West Virginia Court of Claims

Annual Report 20

Cheryle M. Hall Clerk of the Court

2007

Annual Report

of the

West Virginia Court of Claims

Judges of the Court

The Honorable Franklin L. Gritt Jr., Presiding Judge The Honorable Robert B. Sayre, Judge The Honorable George F. Fordham, Judge

Cheryle M. Hall, Clerk



West Virginia Court of Claims

Presiding Judge Franklin L. Gritt, Jr. Judges George F. Fordham Robert B. Sayre

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

A 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 2006.

Respectfully submitted, Maryle M.Hall Cheryle M. Hall,

Clerk

2007

REPORT TO THE LEGISLATURE OF THE COURT OF CLAIMS

TABLE OF CONTENTS

Summary of Funds for Claims Bills
Table of Claims Awarded by Agency
Department of Administration
Department of Education
Department of Health and Human Resources
Division of Corrections
Division of Forestry
Division of Highways
Division of Motor Vehicles
Division of Natural Resources
Division of Rehabilitation Services
Office of Miners' Health, Safety and Training
Public Service Commission
Regional Jail and Correctional Facility Authority
Supreme Court of Appeals
West Virginia State Police

Table of Contents (Continued)

Table of Over-Expenditure Claims	8-10
Disallowed Claims	11 - 12
Abstracts of Opinions of Claims	13-40

Department of Administration	13
Department of Education	13
Department of Health and Human Resources	14
Division of Corrections	[4
Division of Forestry	[4
Division of Highways	35
Division of Motor Vehicles	36
Division of Natural Resources	37
Division of Rehabilitation Services	37
Office of Miners' Health, Safety and Training	37
Public Service Commission	38
Regional Jail and Correctional Facility Authority	\$ 0
Supreme Court of Appeals	\$ 0
West Virginia State Police	4 0

SUMMARY OF FUNDS FOR 2007CLAIMS BILL

REGULAR CLAIMS BILL

GENERAL REVENUE FUNDS	\$ 815,474.88
SPECIAL REVENUE FUNDS	\$ 45,986.92
STATE ROAD FUNDS	\$ 634,323.67

OVER-EXPENDITURE CLAIMS BILL

GENERAL REVENUE FUNDS	\$ 1,074,140.33
-----------------------	-----------------

Claims Presented to the 2007 Legislature

<u>Number</u>	Name of Claimant	Name of Respondent	<u>Amount</u> <u>Claimed</u>	<u>Amount</u> Awarded	<u>Date of</u> Opinion
04-879	AT & T Corporation	Department of Administration	572,001.62	481,470.93	04/27/06
05-098	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Department of Education	5,274.00	136.83	07/31/06
03-572	Monroe County Board of Education	Department of Education	112,571.38	112,571.38	01/12/07
05-094	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Department of Health and Human Resources	6,812.73	5,011.02	07/31/06
05-088	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Division of Corrections	6,434.64	5,473.36	12/15/06
06-116	Public Employees Insurance Agency	Division of Corrections	207,273.95	207,273.95	07/19/06
05-093	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Division of Forestry	299.38	299.38	04/27/06
05-128	Acord, Andrea	Division of Highways	109.78	109.78	01/04/07
06-008	Alderman, Carol P. Simmons	Division of Highways	248.49	248.49	01/04/07
04-525	Balser, Eva	Division of Highways	57.90	57.90	11/20/06
04-222	Beal, Beryl	Division of Highways	994.89	100.00	07/06/06
04-291	Beller, Jeromey Chad	Division of Highways	12,500.00	12,500.00	09/26/06
04-091	Bender, Diana	Division of Highways	800.00	800.00	11/20/06
04-232	Bird, Linda as Admin. of the Estates of Emzle Sovine and Mildred Sovine	Division of Highways	662.35	250.00	07/31/06
06-080	Blair, DeWitt Keith	Division of Highways	262.74	262.74	01/04/07
05-335	Brown, Cathy R.	Division of Highways	344.74	344.74	01/04/07
06-277	Brown, Roger	Division of Highways	327.83	327.83	01/04/07
05-201	Brown, Teresa Lynn	Division of Highways	370.00	370.00	07/31/06
05-152	Browning, Charles and Connie	Division of Highways	977.00	500.00	01/12/07
05-069	Bryant, Charles J. and Christina R.	Division of Highways	1,000.00	1,000.00	01/04/07
05-354	Bryant, Lena R	Division of Highways	178.25	100.00	10/25/06

<u>Number</u>	Name of Claimant	Name of Respondent	<u>Amount</u> <u>Claimed</u>	<u>Amount</u> Awarded	<u>Date of</u> Opinion
04-345	Burgy, Sharla Kay and Christopher M.	Division of Highways	600.00	500.00	07/31/06
05-364	Clatterbuck, Derek J.	Division of Highways	203.94	203.94	01/04/07
05-215	Clevinger, Benjamin	Division of Highways	568.25	568.25	07/31/06
05-440	Coomer, Jackie L. Sr., and Carol S.	Division of Highways	508.35	500.00	01/12/07
05-221	Cornell, Rita L.	Division of Highways	526.02	500.00	10/25/06
05-302	Crane, Tammy	Division of Highways	750.00	750.00	11/20/06
06-046	Dixon, Philip	Division of Highways	249.55	249.55	01/04/07
04-520	Eggerichs, Diana S.	Division of Highways	169.99	101.99	01/04/07
04-205	Ferrell, Robert Craig and Amanda E.	Division of Highways	401.29	341.10	01/04/07
05-348	Forster, Trudy L.	Division of Highways	450.23	450.23	01/04/07
05-189	Fox, Mary Ann	Division of Highways	169.60	100.00	07/31/06
06-031	Furbee, Darla	Division of Highways	1,012.97	1,012.97	01/04/07
06-093	Gallourakis, Gloria June	Division of Highways	1,512.03	500.00	01/04/07
06-027	Geraud, Antoine E.	Division of Highways	165.20	165.20	12/15/06
04-481	Ghareeb, Makhoul	Division of Highways	5,100.00	500.00	07/31/06
05-298	Goins, Connie	Division of Highways	437.78	437.78	10/25/06
05-316	Gomez, Lynn and Alicia	Division of Highways	272.36	272.36	11/20/06
04-947	Green, Carol A.	Division of Highways	574.40	574.40	11/20/06
06-100	Grimes, Jean and Alaina Stump	Division of Highways	2,339.88	500.00	01/04/07
05-347	Guzman, Tony and Connie Sue	Division of Highways	296.69	296.69	12/15/06
04-533	Hainer, Joann and Jerry	Division of Highways	1,568.23	1,568.23	01/17/07
05-355	Hiles, Lucy and Amelia	Division of Highways	2,436.37	1,949.10	01/12/07
06-089	Hocking, Nelson W.	Division of Highways	500.00	500.00	01/04/07
05-194	Holstein, Timothy Allen	Division of Highways	990.68	500.00	07/31/06
05-229	Hoschar, Martha	Division of Highways -3-	645.41	250.00	10/25/06

<u>Number</u>	Name of Claimant	Name of Respondent	<u>Amount</u> <u>Claimed</u>	<u>Amount</u> <u>Awarded</u>	<u>Date of</u> Opinion
05-035	Hudnall, Lori	Division of Highways	2,030.24	500.00	07/31/06
05-216	Hudson, Michelle Dawn	Division of Highways	130.38	130.38	11/20/06
05-243	Hughart Calloway, Jessica L.	Division of Highways	334.93	334.93	10/25/06
05-124	Jordan, Judith L. and Ora Gay James	Division of Highways	68.90	68.90	10/25/06
05-178	Kees, Paul J.	Division of Highways	237.27	237.27	07/31/06
04-250	Kidd, Teresa J.	Division of Highways	102.82	102.82	07/06/06
05-028	Kingery, Janice L.	Division of Highways	654.11	654.11	07/31/06
05-150	Klug, Michael L.	Division of Highways	97.64	97.64	01/12/07
04-208	Lane, Doris P.	Division of Highways	209.88	209.88	07/06/06
05-4 34	Lantz, Kimberly and Ryan	Division of Highways	250.00	250.00	01/04/07
05-333	Lawrence, Philip S.	Division of Highways	138.21	138.21	01/12/07
05-126	Ledford, David A. Jr.	Division of Highways	343.15	343.15	01/04/07
05-036	Lester, Kimberly Browning	Division of Highways	569.78	569.78	11/20/06
04-288	Lien, Teresa	Division of Highways	496.99	496.99	09/26/06
06-084	Lipps, Bonnie	Division of Highways	440.23	440.23	01/12/07
05-192	Lovejoy, Lonzo	Division of Highways	649.00	500.00	07/31/06
05-311	Lowe, Warren Jr.	Division of Highways	136.74	136.74	09/26/06
06-242	Matthews, Dena A.	Division of Highways	754.99	500.00	12/15/06
05-363	McClintock, Elizabeth	Division of Highways	338.92	338.92	01/16/07
04-164	McGraw, Wanda L.	Division of Highways	1,016.54	500.00	09/26/06
06-253	Meadows, James R. and Roberta J.	Division of Highways	638.39	350.00	01/04/07
04-170	Melton, William J.	Division of Highways	1,272.20	500.00	04/27/06
02-085	Mercer, Dorothy	Division of Highways	30,000.00	29,593 .50	07/06/06
05-114	Merrifield, Eric	Division of Highways	184.96	184.96	11/20/06
04-337	Middleton, Marlene, dba The Cutting Edge	Division of Highways	5,060.88	5,060.88	01/17/07

<u>Number</u>	Name of Claimant	Name of Respondent	<u>Amount</u> <u>Claimed</u>	<u>Amount</u> Awarded	<u>Date of</u> Opinion
05-425	Miller, Richard and Melinda	Division of Highways		110,000.00	12/15/06
06-163	Napier, Robert L.	Division of Highways	422.15	422.15	11/20/06
03-495	Null, Truda	Division of Highways	125,000.00	13,000.00	12/15/06
04-515	O'Brien, Jane, as Admin. of the Estate of William Paul O'Brien	Division of Highways		50,000.00	01/12/07
05-400	Panhandle Homes Inc.	Division of Highways	325.00	325.00	01/17/07
05-141	Parks, John M.	Division of Highways	655.00	500.00	11/20/06
04-251	Pearson, Robert	Division of Highways	135.00	135.00	01/04/07
04-167	Pendleton, Tera	Division of Highways	200.34	200.34	05/23/06
05-239	Phillips, Debra J. and Dwight D.	Division of Highways	998.46	250.00	10/25/06
04-340	Płybon, Charles E.	Division of Highways	65.00	65.00	07/31/06
04-196	Porter, Clifford	Division of Highways	47.65	47.65	09/26/06
05-233	Ramsey, Donald	Division of Highways	249.57	249.57	01/04/07
04-300	Ray, Michael O.	Division of Highways	200.00	200.00	07/31/06
04-563	Rayburn, Roy	Division of Highways	505.10	250.00	10/25/06
06-197	Riley, Mark and Carla	Division of Highways	194.65	194.65	01/ 12/07
06-048	Rollins, Bobby and Edith	Division of Highways	206.96	206.96	01/04/07
05-078	Roush, Terri	Division of Highways	438.51	250.00	07/31/06
05-426	Rubenstein, James E.	Division of Highways	848.18	500.00	01/17/07
04-609	Seabolt, Michael	Division of Highways	176.72	176.72	07/31/06
05-290	Shaw, Donnie L.	Division of Highways	2,000.00	2,000.00	10/25/06
04-302	Slaughter, John and Brandon Edwards	Division of Highways	211.63	105.17	09/26/06
04-324	Sloan, Jeremy and Pamela	Division of Highways	144.55	144.55	07/06/06
06-060	Small, Robert C.	Division of Highways	736.85	336.50	12/15/06
05-361	Smith, Daniel and Valerie	Division of Highways	500.00	500.00	07/06/06
02-119	Spaulding, Misty Brown	Division of Highways	900,000.00	373,979.52	01/12/07

<u>Number</u>	Name of Claimant	Name of Respondent	<u>Amount</u> <u>Claimed</u>	<u>Amount</u> Awarded	<u>Date of</u> Opinion
04-942	Starcher, Marlyn	Division of Highways	285.07	285.07	07/06/06
03-383	Tarr, Travis W.	Division of Highways	175.11	175.11	05/23/06
06-053	Vance, Woodrow W.	Division of Highways	588.60	441.45	07/31/06
05-402	Virden, Roger	Division of Highways	385.24	100.00	01/04/07
06-097	Ward, Alex	Division of Highways	432.13	432.13	01/04/07
06-035	Wiggins, Kevin A. and Beth Ellen Reaves	Division of Highways	500.00	500.00	01/12/07
05-312	Williams, Melissa Gail	Division of Highways	529.50	500.00	10/25/06
05-161	Williamson, Kathy L.	Division of Highways	1,599.41	500.00	11/20/06
05-185	Wills, Kathy, Executrix of the Estate of David Wayne Wills	Division of Highways	521.25	500.00	07/31/06
04-074	Wright, Rickey A. and Bonnie D.	Division of Highways	572.40	500.00	07/06/06
05-089	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Division of Motor Vehicles	3,643.57	3,643.57	07/31/06
06-335	Hess, Rebecca J.	Division of Motor Vehicles	50.00	50.00	12/15/06
06-117	Wilson, Homer J. III	Division of Motor Vehicles	155.00	155.00	07/06/06
05-085	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Division of Natural Resources	566.38	360.06	04/27/06
05-086	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Division of Natural Resources	1,491.75	1,089.80	04/27/06
05-091	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Division of Rehabilitation Services	705.17	120.11	07/31/06
06-049	NDC Health Corporation	Division of Rehabilitation Services	10,786.56	10,786.56	03/21/06
06-367	Cruse, John W.	Office of Miners' Health, Safety and Training	6,045.32	6,045.32	01/12/07
06-211	Blackwell, Audra L.	Public Service Commission	15,412.00	15,412.00	09/26/06
06-394	Country Inn & Suites	Public Service Commission	3,325.58	3,325.58	01/12/07
06-244	Cain, Delores J.	Regional Jail and Correctional Facility Authority -6-	13.70	13.70	10/25/06

<u>Number</u>	Name of Claimant	Name of Respondent	<u>Amount</u> <u>Claimed</u>	<u>Amount</u> Awarded	<u>Date of</u> Opinion	~!
06-123	Delaney, Phillip Terry	Regional Jail and Correctional Facility Authority	65.00	65.00	07/06/06	
06-355	Fitzpatrick, Martin Dale	Regional Jail and Correctional Facility Authority	260.00	260.00	01/12/07	
06-243	Freeman, Jason Douglas	Regional Jail and Correctional Facility Authority	182.05	182.05	10/25/06	
05-436	Maynard, Fred	Regional Jail and Correctional Facility Authority	10.00	10.00	04/27/06	
05-294	Pownall, Michelle	Regional Jail and Correctional Facility Authority	310.00	310.00	01/12/07	
06-131	Thompson, Lawrence	Regional Jail and Correctional Facility Authority	75.0 0	75.00	01/17/07	
04-624	Walker, Arretta Jane	Regional Jail and Correctional Facility Authority	2,920.72	2,920.72	0 7/0 6/06	
05-096	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	Supreme Court of Appeals	2,553.62	2,553.62	10/25/06	
05-084	Citizens Telecommunications Co. of WV, dba Frontier Communications of WV	West Virginia State Police	7,016.32	5,695.43	07/31/06	

2,093,545.81 1,495,785.47

Over-Expenditure Claims Presented to the 2007 Legislature

Claims Against the Department of Health and Human Resources

Number	Claimant's Name	Nature of Claim		<u>Amount in</u> <u>Claims Bill</u>	<u>Date</u> <u>of Opinion</u>
CC- 06-072 05-463	Cunningham-Parker-Johnson Funeral Home Inc. Johnson Nichols Funeral Home	indigent burial indigent burial		1,250.00 1,250.00	4/27/2006 5/23/2006
			SUBTOTAL :	2,500.00	

Claims Against the Division of Corrections

	Number	Claimant's Name	Nature of Claim	Amount in	<u>Date</u>
				<u>Claims Bill</u>	of Opinion
CC-	06-179	AT & T Corporation	long distance telephone services	152.50	7/31/2006
	06-387	Beckley Appalachian Regional Hospital	medical services rendered to inmate(s)	18,195.50	1/12/2007
	06-310	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	40.00	12/15/2006
	06-312	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	104.00	12/15/2006
	06-321	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	108.50	1 2/1 5/2006
	06-324	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	124.50	12/15/2006
	06-323	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	261.00	12/15/2006
	06-311	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	266.00	12/15/2006
	06-315	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	347.50	12/15/2006
	06-304	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	868.75	12/15/2006
	06-307	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	1, 2 42.62	12/15/2006

Claims Against the Division of Corrections

<u>Number</u>	<u>Claimant's Name</u>	Nature of Claim	<u>Amount in</u> <u>Claims</u> Bill	<u>Date</u> of Opinion
06-306	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	1,859.27	12/15/2006
06-317	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	1,917.75	12/15/2006
06-325	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	3,581.35	12/15/2006
06-313	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	4,515.02	12/15/2006
06-318	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	4,723.66	12/15/2006
06-320	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	5,026.96	12/15/2006
06-314	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	10,854.99	12/15/2006
06-322	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	13,672.06	12/15/2006
06-309	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	19,585.17	12/15/2006
06-305	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	19,686.55	12/15/2006
06-308	Charleston Area Medical Center Inc.	medical services rendered to inmate(s)	54,454.30	12/15/2006
06-114	Charleston Cardiology Group PLLC	medical services rendered to inmate(s)	1,255.00	7/6/2006
06-122	Charleston Cardiology Group PLLC	medical services rendered to inmate(s)	1,546.00	7/6/2006
06-121	Charleston Cardiology Group PLLC	medical services rendered to inmate(s)	4,790.00	7/6/2006
06-366	Correctional Medical Services	medical services rendered to inmate(s)	427,130.48	1/4/2007
06-373	Davis Memorial Hospital	medical services rendered to inmate(s)	3,866.85	1/4/2007
06-354	Davis Memorial Hospital	medical services rendered to inmate(s)	10,503.84	12/15/2006

Claims Against the Division of Corrections

Number	Claimant's Name	Nature of Claim	<u>Amount in</u> Claims Bill	<u>Date</u> of Opinion
06-265	Davis Memorial Hospital	medical services rendered to	22,460.80	11/20/2006
~ 0 L00		inmate(s)	LL , 100.00	11/20/2000
06-337	General Anesthesia Services	medical services rendered to inmate(s)	1,050.00	12/15/2006
06-382	Monongalia General Hospital	medical services rendered to inmate(s)	374.00	1/12/2007
06-381	Monongalia General Hospital	medical services rendered to inmate(s)	522.00	1/12/2007
06-365	Montgomery General Hospital	medical services rendered to inmate(s)	44,932.35	1/4/2007
06-353	Select Medical Corporation	medical services rendered to inmate(s)	165,577.35	12/15/2006
06-368	St. Mary's Medical Center	medical services rendered to inmate(s)	6,463.68	1/4/2007
06-198	Tygart Valley Total Care Clínic	medical services rendered to inmate(s)	1,086.00	9/26/2006
06-192	WVU Medical Corporation	medical services rendered to inmate(s)	32,660.00	9/26/2006
06-193	WVU Physicians of Charleston	medical services rendered to inmate(s)	9,962.00	1/12/2007
06-065	West Virginia University Hospitals	medical services rendered to inmate(s)	2,061.14	4/27/2006
06-062	West Virginia University Hospitals	medical services rendered to inmate(s)	11,397.84	4/27/2006
06-364	West Virginia University Hospitals	medical services rendered to inmate(s)	162,413.05	1/12/2007
		SUBTOTAL :	1,071,640.33	

1,074,140.33

GRAND TOTAL :

Disallowed Claims Presented to the 2007 Legislature

Number	Name of Claimant	Name of Respondent	<u>Amount</u> Claimed	<u>Final</u> Disposition	Date of
<u>Number</u>			·····	<u>Disposition</u>	Opinion
03-317	Davenport, Larry M.	Department of Education	2,760.00	Disallowed	02/14/06
05-236	Allen, Robert A. and Jessica B.	Division of Highways	643.60	Disallowed	11/20/06
05-424	Berwinkle, Jo Ann and William T.	Division of Highways	2,818.62	Disallowed	11/20/06
05-427	Cline, Connie	Division of Highways	2,570.36	Disallowed	11/20/06
06-134	Colon, Jesse C. and Marcie	Division of Highways	142.35	Disallowed	01/22/07
04-397	Conley, Keith E.	Division of Highways	600.97	Disallowed	01/22/07
05-195	Conner, Robert V.	Division of Highways	336.90	Disaliowed	03/21/06
06-064	Findo, Jeffrey	Division of Highways	418.37	Disallowed	12/15/06
05-022	Goodson, Gerald Ray	Division of Highways	5,174.79	Disallowed	02/14/06
04-383	Grogg, Franklin and Rhoda	Division of Highways	225,000.00	Disaliowed	09/26/06
05-256	Hamner, Robert M.	Division of Highways	1,324.48	Disallowed	07/06/06
05-173	Hamrick, Renee C.	Division of Highways	500.00	Disallowed	02/14/06
06-023	Hellems Jr., Michael and Sydney	Division of Highways	457.14	Disallowed	07/06/06
04-496	Lanham, Judy	Division of Highways	500.00	Disallowed	07/06/06
05-125	Lee, Darrell	Division of Highways	116.50	Disallowed	02/14/06
03-501	Long, Travis E.	Division of Highways	839.13	Disallowed	07/06/06
05-121	Loughrie, William	Division of Highways	303.89	Disallowed	03/21/06
04-121	Lowe, Karen and Kimberly	Division of Highways	360.40	Disallowed	02/14/06
04-581	Matney, Thomas	Division of Highways	995.94	Disallowed	02/14/06
04-118	McGraw, Loraine M. and Johnnie K.	Division of Highways	265.00	Disallowed	02/14/06
04-382	Mighty Mite Corporation	Division of Highways	1,500,000.00	Disallowed	09/26/06
04-960	Mills, Donaid R.	Division of Highways	715.95	Disallowed	11/20/06
05-032	Mitchem, Dorothy J. алd Joseph S.	Division of Highways	5,215.00	Disallowed	03/21/06
04-475	Moberley, Crystal	Division of Highways	2,086.06	Disallowed	07/06/06
05-374	Morrison, Sam	Division of Highways	162.05	Disallowed	07/31/06
05-435	Neal, Rhonda	Division of Highways	1,503.50	Disallowed	07/31/06

<u>Number</u>	Name of Claimant	Name of Respondent	<u>Amount</u> <u>Claimed</u>	<u>Final</u> Disposition	<u>Date of</u> Opinion
04-390	Perry, Calvin L.	Division of Highways	683.67	Disallowed	07/31/06
04-881	Plumley, Barbara	Division of Highways	1,500.00	Disallowed	09/26/06
05-020	Rader, Susan Elaine	Division of Highways	426.44	Disallowed	07/31/06
06-079	Robinson, James and Anne	Division of Highways	500.00	Disallowed	10/25/06
04-631	Robinson, Rena	Division of Highways	268.08	Disallowed	07/31/06
03-473	Romine, Elsie J.	Division of Highways	736.12	Disallowed	07/31/06
04-871	Shafer, Phala M.	Division of Highways	732.91	Disallowed	02/14/06
05-279	Shaver, Ted A., Michelle A., and Devan	Division of Highways	1,831.25	Disallowed	04/27/06
04-570	Shoup, John R.	Division of Highways	1,183.15	Disallowed	07/06/06
03-526	Sizemore, Lawrence	Division of Highways	145.00	Disallowed	02/14/06
05-254	Smith, Harry W. Jr.	Division of Highways	700.00	Disallowed	10/25/06
03-405	Spears, Anna	Division of Highways	717.23	Disallowed	02/14/06
04-482	Tao, Ann B.	Division of Highways	4,557.95	Disallowed	07/31/06
05-367	Ward, Frederick R. and Lynn A.	Division of Highways	1,676.7 0	Disallowed	09/26/06
04-355	Ward, Zana P.	Division of Highways	179.62	Disallowed	11/20/06
05-013	Wendt, Arnold	Division of Highways	544.84	Disallowed	03/21/06
04-869	Wyne, Roy E.	Division of Highways	1,594.82	Disallowed	02/14/06

1,773,890.16

COURT OF CLAIMS

ABSTRACTS OF CLAIMS AWARDED

CLAIM AGAINST DEPARTMENT OF ADMINISTRATION

CC-04-879 AT&T CORPORATION V. DEPARTMENT OF ADMINISTRATION

Claimant corporation entered into a contract for telecommunication services. Claimant brought this action for universal connectivity charges (UCC charges) for the years of 1999, 2000, 2001, and 2002. The Court held a hearing on the issue of liability where it was determined that the fees should have been paid by the State during the fiscal years in question. Subsequent to the decision on the issue of liability, the parties settled the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$572,001.62 AMOUNT AWARDED: \$481,470.93

CLAIM AGAINST DEPARTMENT OF EDUCATION

<u>CC-05-098 CITIZENS TELECOMMUNICATIONS COMPANY OF WV. dba FRONTIER</u> <u>COMMUNICATIONS OF WV V. DEPARTMENT OF EDUCATION</u>

Claimant provided telephone services to the respondent State agency. Respondent admits the validity of the claim but states that the amount owed should be \$136.83. Respondent also states that the agency expired sufficient funds with which the invoices could have been paid. Claimant has agreed to accept this amount as full and complete satisfaction of its claim.

AMOUNT CLAIMED: \$5,274.00 AMOUNT AWARDED: \$136.83

<u>CC-03-572 MONROE COUNTY BOARD OF EDUCATION V. DEPARTMENT OF</u> EDUCATION

Claimants brought this action to recover funds which the allege respondent failed to allocate in a supplemental appropriation proportionately to county boards of education in the 2004 fiscal year as provided by statute. The parties stipulated many of the facts which determined the liability issue as well as the amount of the appropriation that claimant would have received if the statute had been followed by respondent. The Court then held a hearing in this claim. The determination of the Court was that the respondent had not followed the exact provisions in the statute which resulted in a loss suffered by the claimant during the fiscal year in question.

AMOUNT CLAIMED: \$112,571.38

AMOUNT AWARDED: \$112,571.38

CLAIM AGAINST DEPARTMENT OF HEALTH AND HUMAN RESOURCES

<u>CC-05-098 CITIZENS TELECOMMUNICATIONS COMPANY OF WV. dba FRONTIER</u> COMMUNICATIONS OF WV V. DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Claimant provided telephone services to the respondent State agency. Respondent admits the validity of the claim but states that the amount owed should be \$5,011.02. Respondent also states that the agency expired sufficient funds with which the invoices could have been paid. Claimant has agreed to accept this amount as full and complete satisfaction of its claim.

AMOUNT CLAIMED: \$6,812.73 AMOUNT AWARDED: \$5,011.02

CLAIMS AGAINST DIVISION OF CORRECTIONS

<u>CC-05-088 CITIZENS TELECOMMUNICATIONS COMPANY OF WV. dba FRONTIER</u> <u>COMMUNICATIONS OF WV</u>

Claimant provided telephone services to the respondent State agency. Respondent admits the validity of the claim but states that the amount owed is \$5,473.36. Respondent also states that the agency expired sufficient funds with which the invoices could have been paid. Claimant has agreed to accept this amount as full and complete satisfaction of its claim.

AMOUNT CLAIMED: \$6,434.64 AMOUNT AWARDED: \$5,473.36

CC-06-116 PUBLIC EMPLOYEES INSURANCE AGENCY V. DIVISION OF CORRECTIONS

Claimant provided health insurance coverage for employees of the Anthony Correctional Center. The agency failed to remit the correct premiums due for the coverage within the appropriate fiscal years from 1997-2005. Respondent admits the validity and amount of the claim and that it expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$207,273.95 AMOUNT AWARDED: \$207,273.95

CLAIM AGAINST DIVISION OF FORESTRY

<u>CC-05-093 CITIZENS TELECOMMUNICATIONS COMPANY OF WEST VIRGINIA, dba</u> <u>FRONTIER COMMUNICATIONS OF WEST VIRGINIA V. DIVISION OF FORESTRY</u>

Claimant provided telephone services for a facility of the respondent State agency. Respondent admits the validity and amount of the claim and that it expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$299.38

AMOUNT AWARDED: \$299.38

CLAIMS AGAINST DIVISION OF HIGHWAYS

CC-05-128 ANDREA ACORD V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on U.S. Route 52 in Mercer County. The Court held that respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$109.78 AMOUNT AWARDED: \$109.78

CC-06-008 CAROL P. SIMMONS ALDERMAN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a series of holes while she was traveling on Route 19/43 in Raleigh County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$248.49 AMOUNT AWARDED: \$248.49

CC-04-525 EVA BALSER V. DIVISION OF HIGHWAYS

Claimant brought this action for damage which occurred when her vehicle struck a piece of metal sticking out of the road while she was traveling on Kelly Creek Road near Ward, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$57.90 AMOUNT AWARDED: \$57.90

CC-04-222 BERYL BEAL V. DIVISION OF HIGHWAYS

Claimant brought this action for damage which occurred when his vehicle struck a sewer line that extended up into the road while he was traveling on Route 622 in Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$994.89

AMOUNT AWARDED: \$100.00

CC-04-291 JEROMEY CHAD BELLER V. DIVISION OF HIGHWAYS

Claimant brought this action for personal injuries received in an accident on County Route 3/4 in Raleigh County, which occurred when he was a passenger in a vehicle operated by Ronnie Lee Williams. The parties settled the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$12,500.00

AMOUNT AWARDED: \$12,500.00

CC-04-091 DIANA BENDER V. DIVISION OF HIGHWAYS

Claimant brought this action for damage which occurred when her vehicle struck a hole while she was traveling on U.S. Route 19, Summers County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$800.00 AMOUNT AWARDED: \$800.00

<u>CC-04-232 LINDA BIRD, AS ADMINISTRATRIX OF THE ESTATES OF EMZIE SOVINE AND</u> <u>MILDRED SOVINE V. DIVISION OF HIGHWAYS</u>

Claimant and her parents were traveling on the Amandaville Bridge in Kanawha County when their vehicle struck a hole. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle insurance policy.

AMOUNT CLAIMED: \$662.35 AMOUNT AWARDED: \$250.00

CC-06-080 DEWITT KEITH BLAIR V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of his vehicle striking a rock when he was traveling on Route 2 in Marshall County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$262.74 AMOUNT AWARDED: \$262.74

CC-05-335 CATHY R. BROWN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of her vehicle striking a hole when she was traveling on Cranberry Road in Raleigh County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$344.74 AMOUNT AWARDED: \$344.74

CC-06-277 ROGER BROWN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of his vehicle striking a hole when he was traveling on Route 25 in Harrison County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$327.83

AMOUNT AWARDED: \$327.83

CC-05-201 TERESA LYNN BROWN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of her vehicle striking a hole when she was traveling on Route 622/24 near Nitro, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$370.00 AMOUNT AWARDED: \$370.00

CC-05-152 CHARLES BROWNING AND CONNIE BROWNING V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred as a result of their vehicle striking rocks when claimant Connie Browning was traveling on Route 10 in Logan County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$977.00 AMOUNT AWARDED: \$500.00

CC-05-069 CHARLES J. BRYANT AND CHRISTINA R. BRYANT V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while Christina R. Bryant was traveling on Route 12 in Fayetteville, Fayette County. The Court held that the respondent was negligent in its maintenance of the road. Claimants' vehicle sustained damage in excess of their \$1,000.00 insurance deductible; however, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle insurance policy.

AMOUNT CLAIMED: \$1,000.00 AMOUNT AWARDED: \$1,000.00

CC-05-354 LENA R. BRYANT V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Meadow View Drive in Wood County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$178.25

AMOUNT AWARDED: \$100.00

<u>CC-04-345 SHARLA KAY BURGY AND CHRISTOPHER M. BURGY V. DIVISION OF</u> <u>HIGHWAYS</u>

Claimants' brought this action for vehicle damage which occurred when their vehicle struck a hole while they were traveling on Fudges Creek Road in Ona, Cabell County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle insurance policy.

AMOUNT CLAIMED: \$600.00 AMOUNT AWARDED: \$500.00 CC-05-364 DEREK J. CLATTERBUCK V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of his vehicle striking rocks while he was traveling on State Route 2 in the Glendale area, also known as "the narrows," in Marshall County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$203.94 AMOUNT AWARDED: \$203.94

CC-05-215 BENJAMIN CLEVINGER V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while claimant's daughter, Teresa L. Ball, was traveling on Strawberry Road in St. Albans, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$568.25 AMOUNT AWARDED: \$568.25

CC-05-440 JACKIEL. COOMER SR, AND CAROL S. COOMER V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Jackie L. Coomer Sr., was traveling on Route 73 in Marion County. The Court held that the respondent was negligent in the maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle insurance policy.

AMOUNT CLAIMED: \$508.35 AMOUNT AWARDED: \$500.00

CC-05-221 RITA L. CORNELL V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Lost Pavement Road in Parkersburg, Wood County. The Court held that the respondent was negligent in the maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$526.02

AMOUNT AWARDED: \$500.00

CC-05-302 TAMMY CRANE V. DIVISION OF HIGHWAYS

Claimant brought this action for personal injuries received from a broken signpost at the corner of Pennsylvania Avenue and Lee Street in Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$750.00 AMOUNT AWARDED: \$750.00

CC-06-046 PHILIP DIXON V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of his vehicle striking rocks while he was traveling on State Route 2 in the Glendale area, also known as "the narrows," in Marshall County. The Court held that the respondent was negligent in the maintenance of the road.

AMOUNT CLAIMED: \$249.55 AMOUNT AWARDED: \$249.55

CC-04-520 DIANA S. EGGERICHS V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole when she was traveling on Route 17 in Fayette County. The Court held that the respondent was negligent in the maintenance of the road. However, the Court also assessed forty percent (40%) comparative negligence against the claimant.

AMOUNT CLAIMED: \$169.99 AMOUNT AWARDED: \$101.99

<u>CC-04-205 ROBERT CRAIG FERRELL AND AMANDA E. FERRELL V. DIVISION OF</u> <u>HIGHWAYS</u>

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Amanda Ferrell was traveling on Hewett's Creek Road in Logan County. The Court held that the respondent was negligent in the maintenance of the road. However, the Court also assessed fifteen percent (15%) comparative negligence against the claimant.

AMOUNT CLAIMED: \$401.29 AMOUNT AWARDED: \$341.10

CC-05-348 TRUDY L. FORSTER V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck an object in the roadway while she was traveling on the exit ramp of I-470 onto Route 2 in Ohio County. The Court held that the respondent was negligent in the maintenance of the road.

AMOUNT CLAIMED: \$450.23

AMOUNT AWARDED: \$450.23

CC-05-189 MARY ANN FOX V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole which she was traveling on Teays Valley Road in Scott Depot, Putnam County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$169.60 AMOUNT AWARDED: \$100.00

CC-06-031 DARLA FURBEE VS. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck rocks while she was traveling on State Route 2 in the Glendale area, also known as "the narrows," in Marshall County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$1,012.97 AMOUNT AWARDED: \$1,012.97

CC-06-093 GLORIA JUNE GALLOURAKIS V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of his vehicle striking rocks while she was traveling on State Route 2 in the Glendale area, also known as "the narrows," in Marshall County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$1,512.03 AMOUNT AWARDED: \$500.00

CC-06-027 ANTOINE E. GERAUD V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a sign lying in the road when she was traveling on W. Va. Route 2 in Marshall County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$165.20 AMOUNT AWARDED: \$165.20

CC-04-481 MAKHOUL GHAREEB V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck standing water while he was traveling on I-64 near Charleston, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$5,100.00

AMOUNT AWARDED: \$500.00

CC-05-298 CONNIE GOINS V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Oakwood Road in Charleston, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$437.78 AMOUNT AWARDED: \$437.78

CC-05-316 LYNN GOMEZ AND ALICIA GOMEZ V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Route 114 in Pinch, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$272.36 AMOUNT AWARDED: \$272.36

CC-04-947 CAROL A. GREEN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on U.S. Route 35 in Mason County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$574,40

AMOUNT AWARDED: \$574.40

CC-06-100 JEAN GRIMES AND ALAINA STUMP V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while Alaina Stump was traveling on Route 307 in Raleigh County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle insurance policy.

AMOUNT CLAIMED: \$2,339.88

AMOUNT AWARDED: \$500.00

CC-05-347 TONY GUZMAN AND CONNIE SUE GUZMAN V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Tony Guzman was traveling on County Route 60 in Morgantown, Monongalia County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$296.69

AMOUNT AWARDED: \$296.69

CC-04-533 JOANN HAINER AND JERRY HAINER V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when claimant Jerry Hainer was traveling on Chief Logan State Park in Logan County when several boards on the bridge came loose and damaged the underside of the vehicle. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$1,568.23 AMOUNT AWARDED: \$1,568.23

CC-05-355 LUCY HILES AND AMELIA HILES V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Lucy Hiles was traveling on Route 94 in Kanawha County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court assessed twenty percent (20%) comparative negligence against the claimants.

AMOUNT CLAIMED: \$2,436.37 AMOUNT AWARDED: \$1,949.10

CC-06-089 NELSON W. HOCKING V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of his vehicle striking rocks while he was traveling on State Route 2 in the Glendale area, also known as "the narrows," in Marshall County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$500.00 AMOU

AMOUNT AWARDED: \$500.00

CC-05-194 TIMOTHY ALLEN HOLSTEIN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of his vehicle striking a rock while he was traveling on I-64 in Charleston, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$990.68

AMOUNT AWARDED: \$500.00

CC-05-229 MARTHA HOSCHAR V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of her vehicle striking a hole while she was traveling on Route 25 in Saint Albans, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$645.41 AMOUNT AWARDED: \$250.00

CC-05-035 LORI HUDNALL V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of her vehicle striking a hole while she was traveling on Dairy Road in Poca, Putnam County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle policy.

AMOUNT CLAIMED: \$2,030.24 AMOUNT AWARDED: \$500.00

CC-05-216 MICHELLE DAWN HUDSON V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of her vehicle striking a broken section of roadway while traveling on Route 60, in Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$130.38 AMOUNT AWARDED: \$130.38

CC-05-243 JESSICA L. HUGHART CALLOWAY V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of her vehicle striking a hole while she traveled on Route 622 in Cross Lanes, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$334.93 AMOUNT AWARDED: \$334.93

CC-05-124 JUDITH L. JORDAN AND ORA GAY JAMES V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred as a result of her vehicle striking a hole while she traveled on Oakwood Road in Charleston, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$68.90

AMOUNT AWARDED: \$68.90

CC-05-178 PAUL J. KEES V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of his vehicle striking a hole while he was traveling on Route 60 near London, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$237.27 AMOUNT AWARDED: \$237.27

CC-04-250 TERESA J. KIDD V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of her vehicle striking a hole while she was traveling on Route 33 in Putnam County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$102.82 AMOUNT AWARDED: \$102.82

CC-05-028 JANICE L. KINGERY V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred as a result of her vehicle striking a hole while she was traveling on Deary Road in Salt Rock, Cabell County. The parties stipulated the claim for an amount to be fair and reasonable.

AMOUNT CLAIMED: \$654.11 AMOUNT AWARDED: \$654.11

CC-05-150 MICHAEL L. KLUG V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Route 622 in Cross Lanes, Kanawha County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$97.64 AMOUNT AWARDED: \$97.64

CC-04-208 DORIS P. LANE V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Route 85 near Bim in Boone County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$209.88

AMOUNT AWARDED: \$209.88

CC-05-434 KIMBERLY LANTZ AND RYAN LANTZ V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Kimberly Lantz was traveling on Route 7 in Sardis, Harrison County. The parties stipulated the claim for an amount to be fair and reasonable.

AMOUNT CLAIMED: \$250.00 AMOUNT AWARDED: \$250.00

CC-05-333 PHILIP S. LAWRENCE V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling eastbound on Route 60 near South Charleston, Kanawha County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$138.21 AMOUNT AWARDED: \$138.21

CC-05-126 DAVID A. LEDFORD JR. V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling eastbound on Route 16 also known as Cranberry Road in Beckley, Raleigh County.

AMOUNT CLAIMED: \$343,15 AMOUNT AWARDED: \$343.15

CC-05-036 KIMBERLY BROWNING LESTER V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Route 80 near Gilbert, Mingo County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$569.78

AMOUNT AWARDED: \$569.78

CC-04-288 TERESA LIEN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on W. Va. Route 3 in West Hamlin, Lincoln County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$496.99

AMOUNT AWARDED: \$496.99

CC-06-084 BONNIE LIPPS V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Harvey Street in Williamson, Mingo County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$440.23 AMOUNT AWARDED: \$440.23

CC-05-192 LONZO LOVEJOY V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while she was traveling on I-64 near Charleston, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle insurance policy.

AMOUNT CLAIMED: \$649.00 AMOUNT AWARDED: \$500.00

CC-05-311 WARREN LOWE JR. V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Hart Road in Lincoln County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$136.74 AMOUNT AWARDED: \$136.74

CC-06-242 DENA A. MATTHEWS V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck an croded section of berm while she was traveling on County Route 7/4 in Mercer County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle policy.

AMOUNT CLAIMED: \$754.99

AMOUNT AWARDED: \$500.00

CC-05-363 ELIZABETH MCCLINTOCK V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling_on County Route 9 near Tornado, Kanawha County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle policy.

AMOUNT CLAIMED: \$338.92

AMOUNT AWARDED: \$338.92

CC-04-164 WANDA L. MCGRAW V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Walker's Drive near Sissonville, Kanawha County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle policy.

AMOUNT CLAIMED: \$1,016.54 AMOUNT AWARDED: \$500.00

<u>CC-06-253 JAMES R. MEADOWS AND ROBERTA J. MEADOWS V. DIVISION OF</u> <u>HIGHWAYS</u>

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while they traveling on Eccles Road in Beckley, Raleigh County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle policy.

AMOUNT CLAIMED: \$638.39 AMOUNT AWARDED: \$350.00

CC-04-170 WILLIAM J. MELTON V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a piece of metal while he traveled on I-64 in Charleston, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle policy.

AMOUNT CLAIMED: \$1,272.20 AMOUNT AWARDED: \$500.00

CC-02-085 DOROTHY MERCER V. DIVISION OF HIGHWAYS

Claimant brought this action for property damage to her home and real estate located in Kanawha County which she alleged occurred as a result of respondent's maintenance of a drainage system. The Court held that the respondent was negligent in its maintenance of the drainage system.

AMOUNT CLAIMED: \$30,000.00 AMOUNT AWARDED: \$29,593.50

CC-05-114 ERIC MERRIFIELD V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Route 35 near Winfield, Putnam County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$184.96

AMOUNT AWARDED: \$184.96

CC-04-337 MARLENE MIDDLETON dba THE CUTTING EDGE V. DIVISION OF HIGHWAYS

Claimant brought this action for property damage to her real estate located adjacent to County Route 61/24, locally known as Armstrong Creek Road, and County Route 61/46, locally known as Post Office Road, in Kimberly, Fayette County, which she alleges occurred as a result of respondent's negligent maintenance of a drainage system. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$5,060.88 AMOUNT AWARDED: \$5,060.88

CC-05-425 RICHARD MILLER AND MELINDA MILLER V. DIVISION OF HIGHWAYS

Claimants brought this action for personal injuries and vehicle damage which occurred when his vehicle struck a hole while claimant Richard Miller was traveling on U.S. Route 60 across the Amandaville Bridge in Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$Unliquidated AMOUNT AWARDED: \$110,000.00

CC-06-163 ROBERT L. NAPIER V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a metal plate on a bridge while he was traveling on Route 17 near Clothier, Logan County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$422.15 AMOUNT AWARDED: \$422.15

CC-03-495 TRUDA NULL V. DIVISION OF HIGHWAYS

Claimant brought this action for personal injuries which occurred when she stepped in a hole while walking across 21st Street in Nitro, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$125,000.00

AMOUNT AWARDED: \$13,000.00

<u>CC-04-515 JANE O'BRIEN, AS ADMINISTRATRIX OF THE ESTATE OF WILLIAM PAUL</u> <u>O'BRIEN V. DIVISION OF HIGHWAYS</u>

Claimant brought this action for a motorcycle accident which occurred when William Paul O'Brien was traveling on Route 16 in Calhoun County. There was an excess of gravel on the roadway which was the cause of the accident. Mr. O'Brien died as a result of the injuries he received in this accident. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$Unliquidated	AMOUNT AWARDED: \$50,000.00
--------------------------------	-----------------------------

CC-05-400 PANHANDLE HOMES INC. V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when its Volvo Toter struck a broken sign post while traveling at the intersection of Lover's Lane and Walker Road in Follansbee, Brooke County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$325.00 AMOUNT AWARDED: \$325.00

CC-05-141 JOHN M. PARKS V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Paint Creek Road near Gallagher, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$655.00 AMOUNT AWARDED: \$500.00

CC-04-251 ROBERT PEARSON V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Virginia Street in Oak Hill, Fayette County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$135.00 AMOUNT AWARDED: \$135.00

CC-04-167 TERA PENDLETON V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Kanawha Turnpike in South Charleston, Kanawha County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$200.34

AMOUNT AWARDED: \$200.34

CC-05-239 DEBRA J. PHILLIPS AND DWIGHT D. PHILLIPS V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Debra Phillips was traveling on Route 68 in Wood County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle insurance policy.

AMOUNT CLAIMED: \$998.46 AMOUNT AWARDED: \$250.00

CC-04-340 CHARLES E. PLYBON V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while traveling on Piedmont Road in Huntington, Cabell County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$65.00 AMOUNT AWARDED: \$65.00

CC-04-196 CLIFFORD PORTER V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on W. Va. Route 3 in West Hamlin, Lincoln County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$47.65 AMOUNT AWARDED: \$47.65

CC-05-233 DONALD RAMSEY V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Route 16 in Beckley, Raleigh County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$249.57 AMOUNT AWARDED: \$249.57

CC-04-300 MICHAEL O. RAY V. DIVISION OF HIGHWAYS

Claimant brought this action for property damage which occurred because there was an excessive amount of water runoff from Silverado Drive in Huntington, Cabell County. Respondent made repairs to alleviate this problem. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$200.00

AMOUNT AWARDED: \$200.00

CC-04-563 ROY RAYBURN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Route 2 near Point Pleasant, Mason County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$505.10 AMOUNT AWARDED: \$250.00

CC-06-197 MARK RILEY AND CARLA RILEY V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck two holes while claimant Carla Riley was traveling on Route 19 in Goodhope, Harrison County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$194.65

AMOUNT AWARDED: \$194.65

CC-06-048 BOBBY ROLLINS AND EDITH ROLLINS V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a broken section of road while he was traveling on Route 971 in Logan County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$206.96 AMOUNT AWARDED: \$206.96

CC-05-078 TERRI ROUSH V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Route 622 near Cross Lanes, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$438.51

AMOUNT AWARDED: \$250.00

CC-05-426 JAMES E. RUBENSTEIN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Route 60 in South Charleston, Kanawha County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$848.18

AMOUNT AWARDED: \$500.00

CC-04-609 MICHAEL SEABOLT V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Rocky Step Road in Scott Depot, Putnam County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$176.72 AMOUNT AWARDED: \$176.72

CC-05-290 DONNIE L. SHAW V. DIVISION OF HIGHWAYS

Claimant brought this action for damage which occurred when a large rock fell into a drainage ditch along Camp Run, in Doddridge County, causing water to wash out a tunnel underneath claimant's property. Claimant's horse that was grazing on the property fell into the tunnel and died. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$2,000.00 AMOUNT AWARDED: \$2,000.00

CC-04-302 JOHN SLAUGHTER AND BRANDON EDWARDS V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Brandon Edwards was traveling on Route 62 in Kanawha County. The Court held that the respondent was negligent in its maintenance of the road. However, the Court is also of the opinion that by driving for more than a mile after the vehicle struck the hole in the road, claimant could have damaged the rear rim while driving and therefore no recovery can be awarded for the damage to the rim.

AMOUNT CLAIMED: \$211.63 AMOUNT AWARDED: \$105.17

CC-04-324 JEREMY SLOAN AND PAMELA SLOAN V. DIVISION OF HIGHWAYS

Claimants brought this action for vchicle damage which occurred when their vehicle struck a hole while traveling on West Washington Street in Charleston, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$144.55

AMOUNT AWARDED: \$144.55

CC-06-060 ROBERT C. SMALL V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Sauls Run Road in Harrison County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to claimant's out-of-pocket expenses which were not covered by his motor vehicle insurance policy.

AMOUNT CLAIMED: \$736.85 AMOUNT AWARDED: \$336.50

CC-05-361 DANIEL SMITH AND VALERIE SMITH V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Valerie Smith was traveling on Jordan Creek Road in Kanawha County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$500.00

AMOUNT AWARDED: \$500.00

CC-02-119 MISTY BROWN SPAULDING V. DIVISION OF HIGHWAYS

Claimant brought this action for personal injuries and vehicle damage which occurred when her vehicle went into a very deep, washed out area of the shoulder while she was traveling on W. Va. Route 501 in Cross Lancs, Kanawha County. The Court first heard the issue of liability where the Court found fault on the part of both the respondent and the claimant, and assigned the claimant twenty-five percent (25%) of that fault. At a second hearing for the issue of damages, the Court determined that claimant suffered a permanent injury resulting in out-of-pocket medical bills, lost wages, future medical treatment, property loss, and past and future pain and suffering.

AMOUNT CLAIMED: \$900,000.00 AMOUNT AWARDED: \$373,979.52

CC-04-942 MARLYN STARCHER V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck holes in the road while he was traveling on Route 36 in Clay County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$285.07

AMOUNT AWARDED: \$285.07

CC-03-383 TRAVIS W. TARR V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Route 34 near Hurricane, Putnam County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$175.11 AMOUNT AWARDED: \$175.11

CC-06-053 WOODROW W. VANCE V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on Route 41 near Persinger, Nicholas County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court found the claimant to be twentyfive percent (25%) negligent in this incident.

AMOUNT CLAIMED: \$588.60

CC-05-402 ROGER VIRDEN V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when his vehicle struck a hole while he was traveling on County Route 7 in Brooke County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$385.24 AMOUNT AWARDED: \$100.00

CC-06-097 ALEX WARD V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage incurred when his motorcycle struck a hole while he was traveling on U.S. Route 16 in Beckley, Raleigh County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$432.13

AMOUNT AWARDED: \$432.13

AMOUNT AWARDED: \$441.45

<u>CC-06-035 KEVIN A. WIGGINS AND BETH ELLEN REAVES WIGGINS V. DIVISION OF</u> <u>HIGHWAYS</u>

Claimants brought this action for vehicle damage which occurred when their vehicle struck a patch of ice while Kevin A. Wiggins was traveling on Circle Drive near the Community of Quict Dell, in Harrison County. The Court held that the respondent was negligent in its maintenance of the road.

AMOUNT CLAIMED: \$500.00

AMOUNT AWARDED: \$500.00

CC-05-312 MELISSA GAIL WILLIAMS V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck an open lid to the wires to the street lights in the road while she was traveling on I-64 from Route 119 in Charleston, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$529.50 AMOUNT AWARDED: \$500.00

CC-05-161 KATHY L. WILLIAMSON V. DIVISION OF HIGHWAYS

Claimant brought this action for vehicle damage which occurred when her vehicle struck a hole while she was traveling on Route 60 in London, Kanawha County. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$1,599.41

AMOUNT AWARDED: \$500.00

<u>CC-05-185 KATHY WILLS, EXECUTRIX OF THE ESTATE OF DAVID WAYNE WILLS V.</u> <u>DIVISION OF HIGHWAYS</u>

Claimant brought this action for vehicle damage which occurred when claimant's daughter Jennifer Wills, was traveling on Route 60 near London, Kanawha County, when the vehicle struck a dip in the road. The parties stipulated the claim for an amount agreed to be fair and reasonable. In addition, the Court limited the amount of the award to the deductible feature in claimant's motor vehicle insurance policy.

AMOUNT CLAIMED: \$521.25 AMOUNT AWARDED: \$500.00

CC-04-074 RICKEY A. WRIGHT AND BONNIE D. WRIGHT V. DIVISION OF HIGHWAYS

Claimants brought this action for vehicle damage which occurred when their vehicle struck a hole while claimant Bonnie Wright was traveling on County Route 50/87, also known as Emily Drive, in Clarksburg, Harrison County. The Court held that the respondent was negligent in its maintenance of the road. In addition, the Court limited the amount of the award to the deductible feature in claimants' motor vehicle insurance policy.

AMOUNT CLAIMED: \$572.40

AMOUNT AWARDED: \$500.00

CLAIM AGAINST DIVISION OF MOTOR VEHICLES

<u>CC-05-089 CITIZENS TELECOMMUNICATIONS COMPANY OF WV. dba FRONTIER</u> <u>COMMUNICATIONS OF WV_V. DIVISION OF MOTOR VEHICLES.</u>

Claimant provided telephone services to the respondent State agency. Respondent admits the validity and amount of the claim and that it expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$3,643.57 AMOUNT AWARDED: \$3,643.57

CC-06-335 REBECCA J. HESS V. DIVISION OF MOTOR VEHICLES

Claimant seeks reimbursement for towing expenses she incurred due to the respondent failing to properly transfer her license plate to the correct vehicle. Respondent admits the validity and amount of the claim. The Court made an award to claimant for her los.

AMOUNT CLAIMED: \$50.00

AMOUNT AWARDED: \$50.00

CC-06-117 HOMER J. WILSON III V. DIVISION OF MOTOR VEHICLES

Claimant seeks reimbursement for a title that respondent did not process for his vehicle in a timely manner. Respondent admits the validity and amount of the claim. The Court made an award to claimant for his loss.

AMOUNT CLAIMED: \$155.00 AMOUNT AWARDED: \$155.00

CLAIM AGAINST DIVISION OF NATURAL RESOURCES

<u>CC-05-085 CITIZENS TELECOMMUNICATIONS COMPANY OF WEST VIRGINIA, dba</u> <u>FRONTIER COMMUNICATIONS OF WEST VIRGINIA V. DIVISION OF NATURAL</u> <u>RESOURCES</u>

Claimant provided telephone services to the respondent State agency. Respondent admits the validity of the claim, but states that the amount of \$360.06, rather than the amount claimed of \$566.38, is fair and reasonable. Claimant is in agreement with the amount of \$360.06. Respondent further states that there were sufficient funds expired in the appropriate fiscal year from which the invoice could have been paid.

AMOUNT CLAIMED: \$566.38

AMOUNT AWARDED: \$360.06

<u>CC-05-086 CITIZENS TELECOMMUNICATIONS COMPANY OF WEST VIRGINIA, dba</u> <u>FRONTIER COMMUNICATIONS OF WEST VIRGINIA V. DIVISION OF NATURAL</u> <u>RESOURCES</u>

Claimant provided telephone services for a facility of the respondent State agency. Respondent admits the validity of the claim, but states that the amount of \$1,089.80, rather than the amount claimed of \$1,491.75, is fair and reasonable. Claimant is in agreement with the amount of \$1,089.80.

AMOUNT CLAIMED: \$1,491.75 AMOUNT AWARDED: \$1,089.80

CLAIMS AGAINST DIVISION OF REHABILITATION SERVICES

<u>CC-05-091 CITIZENS TELECOMMUNICATIONS COMPANY OF WV, dba FRONTIER</u> <u>COMMUNICATIONS OF WV V. DIVISION OF REHABILITATION SERVICES</u>

Claimant provided telephone services to the respondent State agency. Respondent admits the validity of the claim, but states that the parties negotiated the amount of the claim as \$120.11. In addition, the respondent expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$705.17

AMOUNT AWARDED: \$120.11

CC-06-049 NDC HEALTH CORPORATION V. DIVISION OF REHABILITATION SERVICES

Claimant provided telephone services to the respondent State agency. Respondent admits the validity and amount of the claim and that it expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$10,786.56

AMOUNT AWARDED: \$10,786.56

CLAIM AGAINST OFFICE OF MINER'S HEALTH, SAFETY AND TRAINING

CC-06-367 JOHN W. CRUSE V. OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

Claimant provided investigative overtime work due to the Sago Mine accident for which he has not been paid. Respondent admits the validity and amount of the claim. The Court made an award.

AMOUNT CLAIMED: \$6,045.32

AMOUNT AWARDED: \$6,045.32

CLAIMS AGAINST PUBLIC SERVICE COMMISSION

CC-06-211 AUDRA L. BLACKWELL V. PUBLIC SERVICE COMMISSION

Claimant seeks tuition reimbursement under the Education Reimbursement Policy. Respondent admits the validity and amount of the claim and that it expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$15,412.00 AMOUNT AWARDED: \$15,412.00

CC-06-394 COUNTRY INN & SUITES V. PUBLIC SERVICE COMMISSION

Claimant provided a conference room, lunch, and equipment for an event hosted by the respondent State agency. Respondent admits the validity and amount of the claim and that it expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$3,325.58 AMOUNT AWARDED: \$3,325.58

CLAIMS AGAINST REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

<u>CC-06-244 DELORES J. CAIN V. REGIONAL JAIL AND CORRECTIONAL FACILITY</u> <u>AUTHORITY</u>

Claimant, an inmate, lost certain items of personal property that were entrusted to respondent's employees when she was in the custody of the respondent State agency. The Court determined that a bailment had occurred and respondent was responsible for the lost items.

AMOUNT CLAIMED: \$13.70 AMOUNT AWARDED: \$13.70

<u>CC-06-123 PHILLIP TERRY DELANEY V. REGIONAL JAIL AND CORRECTIONAL</u> <u>FACILITY AUTHORITY</u>

Claimant, an inmate, lost certain items of personal property that were entrusted to respondent's employees when he was in the custody of the respondent State agency. The Court determined that a bailment had occurred and respondent for the lost items.

AMOUNT CLAIMED: \$65.00

AMOUNT AWARDED: \$65.00

<u>CC-06-355 MARTIN DALE FITZPATRICK V. REGIONAL JAIL AND CORRECTIONAL</u> <u>FACILITY AUTHORITY</u>

Claimant, an inmate, lost certain items of personal property that were entrusted to respondent's employees when he was in the custody of the respondent State agency. The Court determined that a bailment had occurred and respondent for the lost items.

AMOUNT CLAIMED: \$260.00 AMOUNT AWARDED: \$260.00

<u>CC-06-243 JASON DOUGLAS FREEMAN V. REGIONAL JAIL AND CORRECTIONAL</u> <u>FACILITY AUTHORITY</u>

Claimant, a former inmate, lost certain items of personal property that were entrusted to respondent's employees when he was in the custody of the respondent State agency. The Court determined that a bailment had occurred and respondent for the lost items.

AMOUNT CLAIMED: \$182.05

AMOUNT AWARDED: \$182.05

<u>CC-05-436 FRED MAYNARD V. REGIONAL JAIL AND CORRECTIONAL FACILITY</u> <u>AUTHORITY</u>

Claimant, a former inmate, lost certain items of personal property that were entrusted to respondent's employees when he was in the custody of the respondent State agency. The Court determined that a bailment had occurred and respondent for the lost items.

AMOUNT CLAIMED: \$10.00

AMOUNT AWARDED: \$10.00

<u>CC-05-294 MICHELLE POWNALL V. REGIONAL JAIL AND CORRECTIONAL FACILITY</u> <u>AUTHORITY</u>

Claimant, a former inmate, lost certain items of personal property that were entrusted to respondent's employees when he was in the custody of the respondent State agency. The Court determined that a bailment had occurred and respondent for the lost items.

AMOUNT CLAIMED: \$310.00

AMOUNT AWARDED: \$310.00

<u>CC-06-131 LAWRENCE THOMPSON V. REGIONAL JAIL AND CORRECTIONAL FACILITY</u> <u>AUTHORITY</u>

Claimant, a former inmate, lost certain items of personal property that were entrusted to respondent's employees when he was in the custody of the respondent State agency. The parties stipulated the claim for an amount agreed to be fair and reasonable.

AMOUNT CLAIMED: \$75.00

AMOUNT AWARDED: \$75.00

<u>CC-04-624 ARRETTA JANE WALKER V. REGIONAL JAIL AND CORRECTIONAL FACILITY</u> <u>AUTHORITY</u>

Claimant, a former inmate, lost certain items of personal property that were entrusted to respondent's employees when he was in the custody of the respondent State agency. The Court determined that a bailment had occurred and respondent for the lost items.

AMOUNT CLAIMED: \$2,920.72 AMOUNT AWARDED: \$2,920.72

CLAIM AGAINST SUPREME COURT OF APPEALS

<u>CC-05-096 CITIZENS TELECOMMUNICATIONS COMPANY OF WV. dba FRONTIER</u> <u>COMMUNICATIONS OF WV V. SUPREME COURT OF APPEALS</u>

Claimant provided telephone services to the respondent State agency. Respondent admits the validity and amount of the claim and that it expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$2,553.62 AMOUNT AWARDED: \$2,553.62

CLAIM AGAINST WEST VIRGINIA STATE POLICE

<u>CC-05-084 CITIZENS TELECOMMUNICATIONS COMPANY OF WV, dba FRONTIER</u> <u>COMMUNICATIONS OF WV V. WEST VIRGINIA STATE POLICE</u>

Claimant provided telephone services to the respondent State agency. Respondent admits the validity of the claim, but states that the parties negotiated the amount of the claim. In addition, the respondent expired sufficient funds with which the invoices could have been paid.

AMOUNT CLAIMED: \$7,016.32

AMOUNT AWARDED: \$5,695.43