Arkansas State Claims Commission

FEB C 7 2017

Please Read Instructions on Reverse Side of Yellow copy

Please print in ink or type

RECEIVED

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

M	frs. Sandra Golden fs.			17-0527-0	(C)
M				Cleim No.	7 2017
	fies	. c	leiment	Date Filed February (Month) (Da	
					5,000.00
	VB.			AHTD	
Sta	ate of Arkansas, Respondent			Personal In	1171
H	ighway & Transport	ation Dept.		Personal In	ury
		COMP	LAINT		
P	aul Golden and Sa	andra Golden	3485 5	kyranch Dr.	Alvin
_	01-40) 831-3948	-	(Street or R.F.D. & No.)	(City)
	TX 77511 (201	County of Brazo	ria represen	ted by James C. (Legal Counsel, if any,	
	(State) (Zip Code) (Daytime Ph		<i>-</i>	903) 334-8646	(903) 334-8
of,	4004 Texas Blvd.	Texarkana TX (City) (State)	(Zip Code)	(Phone No.)	(Fax No.)
	do agency involved: AR State	Highway and Trans	portation	Dept. Paul Go	olden-\$15,00
Sta	de agency involved:	July 16, 2015		Sandra G	olden \$1,500
	eath, day, year and place of incident or se	.,,,,,		C IIIl. T.	
K	tplanation: On July 16,	2015 around 10:30 a.m	n., Arkansas	State Highway I	ansportation
	Department vehicle/equip	pment # 3519 blew a hyd	raulic line a	nd sprayed nydraunc	ed on and the
	surface of Highway 14 in	Big Flat, Baxter County,	ttoched AD	St. HWV and Trans	Dent Report
	crew went to get supplies	to clean up the spill (see a	mached AK.	on Five I and I falls,	on materials
	of Motor Vehicle, Equip	ment and/or Property Dam	the oil and	Around 10.30 am	Paul Golden
	detour signs or flaggers v	were placed on or around	let with Com	MIUMIU 10:37 a.III.,	senger The
	was driving a motorcycle	e on Highway 14 in Big F	lat with San	ma Goldell as his par	lost traction
	motorcycle came into cor	ntact with the hydraulic oi	on the mgn	way and immediately	tic c lumber
	and crashed on its' left s	ide. Paul Golden experien	ced a cervic	al sprain and radicul	abad madical
	sprain and radiculitis, mu	uscle spasms, and left elbo	w and shoul	der injuries (see atta	ched medical
	Candra Gold	an area comionaly injured u	rith madical	hills exceeding \$2.12	(100) 110 Her
	summary). Sandra Golde	en was seriously injured w	nui medicai	oms execoding 4252	000.00. 1101
	left choulder and collar	en was seriously injured w bone were damaged and	required m	ultiple procedures.	Mrs. Golden
	left choulder and collar	hone were damaged and	required m	ultiple procedures.	Mrs. Golden
	left shoulder and collar suffered injuries to her	bone were damaged and neck, back, knee and teet	required m	ultiple procedures.	Mrs. Golden
	left choulder and collar	bone were damaged and neck, back, knee and teet	required m	ultiple procedures.	Mrs. Golden
-	left shoulder and collar suffered injuries to her attached medical summar	bone were damaged and neck, back, knee and teet ry and photos).	h. She suff	ered from road rash	as well (see
	left shoulder and collar suffered injuries to her attached medical summar	bone were damaged and neck, back, knee and teet ry and photos).	h. She suff	ered from road rash (1) Has claim been presented to any	as well (see
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BEFORE THE ARKANSAS STATE CLAIMS COMMISION

SANDRA GOLDEN

CHAIMANT

V.

CLAIM NO. 17-0527-CC

State Claims Commission
OCT 3 2018

ARKANSAS STATE HIGHWAY COMMISSION AND ARKANSAS DEPARTMENT OF TRANSPORTATION fk/a ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

RECEIVED RESPONDENTS

FULL AND COMPLETE SETTLEMENT AND RELEASE

For the sole consideration of Five Hundred Twenty Five Thousand Dollars and zero cents (\$525,000.00) that the undersigned, Sandra Golden, does hereby release, discharge and forever acquit, Arkansas Department of Transportation f/k/a Arkansas State Highway and Transportation Department, Arkansas State Highway Commission (collectively ArDOT), their agents, employees, successors, and assigns liable or who might be liable in any way or in any manner as result of an accident which occurred on or about July 16, 2015, in Baxter County, Arkansas. This release shall operate as a full and final discharge of all causes of action in tort or in contract, or of any kind, of the undersigned, presently existing and which may arise in the future, of whatever kind and whatever nature against ArDOT.

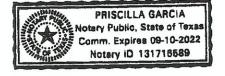
It is further expressly agreed by the undersigned that the amount to be paid herein is in full and final satisfaction of any and all claims including, but not limited to, any claim for bad faith, personal injury, wrongful death, damage to property, loss of consortium, and for any and all damages, known or unknown, or demands against ArDOT which may arise out of said accident.

The undersigned hereby accepts ArDOT's unconditional promise not to dispute liability for said claim filed by the undersigned before the Arkansas State Claims Commission as full and will be made payable to: the undersigned, Sandra Golden and her attorney, James C. Wyly in the amount of Five Hundrea Twenty Five Thousand Dollars and zero cents (\$525,000.00), which has been agreed to by the undersigned. This settlement, in accordance with Arkansas State Law, is contingent upon approval from the Arkansas State Claims Commission, Joint Budget Committee or Legislative Council and the Arkansas General Assembly. The undersigned hereby accepts the aforementioned sum as full, sufficient, final consideration, and final payment with respect to the above-mentioned claim before the Arkansas State Claims Commission for all claims past, present, and future that are a result of the accident of July 16, 2015.

The undersigned, hereby declares the terms of this settlement have been completely read, are fully understood, and are voluntarily accepted for the purpose of making a full and final compromise, adjustment, and settlement of any and all claims, disputed or otherwise, for the express purpose of dismissing and precluding forever any and all claims, including further or additional claims arising out of the aforesaid matter.

EXECUTED THIS 2187 DAY	Y OF September, 2018.
Sandra S. Doldan	Paul Nolder
Sandra Golden, Claimant	Paul Golden, Claimant
250000000000000000000000000000000000000	
Social Security Number	Social Security Number

SUBSCRIBED AND SWORN to before me this 21st day of Suptember, 2018.



My Commission Expires:

09-10-2022

Witnessed and approved by:

James C Wyly
Attorney for Claimants

Prepared by:

Steven W. Abed Staff Attorney

Arkansas Department of

Transportation

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

PAUL GOLDEN AND SANDRA GOLDEN

CLAIMANTS

V.

CLAIM NO. 17-0527-CC

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the "Claims Commission") is the Full and Complete Settlement and Release signed by separate claimant Paul Golden and the Full and Complete Settlement and Release signed by separate claimant Sandra Golden. This claim was filed by the Goldens relating to a motorcycle crash on Highway 14 on July 16, 2015, against the Arkansas Department of Transportation.

Based upon a review of the pleadings and the settlement agreements, the Claims Commission hereby APPROVES both settlement agreements.

As such, and pursuant to the settlement agreement executed by separate claimant Paul Golden, the Claims Commission directs the Claims Commission clerk to issue a voucher in the amount of \$9,000.00 payable to separate claimant Paul Golden. As to separate claimant Sandra Golden's award, the Claims Commission refers the award of \$525,000.00 to the General Assembly for review and placement on an appropriations bill pursuant to Ark. Code Ann. § 19-10-215(b).

IT IS SO ORDERED.

Lewy C. Kinslow

ARKANSAS STATE CLAIMS COMMISSION

Dexter Booth Henry Kinslow, Co-Chair Bill Lancaster Sylvester Smith Mica Strother, Co-Chair

DATE: October 22, 2018

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from the date of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(b). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the date of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(b)(3). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(b). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).