERS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 8, 2018, the Claimant was driving his 2008 Acura TL on Interstate 64 East in Milton, Cabell County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,051.45; he did not carry collision insurance on his vehicle. The Respondent was responsible for the maintenance of Interstate 64 East and failed to do so properly on the date of the incident. The sum of \$1,051.45 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,051.45

AMOUNT AWARDED: \$1,051.45

CC-18-0962 JONA L. SCARBRO v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 16, 2018, the Claimant was driving his 2006 Scion TC on Interstate 470 West in Elm Grove, Ohio County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$421.24; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West and failed to do so properly on the date of the incident. The sum of \$421.24 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$421.24

AMOUNT AWARDED: \$421.24

CC-18-0111 KELSEY SCARIOT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 5, 2018, the Claimant was driving her 2016 Buick Encore on US Route 22 near Weirton, Brooke County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$214.00; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 22 on the date of the incident and failed to properly do so. The sum of \$214.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$214.00

AMOUNT AWARDED: \$214.00

CC-18-0475 DAVID P. SCHIMMEL v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 23, 2018, the Claimant was driving his 2015 Buick Regal on US Route 250 in Limestone, Marshall County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$571.46; he did not carry collision insurance on his vehicle. The Respondent was responsible

for the maintenance of US Route 250 and failed to do so properly on the date of the incident. The sum of \$571.46 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$571.46

AMOUNT AWARDED: \$571.46

CC-18-0573 CARL R. SCHMALZ v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2004 Lexus ES330 on West Virginia Route 2 North in Moundsville, Marshall County on March 30, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$249.64; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 2 on the date of the incident and failed to do so properly. The sum of \$249.64 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$249.64

AMOUNT AWARDED: \$249.64

CC-17-0476 CHARLES SCHOTT and LORRIE SCHOTT v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On June 8, 2017, the Claimant was driving her 2008 Volvo C-70 on Stone Road in Grafton, Taylor County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$239.44; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Stone Road and failed to do so properly on the date of the incident. The sum of \$239.44 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$239.44

AMOUNT AWARDED: \$239.44

CC-17-0623 LORRIE SCHOTT and CHARLES SCHOTT v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On September 10, 2017, the Claimant was driving her 2008 Volvo C-70 on West Virginia Route 310 near Fairmont, Marion County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$387.58; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 310 and failed to do so properly on the date of the incident. The sum of \$387.58 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$387.58

AMOUNT AWARDED: \$387.58

CC-16-0472 ROBERT J. SEMIN and ELAINE SEMIN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2008 Toyota Sienna on Route 7 between Core and Pentress, Monongalia County when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the sum of \$824.55; their collision insurance required a deductible of \$500.00. The Respondent was

responsible for the maintenance of Route 7 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$824.55

AMOUNT AWARDED: \$500.00

CC-18-0695 BILLY A. SHAFFER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 23, 2018, the Claimant was driving his 2014 Ford F-150 on US Route 119 in Charleston, Kanawha County when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,553.91; his collision insurance required a deductible of \$100.00. The Respondent was responsible for the maintenance of US Route 119 and failed to do so properly on the date of the incident. The sum of \$100.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,553.91

AMOUNT AWARDED: \$100.00

CC-18-0425 SAMUEL DAVID SHALHOUB v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2015 BMW M235 on Route 705 in Morgantown, Monongalia County on March 22, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$888.90; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Route 705 on the date of the incident and failed to do so properly. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$888.90

AMOUNT AWARDED: \$250.00

CC-15-1413 KUMUD SHARMA and SAIRAM GANGEDDULA v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On May 24, 2015, the Claimant was driving her 2012 Mini Countryman on Interstate 70 East in Wheeling, Ohio County when their vehicle struck a large pothole in the traveling portion of the roadway. The Claimants sustained damages in the sum of \$5,000.00, which included car repairs, hotel lodging, meals and other expenses for three (3) days, while their car was repaired. The Claimants' collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 East on the date of the incident and failed to do so properly. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$5,000.00

AMOUNT AWARDED: \$500.00

CC-16-0607 ROBERT G. SHEETS and KATELYN M. SHEETS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2006 Subaru Legacy on Gladesville Road in Morgantown, Monongalia County when his vehicle struck a pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$415.00; their collision

insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Gladesville Road on the date of the incident and failed to do so properly. The amount of \$415.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$415.00

AMOUNT AWARDED: \$415.00

CC-18-0129 CONNIE SHIPLEY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 7, 2018, the Claimant was driving her 2016 Lexus RX450H on West Virginia Route 14, Murdoch Avenue, in Parkersburg, Wood County when her vehicle struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$914.05; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of West Virginia Route 14, Murdoch Avenue, and failed to properly do so on the date of the incident. The sum of \$914.05 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$914.05

AMOUNT AWARDED: \$914.05

CC-18-0990 THEODORE Z. SHOWALTER and WHITESIDE CADILLAC v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 24, 2018, the Claimant was driving his 2017 Cadillac XT5 on Dement Road near Dixon Hill in Wheeling, Ohio County when his vehicle struck a series of large potholes in the roadway. The Claimants' vehicle sustained damages in the amount of \$491.95; their collision insurance required a deductible of \$5,000.00. The Respondent was responsible for the maintenance of Dement Road and failed to do so properly on the date of the incident. The sum of \$491.95 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$491.95

AMOUNT AWARDED: \$491.95

CC-18-0110 RENIA SIEGMAN and RONALD SIEGMAN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2005 Chevrolet Cobalt SS on US Route 30 in Weirton, Brooke County on February 25, 2018 when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$595.67; the Claimants carried only liability insurance on their vehicle. The Respondent was responsible for the maintenance of US Route 30 and failed to do so properly on the date of the incident. The sum of \$595.67 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$595.67

AMOUNT AWARDED: \$595.67

CC-17-0267 ALYSIA SIGMAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 14, 2017, the Claimant was driving her 2007 Mercedes SLK 280 on West Virginia Route 25 in Dunbar, Kanawha County when her vehicle

struck a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained \$554.49 in damages; the Claimant carried only liability insurance on her vehicle. The Respondent was responsible for the maintenance of West Virginia Route 25 and failed to do so properly on the date of the incident. The amount of \$554.49 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$554.49

AMOUNT AWARDED: \$554.49

CC-17-0503 JAMES S. SIMMONS v. DIVISION OF HIGHWAYS

The Claimant brought this claim to recover for damages to his vehicle which he alleged were caused by the negligence of the Respondent. At the hearing, the Claimant testified that he was driving his 2015 Hyundai Sonata on Spencer Road in Ripley, Jackson County on July 22, 2017 when his vehicle struck a large pothole at the very edge of the white line of the roadway. The pothole extended past the white line of the roadway and into the shoulder. The Claimant testified that his vehicle sustained damages in the amount of \$1,014.66; his collision insurance required a deductible of \$500.00. The Respondent denied the validity of the claim arguing that it was not responsible for the Claimant's damages since he was not forced off the roadway to avoid other vehicles or objects. The Respondent did acknowledge that it owned a right of way and it was responsible for maintaining it. The Claims Commission found, based on the evidence submitted, including photographs that depicted a portion of broken and crumbling pavement that included part of the white line of the roadway, that the Respondent was negligent in its maintenance of Spencer Road on the date of the incident and that such negligence was the proximate cause of the Claimant's damages. The Claims Commission recommended an award of \$500.00.

AMOUNT CLAIMED: \$1,014.66

AMOUNT AWARDED: \$500.00

CC-18-0405 RUSTY SLIE and JOANN SLIE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 27, 2018, the Claimant was driving his 2014 Ford Fusion on 29th Street in Wheeling, Ohio County when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$126.00; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of 29th Street and failed to do so properly on the date of the incident. The sum of \$126.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$126.00

AMOUNT AWARDED: \$126.00

CC-18-0265 LARRY A. SLIVA v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2008 Hyundai Elantra on Interstate 70 West in Wheeling, Ohio County on February 16, 2018 when his vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,182.82; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 70 West on the date of the

CC-16-0520 PAUL C. STOUT and SUSAN J. STOUT v. DIVISION OF HIGHWAYS

The Claimants brought this claim alleging that the negligence of the Respondent was the cause of damages to their vehicle. At the hearing, the Claimant testified that he drove his 2012 Dodge Challenger on Taylortown Road in Madsville, Monongalia County, Lazelle Union Road and US Route 19, both in Morgantown, Monongalia County, during the summer months of 2015 and struck various potholes on these roadways. The Claimants put their vehicle in storage for the winter months. In the Spring of 2016, they took their vehicle out of storage; they noticed it had one flat tire and that there was a shimmy to the vehicle when it was driven. The Claimants' vehicle sustained damages in the amount of \$2,217.81; their collision insurance required a deductible of \$500.00. The Respondent, during the hearing, agreed to stipulate to liability and the payment of the Claimants' deductible. The Claims Commission found that the Respondent was negligent in its maintenance of Taylortown Road, Lazelle Union Road and US Route 19, that it failed to properly maintain these roads and that such negligence was the proximate cause of the Claimants' damages. The Claims Commission recommended an award of \$500.00.

AMOUNT CLAIMED: \$2,217.81

AMOUNT AWARDED: \$500.00

CC-17-0322 BARBARA E. SWARTZ v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 13, 2015, the Claimant was driving her 2005 BMW 24 on Decker Creek Road in Morgantown, Monongalia County when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$950.00; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Decker Creek Road and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$950.00

AMOUNT AWARDED: \$500.00

CC-18-0935 JERI SWINGLE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2013 Ford Fusion on Interstate 470 West in Wheeling, Ohio County on February 24, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$729.88; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$729.88

AMOUNT AWARDED: \$500.00

CC-15-0043 BARBARA L. TATTERSON v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2009 Chevrolet Aveo LT on Route 62 near Lakin, Mason County on December 20, 2014 when the Claimant's vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the sum

of \$500.04; her collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Route 62 on the date of the incident and failed to do so properly. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$500.04

AMOUNT AWARDED: \$250.00

CC-18-0667 HOWARD L. TEMPLIN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2015 Chevrolet Equinox LTZ on Interstate 70 East in Wheeling, Ohio County on February 26, 2018 when his vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$786.97; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 East on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$786.97

AMOUNT AWARDED: \$500.00

CC-18-0101 GREG TENLEY and LORI TENLEY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 5, 2018, the Claimant was driving his 2016 Ford Fusion on US Route 22 West near Weirton, Brooke County when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$321.91; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 22 West and failed to do so properly on the date of the incident. The sum of \$321.91 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$321.91

AMOUNT AWARDED: \$321.91

CC-13-0047 LEE THEAKER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2010 Chevrolet HHR on Interstate 70 East in Wheeling, Ohio County on December 11, 2012 when the Claimant's vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the sum of \$327.94; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 70 East on the date of the incident and failed to properly do so. The sum of \$327.94 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$327.94

AMOUNT AWARDED: \$327.94

CC-18-0013 IVA THOMAS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2014 Chevrolet Impala on Goff Mountain Road in Cross Lanes, Kanawha County on January 9, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle

sustained damages in the amount of \$448.40; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Goff Mountain Road on the date of the incident and failed to do so properly. The sum of \$448.40 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$448.40

AMOUNT AWARDED: \$448.40

CC-17-0498 OLIVIA THOMPSON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On August 6, 2017, the Claimant was driving her 2011 Mitsubishi Outlander on US Route 22 West in Weirton, Brooke County when her vehicle struck a large hole in the roadway that had been cut out for construction purposes. The Claimant's vehicle sustained damages in the amount of \$878.81; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 22 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$878.81

AMOUNT AWARDED: \$500.00

CC-16-0923 CAROLYN DIANNE TINCHER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Subaru Legacy on Staats Mill Road in Ripley, Jackson County on November 15, 2016 when her vehicle struck a piece of metal retaining bar that was embedded in the roadway. The Claimant's vehicle incurred damages in the sum of \$501.02; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Staats Mill Road and failed to do so properly on the date of the incident. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$501.02

AMOUNT AWARDED: \$500.00

CC-16-0379 MARY A. TINNEY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 27, 2016, the Claimant was driving her 2010 Chevrolet HHR on Route 20 near Quiet Dell, Harrison County when the Claimant's vehicle struck a large rock in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$2,930.58; her collision insurance required a deductible of \$200.00. The Respondent was responsible for the maintenance of Route 20 and failed to do so properly on the date of the incident. The sum of \$200.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$2,930.58

AMOUNT AWARDED: \$200.00

CC-18-0559 DAMIAN TOFTE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On March 29, 2018, the Claimant was driving his 2008 Land Rover Rover Sport on Interstate 470 West in Wheeling, Ohio County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,408.63; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,408.63

AMOUNT AWARDED: \$500.00

CC-17-0628 BRADY C. TOTTEN and BETTY S. TOTTEN v. DIVISION OF HIGHWAYS

The Claimant was driving his 2002 Volkswagen Golf TDI Diesel on County Road 29/9, Webb Road, in Crum, Mingo County on October 3, 2017, when his vehicle struck a portion of the road that was rough and rocky. The Claimant testified that he and his neighbors had repeatedly called the Respondent's local garage to report the deteriorating condition of the road. The Respondent then replaced a drain in the road and added large gravel to the area surrounding the drain but never repaved the road after these repairs. The gravel was ground down and eventually created large holes in the roadway and exposed sharp rocks. The Claimants' vehicle struck a large rock in the roadway which tore off the cover of the oil pan, draining the vehicle of its oil supply. The vehicle became undriveable and sustained damages in the sum of \$3,525.65; the Claimants' carried only liability insurance on their vehicle. The Claims Commission found that the Respondent had actual notice of the holes in the roadway, that the irregularities in the road were creating dangerous and hazardous driving conditions and that the Respondent was negligent in its maintenance of County Road 29/9, Webb Road, on the date of the incident. The Commission recommended an award of \$3,525.65.

AMOUNT CLAIMED: \$3,525.65

AMOUNT AWARDED: \$3,525.65

CC-17-0227 LEAH MARIE TRENT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On April 4, 2017, the Claimant was driving her 2013 Subaru Crosstrek on River Road in Ronceverte, Greenbrier County when her vehicle struck a sharp metal bracket which was securing metal plates on the bridge. The Claimant's vehicle sustained damages in the amount of \$148.19; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of River Road and failed to do so properly on the date of the incident. The sum of \$148.19 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$148.19

AMOUNT AWARDED: \$148.19

CC-18-0096 TRIMBLE INC. v. DIVISION OF HIGHWAYS

The Claimant brought this claim to recover \$177,258.40 for providing GPS and other related computer services to the Respondent as documented by unpaid invoices. The

Respondent disputed the validity of the claim as there was no contract in place for the time period these services were provided. The Respondent acknowledged that it had an obligation to pay for these services and agreed to do so. The Claims Commission recommended an award in the amount of \$177,258.40.

AMOUNT CLAIMED: \$177,258.40

AMOUNT AWARDED: \$177,258.40

CC-18-0126 JERRY TUCKER v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 8, 2018, the Claimant was driving his 2016 Honda Fit on Jefferson Road in South Charleston, Kanawha County when his vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the amount of \$149.37; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Jefferson Road on the date of the incident and failed to properly do so. The sum of \$149.37 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$149.37

AMOUNT AWARDED: \$149.37

CC-18-0191 JOSEPH TUCKER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2018 Audi S6 on Route 50 East in Bridgeport, Harrison County on February 21, 2018 when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$315.88; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 50 East and failed to do so properly on the date of the incident. The sum of \$315.88 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$315.88

AMOUNT AWARDED: \$315.88

CC-16-0614 DEBBIE VAC and DENNIS A. VAC v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2015 Mercedes-Benz C300 on Deckers Creek Boulevard in Morgantown, Monongalia County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$297.97; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Deckers Creek Boulevard on the date of the incident and failed to do so properly. The sum of \$297.97 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$297.97

AMOUNT AWARDED: \$297.97

CC-17-0284 ALFRED G. VALLE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: The Claimant was driving his 2010 Volvo S80 TG on Interstate 70 in Wheeling, Ohio County when his vehicle struck a rock that was next to a large pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$473.32; his collision insurance required a deductible of \$500.00. The

Respondent was responsible for the maintenance of Interstate 70 and failed to do so properly on the date of the incident. The sum of \$473.32 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$473.32

AMOUNT AWARDED: \$473.32

CC-17-0451 CONSTANCE VAN GILDER and GREGORY T. VAN GILDER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2010 Ford Focus on Flaggy Meadow Road in Mannington, Marion County on July 6, 2017 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$290.00; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Flaggy Meadow Road on the date of the incident and failed to do so properly. The sum of \$290.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$290.00

AMOUNT AWARDED: \$290.00

CC-18-0527 SARAH MARIE WARE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2008 Dodge Caliber on West Virginia Route 57 near Quiet Dell, Harrison County on March 18, 2018 when her vehicle struck a pothole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$774.29; she did not carry collision insurance on her vehicle. The Respondent was responsible for the maintenance of West Virginia Route 57 on the date of the incident and failed to do so properly. The Claimant and the Respondent agreed that the sum of \$252.28 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$774.29

AMOUNT AWARDED: \$252.28

CC-17-0032 ROY L. WATKINS and ANITA J. WATKINS v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On January 17, 2017, the Claimant was driving his 2015 Ford Escape on State Route 65 in Lenore, Mingo County when his vehicle struck a large rock in the roadway. The Claimants' vehicle sustained damages in the amount of \$12,971.05; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of State Route 65 and failed to do so properly on the date of this incident. The amount of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$12,971.05

AMOUNT AWARDED: \$1,000.00

CC-12-0621 MONICA RENEE WATTS v. DIVISION OF HIGHWAYS

The Claimant brought this claim for personal injuries alleging that the negligence of the Respondent, failing to properly maintain a guardrail, was the proximate cause of her accident and resulting injuries.

The Claimant was driving her 1998 Jeep Cherokee in the early morning hours of August 11, 2011 on West Virginia Route 2, Ohio River Road, near Huntington, Cabell County. Prior to the hearing, the Respondent stipulated to the damages documented by the Claimant and also that the guardrail struck by the Claimant was defective and noncompliant with federal and state highway standards. Testimony at the hearing established that this roadway was bumpy, rough, uneven and poorly maintained. While the Claimant was driving home from work and a social get-together with friends, her vehicle slipped off the right side of the roadway. She overcorrected which sent her vehicle left and across the roadway where she struck the guardrail and then rolled over the guardrail. Her vehicle came to rest near a railroad track, 184 feet below the roadway. The Claimant and her vehicle were not discovered until approximately 5-7 hours after the incident. The Claimant suffered from numerous injuries, including a closed head injury, a closed fracture of the head, a subarachnoid hemorrhage, a brain stem injury and other internal injuries to her lung, liver, colon and several fractures. The Claimant sustained permanent serious and disabling injuries. Her medical bills totaled \$258,211.64; her future expenses related to skilled care, medical care and attendant expenses ranged between \$152,435.00 and \$505,065.00. Expert testimony quantified her economic losses in the range of \$789,702.00 and \$1,305,684.00.

The issues before the Claims Commission were whether the Claimant was intoxicated at the time of the accident and whether the resulting injuries were the result of the defective guardrail. While the Claimant may have been intoxicated and there was considerable conflict on this issue between the parties' experts, the Claims Commission found that the defective and non-compliant guardrail was the primary proximate cause of the Claimant's injuries. Utilizing an offset from a prior settlement and an application of comparative negligence, the Claims Commission recommended an award of \$552,500.00.

AMOUNT CLAIMED: \$1,000,000.00

AMOUNT AWARDED: \$552,500.00

CC-17-0739 PAMELA WEAVER and BRUCE WEAVER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2011 Hyundai Santa Fe on MacCorkle Avenue in Marmet, Kanawha County on December 7, 2017 when her vehicle struck an abandoned cut-off road signpost on the shoulder of the roadway. The Claimants' vehicle sustained damages in the sum of \$1,245.91; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of MacCorkle Avenue and failed to do so properly on the date of the incident. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,245.91

AMOUNT AWARDED: \$1,000.00

CC-18-0080 TYLER A. WEBB v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 9, 2018, the Claimant was driving his 2012 Toyota Camry Hybrid on Interstate 79 North in Morgantown, Monongalia County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$506.92; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Interstate 79 North and failed to do so properly on the date of the incident. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$506.92

AMOUNT AWARDED: \$500.00

CC-18-0222 LACY L. WELCH v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On August 10, 2017, the Claimant was driving his 2012 Kia Sportage on Blue Jay Six Road in Cool Ridge, Raleigh County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,348.21; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Blue Jay Six Road and failed to do so properly on the date of the incident. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,348.21

AMOUNT AWARDED: \$1,000.00

CC-18-0644 LORI A. WELLS v. DIVISION OF HIGHWAYS

The Claimant brought this claim alleging that the negligence of the Respondent was the cause of damages to her vehicle. At the hearing, the Claimant testified that on April 14, 2018, she was driving her 2001 Toyota Echo on West Virginia Route 68, Grand Central Avenue, between Parkersburg and Vienna, Wood County when her vehicle struck a large pothole in the roadway. The Claimant submitted invoices totaling \$282.57 for the cost of replacing two tires and testified that her vehicle needed an alignment for \$60.00 following this incident. Her collision insurance required a deductible of \$500.00. The Respondent denied the validity of the claim. The Claims Commission found that the Respondent was negligent in its maintenance of West Virginia Route 68, Grand Central Avenue, on the date of the incident and that such negligence was a proximate cause of the Claimant's damages. The Claims Commission recommended an award in the amount of \$342.57.

AMOUNT CLAIMED: \$342.57

AMOUNT AWARDED: \$342.57

CC-18-0751 HEATHER WHIPKEY and MARK WHIPKEY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On May 2, 2018, the Claimant was driving her 2013 Dodge Dart on West Virginia Route 88 in Bethlehem, Ohio County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$419.60; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 88 and failed to do so properly on the date of the incident. The sum of \$419.60 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$419.60

AMOUNT AWARDED: \$419.60

CC-18-0094 TIMOTHY W. WHITE and RANDI L. WHITE v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2008 Chevrolet Malibu on Interstate 470 West in Elm Grove, Ohio County on January 23, 2018 when his vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$900.56; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 470 West on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$900.56

AMOUNT AWARDED: \$500.00

CC-17-0657 VINCEN W. WHITE and BONNIE WHITE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On October 13, 2017, the Claimant was driving his 2010 Honda Insight on West Virginia Route 92 in White Sulphur Springs, Greenbrier County, when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,132.85; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 92 on the date of the incident and failed to do so properly. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,132.85

AMOUNT AWARDED: \$500.00

CC-18-0669 BRETT L. WHITING and SARAH J. WHITING v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2011 Volkswagen GTI on US Route 119 in Clendenin, Kanawha County on March 21, 2018 when her vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$455.04; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of US Route 119 on the date of the incident and failed to do so properly. The sum of \$455.04 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$455.04

AMOUNT AWARDED: \$455.04

CC-18-0302 CHARLES WIENER and NANCY OHRENSTEIN v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2016 Toyota Camry on Interstate 70 West in Wheeling, Ohio County on February 16, 2018 when his vehicle struck a large pothole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$668.00; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$668.00

AMOUNT AWARDED: \$500.00

CC-17-0429 LEE WILEY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2014 BMW R1200 RT motorcycle on CR 4 near Clifton Mills, Preston County on June 18, 2017 when his motorcycle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$1,649.44; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of CR 4 on the date of the incident and failed to do so properly. The sum of \$1,000.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,649.44

AMOUNT AWARDED: \$1,000.00

CC-17-0731 SERENA WILKERSON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 9, 2017, the Claimant was driving her 2016 Scion IM on Route 25 West in Institute, Kanawha County when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$532.49; her collision insurance required a deductible in the amount of \$1,000.00. The Respondent was responsible for the maintenance of Route 25 West and failed to do so properly on the date of the incident. The sum of \$532.49 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$532.49

AMOUNT AWARDED: \$532.49

CC-18-0788 ROGER R. WILLIAMS and KANDY K. MCCAULEY v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 18, 2018, the Claimant was driving his 2007 Lincoln Zephyr on West Virginia Route 100 near Madsville, Monongalia County when his vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$151.58; their collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 100 and failed to do so properly on the date of the incident. The sum of \$151.58 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$151.58

AMOUNT AWARDED: \$151.58

CC-17-0241 APRIL F. WILLIAMS-EARLY v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2010 Mitsubishi Outlander on Route 25, Fairlawn Avenue, in Dunbar, Kanawha County on April 1, 2017 when her vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$299.60; her collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Route 25, Fairlawn Avenue, on the date of the incident and failed to do so properly. The sum of \$299.60 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$299.60

AMOUNT AWARDED: \$299.60

CC-18-1198 SUSAN R. WILSON and JOHN WILSON v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On July 9, 2018, the Claimant was driving her 2013 Town and Country on Laurel Fork Road in Clendenin, Kanawha County when her vehicle struck a large pothole in the roadway. The Claimants' vehicle sustained damages in the amount of \$332.85; their collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Laurel Fork Road and failed to do so properly on the date of the incident. The sum of \$332.85 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$332.85

AMOUNT AWARDED: \$332.85

CC-18-0535 TIMOTHY WILSON and MICHELLE WILSON v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2008 Chevy truck on Koontz Drive in Cross Lanes, Kanawha County on February 7, 2018 when his vehicle struck a large hole in the traveling portion of the roadway. The Claimants' vehicle sustained damages in the amount of \$112.99; they did not carry collision insurance on their vehicle. The Respondent was responsible for the maintenance of Koontz Drive on the date of the incident and failed to do so properly. The sum of \$112.99 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$112.99

AMOUNT AWARDED: \$112.99

CC-18-0424 MATTHEW J. WINANS v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2012 Jeep Wrangler on Interstate 79 North in Morgantown, Monongalia County on March 22, 2018 when his vehicle struck debris in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$948.64; his collision insurance required a deductible of \$1,000.00. The Respondent was responsible for the maintenance of Interstate 79 North on the date of the incident and failed to do so properly. The sum of \$948.64 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$948.64

AMOUNT AWARDED: \$948.64

CC-18-0298 JAMES S. WISE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 23, 2018, the Claimant was driving his 2014 Dodge Dart on Interstate 70 West in Wheeling, Ohio County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$575.13; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$575.13

AMOUNT AWARDED: \$500.00

CC-11-0575 PAULETTA WITT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving her 2007 Mitsubishi Endeavor on Route 72 South in Parsons, Tucker County on August 13, 2011 when her vehicle was struck by rocks falling into the roadway from a mountain that was parallel to the roadway. The Claimant's vehicle sustained damages in the amount of \$691.68; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 72 South on the date of the incident and failed to properly do so. The amount of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$691.69

AMOUNT AWARDED: \$500.00

CC-17-0260 AHMED WITTEN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 20, 2017, the Claimant was driving his 2013 Honda Accord on Route 25 in Institute, Kanawha County, when the Claimant's vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the sum of \$281.98; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 25 on the date of this incident and failed to do so properly. The amount of \$281.98 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$281.98

AMOUNT AWARDED: \$281.98

CC-18-0428 PEGGY J. WOLFE v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 21, 2018, the Claimant's daughter was driving the Claimant's 2005 Ford 500 on West Virginia Route 62 between North Charleston and Cross Lanes, Kanawha County when the vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$500.00; her collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of West Virginia Route 62 and failed to do so properly on the date of the incident. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$500.00

AMOUNT AWARDED: \$500.00

CC-16-0669 RONALD P. WOOD v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2001 Ford Crown Victoria on Fairview Ridge Road, County Road 24, in Wileyville, Wetzel County when his vehicle struck an exposed and damaged culvert pipe in the roadway. The Claimant's vehicle sustained damages in the amount of \$219.31; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Fairview Ridge Road, County Road 24, on the date of the incident and failed to do so properly. The sum of \$219.31 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$219.31

AMOUNT AWARDED: \$219.31

CC-18-0142 EDDIE BERYL WORKMAN and LAURA PARKER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was driving his 2004 Chevrolet Silverado on Five Forks Road in Fairmont, Marion County on June 21, 2017 when his vehicle struck a large, partially hidden and exposed manhole cover in the roadway. The Claimants' vehicle sustained damages in the amount of \$1,200.00; they carried only liability insurance on their vehicle. The Respondent was responsible for the maintenance of Five Forks Road on the date of the incident and failed to do so properly. The sum of \$1,200.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,200.00

AMOUNT AWARDED: \$1,200.00

CC-17-0250 GARY WORKMAN v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 29, 2017, the Claimant was driving his Dodge Ram 1500 on Route 622, Rocky Fork Road, in Cross Lanes, Kanawha County when his vehicle struck a pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$454.00; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Route 622, Rocky Fork Road, and failed to do so properly on the date of the incident. The sum of \$454.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$454.00

AMOUNT AWARDED: \$454.00

CC-14-0679 BARBARA WRIGHT v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On April 1, 2014, the Claimant was driving her 1995 Buick Regal on 8th Avenue at the intersection with 28th Street in Huntington, Cabell County when the Claimant's vehicle struck a large hole in the roadway. The Claimant's vehicle sustained damages in the sum of \$449.40; she carried only liability insurance on her vehicle. The Respondent was responsible for the maintenance of 8th Avenue at the intersection with 28th Street on the date of the incident and failed to properly do so. The sum of \$449.40 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$449.40

AMOUNT AWARDED: \$449.40

CC-17-0341 JACOB TURNER WRIGHT v. DIVISION OF HIGHWAYS

The parties stipulated to the following: The Claimant was riding his 2014 Yamaha Bolt R-Spec motorcycle on Tennessee Avenue in Martinsburg, Berkeley County on May 5, 2017 when his vehicle struck a large hole in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$3,684.31; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Tennessee Avenue on the date of the incident and failed to do so properly. The sum of \$500.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$3,684.31

AMOUNT AWARDED: \$500.00

CC-18-0121 MICHELE YATES v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On January 18, 2018, the Claimant was driving her 2009 Kia Rio on West Virginia Route 2 North in Wheeling, Ohio County when her vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$1,635.21; she carried only liability insurance on her vehicle. The Respondent was responsible for the maintenance of West Virginia Route 2 North and failed to properly do so on the date of the incident. The parties agreed that the sum of \$1,380.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$1,635.21

AMOUNT AWARDED: \$1,380.00

CC-17-0131 ALLEN YEAGER v. DIVISION OF HIGHWAYS

The parties stipulated to the following: On February 24, 2017, the Claimant was driving his 2006 Cadillac DTS on Behler Hill Road near Jakes Run Road in Monongalia County when his vehicle struck a large rock in the traveling portion of the roadway. The Claimant's vehicle sustained damages in the amount of \$295.88; his collision insurance required a deductible of \$250.00. The Respondent was responsible for the maintenance of Behler Hill Road and Jakes Run Road on the date of the incident and failed to properly do so. The sum of \$250.00 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$295.88

AMOUNT AWARDED: \$250.00

CC-18-0138 DANIEL R. YOUNG v. DIVISION OF HIGHWAYS

The parties stipulated as follows: On February 21, 2017, the Claimant was driving his 2015 Cadillac ATS on Interstate 70 West in Elm Grove, Ohio County when his vehicle struck a large pothole in the roadway. The Claimant's vehicle sustained damages in the amount of \$239.53; his collision insurance required a deductible of \$500.00. The Respondent was responsible for the maintenance of Interstate 70 West and failed to properly do so on the date of the incident. The sum of \$239.53 is a fair and reasonable amount to settle the claim.

AMOUNT CLAIMED: \$239.53

AMOUNT AWARDED: \$239.53

CLAIM AGAINST THE DIVISION OF MOTOR VEHICLES

CC-17-0520 PAUL RITCHEY and DIANNA RITCHEY v. DIVISION OF MOTOR VEHICLES

The Claimants sought to recover \$180.00 for a towing bill related to the improper impoundment of their vehicle as documented by a supporting 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 Claims Commission recommended an award in the amount of \$180.00.

AMOUNT CLAIMED: \$180.00

AMOUNT AWARDED: \$180.00

CLAIM AGAINST THE ENTERPRISE RESOURCE PLANNING BOARD

CC-17-0552 WEST VIRGINIA ASSOCIATION OF REHABILITATION FACILITIES INC. v. ENTERPRISE PLANNING BOARD

The Claimant brought this claim to recover \$2,492.25 for services rendered to the Respondent as 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 Claims Commission recommended an award in the amount of \$2,492.25.

AMOUNT CLAIMED: \$2,492.25

AMOUNT AWARDED: \$2,492.25

CLAIMS AGAINST THE REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

CC-18-0001 ZACHARY TAYLOR BLAKE v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The parties stipulated to the following: On May 14, 2016, the Claimant, an inmate at the Northern Regional Jail, completed an Inmate Personal Property Inventory form, which listed earrings, a necklace, a cell phone, shoes, clothing items and a belt among his personal property. The property was placed into storage. When the Claimant was transferred to Mount Olive Correctional Center, his property could not be located. The Claimant sought to recover \$88.74 for his property. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$88.74.

AMOUNT CLAIMED: \$88.74

AMOUNT AWARDED: \$88.74

CC-17-0186 JAMES R. DAVIS v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant, an inmate at the Southern Regional Jail at the time of the incident, sought to recover \$679.94 for the loss of personal property, including a medical back brace belt and one diamond earring. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the

Respondent was liable for the value of the lost property, which the Claims Commission found to be \$679.94.

AMOUNT CLAIMED: \$679.94

AMOUNT AWARDED: \$679.94

CC-18-1346 CLAIRESE FELIPE v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The parties stipulated to the following: On August 17, 2017, the Claimant was incarcerated at Tygart Valley Regional Jail. She was transferred to a facility in Pennsylvania and returned to Tygart Valley Regional Jail on December 19, 2017. At that time, the Claimant learned that her personal property had been thrown away instead of being placed in storage pursuant to the Respondent's policies and procedures on the storage of inmate property. The Claimant placed a value of \$1,097.92 on her lost property. The Respondent did not object to the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission determined was \$1,097.92.

AMOUNT CLAIMED: \$1,097.92

AMOUNT AWARDED: \$1,097.92

CC-17-0434 MERONICA HARRISION v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant, an inmate at the Southern Regional Jail, at the time of this incident sought to recover \$600.00 for the loss of personal property, including a pair of 18 karat white gold diamond earrings. The Respondent did not object to the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$600.00.

AMOUNT CLAIMED: \$600.00

AMOUNT AWARDED: \$600.00

CC-17-0420 JEFFREY ALLEN HAZLETT v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The parties stipulated as follows: On March 24, 2017, the Claimant was an inmate at the Eastern Regional Jail when his Nike Air Max Supreme sneakers were lost, stolen or otherwise misplaced. The Claimant's sneakers were valued at \$96.28 as indicated by the submitted receipt. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation was created between the two parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$96.28.

AMOUNT CLAIMED: \$96.28

AMOUNT AWARDED: \$96.28

CC-17-0305 HUNTER C. MORELA v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant, an inmate at North Central Regional Jail, sought to recover \$267.00 for the loss of personal property, including an iPhone 6, a charging pack, his wallet which contained his driver's license, cash, gift cards, earrings and a set of keys. The Respondent did not object to the validity of the claim. The Claims Commission found that a bailment was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$267.00.

AMOUNT CLAIMED: \$267.00

AMOUNT AWARDED: \$267.00

CC-17-0297 RUSSELL WILLIAM OLIVER v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant, an inmate at the Eastern Regional Jail at the time of the incident, sought to recover \$600.00 - \$800.00 for the loss of personal property, specifically his lower dentures. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$600.00.

AMOUNT CLAIMED: \$600.00 - \$800.00

AMOUNT AWARDED: \$600.00

CC-17-0125 TROY PEACE v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant, an inmate at the Potomac Highlands Regional Jail at the time of this incident, sought to recover \$1,319.00 for the loss of various personal property items, including a new iPhone, custom made gold teeth and his Maryland learner's permit to drive. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$1,319.00.

AMOUNT CLAIMED: \$1,319.00

AMOUNT AWARDED: \$1,319.00

CC-18-1317 MARK T. RADCLIFFE and ANGELA L. RADCLIFFE v. REGIONAL JAIL AND CORRECTIONAL FACILITY

The parties stipulated as follows: In July, 2018, the Claimant was incarcerated at the Southern Regional Jail. His wife, also a Claimant, ordered three books from Amazon that were mailed directly to the Claimant at Southern Regional Jail. The books were delivered to the facility on three separate days; however, the Claimant did not receive them. The Claimants were advised by the facility's personnel that they had been lost within the facility. The Claimants placed a value of \$35.52 on the lost property. The Respondent did not object to the validity of the claim. The Claims Commission found that a bailment situation was created

between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission determined was \$35.52.

AMOUNT CLAIMED: \$35.52

AMOUNT AWARDED: \$35.52

CC-18-0834 SHARNJEET SINGH v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant, an inmate at the Eastern Regional Jail, sought to recover \$7.00 for the loss of personal property, specifically a T-shirt. The Claimant alleged that the Respondent had confiscated it without just cause. The Respondent did not dispute the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$7.00.

AMOUNT CLAIMED: \$7.00

AMOUNT AWARDED: \$7.00

CC-17-0598 BASIM A. TALOUZI v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant, an inmate at the Western Regional Jail, sought to recover \$250.00 for the loss of personal property. The Claimant was taken to a local hospital for treatment for a spider bite infection on July 26, 2017. When he returned to the facility, he was placed in the facility's medical unit. Upon his return to general population, he discovered that his personal property, including his prescription eyeglasses, books, clothing and food items, was missing. The Respondent did not object to the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the missing property; which the Claims Commission determined was \$150.00. The Claims Commission did not grant an award for the Claimant's prescription eyeglasses since the Respondent is statutorily required to provide medical care, including eyeglasses, to the Claimant.

AMOUNT CLAIMED: \$250.00

AMOUNT AWARDED: \$150.00

CC-16-0819 JOSHUA THORNHILL v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The parties stipulated to the following: The Claimant was incarcerated at the Tygart Valley Regional Jail in July, 2016 when the Respondent's officers conducted a shakedown on his unit. The Claimant's personal property, including clothing items and personal hygiene items, was confiscated and later lost. The Claimant placed a value of \$131.87 on his lost property. The Claims Commission found that a bailment situation existed between the two parties and that the Respondent was liable for the value of the lost property, which the Claims Commission found to be \$131.87.

AMOUNT CLAIMED: \$131.87

AMOUNT AWARDED: \$131.87

CC-18-0163 DIONNE TOWNSEND v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The parties stipulated to the following: The Claimant was incarcerated at the Eastern Regional Jail on February 22, 2018. Her personal property was to be placed in storage at the facility pursuant to the Respondent's policies and procedures regarding storage of inmate property. Instead, the Claimant's property was thrown away. The Claimant placed a value of \$119.60 on her property. The Respondent did not object to the validity of the claim. The Claims Commission found that a bailment situation existed between the parties and that the Respondent was liable for the value of the property, which the Claims Commission found to be \$119.60.

AMOUNT CLAIMED: \$119.60

AMOUNT AWARDED: \$119.60

CC-17-0392 CYNTHIA VAN DYNE and JUSTIN STEFANKO v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The parties stipulated to the following: The Claimant, Cynthia Van Dyne, purchased a pair of brand new tennis shoes for her son, Claimant Justin Stefanko, who was an inmate at the Eastern Regional Jail. The Claimant gave the tennis shoes to a correctional office at the facility who was going to deliver them to the Claimant Justin Stefanko. He never received the shoes, which were valued at \$31.79. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which was found to be \$31.79.

AMOUNT CLAIMED: \$31.79

AMOUNT AWARDED: \$31.79

CC-17-0646 MARK W. VAN METER v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The Claimant, an inmate at the Potomac Highlands Regional Jail on October 9, 2017, placed his lower dentures in a cleaning cup when the Respondent conducted a shakedown on his unit. His lower dentures were lost and never located; the Claimant placed a value of \$300.00 on the missing dentures. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the lost property, which was determined to be \$300.00.

AMOUNT CLAIMED: \$300.00

AMOUNT AWARDED: \$300.00

CC-18-0473 WENDY WATSON and JOSEPH M. WATSON v. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

The parties stipulated as follows: On February 14, 2018, the Claimant, Wendy Watson, ordered two books from Amazon and arranged for them to be mailed directly to the Claimant, Joseph M. Watson, who was an inmate at Eastern Regional Jail at the time of this incident. The books were delivered to the facility but they were not delivered to the Claimant as they were

apparently lost within the jail. The Claimants submitted receipts in the amount of \$19.27. The Respondent did not object to the validity of the claim. The Claims Commission found that a bailment situation was created between the parties and that the Respondent was liable for the value of the property, which was found to be \$19.27.

AMOUNT CLAIMED: \$19.27

AMOUNT AWARDED: \$19.27

CLAIMS AGAINST THE SECRETARY OF STATE

CC-18-1361 WEST VIRGINIA INTERACTIVE LLC v. WEST VIRGINIA SECRETARY OF STATE

The Claimant brought this claim to recover \$103,378.00 for professional website design services and upgrades pursuant to a contract with the Respondent as 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 Claims Commission recommended an award in the amount of \$103,378.00.

AMOUNT CLAIMED: \$103,378.00

AMOUNT AWARDED: \$103,378.00

