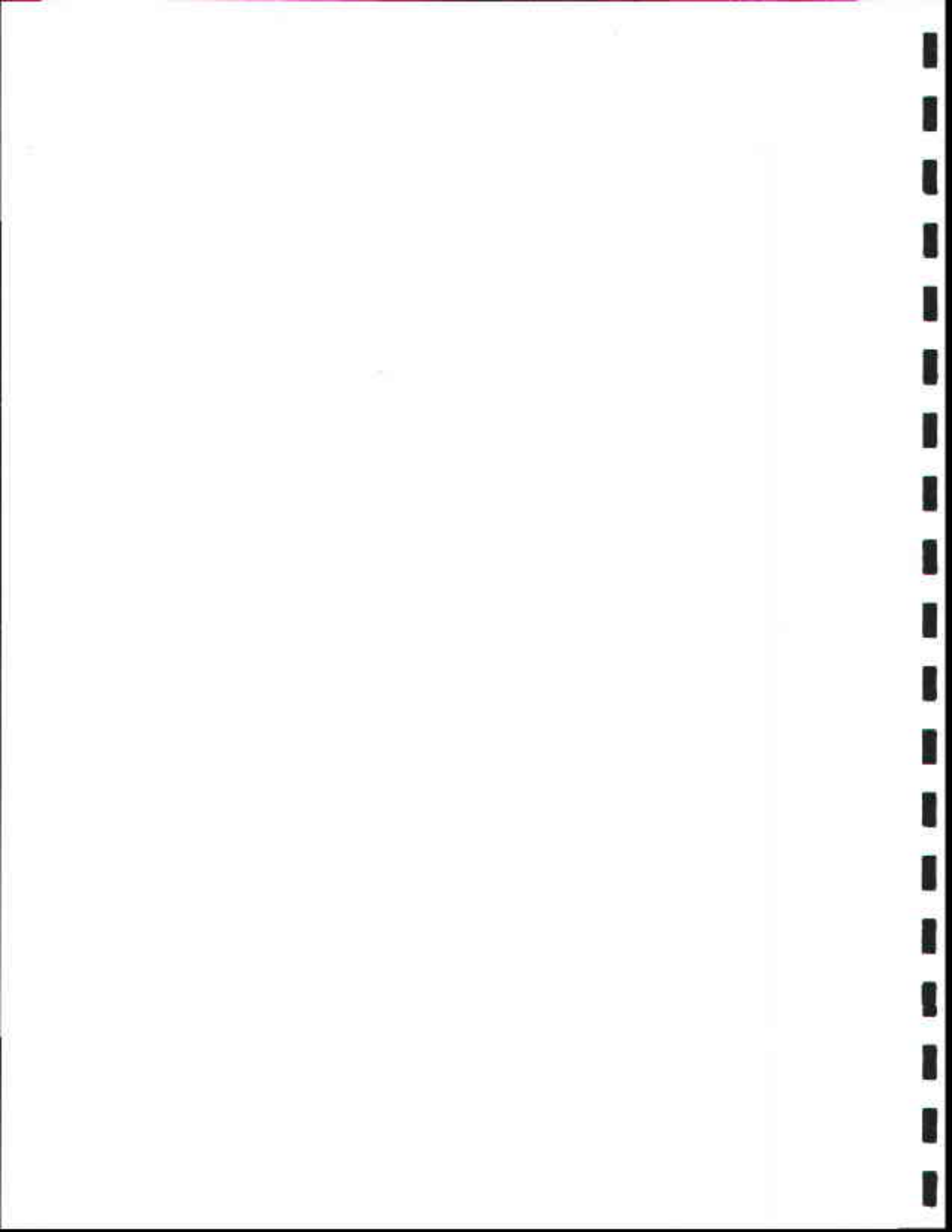


# **Court of Claims**

# **ANNUAL REPORT**

**2009**

Cheryle M. Hall  
Clerk of the Court



2009

# Annual Report

of the

# West Virginia Court of Claims

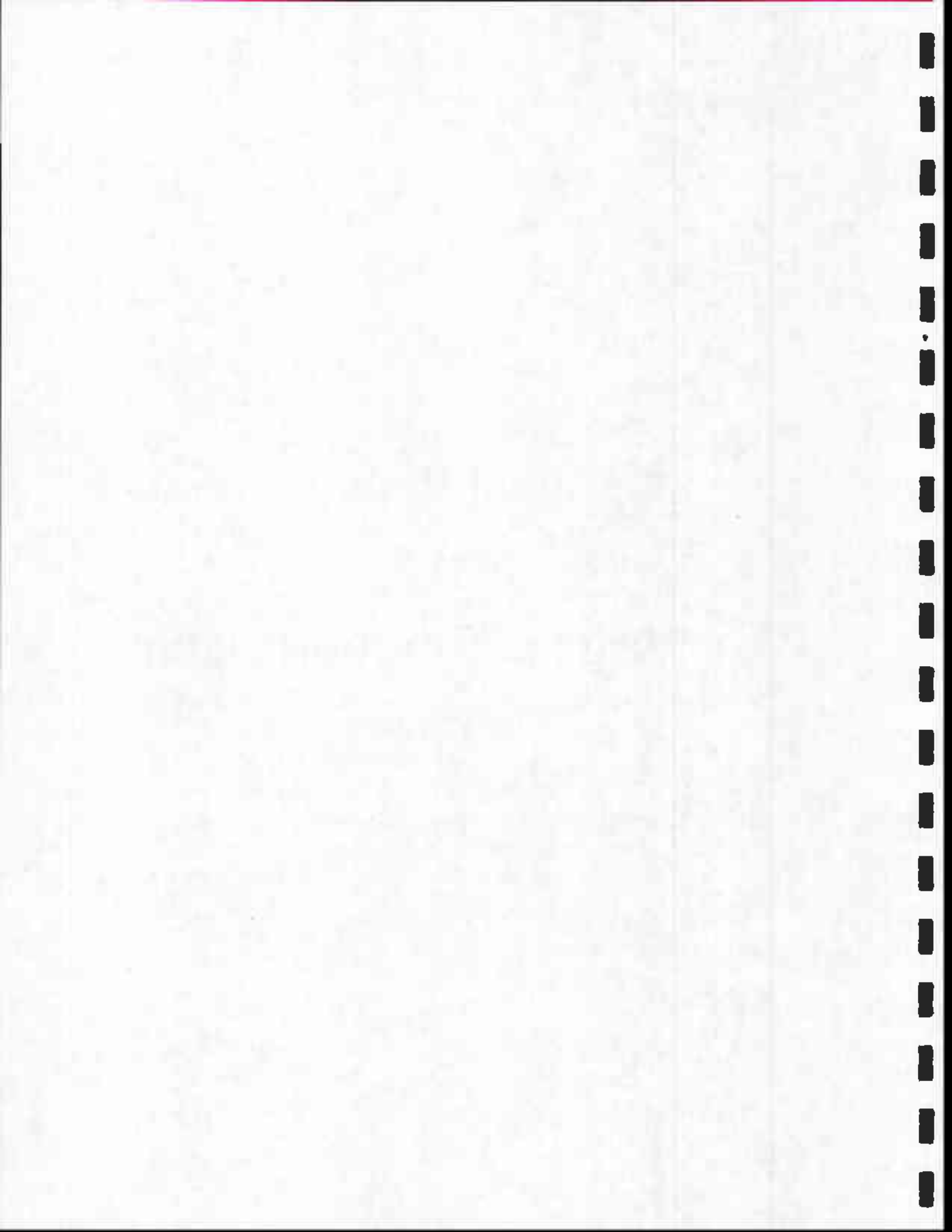
Judges of the Court

The Honorable George F. Fordham, Presiding Judge

The Honorable Robert B. Sayre, Judge

The Honorable John G. Hackney Jr., Judge

Cheryle M. Hall, Clerk





## West Virginia Court of Claims

Presiding Judge  
George F. Fordham  
Judges  
Robert B. Sayre  
John G. Hackney Jr.

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

Cheryle M. Hall  
Clerk  
Becky A. Ofiesh  
Chief Deputy Clerk

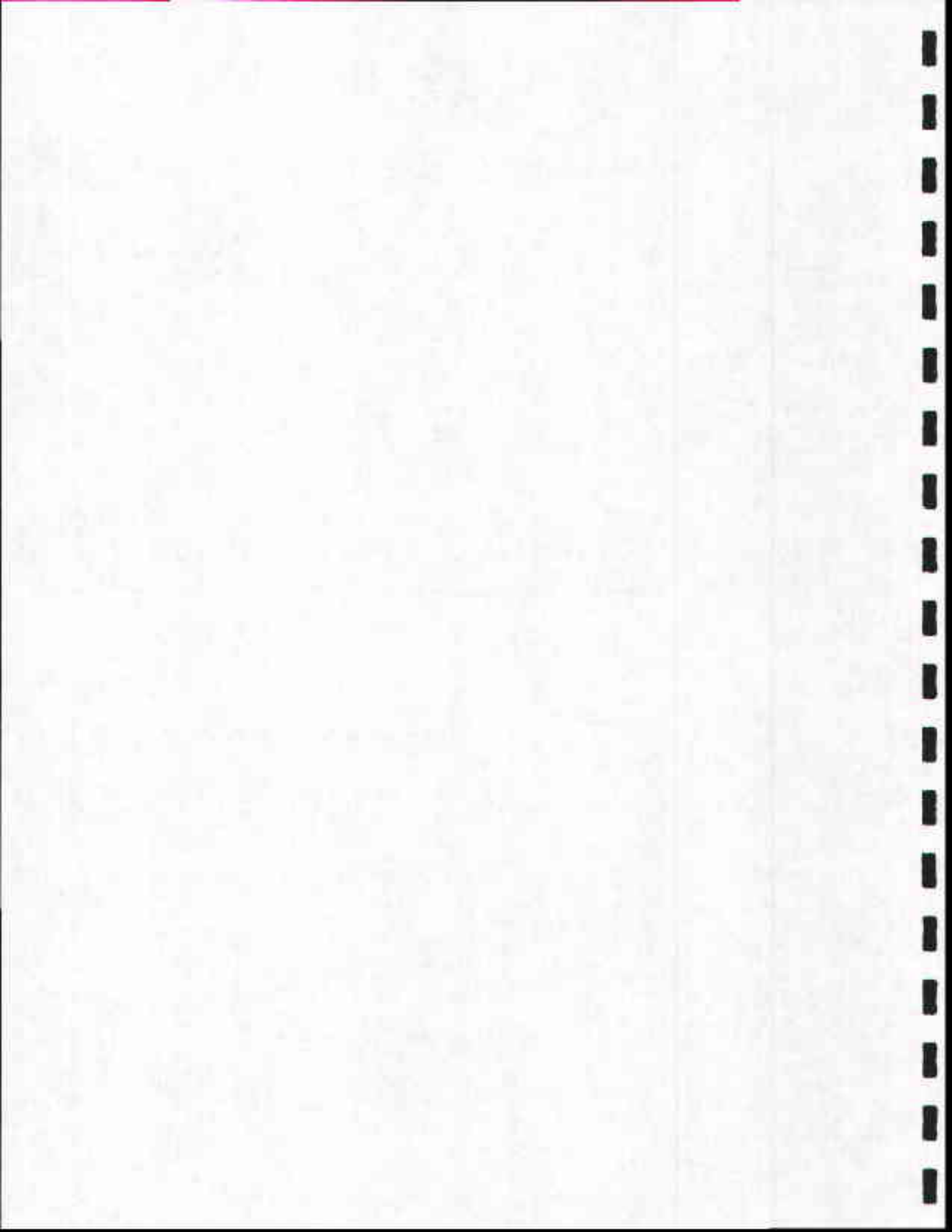
*Honorable Members of the  
West Virginia State Legislature*

*It is my honor and privilege to present to you, in accordance with the  
West Virginia Code §14-2-25, the Annual Report of the West Virginia Court  
of Claims. This Report covers the activities of the Court for the calendar year  
2008.*

*Respectfully submitted,*

*Cheryle M. Hall*

*Cheryle M. Hall,  
Clerk*



2009

**REPORT TO THE LEGISLATURE  
OF THE  
COURT OF CLAIMS**

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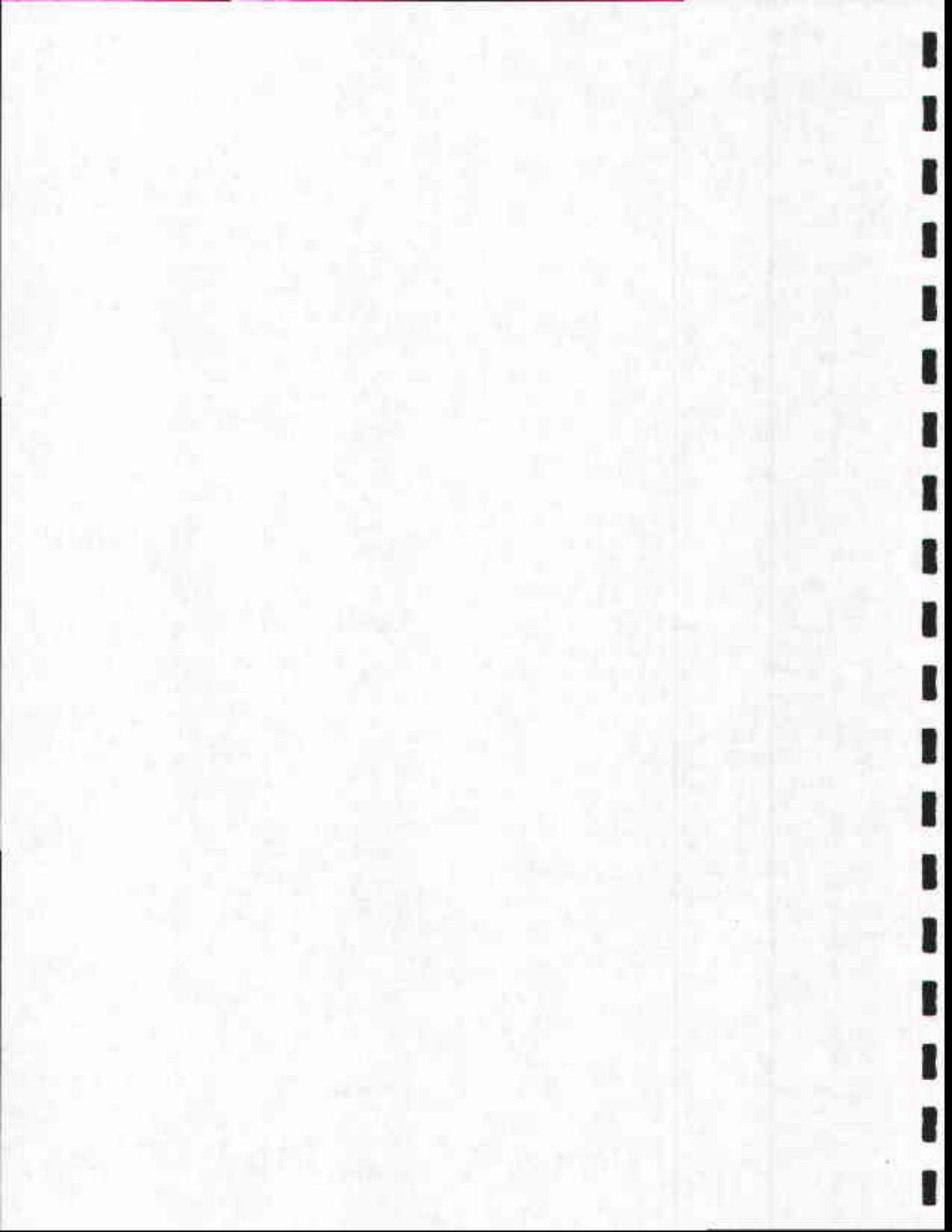
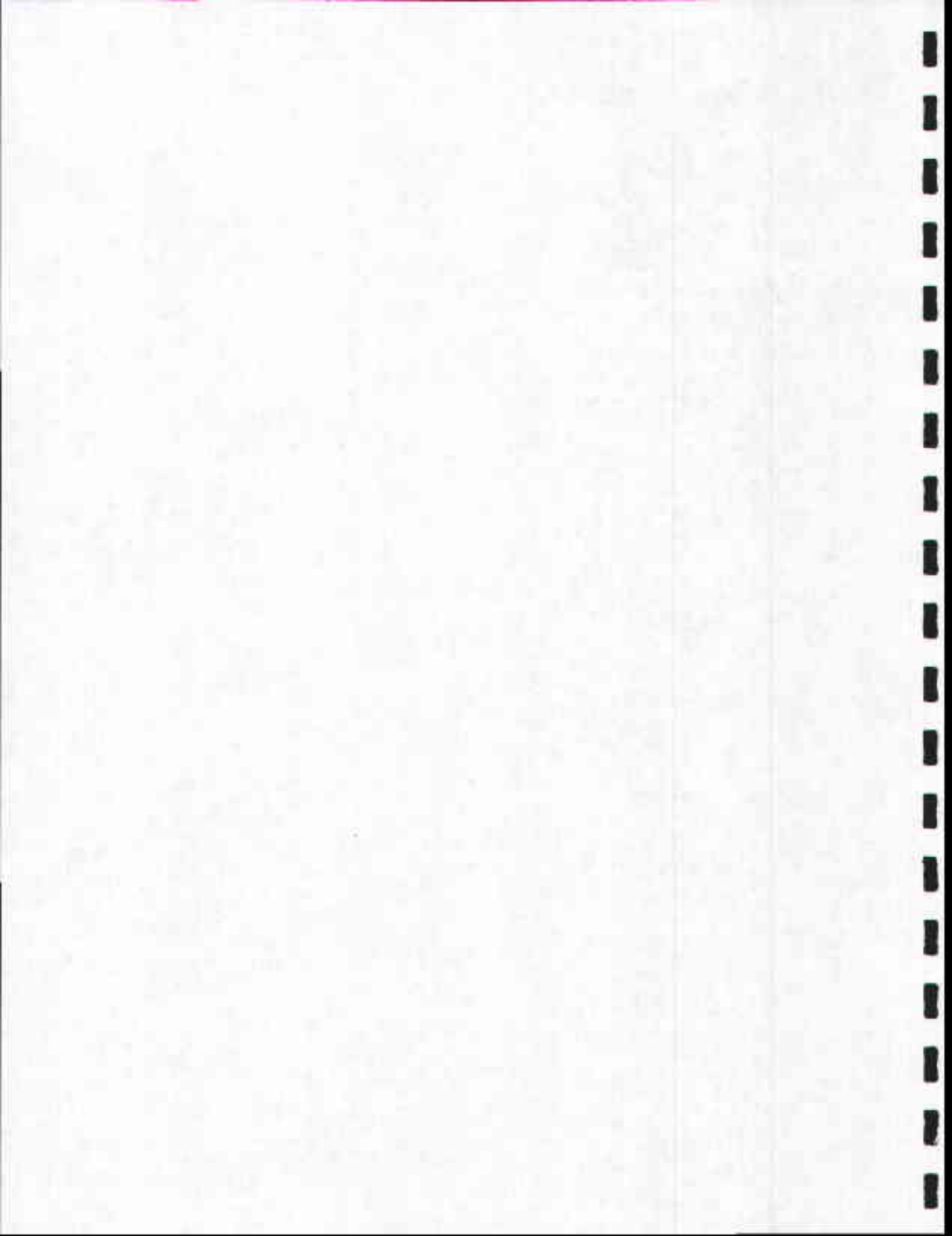


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SUMMARY OF FUNDS FOR CLAIMS BILLS

REGULAR CLAIMS BILL

GENERAL REVENUE FUNDS - \$ 52,662.00

SPECIAL REVENUE FUNDS - \$ 228,104.69

STATE ROAD FUND - \$ 508,745.28

OVEREXPENDITURE CLAIMS BILL

GENERAL REVENUE FUNDS - \$ 75,589.73

SPECIAL REVENUE FUNDS - \$ 30,584.00

## Claims Presented to the 2009 Legislature

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
06-0359	Fort Henry Realty Inc. d/b/a Advanced Communications Co.	Department of Administration	13,266.78	13,266.78	8/4/2008
08-0414	Infoprint Solutions Company	Department of Administration	187,763.14	187,763.14	12/12/2008
08-0279	Groundworks Reclamation Inc.	Department of Environmental Protection	12,000.00	12,000.00	10/6/2008
08-0329	Laboratory Corporation of America Holdings	Department of Health and Human Resources	34,043.38	34,043.38	10/6/2008
08-0355	Federal Deposit Insurance Corporation	Division of Banking	551.24	551.24	10/6/2008
08-0298	Automotive Rentals Inc.	Division of Corrections	949.95	949.95	10/6/2008
08-0455	Crider, John Earl Jr.	Division of Corrections	611.22	611.22	2/11/2009
08-0046	Kittle, Timothy J.	Division of Corrections	48.92	48.92	3/18/2008
08-0351	Verizon	Division of Corrections	3,705.75	3,705.75	10/6/2008
08-0246	Yanko, Curtis	Division of Corrections	36.00	36.00	8/4/2008
08-0104	Affolter, Rita	Division of Highways	193.30	115.98	10/6/2008
08-0103	Affolter, Rita	Division of Highways	174.90	157.41	10/6/2008
07-0080	Andrews, James O.	Division of Highways	451.55	451.55	5/9/2008
07-0219	Angelucci, Mark and Kathy S.	Division of Highways	308.00	250.00	2/20/2009

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
07-0137	Ashcraft, Alicia and Bobby Gutierrez II	Division of Highways	634.52	475.89	2/20/2009
08-0062	Atkins, Norvell Ray Sr.	Division of Highways	418.58	418.58	2/11/2009
08-0214	Badzek, Betty R.	Division of Highways	500.00	450.00	1/20/2009
08-0085	Baker, Melissa M. and Daniel J. Jr.	Division of Highways	872.78	872.78	11/19/2008
07-0257	Beegle, Shawn R.	Division of Highways	677.83	677.83	5/28/2008
08-0206	Berdine, Denise	Division of Highways	2,841.15	2,272.92	12/12/2008
08-0201	Bishop, Charles Jr.	Division of Highways	71.88	71.88	1/20/2009
06-0272	Brown, Hazel C.	Division of Highways	615.36	250.00	5/28/2008
07-0324	Brown, Wayne	Division of Highways	874.13	874.13	10/6/2008
08-0196	Caldwell, Eric W.	Division of Highways	160.85	160.85	1/20/2009
08-0149	Capp, Ernest W.	Division of Highways	1,031.31	500.00	12/12/2008
08-0276	Carey, Richard L.	Division of Highways	362.00	362.00	12/12/2008
08-0223	Carte, Daisy Mae and Harold Larry Jr.	Division of Highways	1,957.80	1,100.00	2/11/2009
08-0074	Christey, Amberlee and Karen Hinkle	Division of Highways	278.55	278.55	10/6/2008
06-0296	Conn, Gobel Lee	Division of Highways	1,954.18	200.00	10/6/2008
07-0315	Cook, Russell G. and Rebecca G.	Division of Highways	360.68	250.00	5/28/2008
08-0191	Copley, Sarah M.	Division of Highways	1,293.67	500.00	12/12/2008

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
06-0031	Crago, William J.	Division of Highways	424.43	381.99	5/28/2008
05-0264	CSX Transportation Inc.	Division of Highways	911,978.64	303,992.88	2/20/2009
06-0284	Cutlip, Jessie L. and Charles E.	Division of Highways	565.87	500.00	12/29/2008
04-0360	Davis, Mildred	Division of Highways	20,000.00	12,000.00	2/11/2009
08-0114	Donahue, Jason	Division of Highways	342.42	342.42	12/12/2008
07-0121	Downey, Martin Edward	Division of Highways	506.71	390.74	5/28/2008
07-0314	Estep, Danny Lee	Division of Highways	660.64	500.00	10/6/2008
08-0286	Evano, Joseph C. and Patricia Ann	Division of Highways	1,547.03	960.47	1/20/2009
06-0289	Evans, Christopher	Division of Highways	2,236.05	500.00	10/6/2008
07-0233	Fisher, Deborah	Division of Highways	504.77	500.00	5/9/2008
07-0384	Ford, Harold E. Jr.	Division of Highways	409.07	250.00	5/9/2008
08-0007	Ford, Larry D.	Division of Highways	1,087.13	1,000.00	5/9/2008
06-0091	Fortney, Brenda A.	Division of Highways	20,000.00	2,015.58	2/11/2009
07-0096	Gaskins, Carrie L. and Jeffrey Paul	Division of Highways	328.68	328.68	2/11/2009
08-0057	George, Kelly D.	Division of Highways	73.14	65.83	2/20/2009
07-0323	Godwin, Lisa	Division of Highways	428.78	428.78	8/4/2008
07-0382	Golash, David F. and Debra M.	Division of Highways	1,723.92	1,000.00	2/20/2009

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
08-0301	Gooch, Damon K. and Angela H.	Division of Highways	8,553.51	6,842.81	2/20/2009
07-0304	Haid, John and Amber	Division of Highways	498.91	498.91	2/20/2009
03-0563	Hall, Sandra L., Personal Representative of the Estate of Jamie Hall	Division of Highways	1,000,000.00	40,000.00	11/19/2008
08-0069	Handley, E. Ralph	Division of Highways	2,828.00	300.00	10/6/2008
08-0099	Hansen, David Karl	Division of Highways	546.71	546.71	12/12/2008
08-0244	Harman, Jennifer and Vickye Galford	Division of Highways	934.77	934.77	12/12/2008
07-0282	Harris, Elvis D.	Division of Highways	425.00	425.00	2/11/2009
08-0332	Hirt, Bryan	Division of Highways	408.52	408.52	1/20/2009
07-0212	Hoffman, Leah M.	Division of Highways	247.36	247.36	5/28/2008
08-0162	Housman, Jack K.	Division of Highways	1,140.86	500.00	12/12/2008
07-0380	Hoy, Todd and Autumn L.	Division of Highways	169.70	169.70	2/20/2009
08-0138	Johnson, Carmen	Division of Highways	344.95	344.95	12/12/2008
08-0049	Lambert, Roger L. and Katherine V.	Division of Highways	326.14	326.14	10/6/2008
08-0316	Lancaster, Cecil E.	Division of Highways	250.00	250.00	12/12/2008
08-0035	Langille, Frederick C. Jr.	Division of Highways	265.70	246.49	2/20/2009
07-0139	Legg, Patricia J.	Division of Highways	60.04	60.04	5/28/2008
06-0342	Lester, Priscilla, Administratrix of the Estate of Stanley Lester	Division of Highways	unliquidated	85,000.00	3/2/2009

Number	Name of Claimant	Name of Respondent	Amount Claimed	Amount Awarded	Date of Opinion
06-0254	Levinson, Lynn	Division of Highways	1,100.00	500.00	10/6/2008
07-0167	Linger, David	Division of Highways	1,696.00	1,696.00	2/11/2009
08-0064	MacEwan, Brenda Lee	Division of Highways	367.20	367.20	1/20/2009
08-0110	Maston, Kenneth R.	Division of Highways	120.17	120.17	8/4/2008
08-0125	Maynor, Christopher and Anna L.	Division of Highways	261.87	261.87	8/4/2008
08-0019	McCallister, Doris	Division of Highways	259.70	259.70	5/9/2008
07-0179	McCarty, Jeremy W. & Janice L.	Division of Highways	1,299.90	909.93	2/20/2009
08-0354	McClung, Delmas F. and Waltraud	Division of Highways	272.65	272.65	12/29/2008
07-0365	McCumbers, Sherry A.	Division of Highways	78.64	78.64	3/4/2008
07-0231	Meadows, Bradley T.	Division of Highways	138.00	138.00	5/28/2008
08-0171	Miller, Alan J. and Debra A.	Division of Highways	793.66	500.00	12/12/2008
06-0247	Mills, James and Sharon	Division of Highways	5,582.97	5,582.97	2/11/2009
07-0194	Minor, Carol Lynn and Randy Lee	Division of Highways	3,000.46	2,100.33	5/28/2008
06-0047	Mohr, Raymond E.	Division of Highways	259.99	250.00	12/29/2008
08-0203	Mongold, Becky L.	Division of Highways	1,553.34	250.00	12/12/2008
08-0260	Moore, Lawrence R. and Rosemary Kinder	Division of Highways	265.51	265.51	12/12/2008
07-0171	Mullens, Mary E.	Division of Highways	283.44	226.76	12/29/2008