

ARKANSAS CLAIMS COMMISSION

(501)682-1619
(501)682-2823 FAX



arclaimscommission.arkansas.gov
ascc.new.claims@arkansas.gov

101 EAST CAPITOL AVENUE, SUITE 410
LITTLE ROCK, ARKANSAS 72201-3823

Arkansas
State Claims Commission

FEB 08 2024

RECEIVED

CLAIM FORM

Please note that all sections must be completed, or this form will be returned to you, which will delay the processing of your claim.

1. Claimant(s)

Mr. Grider Jyone

(title/last name/first name or company)

(email)

(address)

(city)

(state)

(zip)

(primary phone)

2. Claimant's Legal Counsel -

☐ (If representing yourself (Pro Se) please check this box and proceed to section 2)

(last name)

(first name)

(email)

(address)

(city)

(state)

(zip)

(primary phone)

Arkansas Bar Number:

If not licensed to practice law in Arkansas, please
contact the Claims Commission for more information.

3. State Agency Involved (If this section is not completed this claim will be returned as deficient).

Highway Department

The agency(ies) involved must be Arkansas state agencies. The Arkansas Claims Commission has no jurisdiction over county, city, or other municipalities.

(state agency involved)

4. Incident Date

1/30/2023

5. Claim Type

Please provide the location of the incident and an explanation of your claim. If additional space is required please attach additional pages for your statements to this form.

Location of Incident

Explanation of Incident

Hit a pothole got a call from my wife saying she had a flat so went to help her around 4am, and hit the pothole on freeway exit 130A right in front of me.



**We Fix Flats & Offer Road Service!
Buy & Sell New & Used Tires
Alignments & Brakes**

7415 B Geyer Springs Rd., Little Rock, AR 72209
(Atras del Mercado San Jose.)

501-541-0658 • 501-658-4687

JOB INVOICE

<h1 style="margin:0;">TIRE SHOP</h1> <p style="margin:0;">7415 B Geyer Springs Rd., Little Rock, AR 72209 (Atras del Mercado San Jose.) 501-541-0658 • 501-658-4687</p>		DATE ORDERED 07-08-24	
		DATE PROMISED <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	
BILL TO	GRIDER THURNE HENRY		PHONE
ADD			MECHANIC
CITY			HELPER
License No.			
Year & Make of Vehicle		(MAGNUM BLUE)	
DESCRIPTION OF WORK		"QUOTE"	
15 DAY WARRANTY ON ANY USED TIRES			
WE ARE NOT RESPONSIBLE FOR ANY DAMAGES ON YOUR VEHICLE WHEN YOU BUY USED TIRES			
NO NOS HACEMOS RESPONSABLES POR DAÑOS A SU VEHICULO EN LA COMPRA DE CUALQUIER LLANTA USADA			
QUANT.	PART NUMBER	PRICE	AMOUNT
2	UPPER CONTROL ARM'S	235	470 =
2	LOWER CONTROL ARM'S	111	222 =
2	BALL JOINS	45	90 =
2	LOWER CONTROL ARM'S	135	270 =
	(FRONT)		
2	INNER TIE ROD'S	65	130 =
2	OUTTER TIE ROD'S	55	110 =
I hereby acknowledge the satisfactory completion of the above described work SIGNATURE _____ DATE COMPLETED 1/1		TOTAL LABOR	
		Tire Waste Fee	
		TOTAL	1,855.18
		Parts	
Labor		410 =	
Sales Tax		153.18	

5a. Check here if this claim involves damage to a motor vehicle. ☒

5b. Check here if this claim involves damage to property other than a motor vehicle. ☐

All property damage claims require a copy of your insurance declarations covering the property or motor vehicle at the time of damage.

Please do not include a copy of your insurance card.
You may obtain a copy of your insurance declaration from your insurance agent.

I did not have insurance covering my property/motor vehicle at the time of damage. ☐

All property damage claims require ONE of the following (please attach):

1. Invoice(s) documenting repair costs, OR
2. Three (3) estimates for repair of the damaged property, OR
3. An explanation why repair bill(s) or estimate(s) cannot be provided.

6. Was a state vehicle involved? (If Yes, please complete the following section)

(type of state vehicle involved)

(license number)

(driver)

7. Check here if this claim involves personal injury. ☐

All personal injury claims require a copy of your medical insurance information in place at the time of the incident.

I do not have health insurance ☐

8. Amount Sought: \$

STOP!

The following section **MUST** be completed in the presence of a Notary Public.

The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support of, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Tyrone H. Gerdner
Claimant

ACKNOWLEDGEMENT

State of Arkansas
County of Pulaski

On this the 7 day of February, 2024, before me, the undersigned notary, personally appeared Tyrone Gerdner known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Sabreana J. Hyche
Signature of Notary Public

[seal of office]

My Commission Expires: March 29, 2027



Retail Invoice
[Redacted]
Printed on 02/01/2024



Store# 285994
In: 01/31/24 02:57PM
Out: 02/01/24 10:28AM

Just Status: Drop Off Appt: No www.FirestoneCompleteAutoCare.com
DUPLICATE INVOICE

LITTLE ROCK-CHENAL - 12320 CHENAL PKWY, LITTLE ROCK, AR. 72211-2724 - 501.225.6300

Service Advisor: 8 LEON

Wheel Lock:
Alt. Auth. Name & Phone:
N/A

Technician: 06 FRED
Vehicle Details:
2005 DODGE MAGNUM SXT

Customer Details:
RIDER, TYRONE



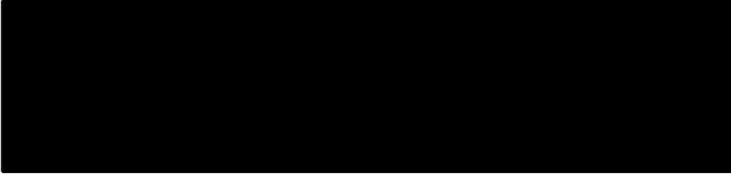
3.5L V6 FI GAS VIN V SOHC
VIN #: [Redacted]
LIC #: [Redacted]
MILEAGE: 135,515

Description	Rev Hist	Unit	Extended	Job
	/Article # ID	Price	Price	Total
BAR CARE PACKAGE	08			9.99
PKG: 01 COMPLETE VEHICLE INSPECTION				
VEHICLE INSPECTION	7028789 06TN	1 21.99	21.99	
PKG: 02 TIRE ROTATION W/ OTHER SERVICES				
TIRE ROTATION - NO CHARGE	7001119 06TS	1 N/C	N/C	
PKG: 03 ELECTRONIC BATTERY CHECK				
ELECTRONIC BATTERY CHECK	7002909 06TS	1 N/C	N/C	
PKG: 04 TIRE AIR PRESSURE CHECK				
TIRE AIR PRESSURE CHECK	7002937 06TS	1 N/C	N/C	
LBR-DISC DISCOUNT - LABOR	7004302 06T	-1 12.00	-12.00	

ORDER NOTES
MANUFACTURER'S RECOMMENDED MAINTENANCE ENGINE OIL (REMOVED -
[CUSTOMER RECENTLY HAD SERVICE PERFORMED])

All parts are new unless otherwise specified.

Payment History:



Summary:	
Parts	0.00
Labor	9.99
Shop Supplies	0.00
Sub-Total	9.99
Tax (8.625%)	0.86
Total	\$10.85

CFNA'S current promotional financing terms, pricing information such as APR and fees,
and Credit Card Agreement can be viewed at CFNA.com, Privacy and Legal page.

Declined Work:

- STEERING & SUSPENSION
- TIE ROD ENDS (Both Left and Right Inner)
- LOADED STRUT ASSEMBLIES
- ALIGNMENT SERVICE (ONLINE QUOTE)
- ENGINE AIR FILTER

Detail Invoice

Printed on 02/01/2024



Store# 285994

In: 01/31/24 02:57PM

Out: 02/01/24 10:28AM

www.FirestoneCompleteAutoCare.com

Just Status: Drop Off

Appt: No

DUPLICATE INVOICE

LITTLE ROCK-CHENAL - 12320 CHENAL PKWY, LITTLE ROCK, AR. 72211-2724 - 501.225.6300



I have received the above goods and/or services. If this is a credit card purchase, I agree to pay and comply with my cardholder agreement with the issuer.

MOTORIST
ASSURANCE
PROGRAM

BUILDING TRUST THROUGH STANDARDS

Customer Signature**HOW ARE WE DOING?**

Tell us about your experience today!

Complete a 4-minute survey for a chance to win one of ten \$50 gift cards each month!

Visit www.FirestoneSurvey.com within 4 days and enter Code 285994-368596

WORK ORDER

FIRESTONE COMPLETE AUTO CARE
12320 CHENAL PKWY
LITTLE ROCK, AR. 72211-2724

SERVICE ADVISOR
 08 LEON
 501.225.6300

Printed on 2/1/2024

GRIDER, TYRONE

2005 DODGE MAGNUM SXT

3.5L V6 FI GAS VIN V SOHC

LIC #

VIN #

IN 01/31/24 2:57PM

MILEAGE 135,515

Store # 285994

Recommended Services not Authorized by Customer

Status	Description	Qty	Unit Price		Extended Price		Total
			Parts	Labor	Job Total	Cat. Total	
Recmd	ENGINE AIR FILTER				39.99		
	PZA475 AIR FILTER	1	39.99	0.00			
	AIR FILTER LABOR	1	0.00	0.00			
	Scheduled Maintenance - Suggested					39.99	39.99
Recmd	STEERING & SUSPENSION				2,346.55		
	521-122 CONT ARM W/BJ LWR RH	1	193.99	0.00			
	521-121 CONT ARM W/BJ LWR LH	1	193.99	0.00			
	CA12496 CON ARM W BJ FT UP LH	1	306.99	0.00			
	CA12495 CON ARM W BJ FT UP RH	1	306.99	0.00			
	CA5276 CONTROL ARM FT LWR	1	242.99	0.00			
	REMOVE & REPLACE F CONTROL ARM - ONE SIDE	4	0.00	243.00			
	REMOVE & REPLACE F CONTROL ARM - UPPER, ONE SIDE	1	0.00	129.60			
Recmd	TIE ROD ENDS (Both Left and Right Inner)				992.76		
	ES3571 TIE ROD END	2	97.99	0.00			
	EV80702 TIE ROD END	2	122.99	0.00			
	REMOVE & REPLACE TIE ROD END	1	0.00	324.00			
	REMOVE & REPLACE TIE ROD END - BOTH	1	0.00	226.80			
Recmd	LOADED STRUT ASSEMBLIES				748.78		
	LS53-90691B LOADED STRUT ASSEMBLY	2	260.99	0.00			
	REMOVE & INSTALL OR REMOVE & REPLACE FRONT SHOCK &/OR STRUT ASSEMBLY - BOTH	1	0.00	226.80			
Recmd	ALIGNMENT SERVICE (ONLINE QUOTE)				111.99		
	STANDARD WHEEL ALIGNMENT - ONLINE QUOTE	1	0.00	111.99			
	Improved Performance - Suggested					4,200.08	4,240.07

Recommended Parts: 2,248.88
Labor: 1,991.19
Subtotal: 4,240.07
Shop Supplies: 35.00
Tax (8.625%): 368.72
Total: 4,643.79

THESE PRICES ARE VALID FOR 30 DAYS

Labor charges are based on 'Menu Items' of a predetermined amount or the flat rate

charged per the Mitchell Labor Manual @ Skill Rate.

ALL PARTS ARE NEW UNLESS NOTED OTHERWISE

From: [ASCC New Claims](#)
To: [Davenport, Michelle L.](#); [Blakley, Sharon](#); lakeysa.walker@ardot.gov
Cc: [Kathryn Irby](#)
Subject: CLAIM: Tyrone Grider v. ArDOT, Claim No. 241401
Date: Thursday, February 22, 2024 10:57:00 AM
Attachments: [Tyrone Grider ArDOT agency ltr .pdf](#)
[Tyrone Grider Claim.pdf](#)

Please see attached. Contact Kathryn Irby with any questions.

Thank you,
Caitlin

Caitlin McDaniel

Administrative Specialist II

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619

ARKANSAS STATE CLAIMS COMMISSION

(501)682-1619
FAX (501)682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, AR 72201-3823

February 22, 2024

Ms. Michelle Davenport
Arkansas Department of Transportation
Post Office Box 2261
Little Rock, Arkansas 72209

(via email)

RE: ***Tyrone Grider v. Arkansas Department of Transportation***
Claim No. 241401

Dear Ms. Davenport,

Enclosed please find a copy of the above-styled claim filed against the Arkansas Department of Transportation. Pursuant to the Arkansas Rules of Civil Procedure, as well as Claims Commission Rule 2.2, you have **thirty days from the date of service** in which to file a responsive pleading.

Your responsive pleading should include your agency number, fund code, appropriation code, and activity/section/unit/element that this claim should be charged against, if liability is admitted, or if the Claims Commission approves this claim for payment. This information is necessary even if your agency denies liability.

Sincerely,

Kathryn Irby

ES: cmcdaniel

cc: Tyrone Grider, *Claimant* (w/o encl.) (via email)

<p><u>Note to Claimant or Claimant's counsel:</u> The Claims Commission copied you on this correspondence to provide you with confirmation that your claim has been processed and served upon the respondent agency.</p>

From: [ASCC New Claims](#)
To: [REDACTED]
Bcc: [Kathryn Irby](#)
Subject: Tyrone Grider v. ArDOT, Claim No. 241401
Date: Thursday, February 22, 2024 10:57:00 AM
Attachments: [Tyrone Grider ArDOT agency ltr .pdf](#)

Dear Mr. Grider,

Attached please find a copy of the letter sent with your claim to the Arkansas Department of Transportation.

Thank you,
Caitlin

Caitlin McDaniel

Administrative Specialist II

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619

From: [Blakley, Sharon D.](#)
To: [ASCC Pleadings](#)
Cc: [Wilkins, Jay D.](#)
Subject: Grider v ARDOT Claim 241401 ANS-MTD
Date: Thursday, March 21, 2024 10:17:22 AM
Attachments: [image001.png](#)
[Grider.241401.ANS-MTD.2024.03.21.pdf](#)

Please acknowledge receipt of the attached Answer & Motion to Dismiss for the referenced claim.

Sharon D. Blakley
ARDOT - Legal Administrator
(501) 569-2022 fax (501)569-2164
Sharon.Blakley@ardot.gov





ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

LEGAL DIVISION | Jay D. Wilkins, Staff Attorney | Jay.Wilkins@ardot.gov

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2277 | Fax: 501.569.2164

March 21, 2024

Tyrone Grider



Re: *Tyrone Grider v. Arkansas Dept. of Transportation*
Claim No. 241401

Dear Tyrone Grider:

Reference is made to the subject claim. The purpose of this letter is to inform you that the Arkansas Department of Transportation (Department) has filed an Answer and Motion to Dismiss your claim with the Arkansas State Claims Commission. Enclosed, you will find a copy of the Answer and Motion to Dismiss that contains the legal arguments that support the Department's position.

Please know this is not the final decision regarding your claim. The handling of your claim, as well as the final decision, is made by the Arkansas State Claims Commission. If you have questions concerning when a decision will be issued, you can contact them at (501) 682-1619.

If you need to submit additional information to the Arkansas State Claims Commission or if you wish to dispute the Motion to Dismiss, please do so in writing because this provides a record of your submission. Their address is 101 E Capitol Avenue, #410, Little Rock, AR 72201. The law requires that you provide a copy to our Legal Division so that we are aware of the information as well. Our address is Arkansas Department of Transportation, Legal Division, P.O. Box 2261, Little Rock, AR 72203.

One other point to make is that if you need legal advice, none of the Department's attorneys can provide it to you or even discuss the merits of your claim over the phone or by email. The reason for this, is that we represent the Arkansas Department of Transportation. If you need legal advice, please contact your own attorney.

If you have any questions, concerns, or you would like additional information concerning this process, please contact Jay D. Wilkins at (501) 569-2277. We appreciate your patience as we seek a resolution to this disagreement through the process that has been established by State law.

Sincerely,

A handwritten signature in cursive script that reads 'J.D. Wilkins'.

Jay D. Wilkins
 Staff Attorney, Arkansas Dept of Transportation

Enclosure

cc: Katherine Irby, Director
 Arkansas State Claims Commission (*via email*)



ARKANSAS DEPARTMENT OF TRANSPORTATION
 ARDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director
 LEGAL DIVISION | Jay D. Wilkins, Staff Attorney | Jay.Wilkins@ardot.gov
 10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2277 | Fax: 501.569.2164

March 21, 2024

Ms. Kathryn Irby, Director
 Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, AR 72201-3823

(via email)

Re: *Tyrone Grider v. Arkansas Dept of Transportation*
Claim No. 241401

Dear Ms. Irby:

Please find attached the Answer and Motion to Dismiss in the above-styled claim. Please confirm receipt at your earliest convenience.

Sincerely,

J.D. Wilkins

Jay D. Wilkins
 Staff Attorney, Arkansas Dept. of Transportation

Enclosure

cc: Tyrone Grider



**BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS**

TYRONE GRIDER

CLAIMANT

V.

CLAIM NO. 241401

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

ANSWER AND MOTION TO DISMISS

COMES THE RESPONDENT, Arkansas Department of Transportation, by and through its Staff Attorneys, Jay D. Wilkins and Helen Newberry, and for its Answer and Motion to Dismiss states the following:

1. The Respondent denies all allegations of the Complaint not admitted herein.
2. The Claimant's damage, if any, was not caused by negligence of the Arkansas Department of Transportation or its employees.
3. Affirmatively pleading, the Respondent states, "There are almost 16,000 miles of State Highway in Arkansas. It is impossible to predict when and where a pothole will develop, therefore encountering a pothole is a risk assumed by the public in general as a part of travel. Historically and legally, the Commission will not award damages caused by a pothole unless a Claimant can show some negligence on the part of the Respondent. Such proof of negligence must generally include facts to indicate that the Respondent had *prior* knowledge of the pothole, yet the Respondent *failed to respond within a reasonable amount of time* to repair the pothole." Claimant has not provided any such evidence, therefore the claim should be denied and dismissed.

4. The State is not a no-fault insurer of the general public. Without any claim and proof of negligence on the part of the Respondent, the State should not be liable for Claimant's damages.

5. A Claim for Negligence requires a duty, breach, damages, and causation. *Chambers v. Stern*, 347 Ark. 395, 406, 64 S.W.3d 737, 744 (2002); *Prosser and Keeton on Torts*, Ch. 5, § 30. Arkansas is a fact-pleadings state. Claimant has not stated facts sufficient to support a claim for these elements of negligence.

6. Claimant is required to exhaust all remedies pursuant to Ark. Code Ann. § 19-10-302.

7. Claimant has failed to state a claim against the Respondent for which relief can be granted. This matter should be denied and dismissed pursuant to Arkansas Rules of Civil Procedure, Rule 12(b)(6).

WHEREFORE, the Respondent prays for dismissal of the Complaint, for its costs, and for all other proper relief to which it may be entitled.

**RESPECTFULLY SUBMITTED,
ARKANSAS DEPARTMENT OF TRANSPORTATION**

By: J.D. Wilkins
 Jay D. Wilkins AR Bar No. 2022067
 Staff Attorney
 (501) 569-2277
 jay.wilkins@ardot.gov
 Helen Newberry AR Bar No. 2018101
 Staff Attorney
 (501) 569-2003
 helen.newberry@ardot.gov
 Arkansas Department of Transportation
 P. O. Box 2261
 Little Rock, AR 72203-2261

CERTIFICATE OF SERVICE

I, Jay D. Wilkins, certify that I have served the foregoing Answer and Motion to Dismiss upon the Claimant by mailing a true copy of same this 21st of March, 2024, to:

Tyrone Grider




Jay D. Wilkins

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

TYRONE GRIDER

CLAIMANT

V.

CLAIM NO. 241401

ARKANSAS DEPARTMENT OF
TRANSPORTATION

RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the “Commission”) is the motion filed by the Arkansas Department of Transportation (the “Respondent”) to dismiss the claim of Tyrone Grider (the “Claimant”). Based upon a review of the claim file, including Respondent’s motion, and the law of the State of Arkansas, the Commission hereby finds as follows:

1. Claimant filed the instant claim, alleging damage to Claimant’s vehicle from a pothole.
2. Respondent filed a motion to dismiss, arguing, *inter alia*, that Claimant failed to show that Respondent had prior knowledge of a pothole yet failed to respond within a reasonable amount of time to repair it. Respondent asked for the claim to be dismissed pursuant to Rule 12(b)(6) of the Arkansas Rules of Civil Procedure.
3. Claimant did not respond to the motion.
4. In reviewing this motion to dismiss, the Commission must treat the facts alleged in the complaint as true and view them in a light most favorable to the Claimant. *See Hodges v. Lamora*, 337 Ark. 470, 989 S.W.2d 530 (1999). All reasonable inferences must be resolved in favor of the Claimant, and the complaint must be liberally construed. *See id.* However, the Claimant must allege facts, not mere conclusions. *Dockery v. Morgan*, 2011 Ark. 94 at *6, 380 S.W.3d 377, 382. The facts alleged in the complaint will be treated as true, but not “a plaintiff’s

theories, speculation, or statutory interpretation.” *See id.* (citing *Hodges*, 337 Ark. 470, 989 S.W.2d 530 (1999)).

5. The Commission agrees with Respondent that dismissal of this claim is proper. Claimant did not allege any facts regarding Respondent’s prior knowledge of a pothole or failure to repair it within a reasonable amount of time. Respondent is unable to monitor every part of the state highway system at all times. As stated by Respondent in the motion to dismiss, encountering a pothole is a risk assumed by the public in general as a part of travel. In the absence of evidence that Respondent had prior knowledge of the pothole that caused Claimant’s damage and failed to repair it in a reasonable amount of time, the existence of a pothole is insufficient to establish liability.

6. As such, Respondent’s motion to dismiss is GRANTED, and Claimant’s claim is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Solomon Graves



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, chair

DATE: June 14, 2024

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from transmission of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the transmission of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (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(a). 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).

From: [Kathryn Irby](#)
To: [REDACTED] [Newberry, Helen A.](#); [Wilkins, Jay D.](#)
Cc: [Blakley, Sharon](#); [Mika Tucker](#)
Subject: ORDER: Grider v. ArDOT, Claim No. 241401
Date: Wednesday, June 19, 2024 8:38:00 PM
Attachments: [C46--Grider v. ArDOT, 241401.pdf](#)

Mr. Grider, Mr. Wilkins, and Ms. Newberry, please see attached order entered by the Commission. To the extent that either party disagrees with the order, please review the text box at the end of the order, along with the referenced statutes.

If either party will be submitting another filing related to this claim pursuant to Ark. Code Ann. 19-10-211, that filing can be transmitted via mail to the below address or via email to ascpleadings@arkansas.gov.

Thanks,
Kathryn Irby

Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-1619

From: [REDACTED]
To: [ASCC Pleadings](#)
Cc: [REDACTED]
Subject: Claim No. 241401
Date: Wednesday, July 10, 2024 8:19:41 PM
Attachments: [T.Grider.odt](#)

You don't often get email from [REDACTED]. [Learn why this is important](#)

Please request for appeal

Sent from my iPhone

To whom this may concern:

I am submitting this letter to formally contest the decision made regarding my claim. The claim in question was submitted on February 7, 2024. On January 30, 2024, I received a call from my wife, Ledora Grider, at approximately 4:00 am, informing me about an incident where she hit a pothole while driving on I-30 E to Loomis. Upon hearing this, I rushed to her aid, only to encounter the same pothole on I-30 E, resulting in damage to my 2005 Dodge Magnum SXT as well. Estimates were obtained from Firestone, Goodyear, and Chilango's Tire Shop, revealing issues with both inner and outer tie rods, as well as weakening front struts. Recommendations for repairs included wheel alignment, replacement of right outer/inner tie rod ends and left inner/outer tie rods, standard strut replacement, ball joints, complete strut assembly, strut labor, a new DieHard Gold battery, and a premium battery installation package. The total recommended repairs are as follows:

Firestone: \$4,643.79

Goodyear: \$1,541.91

Chilango's Tire Shop: \$1,855.18

From: [REDACTED]
To: [ASCC Pleadings](#)
Subject: Fwd: Claim No. 241401
Date: Thursday, July 11, 2024 6:24:13 PM
Attachments: [rinted on 02012024.pdf](#)
[Goodyear.pdf](#)
[T.Grider.odt](#)

You don't often get email from [REDACTED]. [Learn why this is important](#)

Additional documents. Receipts and estimates.

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: July 10, 2024 at 8:19:24 PM CDT
To: ascppleadings@arkansas.gov
Cc: [REDACTED]
Subject: Claim No. 241401

Please request for appeal

Sent from my iPhone

Retail Invoice



Store# 285994
In: 01/31/24 02:57PM
Out: 02/01/24 10:28AM

www.FirestoneCompleteAutoCare.com

DUPLICATE INVOICE

Just Status: Drop Off

Appt: No

LITTLE ROCK-CHENAL - 12320 CHENAL PKWY, LITTLE ROCK, AR. 72211-2724 - 501.225.6300

Service Advisor: 8 LEON

Wheel Lock:

Technician: 06 FRED

Customer Details:

Alt. Auth. Name & Phone:

Vehicle Details:

RIDER, TYRONE

N/A

2005 DODGE MAGNUM SXT

3.5L V6 FI GAS VIN V SOHC

VIN #

LIC #

MILEAGE: 135,515

Description	Rev Hist /Article # ID	Qty	Unit Price	Extended Price	Job Total
BAR CARE PACKAGE	08				9.99
PKG: 01 COMPLETE VEHICLE INSPECTION					
VEHICLE INSPECTION	7028789 06TN	1	21.99	21.99	
PKG: 02 TIRE ROTATION W/ OTHER SERVICES					
TIRE ROTATION - NO CHARGE	7001119 06TS	1	N/C	N/C	
PKG: 03 ELECTRONIC BATTERY CHECK					
ELECTRONIC BATTERY CHECK	7002909 06TS	1	N/C	N/C	
PKG: 04 TIRE AIR PRESSURE CHECK					
TIRE AIR PRESSURE CHECK	7002937 06TS	1	N/C	N/C	
LBR-DISC DISCOUNT - LABOR	7004302 06T	-1	12.00	-12.00	

ORDER NOTES

MANUFACTURER'S RECOMMENDED MAINTENANCE ENGINE OIL (REMOVED -
[CUSTOMER RECENTLY HAD SERVICE PERFORMED])

All parts are new unless otherwise specified.

Summary:

Parts	0.00
Labor	9.99
Shop Supplies	0.00
Sub-Total	9.99
Tax (8.625%)	0.86
Total	\$10.85

CFNA'S current promotional financing terms, pricing information such as APR and fees,
and Credit Card Agreement can be viewed at CFNA.com, Privacy and Legal page.

Declined Work:

STEERING & SUSPENSION
TIE ROD ENDS (Both Left and Right Inner)
LOADED STRUT ASSEMBLIES
ALIGNMENT SERVICE (ONLINE QUOTE)
ENGINE AIR FILTER

CHILANGOS TIRE
7415B Geyer Springs Rd
Little Rock, AR 72209
(501) 541-0658
MID: XXXXXXXXX0801

CC Sale

BRIC: 08YL6WEHP6A8N5B77NH
Batch #: 0705 Item 0002
01/31/24 11:27:49
APP CODE: 031302

TAP E

Amount \$279.76

APPROVED

CUSTOMER COPY

Invoice

Goodyear
Auto Service Centers 2677

Operator: Landon Thomas

8014 Geyer Springs Road
Little Rock, AR 72209-4832
501-565-0362
Federal Tax Id 340253240

Customer Info:

Vehicle Info:
Year: 2005
Make: DODGE
Model: MAGNUM
Color: LT Blue
License/State:
VIN:

Odom I/O: 153502/153502
Vehicle In: 01/31 09:24 AM
Vehicle Out: 01/31 11:27 AM

PRODUCT	DESCRIPTION	QTY	PART	LABOR	TOTAL
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CUSTOMER HIT POTHOLE, WANTS FRONT END CHECKED OUT.
SLIGHT PLAY IN BOTH INNER AND OUTER TIERODS. FRONT
STRUTS ARE STARTING TO GET WEAK. RECOMMEND
ALIGNMENT AND BATTERY. BATTERY MEASURED AT 242CCA,
RATED FOR 630CCA

046810000	MULTIPOINT VEHICLE INSPECTION	1.00	0.00	0.00	0.00
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Signature:

Parts Total*	0.00	State Tire Fee	0.00
Labor Total	0.00	Sub Total	0.00
		Taxable Amount	0.00
		Sales Tax (8.625%)	0.00

Cash: 0.00

Check:

Credit:

Debit:

AR:

Corp Ref:

Cash - Amount Remitted 0.00

Total Deposits on Order 0.00

Invoice Total 0.00

Salesperson	Technician	Services
Landon Thomas	Riley Durham	046810000

Goodyear, its successors and service providers may use your information; to send service updates and reminders; to request feedback; to communicate with you; for marketing promotional and commercial purposes; for data analysis; and as required by law.

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** ALL PARTS ARE NEW UNLESS OTHERWISE SPECIFIED. **

- SEE REVERSE SIDE FOR IMPORTANT SAFETY WARNING AND WARRANTY INFORMATION

Tread Depth L/F	8/32	R/F	8/32
Tread Depth L/R	9/32	R/R	9/32

GUEST DECLINED RECOMMENDATIONS LISTED BELOW

PRODUCT	DESCRIPTION	QTY	PART	LABOR	LINE DISCOUNT	TOTAL
078145000	WHEEL ALIGNMENT AUTO	1.00	0.00	119.99	-20.00	99.99
042205000	RIGHT OUTER TIE ROD	1.00	47.49	0.00		47.49
DW-ES3571	OUTER TIE ROD END	1.00	0.00	0.00		0.00
042206000	LEFT INNER TIE ROD	1.00	69.99	180.00	-25.00	224.99
700-258927	Inner Tie Rod End	1.00	0.00	0.00		0.00
042207000	RIGHT INNER TIE ROD	1.00	69.99	180.00	-25.00	224.99

Goodyear
Auto Service Centers 2677

8014 Geyer Springs Road
 Little Rock, AR 72209-4832
 501-565-0362
 Federal Tax Id 340253240

Operator: Landon Thomas

PRODUCT	DESCRIPTION	QTY	PART	LABOR	LINE DISCOUNT	TOTAL
700-258927	Inner Tie Rod End	1.00	0.00	0.00		0.00
042296000	LEFT OUTER TIE ROD	1.00	47.49	0.00		47.49
DW-ES3571	OUTER TIE ROD END	1.00	0.00	0.00		0.00
079220000	STRUT REPLACEMENT - STANDARD	2.00	199.99	126.00		651.98
18-818675	F COMPLETE STRUT ASSY	1.00	0.00	0.00		0.00
1STRUTLABOR	STRUT LABOR BANG	1.00	0.00	0.00		0.00
034203000	NEW BETTER BATTERY DIEHARD GOLD	1.00	224.99	0.00	-25.00	199.99
94RH7	36 Month Wet Battery	1.00	0.00	0.00		0.00
047148000	BATTERY PREMIUM INSTALL PACKAGE	1.00	0.00	44.99		44.99
Total of Declined Services (Excl Tax)						1,541.91

Copy

WORK ORDER #
68596

FIRESTONE COMPLETE AUTO CARE
12320 CHENAL PKWY
LITTLE ROCK, AR. 72211-2724

SERVICE ADVISOR
08 LEON
501.225.6300

Printed on 2/1/2024

DRIVER TYRONE

2005 DODGE MAGNUM SXT
3.5L V6 FI GAS VIN V SOHC
LIC # [REDACTED] VIN # [REDACTED]
IN 01/31/24 2:57 PM

MILEAGE 135,515

Store # 285994

Recommended Services not Authorized by Customer

Status	Description	Qty	Unit Price		Extended Price		Total
			Parts	Labor	Job Total	Cat. Total	
Recmd	ENGINE AIR FILTER				39.99		
	PZA475 AIR FILTER	1	39.99	0.00			
	AIR FILTER LABOR	1	0.00	0.00			
	Scheduled Maintenance - Suggested					39.99	39.99
Recmd	STEERING & SUSPENSION				2,346.55		
	521-122 CONT ARM W/BJ LWR RH	1	193.99	0.00			
	521-121 CONT ARM W/BJ LWR LH	1	193.99	0.00			
	CA12496 CON ARM W BJ FT UP LH	1	306.99	0.00			
	CA12495 CON ARM W BJ FT UP RH	1	306.99	0.00			
	CA5276 CONTROL ARM FT LWR	1	242.99	0.00			
	REMOVE & REPLACE F CONTROL ARM - ONE SIDE	4	0.00	243.00			
	REMOVE & REPLACE F CONTROL ARM - UPPER, ONE SIDE	1	0.00	129.60			
Recmd	TIE ROD ENDS (Both Left and Right Inner)				992.76		
	ES3571 TIE ROD END	2	97.99	0.00			
	EV80702 TIE ROD END	2	122.99	0.00			
	REMOVE & REPLACE TIE ROD END	1	0.00	324.00			
	REMOVE & REPLACE TIE ROD END - BOTH	1	0.00	226.80			
Recmd	LOADED STRUT ASSEMBLIES				748.78		
	LS53-90691B LOADED STRUT ASSEMBLY	2	260.99	0.00			
	REMOVE & INSTALL OR REMOVE & REPLACE FRONT SHOCK &/OR STRUT ASSEMBLY - BOTH	1	0.00	226.80			
Recmd	ALIGNMENT SERVICE (ONLINE QUOTE)				111.99		
	STANDARD WHEEL ALIGNMENT - ONLINE QUOTE	1	0.00	111.99			
	Improved Performance - Suggested					4,200.08	4,240.07

Recommended Parts: 2,248.88
Labor: 1,991.19
Subtotal: 4,240.07
Shop Supplies: 35.00
Tax (8.625%): 368.72
Total: 4,643.79

THESE PRICES ARE VALID FOR 30 DAYS
Labor charges are based on 'Menu Items' of a predetermined amount or the flat rate charged per the Mitchell Labor Manual @ Skill Rate.
ALL PARTS ARE NEW UNLESS NOTED OTHERWISE

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To whom this may concern:

I am submitting this letter to formally contest the decision made regarding my claim. The claim in question was submitted on February 7, 2024. On January 30, 2024, I received a call from my wife, Ledora Grider, at approximately 4:00 am, informing me about an incident where she hit a pothole while driving on I-30 E to Loomis. Upon hearing this, I rushed to her aid, only to encounter the same pothole on I-30 E, resulting in damage to my 2005 Dodge Magnum SXT as well. Estimates were obtained from Firestone, Goodyear, and Chilango's Tire Shop, revealing issues with both inner and outer tie rods, as well as weakening front struts. Recommendations for repairs included wheel alignment, replacement of right outer/inner tie rod ends and left inner/outer tie rods, standard strut replacement, ball joints, complete strut assembly, strut labor, a new DieHard Gold battery, and a premium battery installation package. The total recommended repairs are as follows:

Firestone: \$4,643.79

Goodyear: \$1,541.91

Chilango's Tire Shop: \$1,855.18