

**REPORT OF THE CLAIMS REVIEW/LITIGATION REPORTS OVERSIGHT
SUBCOMMITTEE OF THE
ARKANSAS LEGISLATIVE COUNCIL
Friday, December 16, 2022**

Co-Chairs:

The Claims Review/Litigation Reports Oversight Subcommittee met on Thursday, December 15, 2022, in Committee Room B, MAC, at 3:00 p.m., and makes the following recommendations to the Arkansas Legislative Council:

A. Litigation Oversight

The subcommittee reviewed seven (16) litigation review matters and one (1) proposed settlement:

1. Ralph T. Hudson, Director of Labor v. Sean Popejoy *d/b/a* Imperial Painting & Construction LLC
2. HVACR Licensing Board, Department of Labor and Licensing v. Chad Wall
3. HVACR Licensing Board, Department of Labor and Licensing v. Charles Mayo, Individually and *d/b/a* A.C. Contracting LLC
4. Board of Electrical Examiners, Department of Labor & Licensing vs. Keagan Sands
5. Arkansas Residential Contractors Committee v. Tom Cooley, *d/b/a* CPS Asphalt Paving
6. Arkansas Residential Contractors Committee v. Brian Key
7. Arkansas Residential Contractors Committee v. Brad Cauble
8. Arkansas Residential Contractors Committee v. Bruce Martin
9. Arkansas Residential Contractors Committee v. Milton Tillman
10. Arkansas Residential Contractors Committee v. Albert Carrizales
11. Arkansas Residential Contractors Committee v. Jerry Stiles
12. Arkansas Residential Contractors Committee v. Casey Carpenter
13. Arkansas Residential Contractors Committee v. Keith Smith
14. Petit Jean Elec. Coop., *et al.* v. Ark. Public Service Commission
15. Lashaun McFadden, *et al.* v. Krystal Watson, *et al.*
16. Chelsey Lucas v. University of Arkansas at Pine Bluff
17. Temeka Samuels v. University of Arkansas at Pine Bluff *et al.* (settlement)

B. Reissuance of Warrant/Unpaid Bills

The subcommittee affirmed the decision of the Claims Commission concerning the following ten (10) claims:

1. #220759 Carl Zeiss Meditec Inc. v. Arkansas Department of Finance and Administration
Affirmed. Amount Awarded: \$23,613.00
2. #230064 Waldemar Eichmann and Chloe Eichmann v. Arkansas Department of Finance and Administration
Affirmed. Amount Awarded: \$26,804.63
3. #230062 Carl Zeiss Meditec Inc. v. Arkansas Department of Finance and Administration
Affirmed. Amount Awarded: \$20,550.00
4. #230095 Optiv Security v. Arkansas Department of Finance and Administration
Affirmed. Amount Awarded: \$40,224.00
5. #230242 Rector and Visitors of the University of Virginia/Paul Grisdale v. Arkansas Department of Finance and Administration
Affirmed. Amount Awarded: \$2,092,820.96

6. #230357 Edward Jones v. Arkansas Department of Transportation – Arkansas Highway Retirement
Affirmed. Amount Awarded: \$17,962.06
7. #230450 Crawford-Sebastian County Development Council v. Ark. Dept. of Environmental Quality
Affirmed. Amount Awarded: \$98,382.45
8. #230353 NWA Builders LLC v. Arkansas Department of Finance and Administration
Affirmed. Amount Awarded: \$26,118.83
9. #230161 Shirley Elder v. Arkansas Department of Human Services
Affirmed. Amount Awarded: \$16,542.85
10. #230572 Matthew Miller v. University of Arkansas for Medical Sciences
Affirmed. Amount Awarded: \$22,236.36

C. Awarded Claims – Appealed by Claimant & Respondent

The subcommittee affirmed the decision of the Claims Commission concerning the following claim:

1. #200293 Jessica Middleton v. Department of Transformation and Shared Services
Affirmed. Amount Awarded: \$17,566.80

D. Denied and Dismissed Claims – Appealed by Claimant

The subcommittee affirmed the decision of the Claims Commission concerning the following four (4) claims:

1. #221124 Michael McCauley v. Arkansas Department of Transportation
Affirmed. Amount Awarded: \$0.00
2. #221139 Drita Ismaili v. Arkansas Department of Transportation
Affirmed. Amount Awarded: \$0.00
3. #220727 Jerdnell Howard v. Arkansas Department of Transportation
Affirmed. Amount Awarded: \$0.00
4. #190024 Corbitt Law Firm PLLC, v. University of Arkansas at Little Rock
Affirmed. Amount Awarded: \$0.00

E. Corrections Denied and Dismissed Claims - Appealed by Claimant

The subcommittee affirmed the decision of the Claims Commission concerning the following six (6) claims:

1. #220897 Richard Davis v. Arkansas Division of Correction
Affirmed. Amount Awarded: \$0.00
2. #211133 Kenneth Pitts v. Arkansas Division of Correction
Affirmed. Amount Awarded: \$0.00
3. #220295 Bobby Robertson v. Arkansas Division of Correction
Affirmed. Amount Awarded: \$0.00
4. #210867 Bobby Law, Jr. v. Arkansas Division of Correction
Affirmed. Amount Awarded: \$0.00
5. #211400 Clifton Shelton v. Arkansas Division of Correction
Affirmed. Amount Awarded: \$0.00
6. #211287 Morris Koontz v. Arkansas Division of Correction
Affirmed. Amount Awarded: \$0.00

F. Appeals Received Outside the Timeframes Prescribed Under Ark. Code Ann. § 19-10-211(a)

The subcommittee declined to consider the following claim, which was submitted outside the statutory timeframe for appeal in Arkansas Code Annotated § 19-10-211(a):

1. #200425 Antonio Robinson v. Arkansas Division of Correction

G. Claims Transmitted pursuant to Ark. Code Ann. § 19-5-601(e)

Pursuant to Arkansas Code Annotated § 19-5-601(e), the amounts of additional general and special revenue that the City of Calico Rock should have received based upon the census count, as determined by the Treasurer of State, were approved for inclusion in the Claims appropriation bill, in the following amounts:

1. #230768 City of Calico Rock;

Amounts Approved: \$13,788.21 – General Revenues; \$45,125.65 – Special Revenues; \$5,192.46 – Highway Severance Revenues; \$28,215.69 – Four Lane Highway Construction Revenues; and \$6,302.21 – Wholesale Fuel Tax Revenues.

Respectfully submitted by Subcommittee Co-Chairs, Senator Bart Hester and Representative Bruce Cozart