

**REPORT
CLAIMS REVIEW SUBCOMMITTEE
OF THE
ARKANSAS LEGISLATIVE COUNCIL
JANUARY 20, 2012**

Co-Chair Baker & Co-Chair Salmon:

Your Claims Review Subcommittee met on Monday, January 9, 2012 and reports its actions to the Arkansas Legislative Council:

**CLAIMS REVIEW SUBCOMMITTEE - SPECIAL ORDER OF BUSINESS
HELD OVER FROM MONDAY, DECEMBER 12, 2011**

A. Denied & Dismissed Claim/Appealed by Claimant

1. #11-0687-CC, Duit Construction Co., Inc. vs. Arkansas Highway and Transportation Department

Senator Hutchinson made a motion to remand the claim to the Claims Commission for further evidence or findings. The following stipulations were included:

- a. The Claimants have a chance to obtain emails that were deleted in the standard operating procedures by the Highway and Transportation Department.
- b. To address the issue of witness Tom Rains being allowed to testify on the case addressing fact issues only.
- c. The Claims Commission will explore if there was disparity in treatment on the Gilbert Central Construction and the Duit Construction jobs. If so, why.
- d. The Claims Commission provide an opinion to the Claims Subcommittee explaining the rendering of their decision for the Subcommittee to review.

Senator Thompson recommended that the Claims Commission write a letter to the Federal Department of Transportation requesting that witness Tom Rains, a retired Federal Highway Administration official, be available to answer factual questions only on the case.

CURRENT BUSINESS

A. Re-Issuance of Warrant/Unpaid Bill

1.#12-0418-CC, Synergy Petroleum LLC vs. Department of Finance and Administration, Motor Fuel Tax Section

Affirmed. Amount Awarded: \$13,860.67

B. Awarded Claim/Appealed by Claimant

1. #11-0615-CC, Franklin Chance vs. Department of Correction

Affirmed. Amount Awarded: \$20.00

C. Negotiated Settlement Agreements

1. #11-0158-CC, Robert Smith vs Department of Correction

Affirmed. Amount Awarded: \$115,000.00

2. #11-0623-CC, Steven Blodgett vs Arkansas Highway and Transportation Department

Affirmed. Amount Awarded: \$22,000.00

D. Denied & Dismissed Claim/Appealed by Claimant

1. #11-0621-CC, Thomas Crockett vs. Department of Correction

Affirmed. Amount Denied: \$4,000.00

2. #11-0754-CC, David Evans vs. Department of Correction

Affirmed. Amount Denied: \$1,400.00

3. #12-0263-CC, Raylee Jackson vs. Department of Correction

Affirmed. Amount Denied: \$2,000.00

Respectfully Submitted,

Senator Robert Thompson, Chair

Representative Randy Stewart, Chair