

Arkansas
State Claims Commission
JUL 02 2018

RECEIVED

Please Read Instructions on Reverse Side of Yellow copy

Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

- ☐ Mr.
☒ Mrs.
☐ Ms.
☐ Miss

Sebrena Westcott, Claimant

vs.

State of Arkansas, Respondent

Do Not Write in These Spaces

Claim No. _____

Date Filed _____
(Month) (Day) (Year)

Amount of Claim \$ _____

Fund _____

COMPLAINT

Sebrena Westcott

the above named Claimant, of _____

(Name)

(Street or R.F.D. & No.)

(City)

County of _____

represented by _____

Taylor King Law

(Legal Counsel, if any, for Claim)

(State) (Zip Code) (Daytime Phone No.)

of 1306B S. Caraway Road, Ionesboro Arkansas 72401 501-205-8773 501-205-8755 says:
(Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: University of Arkansas (for Medical Sciences) Amount sought: > \$15,000.00

Month, day, year and place of incident or service: September 9, 2017 UAMS Hospital in Little Rock

Explanation:

Sebrena Westcott was at all times relevant to this action, and still is, an individual residing in _____ the University of Arkansas for Medical Sciences (hereinafter referred to as "UAMS"), is a medical center located at 4301 W. Markham, Little Rock, Arkansas 72205, operated and controlled by the University of Arkansas, per A.C.A. §6-64-402.

That on or about September 16, 2017, Claimant traveled to the UAMS located at 4301 W. Markham, Little Rock, Arkansas. At all times relevant hereto, Claimant was lawfully on Respondent's business premises, as a business invitee. Respondent controlled, maintained, operated and possessed the afore-mentioned business premises.

Claimant endured pain and suffering as a result of the injuries described herein, and incurred lost wages from work missed.

The Respondent had a duty to claimant as a business invitee to use ordinary care to maintain the premises in a reasonably safe condition. Respondent knew or should have known that business invitees would walk through the entrance, and over the hazardous askew or faulty rug. Respondent owed a duty to business invitees, including Claimant, to anticipate the risk of harm to invitees and take precautions to guard against such harm. Respondent breached this duty to Claimant by failing to keep the floor free from hazards. In the alternative, Respondent, allowed a rug to be placed and remain at the entrance in an unsafe manner or leaving it in an unsafe condition, for such an amount of time that Respondent knew or should have known of its presence, and failed to remove or address the dangerous condition. Respondent failed to use ordinary care to inspect and maintain the premises in a reasonably safe condition. Respondent carelessly and negligently failed to warn its business invitees, and more particularly the Claimant, of the presence of a known hazard.

As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer thereof?

No _____; when? n/a _____; to whom? n/a _____
(Yes or No) (Month) (Day) (Year) (Department)

and that the following action was taken thereon: _____

and that \$ n/a _____ was paid thereon: (2) Has any third person or corporation an interest in this claim? No _____; if so, state name and address

n/a _____ n/a _____ n/a _____ n/a _____
(Name) (Street or R.F.D. & No.) (City) (State) (Zip Code)

and that the nature thereof is as follows: _____

_____ and was acquired on _____, in the following manner:

n/a

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verily believes that they are true.

Jordan Phillips
(Print Claimant/Representative Name)

(Signature of Claimant/Representative)

SWORN TO and subscribed before me at _____

Jonesboro

(City)

AR
(State)

on this 26 day of June, 2018
(Date) (Month) (Year)

Summer Taylor

(Notary Public)

My Commission Expires: 4 29 2023
(Month) (Day) (Year)



SF1-R799

JUL 02 2018
NON VEHICLE**ARKANSAS STATE CLAIMS COMMISSION**

NON VEHICLE PROPERTY DAMAGE/PERSONAL INJURY INCIDENT REPORT FORM

~~SECRET~~

CLAIMANT Sebrena Westcott

ADDRESS

CITY & STATE

ZIP CODE

DATE OF INCIDENT: September 16, 2017

TIME Approximately 9:30 pm

Give a brief description of incident, showing how incident happened, exact loss and extent of damage to property and/or injury to person:

(If personal injury claim only, move on to Section IV)

SECTION II

Has this property been repaired? Yes () No () If repairs have been made, give the following

information: Amount: \$ _____ Have you paid for the repairs? Yes () No ()

NOTE: Attach a copy of repair bill.

If repairs have not been made, list three estimates below and **attach copies** of each of them.

NAME _____

ADDRESS

AMOUNT

1. _____ \$ _____

2. _____ \$ _____

3. _____ \$ _____

SECTION III

Was property covered by insurance? Yes () No ()

If yes, what is the deductible? \$ _____

NAME OF INSURANCE CARRIER

ADDRESS

SECTION IV

Is injured covered by medical insurance? Yes () No (x)

If yes, what is the deductible? \$ n/a

NAME OF INSURANCE CARRIER

ADDRESS

Arkansas Municipal League Health Benefit

SECTION V

SECTION 4
If incident was investigated by the police or by some other agency, give name and title of officer/person

making the investigation: An incident report was generated by the UAMS Police Department officer, who was on duty at the hospital at the time. Said report is attached with requested names and contact information.

SECTION VI

The undersigned states on oath that he/she is familiar with the matters and things set forth in the above statement, and that he/she verily believes that they are true.

Signature of Claimant



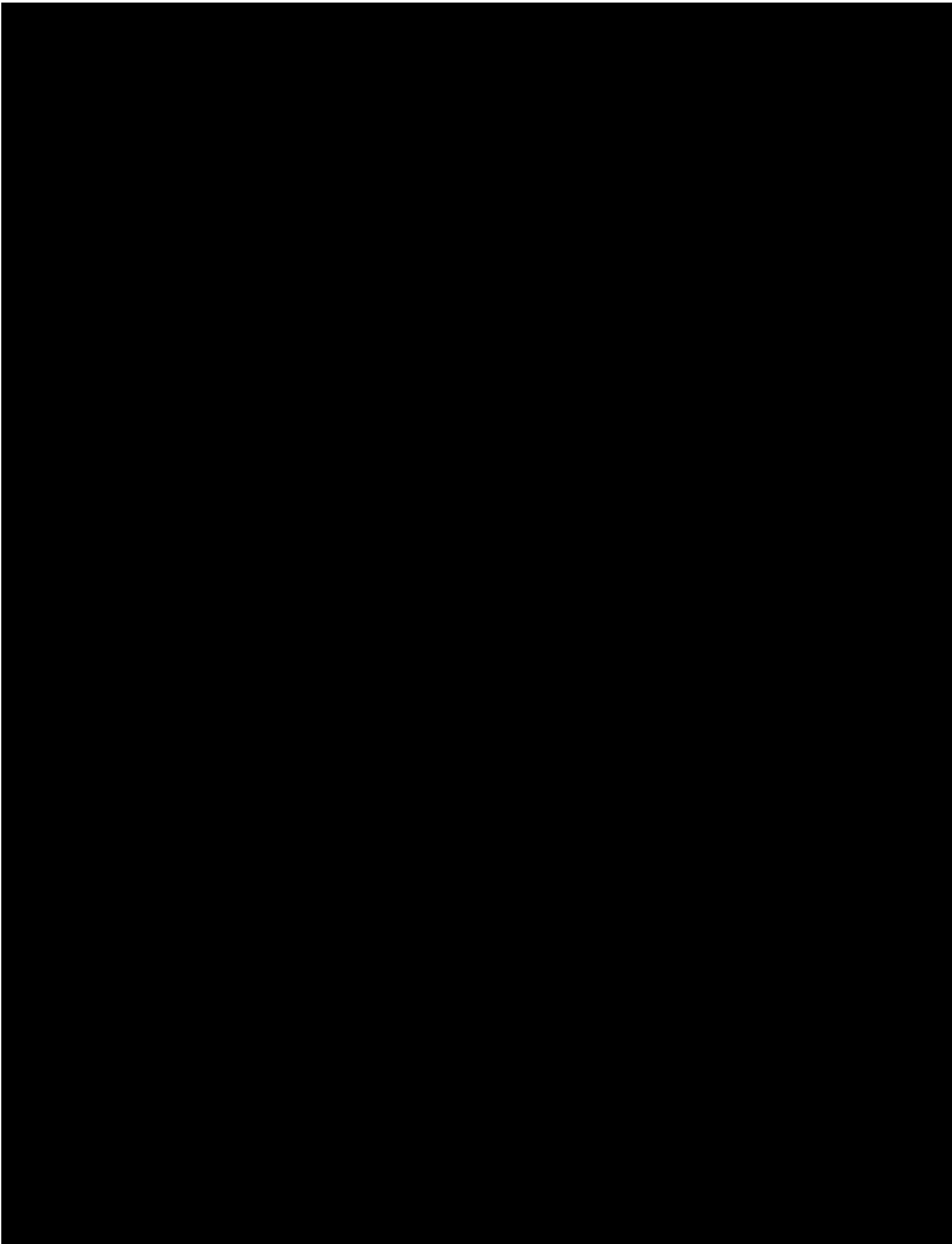
Sworn to and subscribed before me at

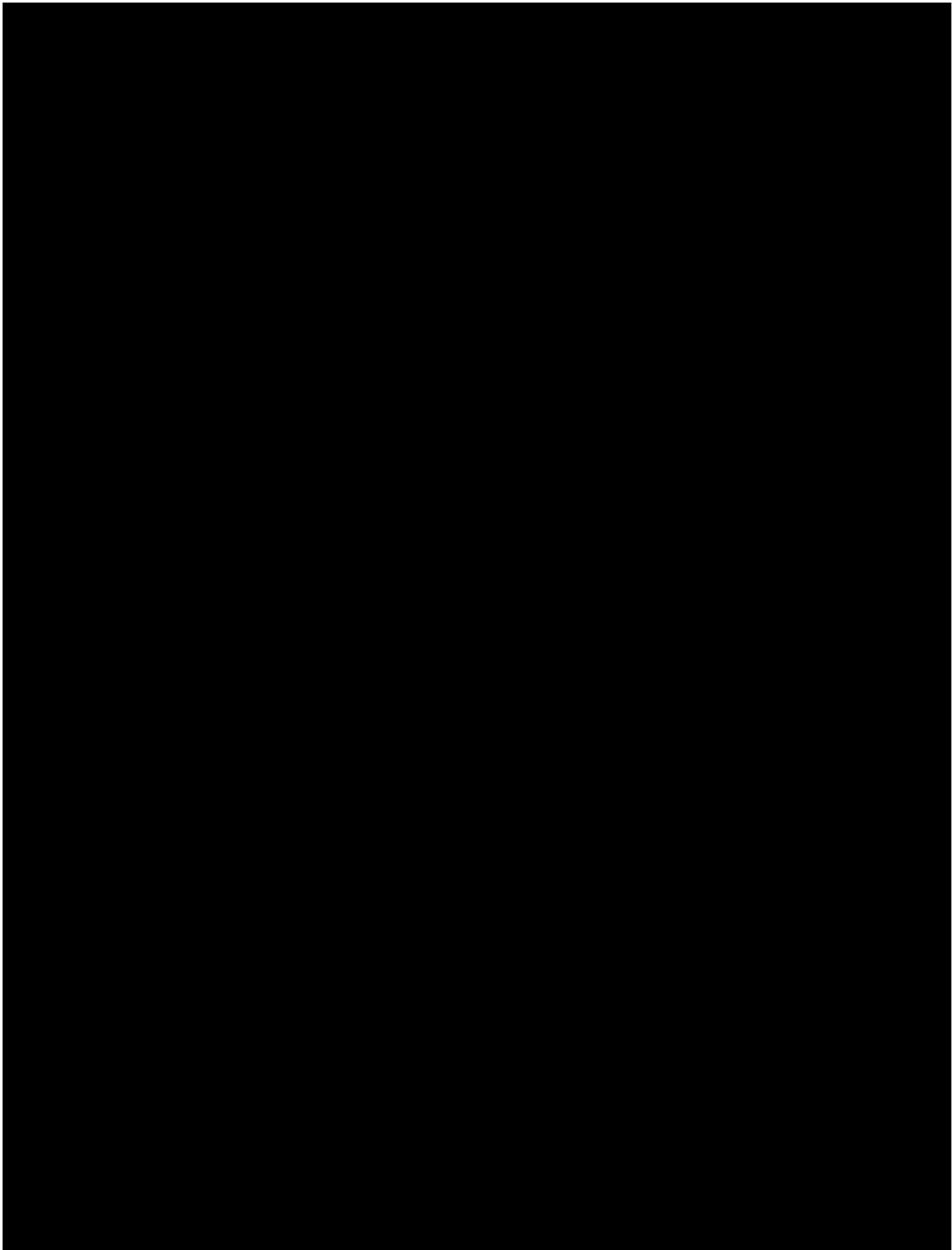
on this 26th day of June, 2018
 day month year

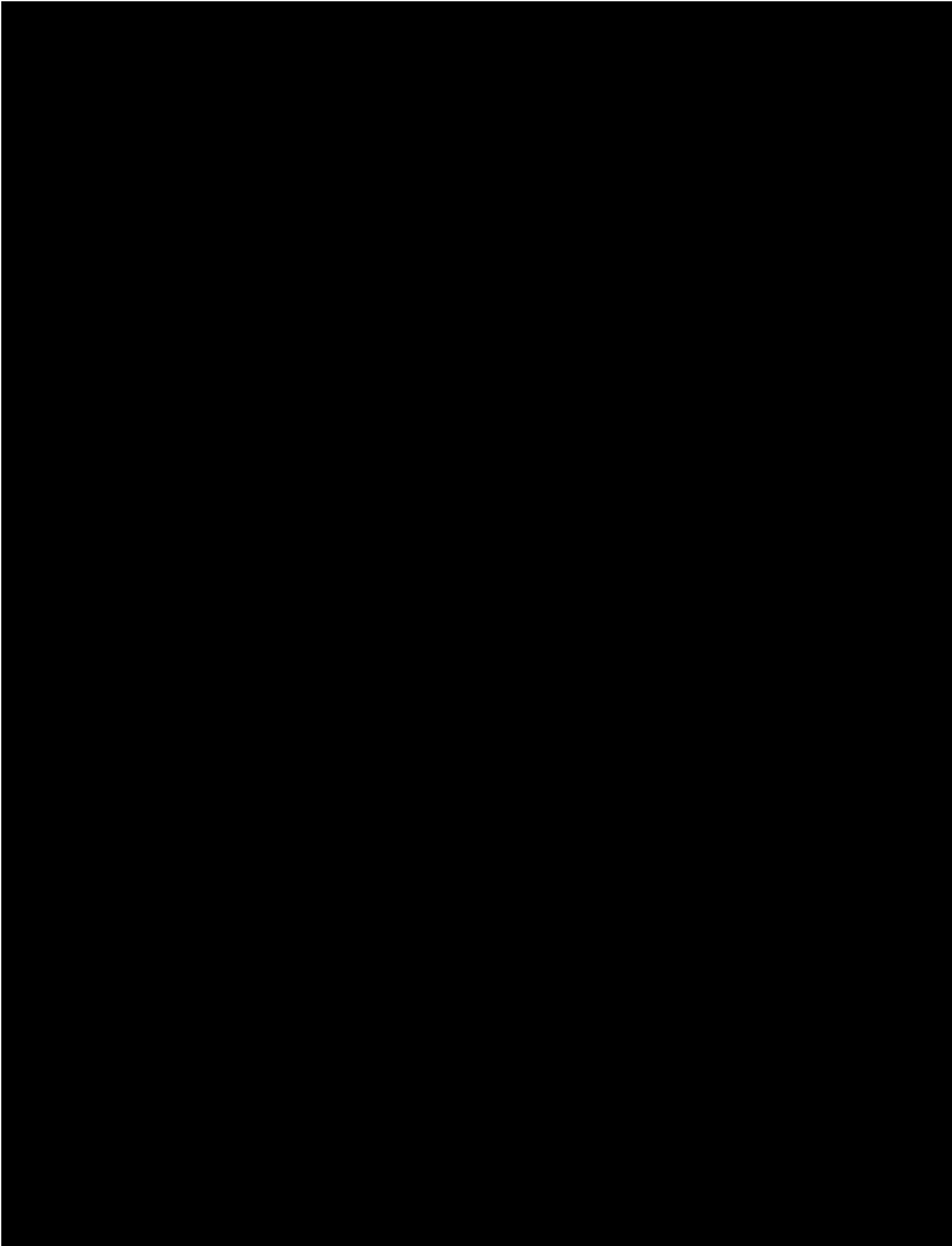
City & State

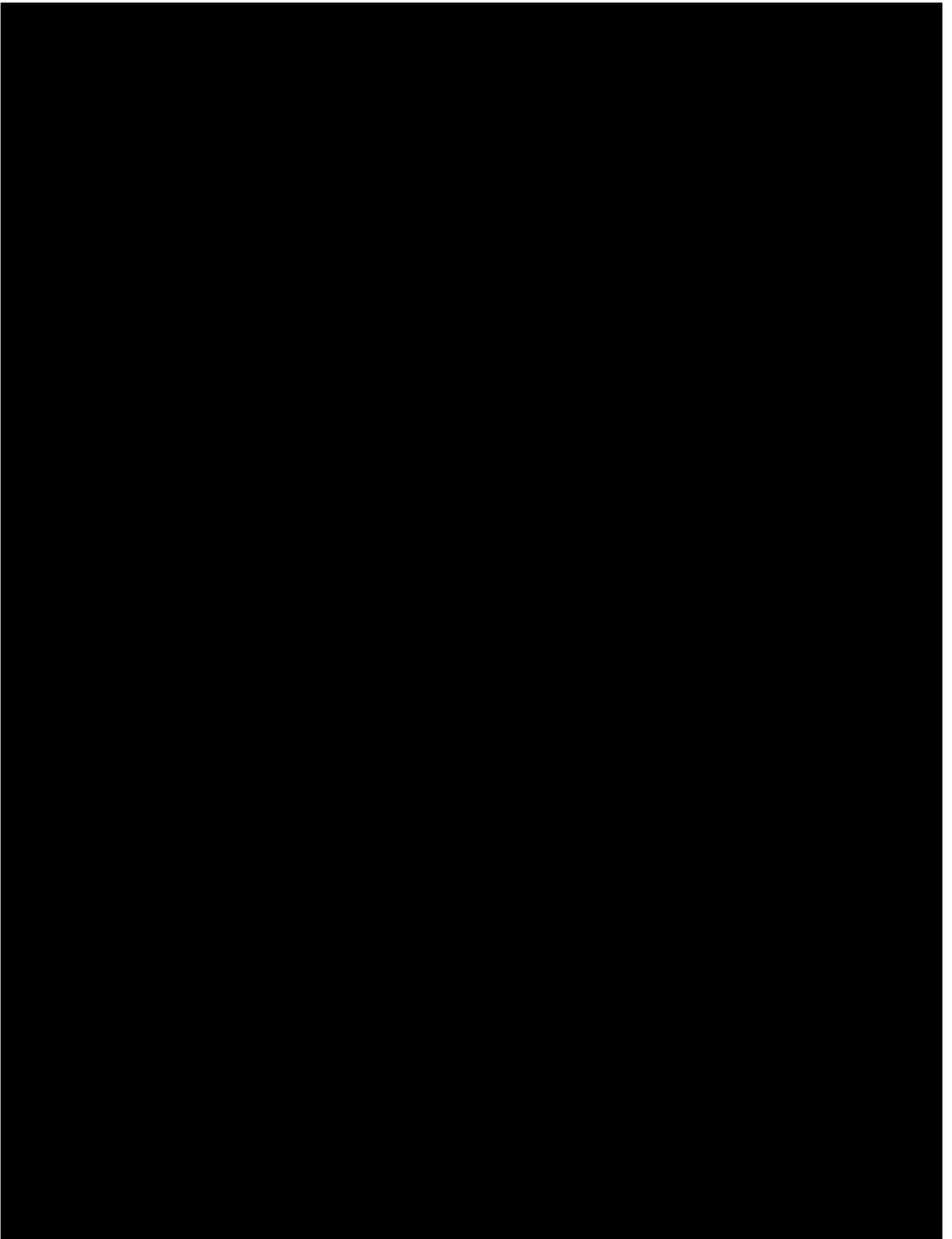
My Commission Expires 4/29/23

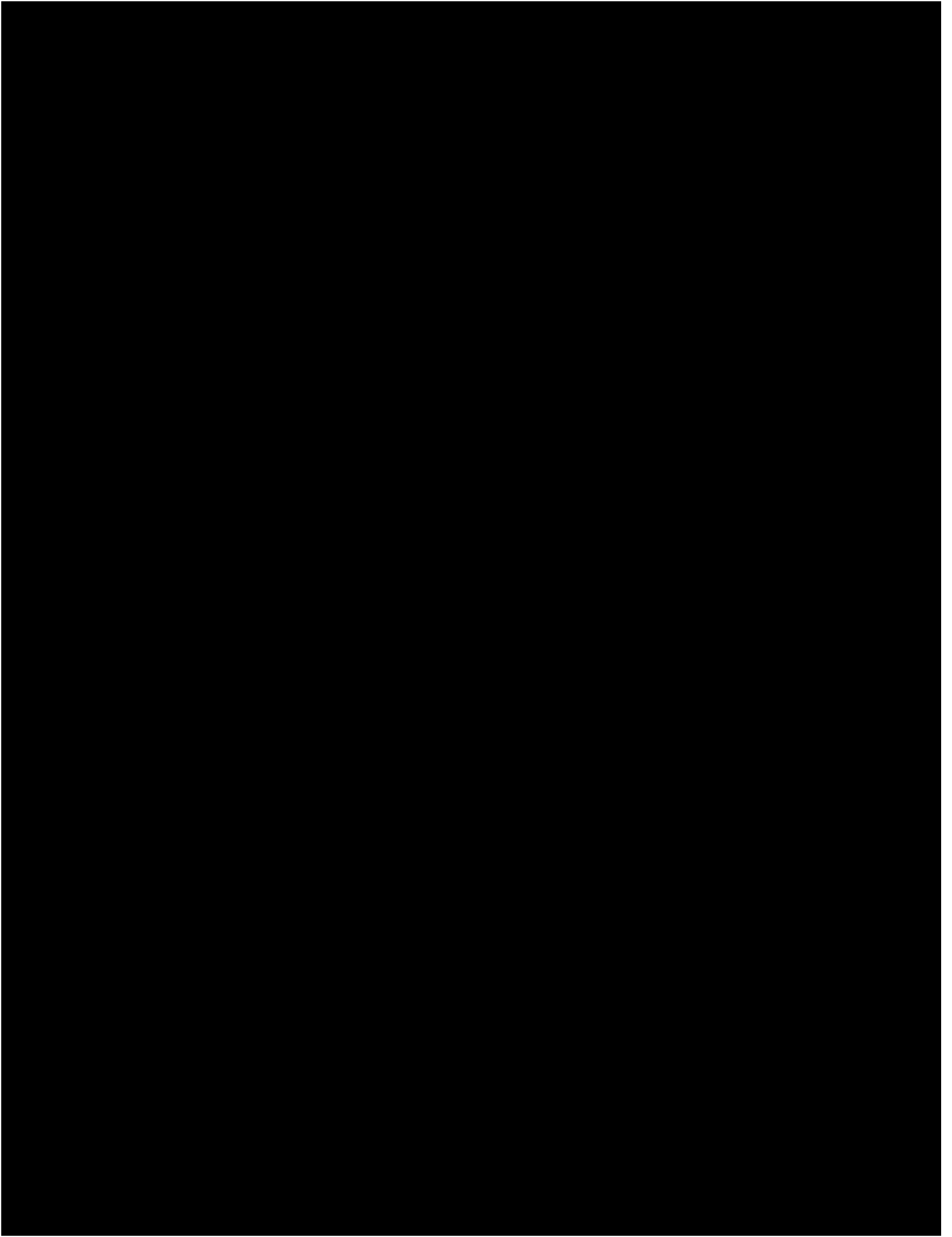
Signature of Notary Public

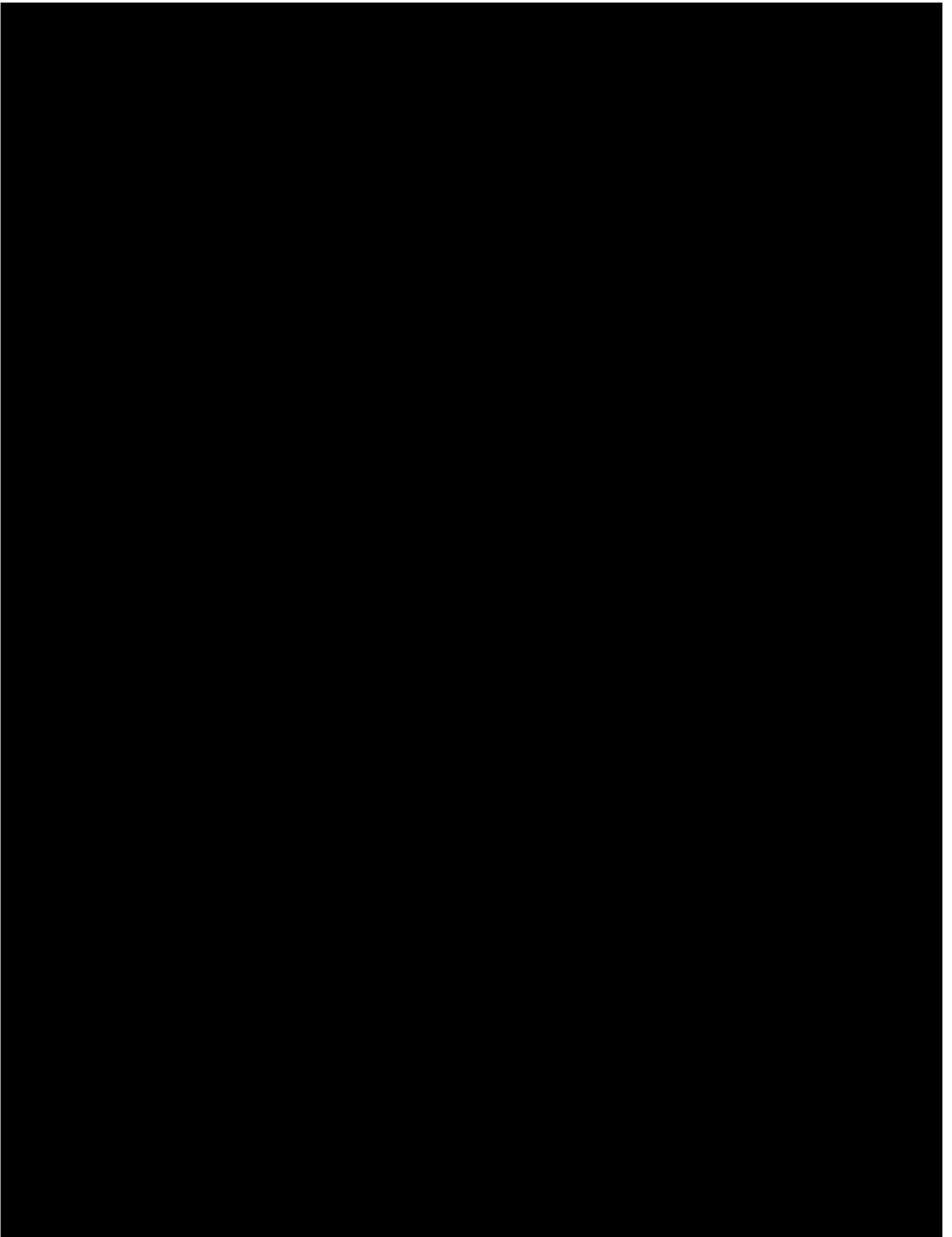


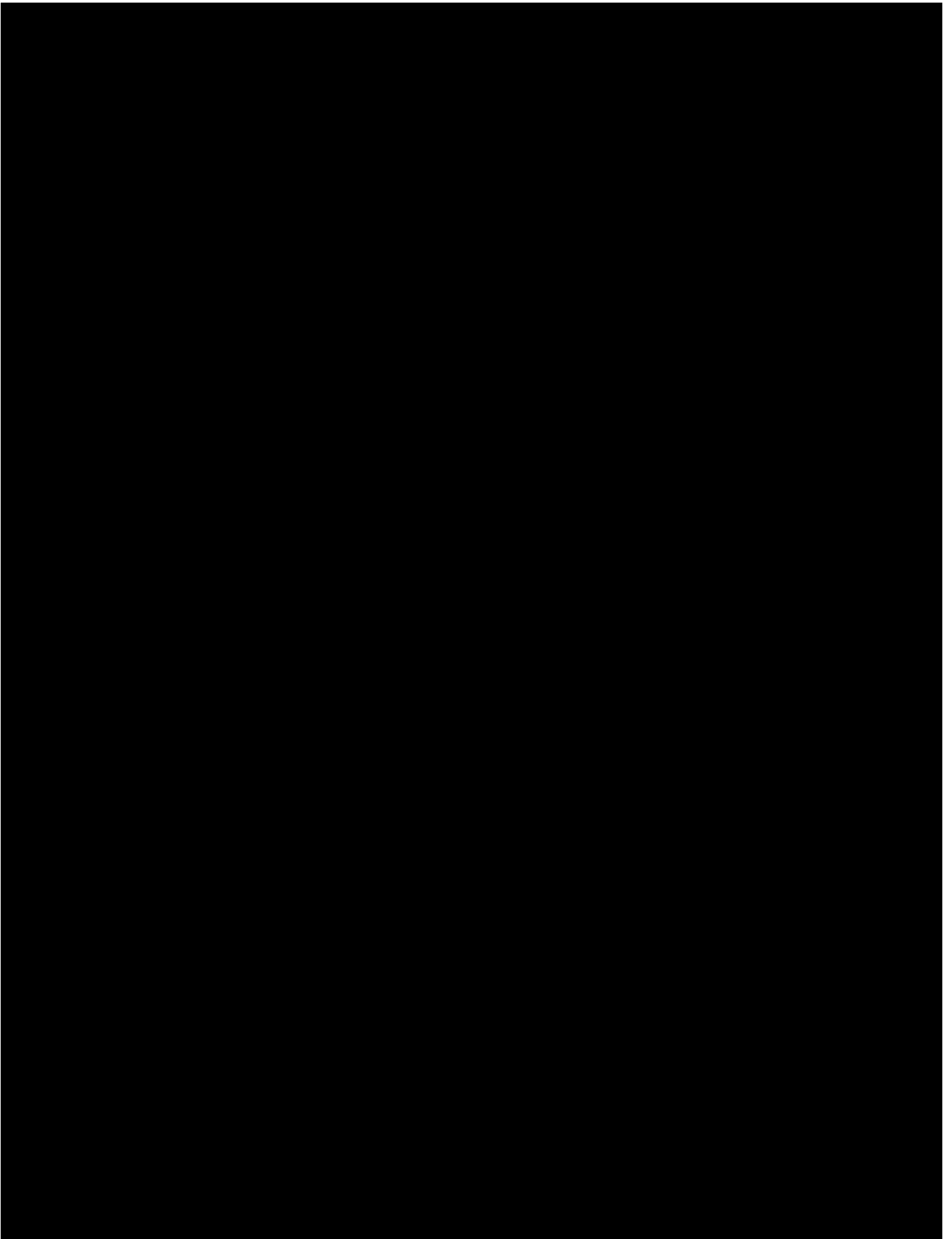


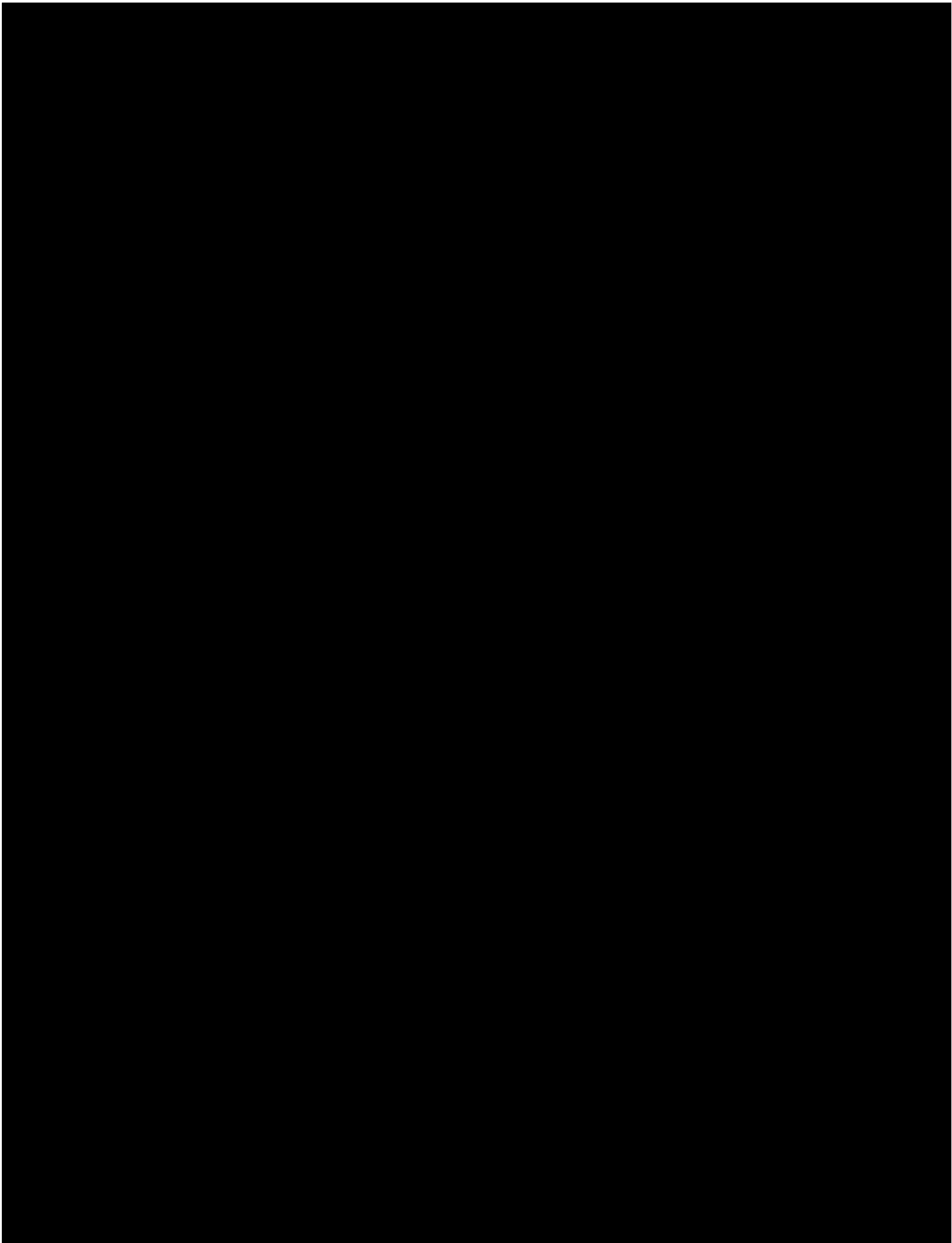


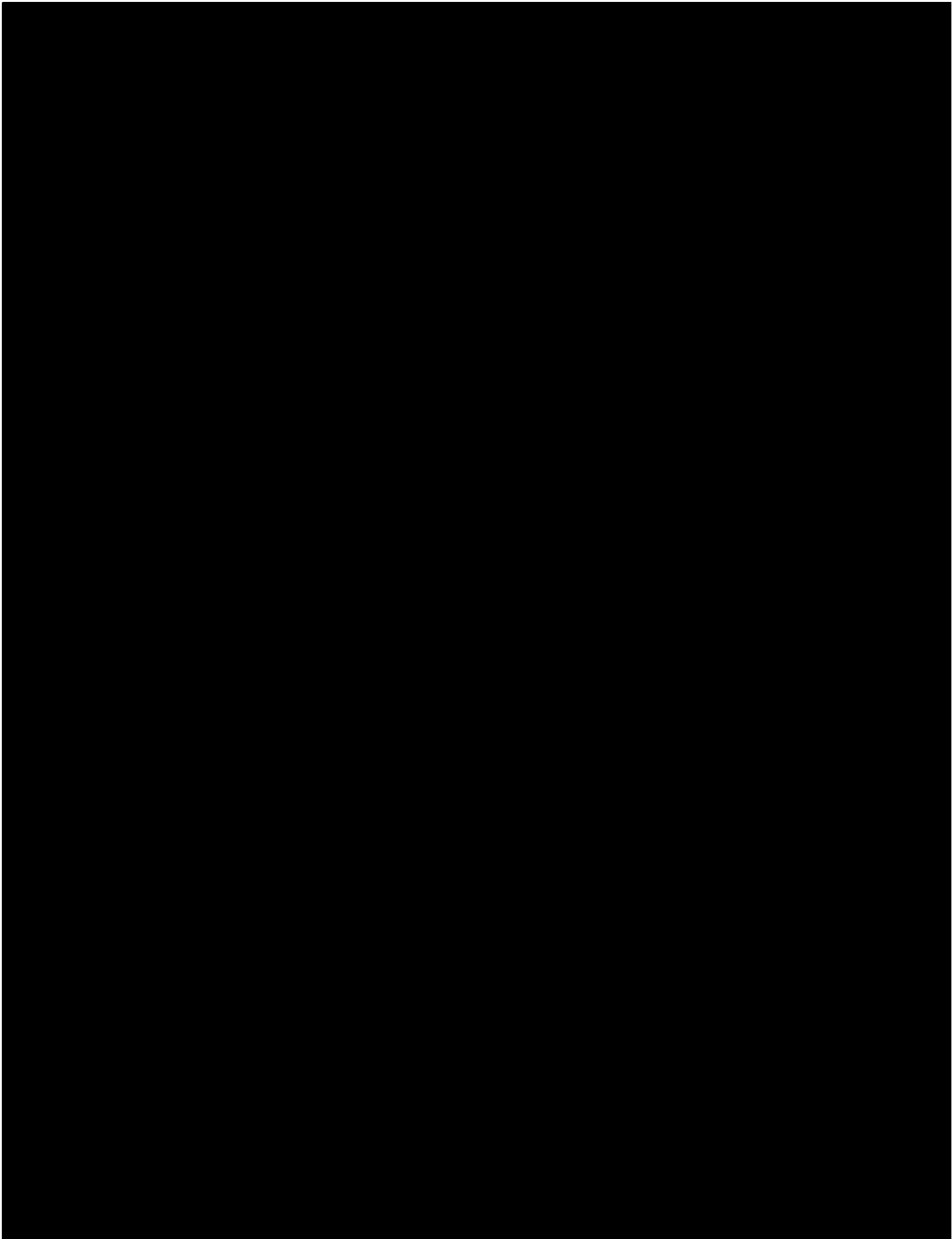


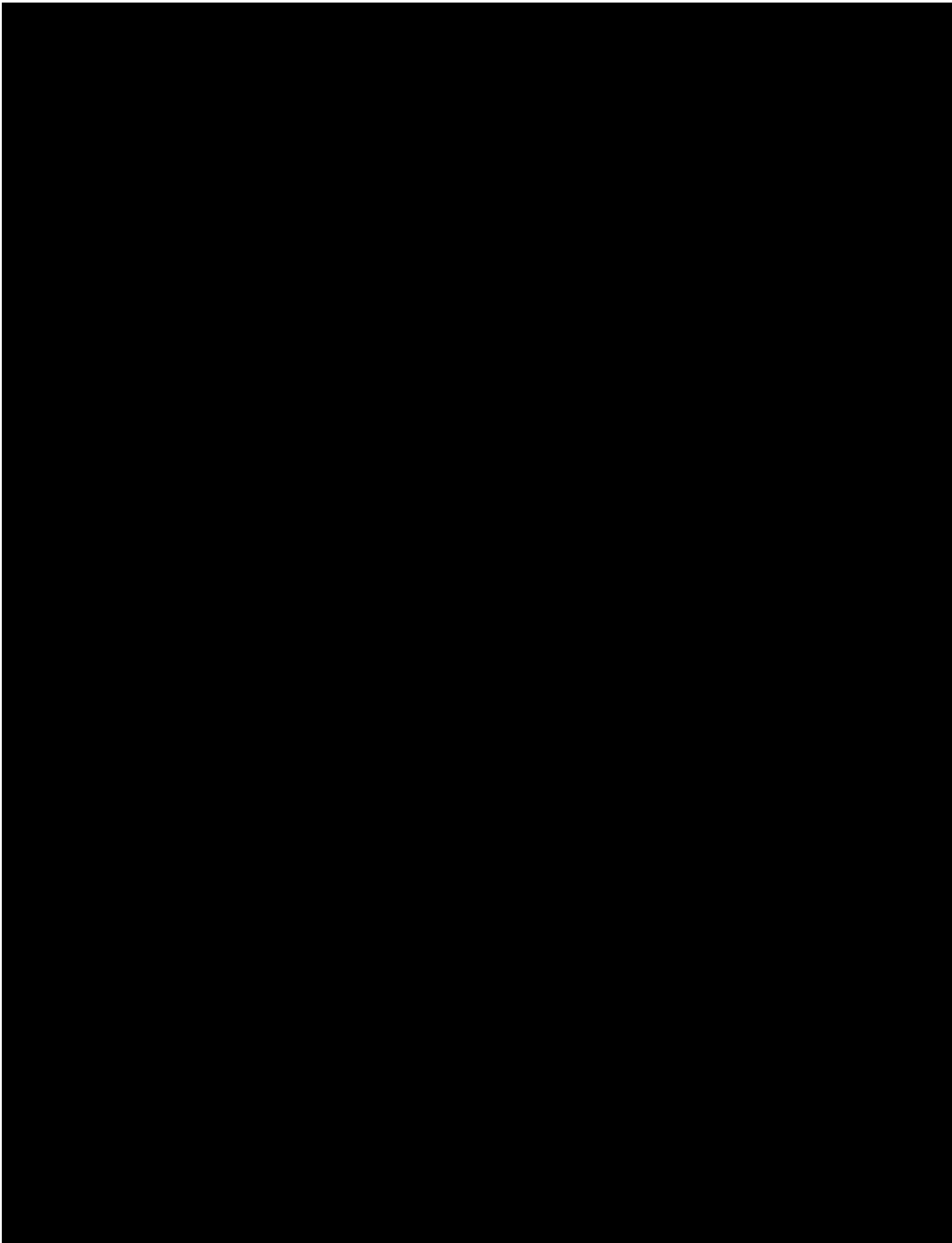


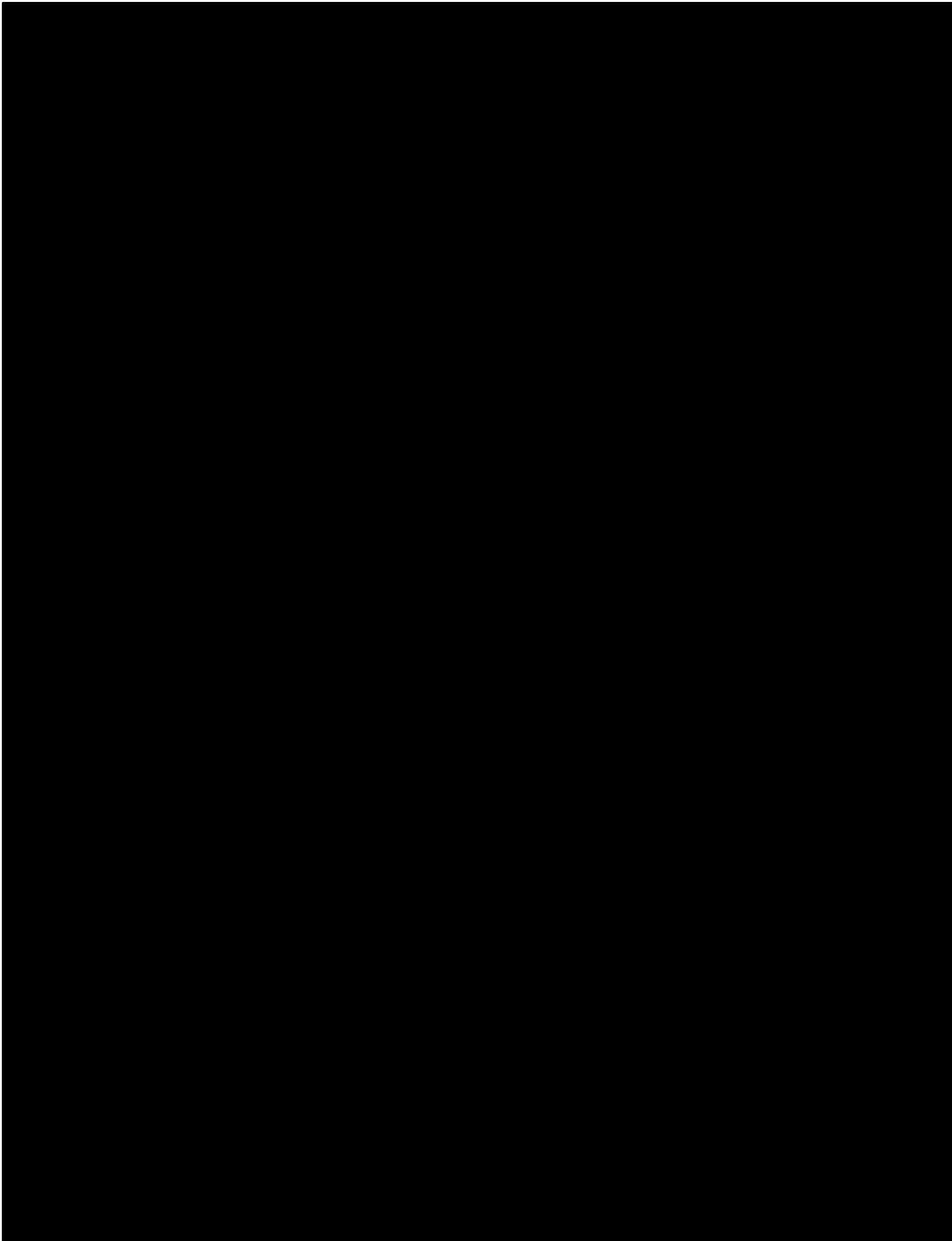


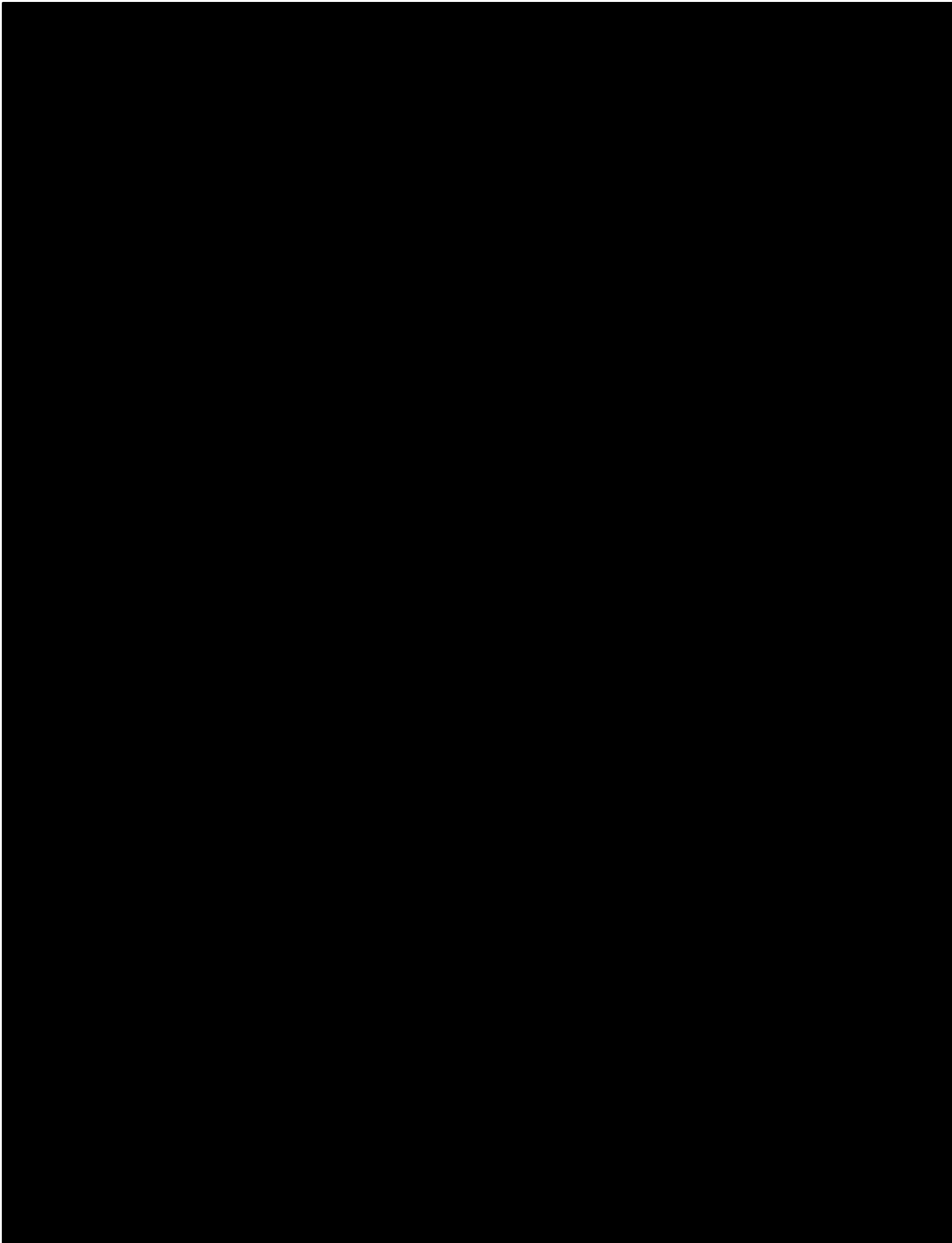


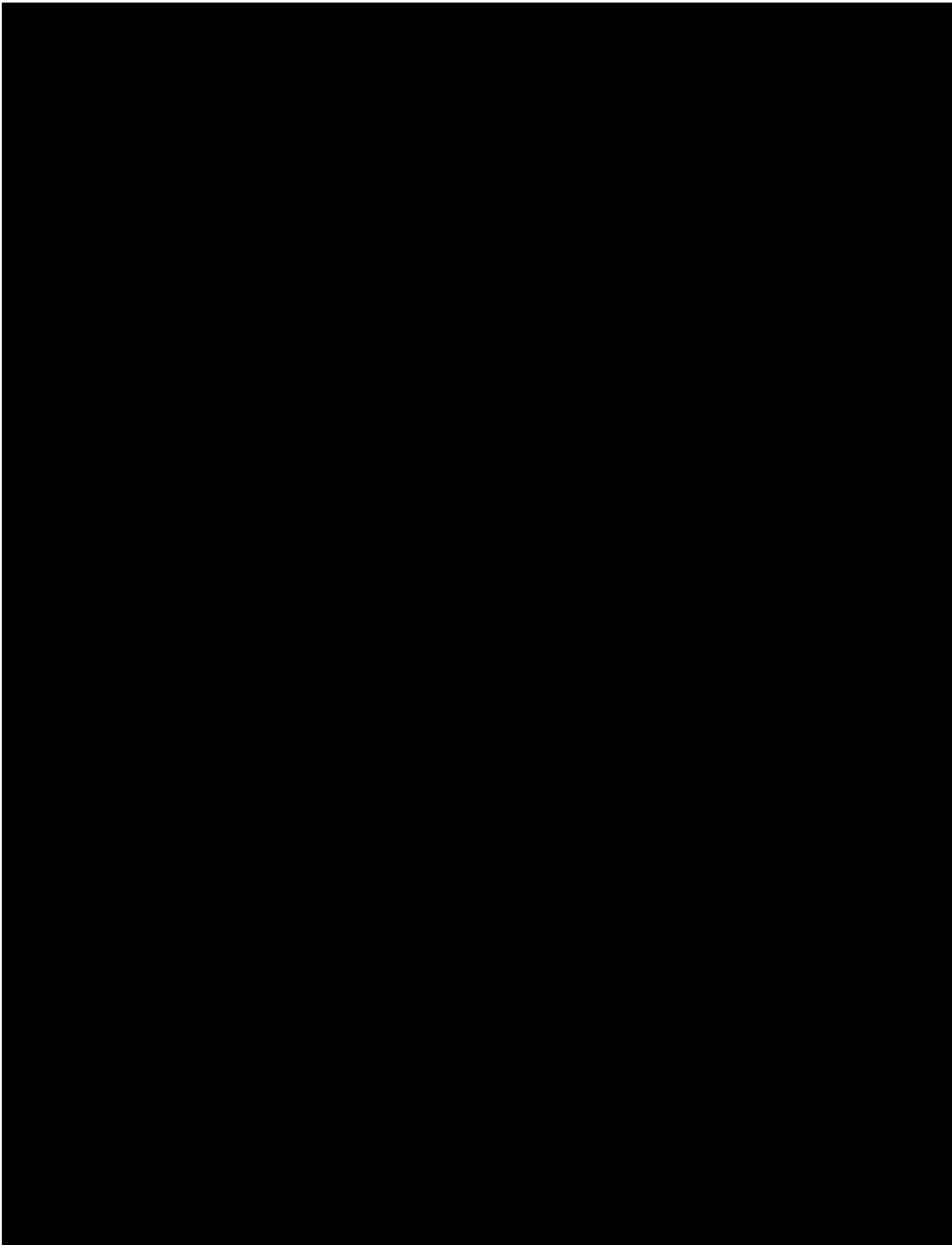


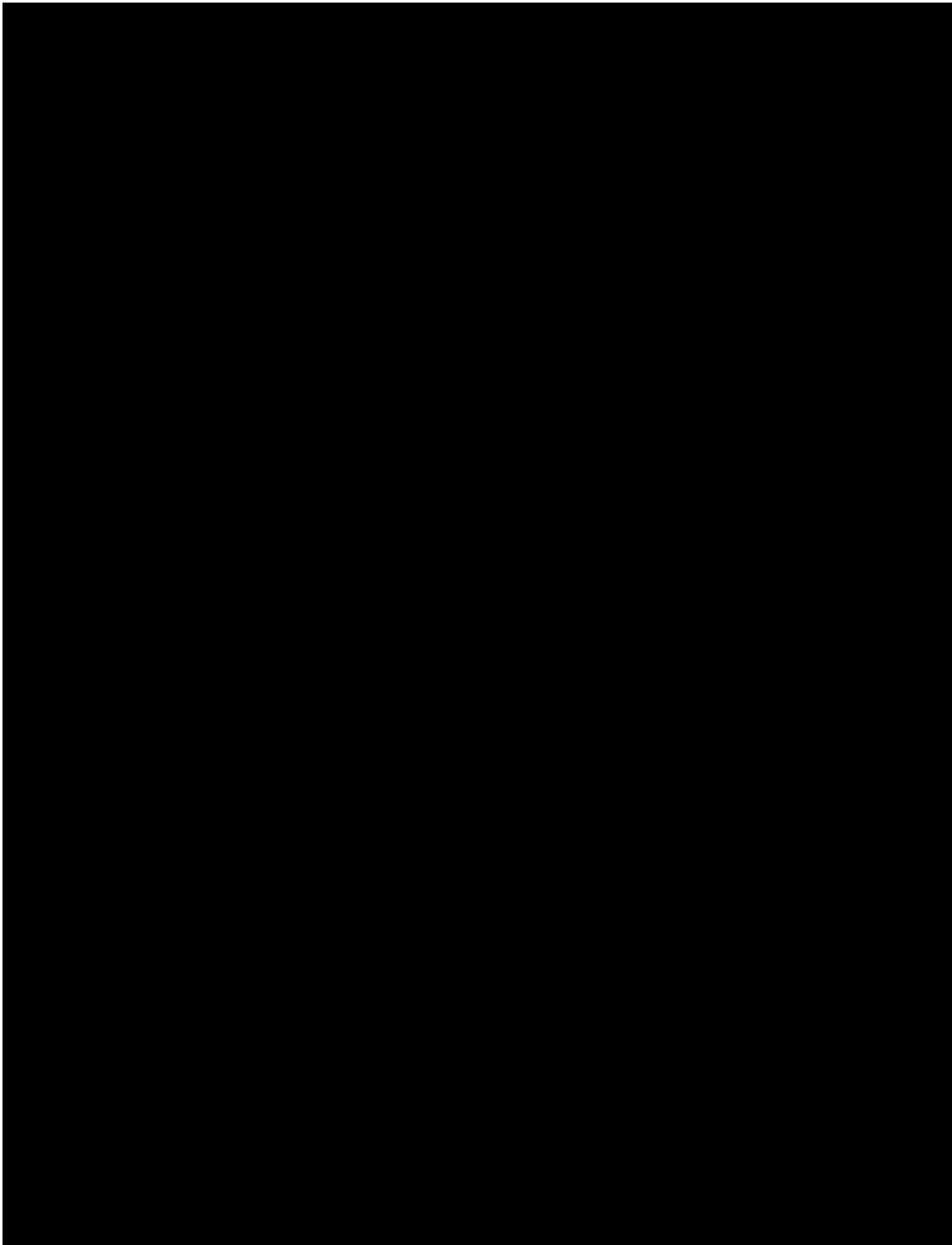


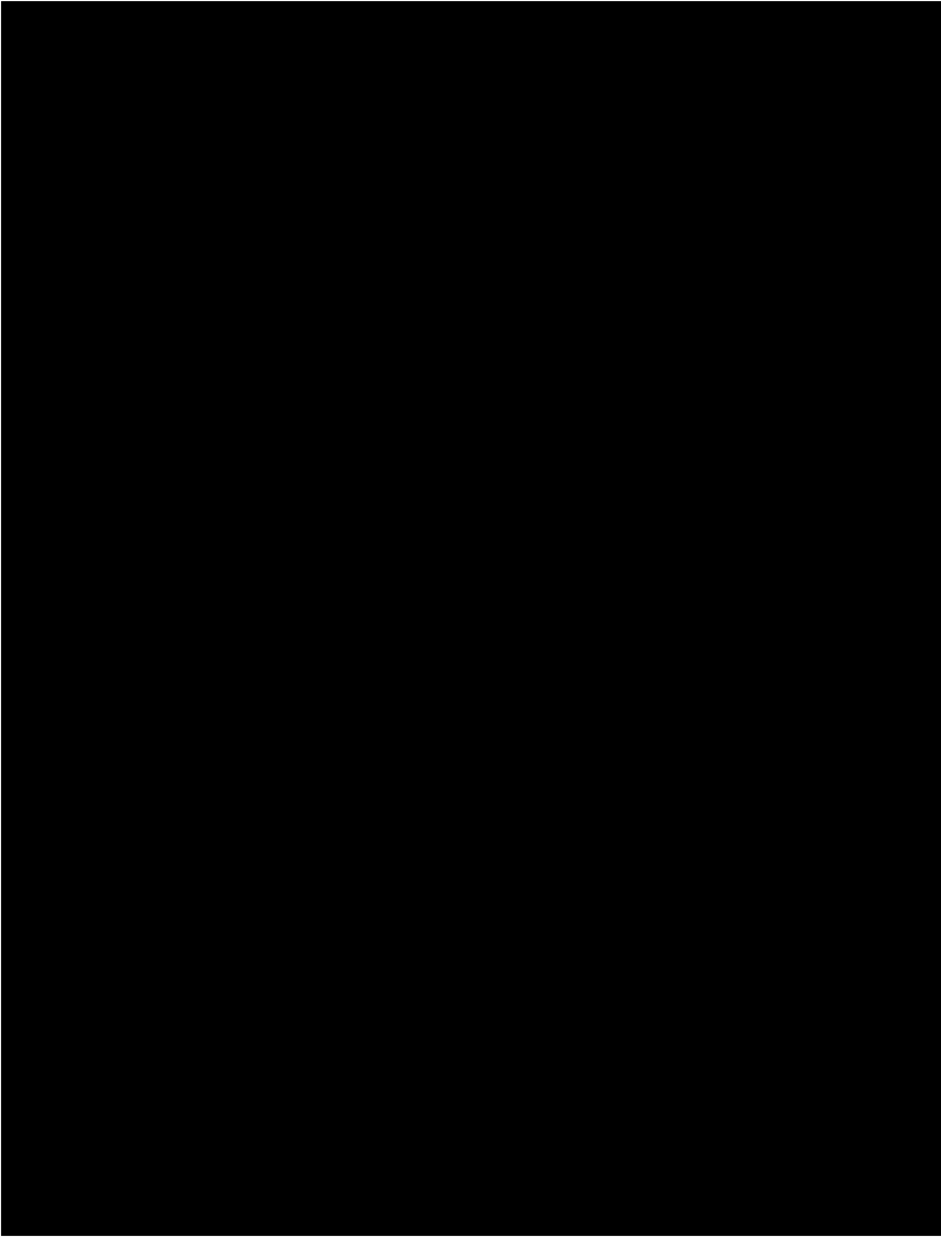


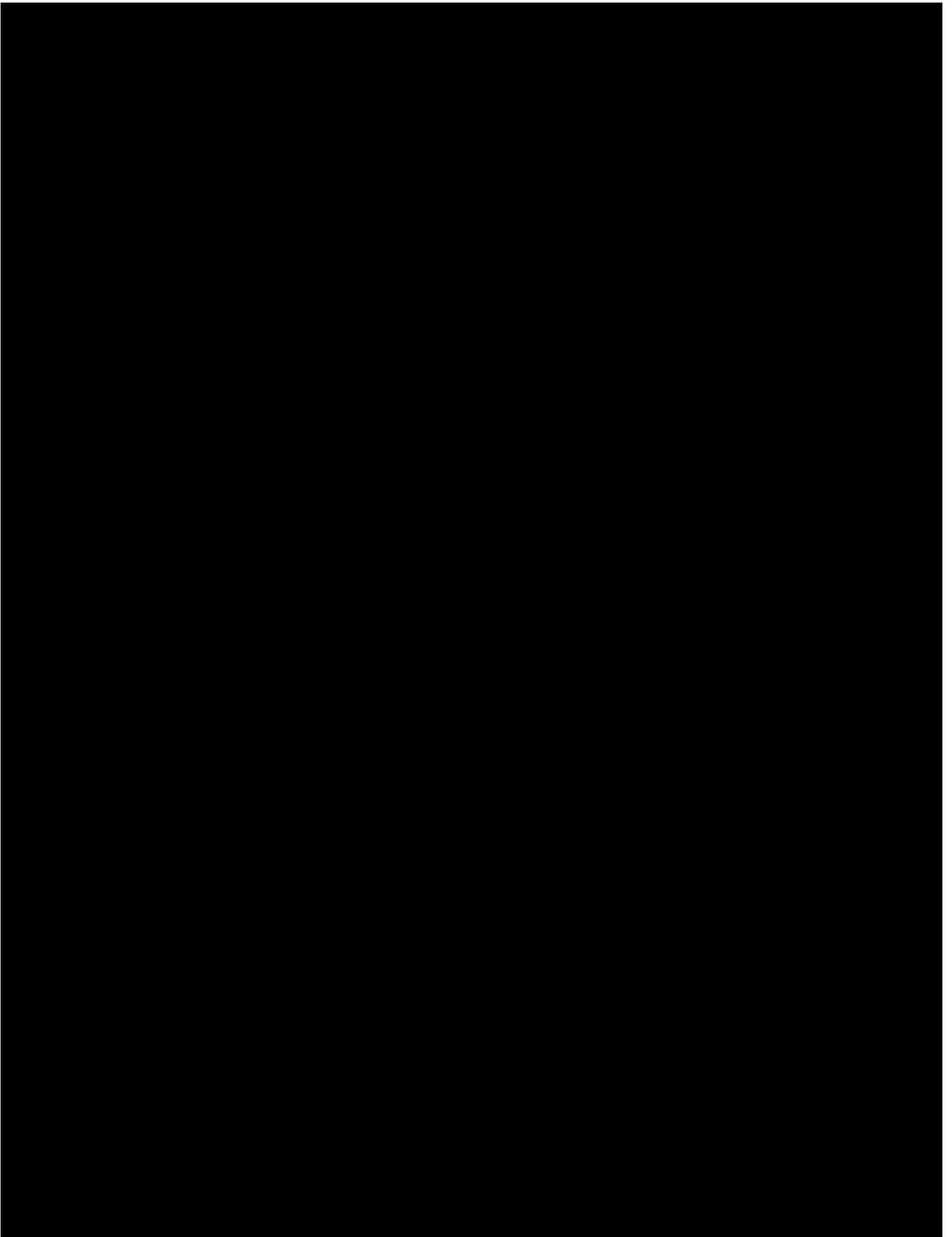


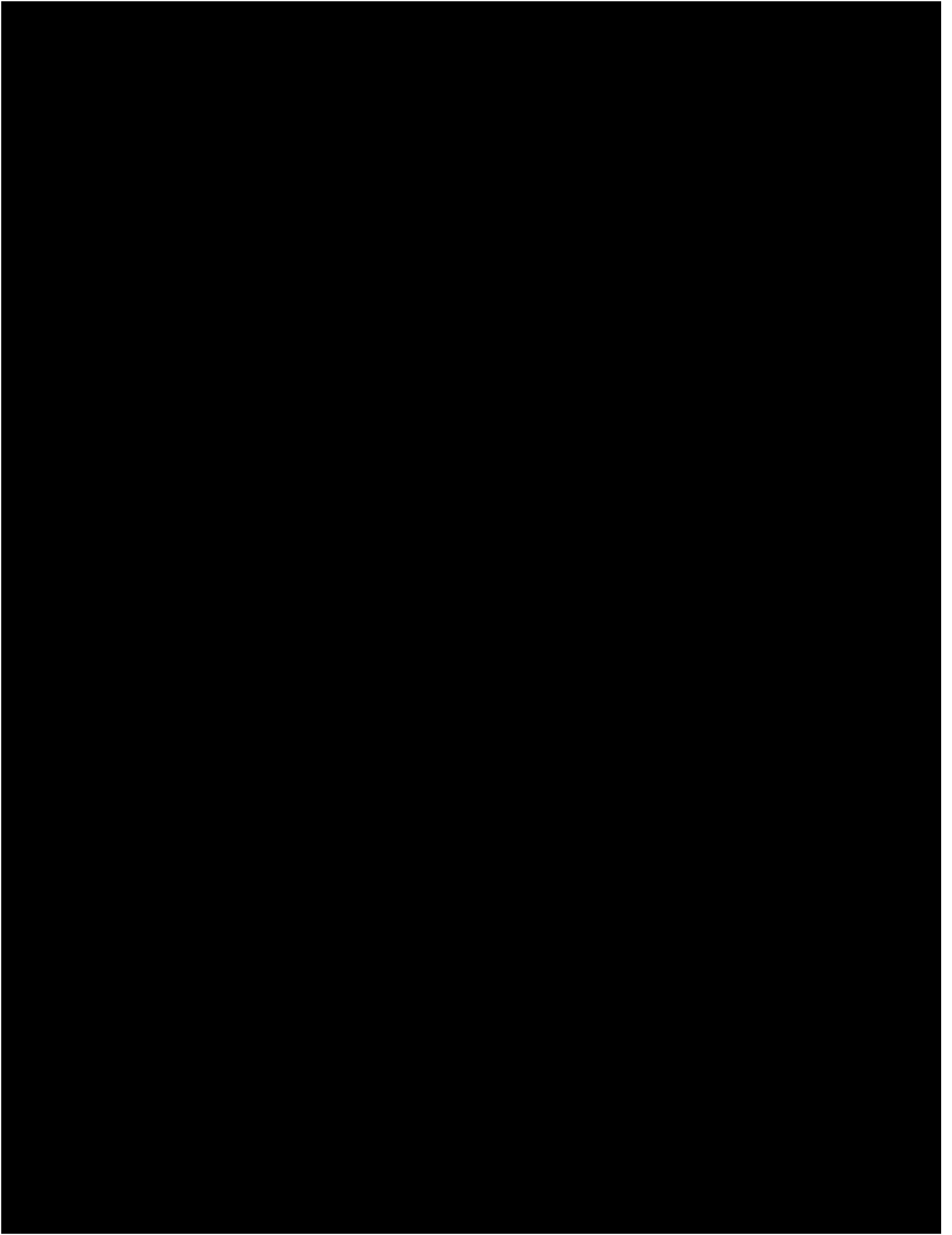


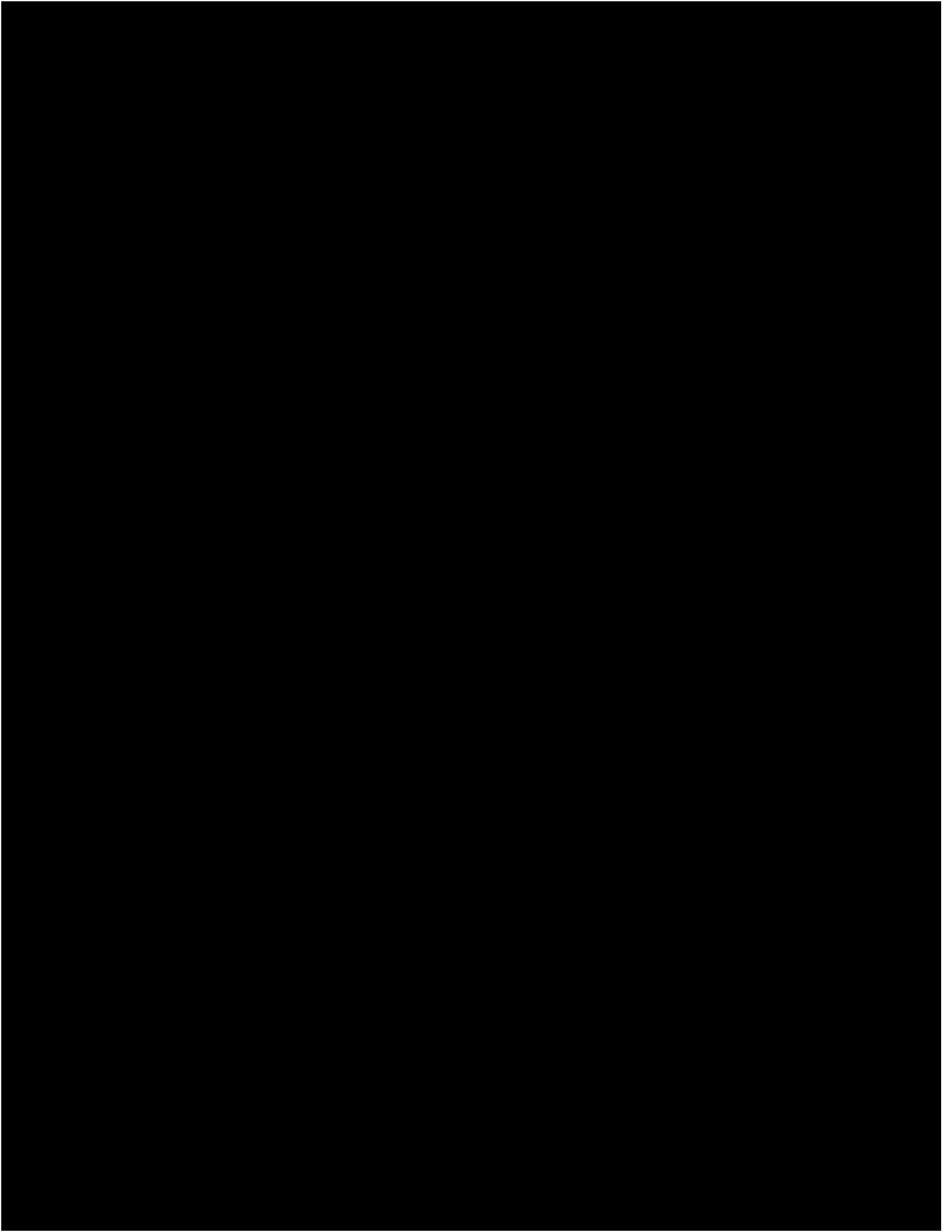


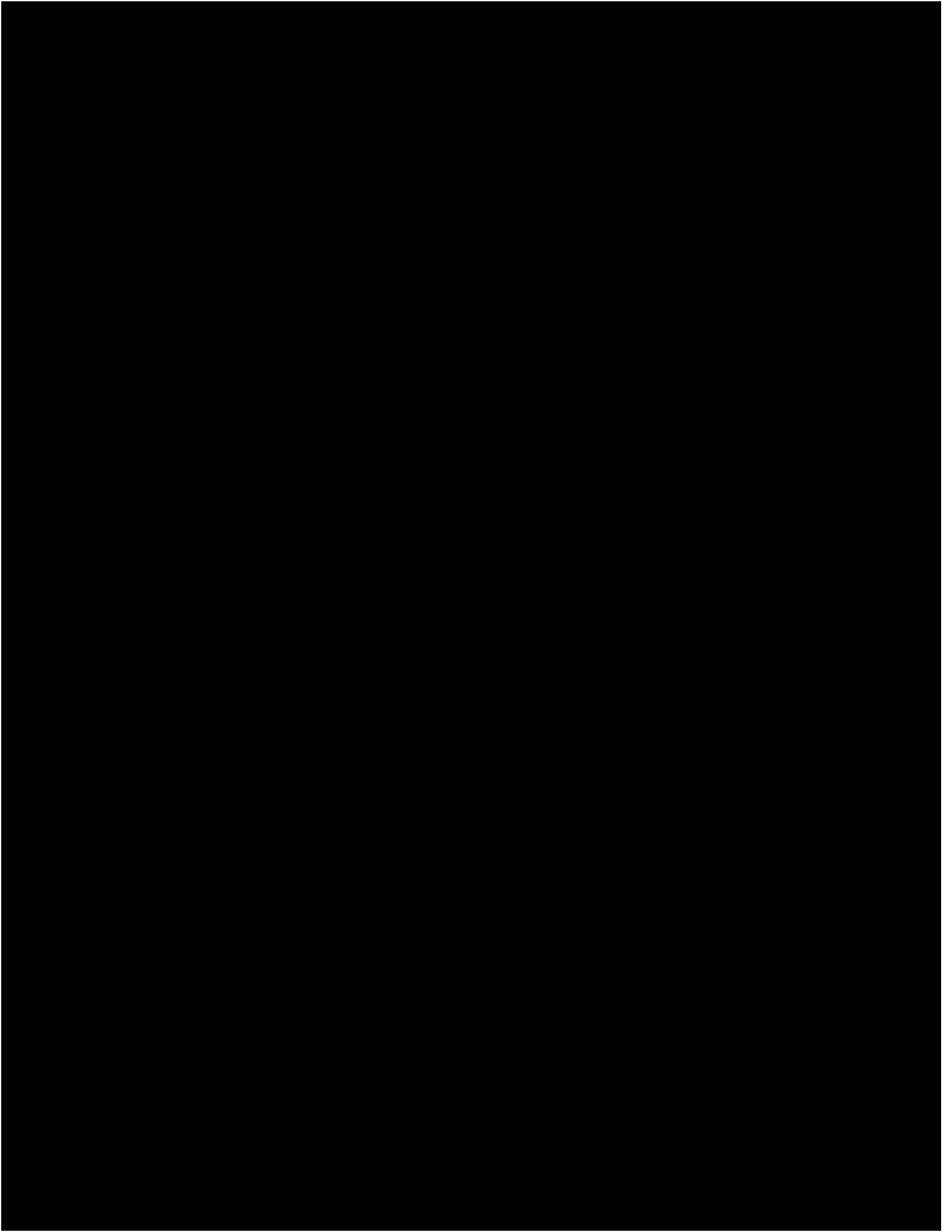


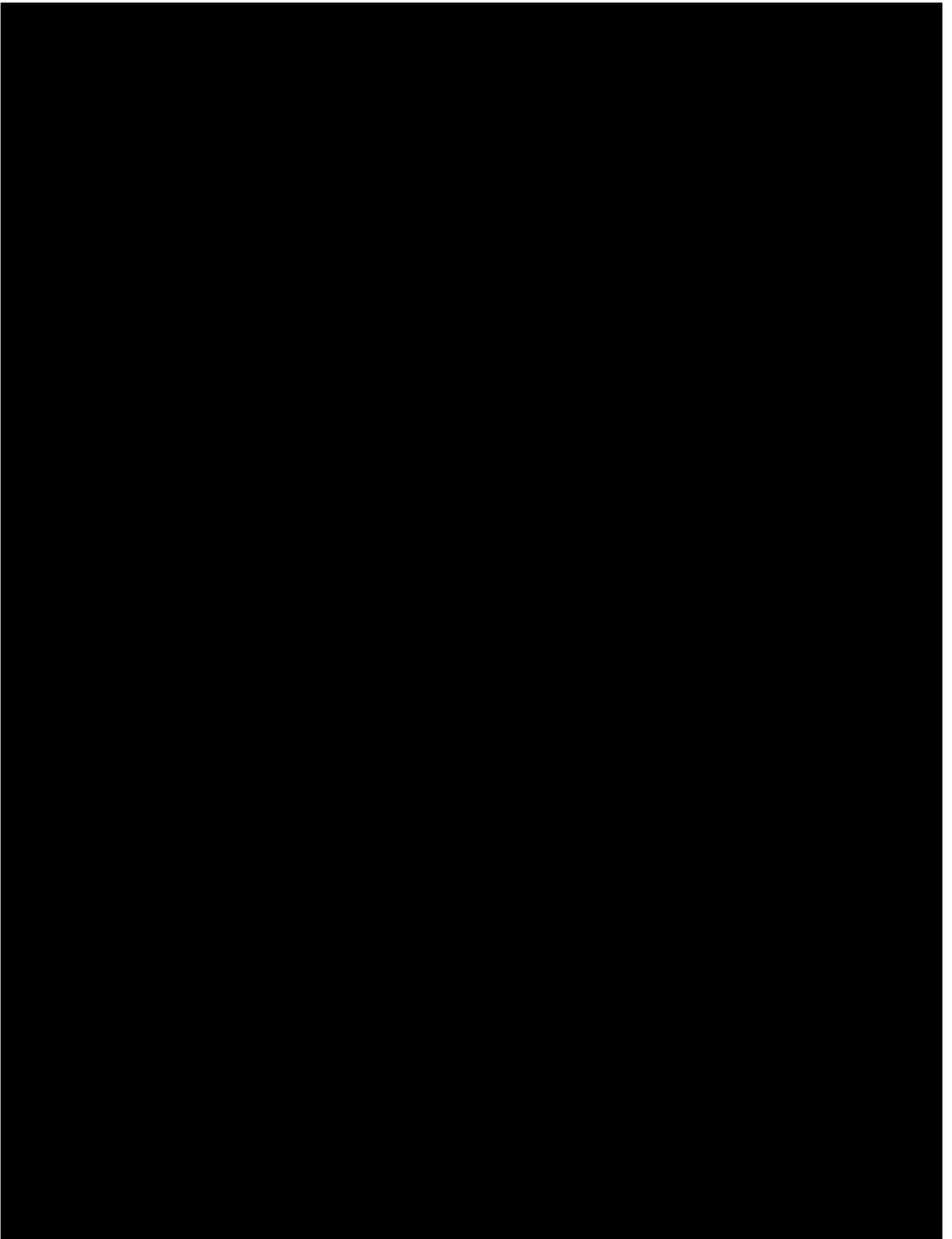


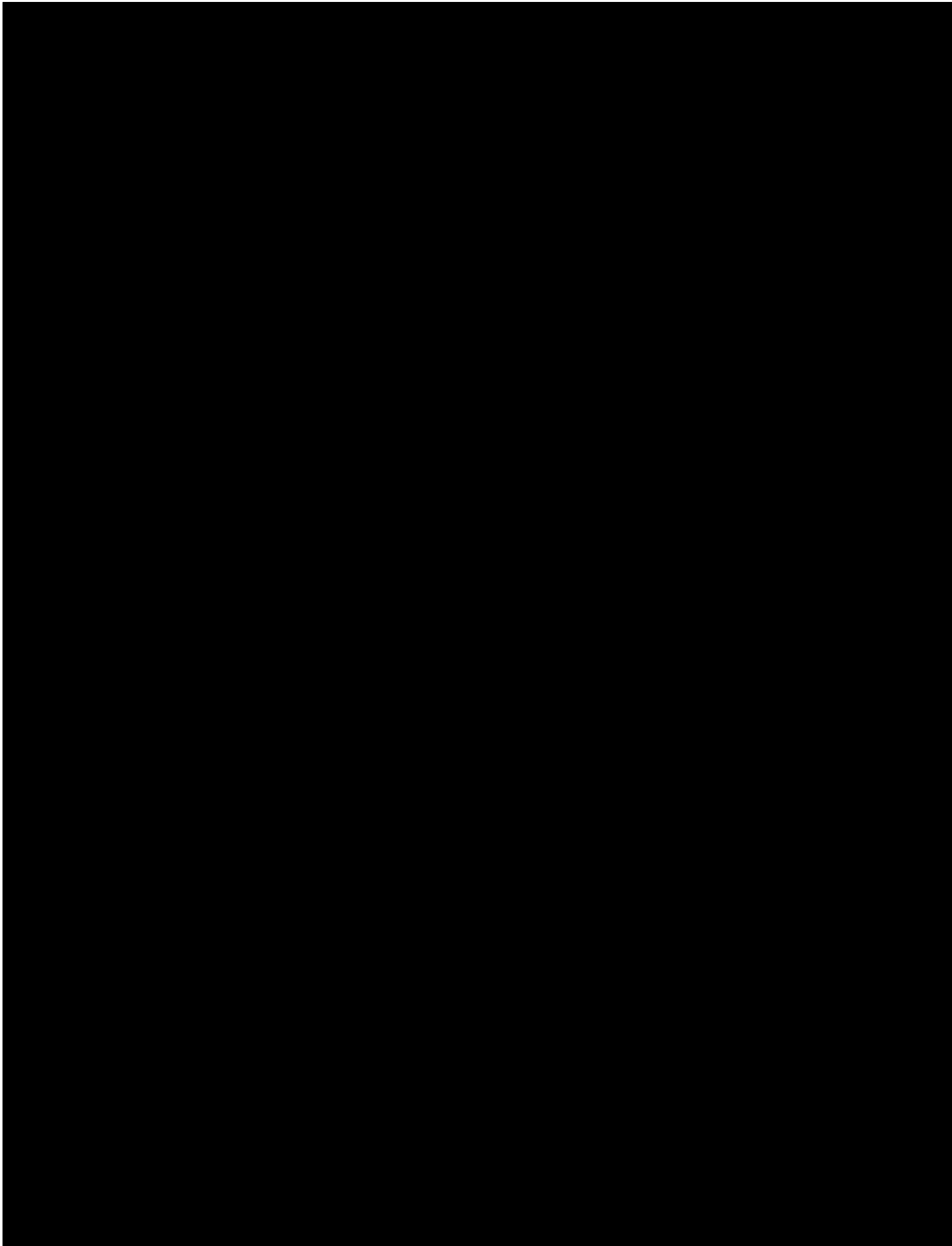


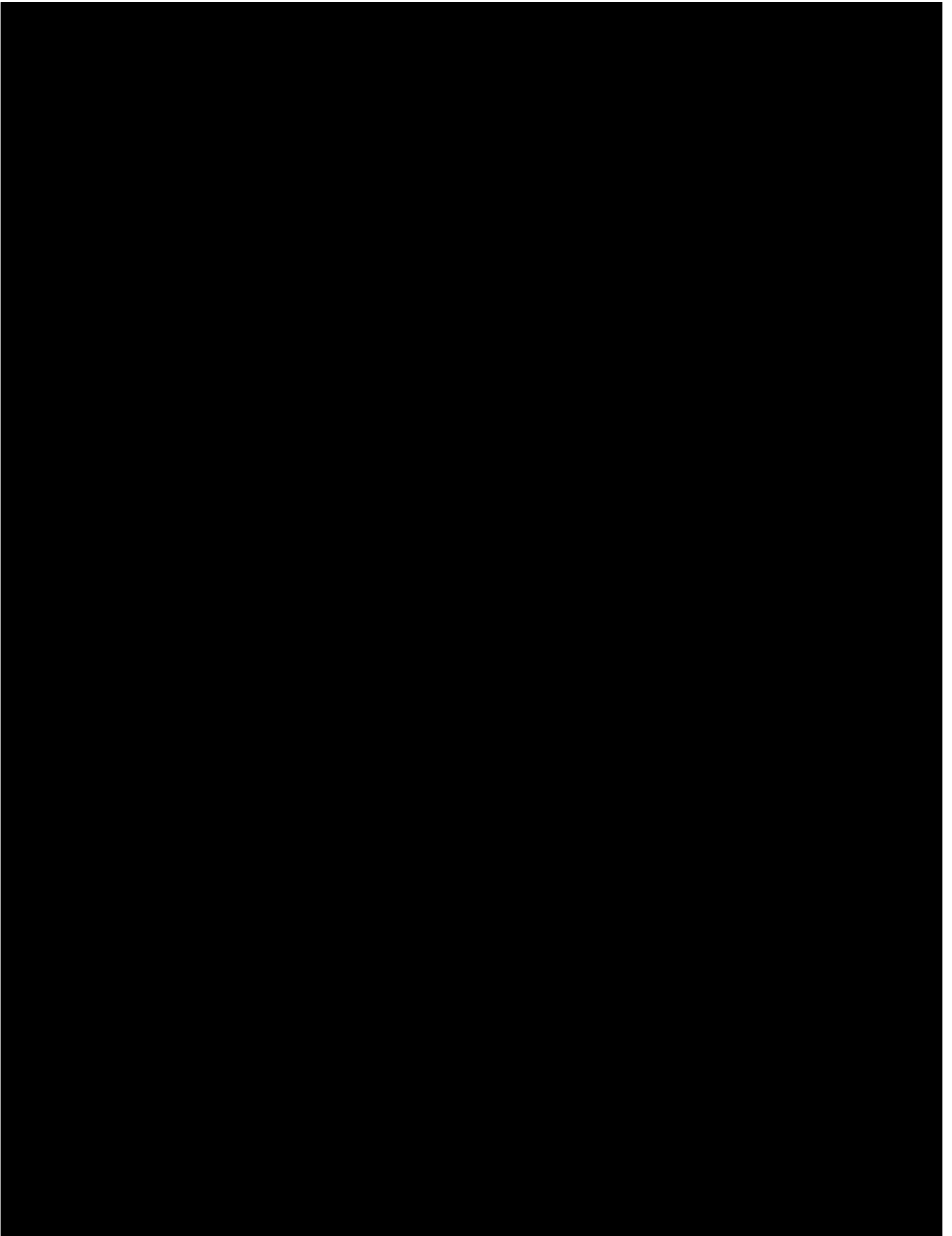


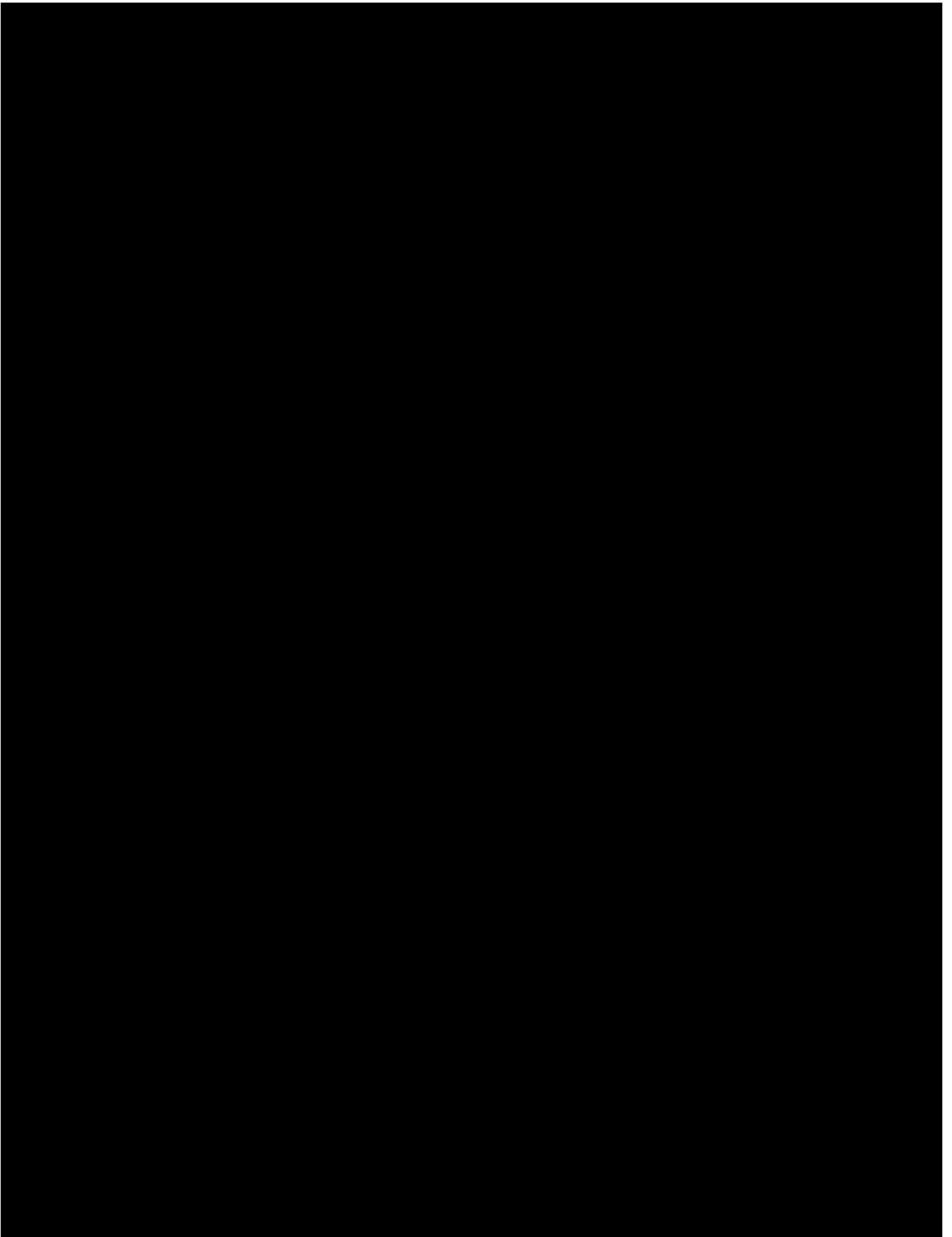


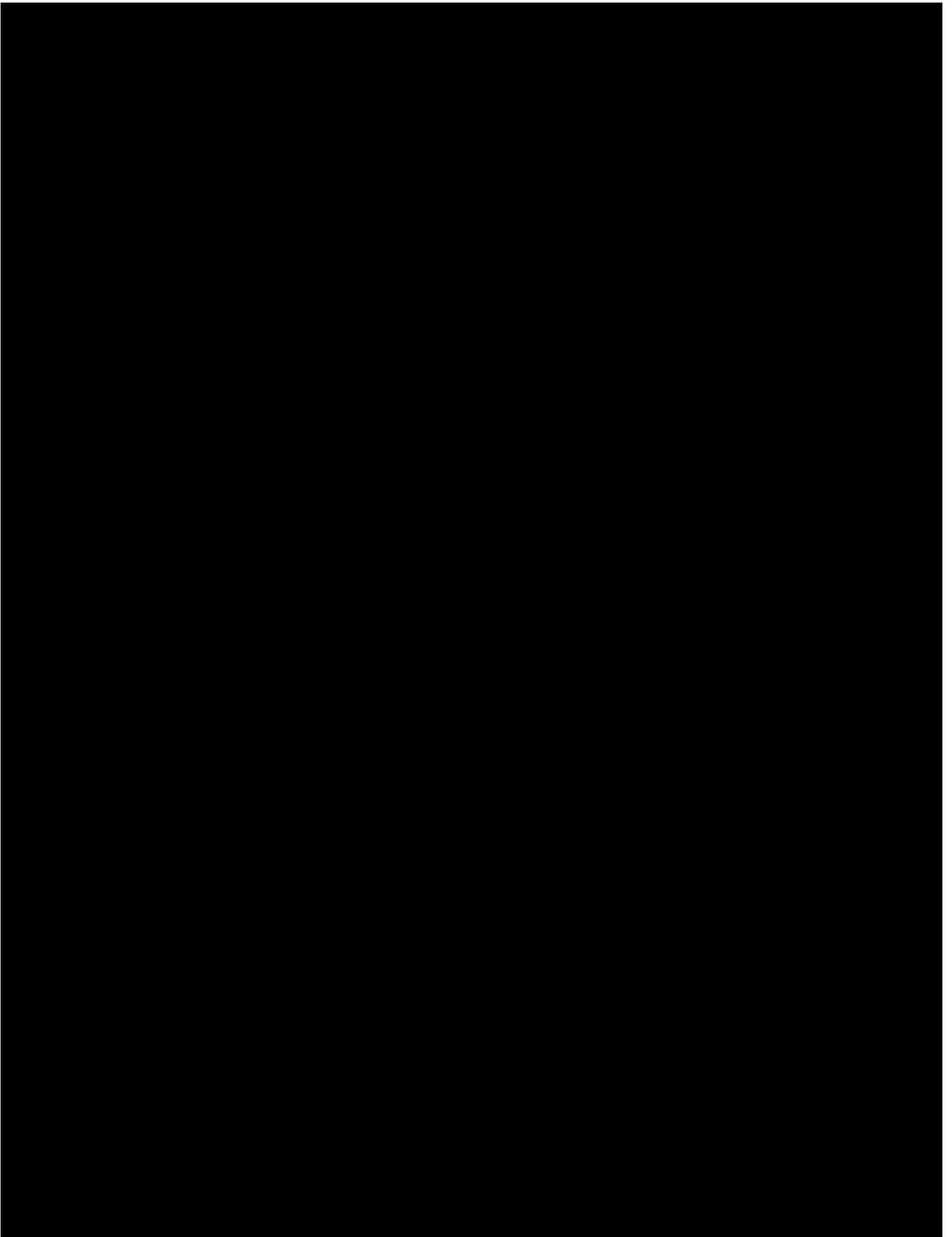


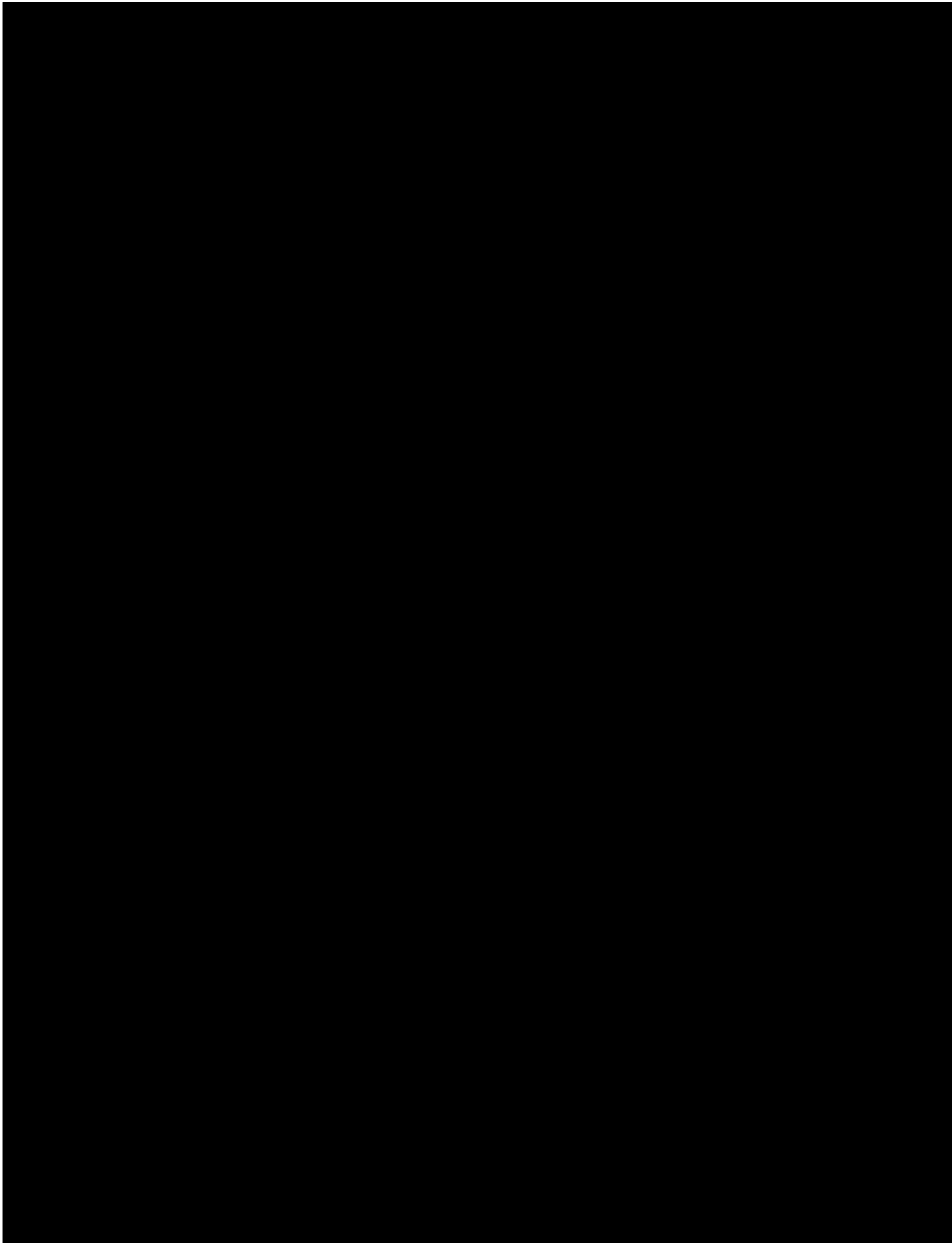


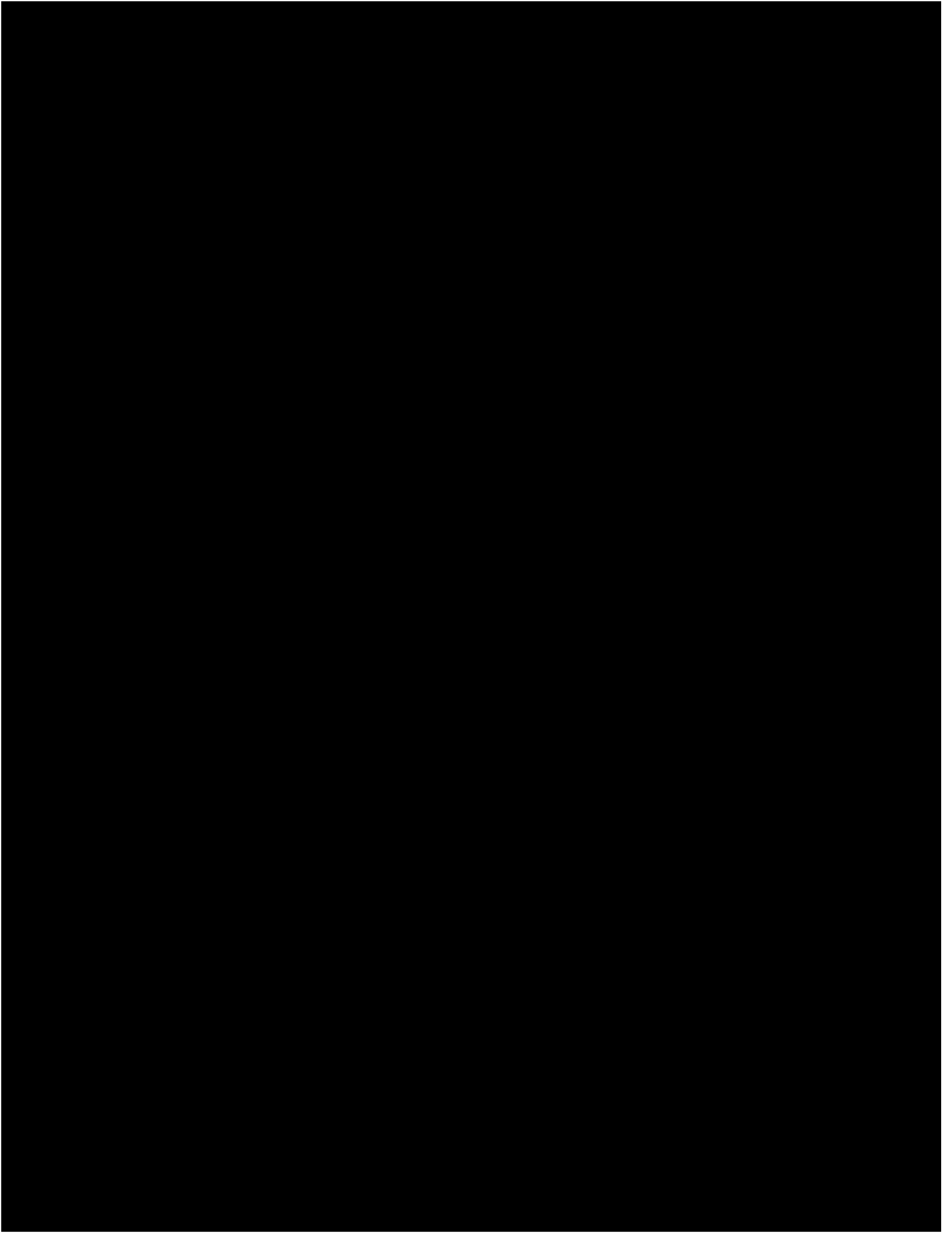


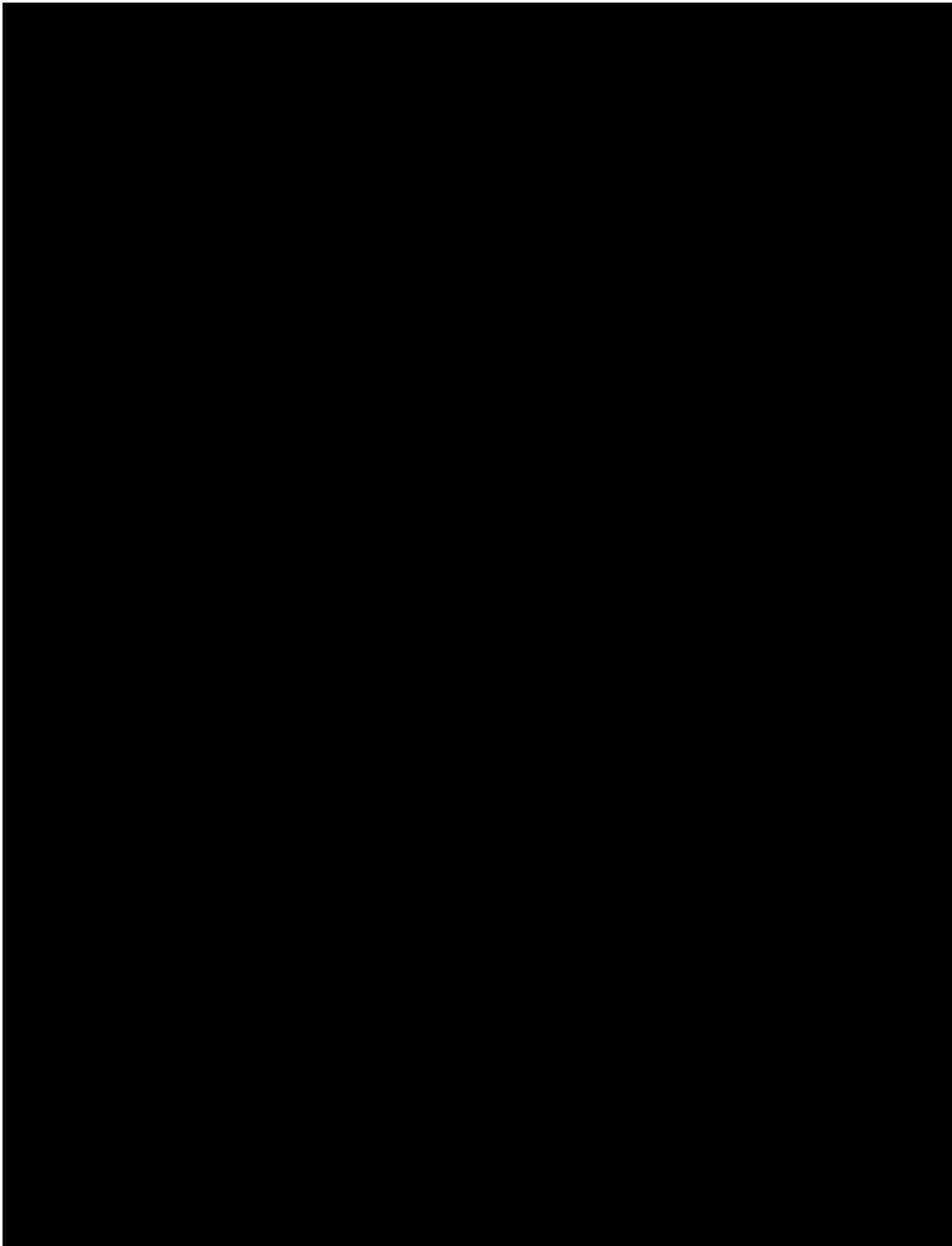


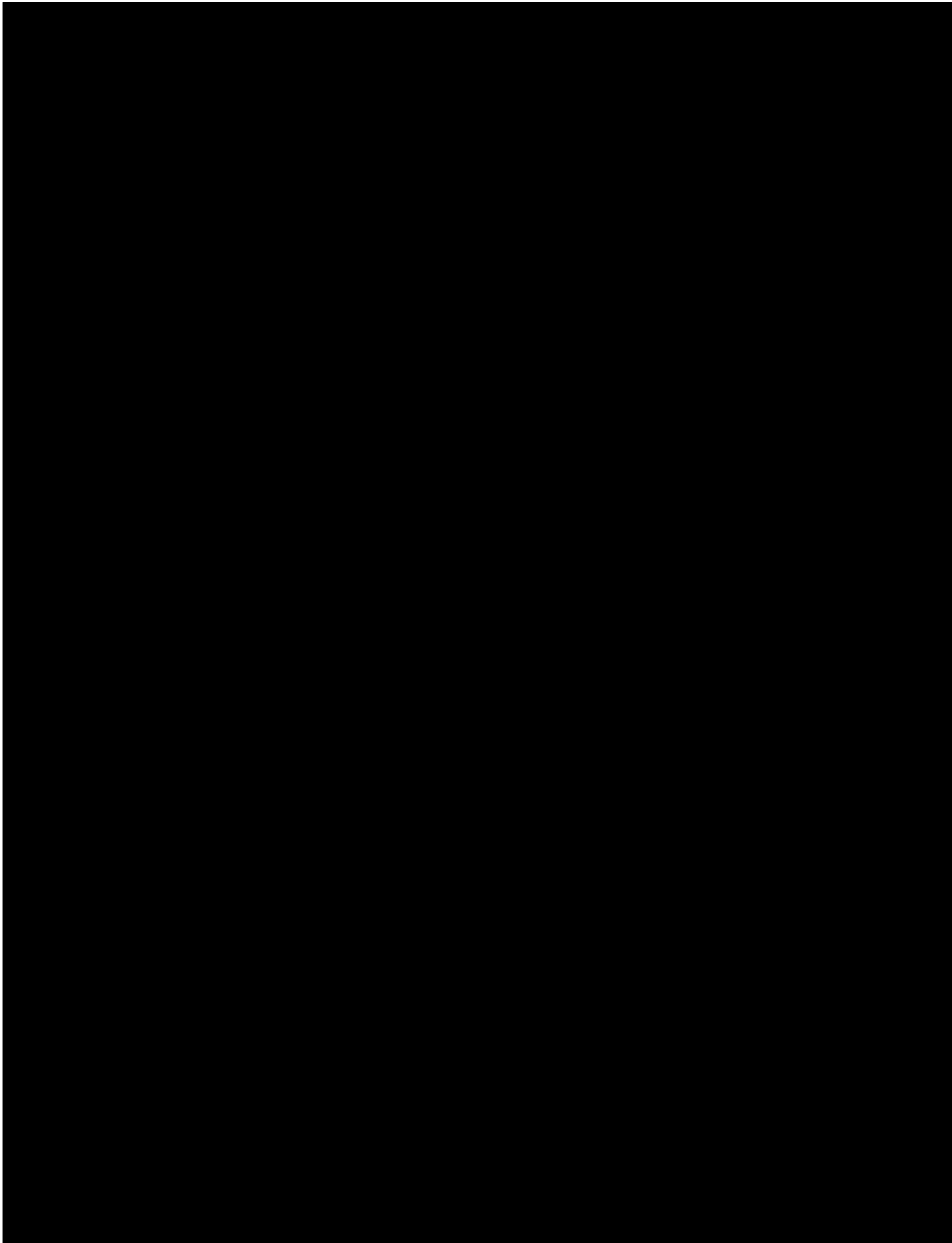


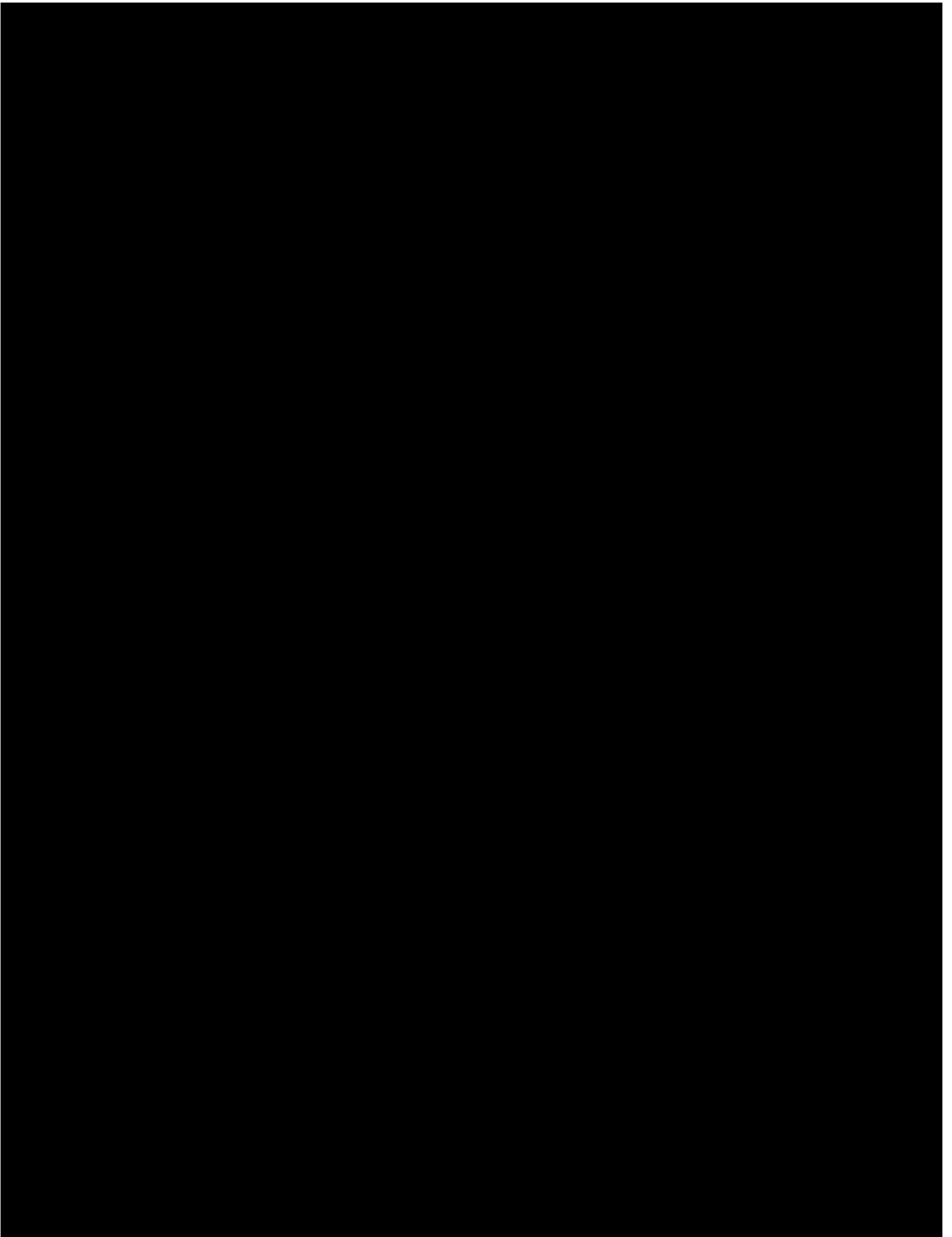


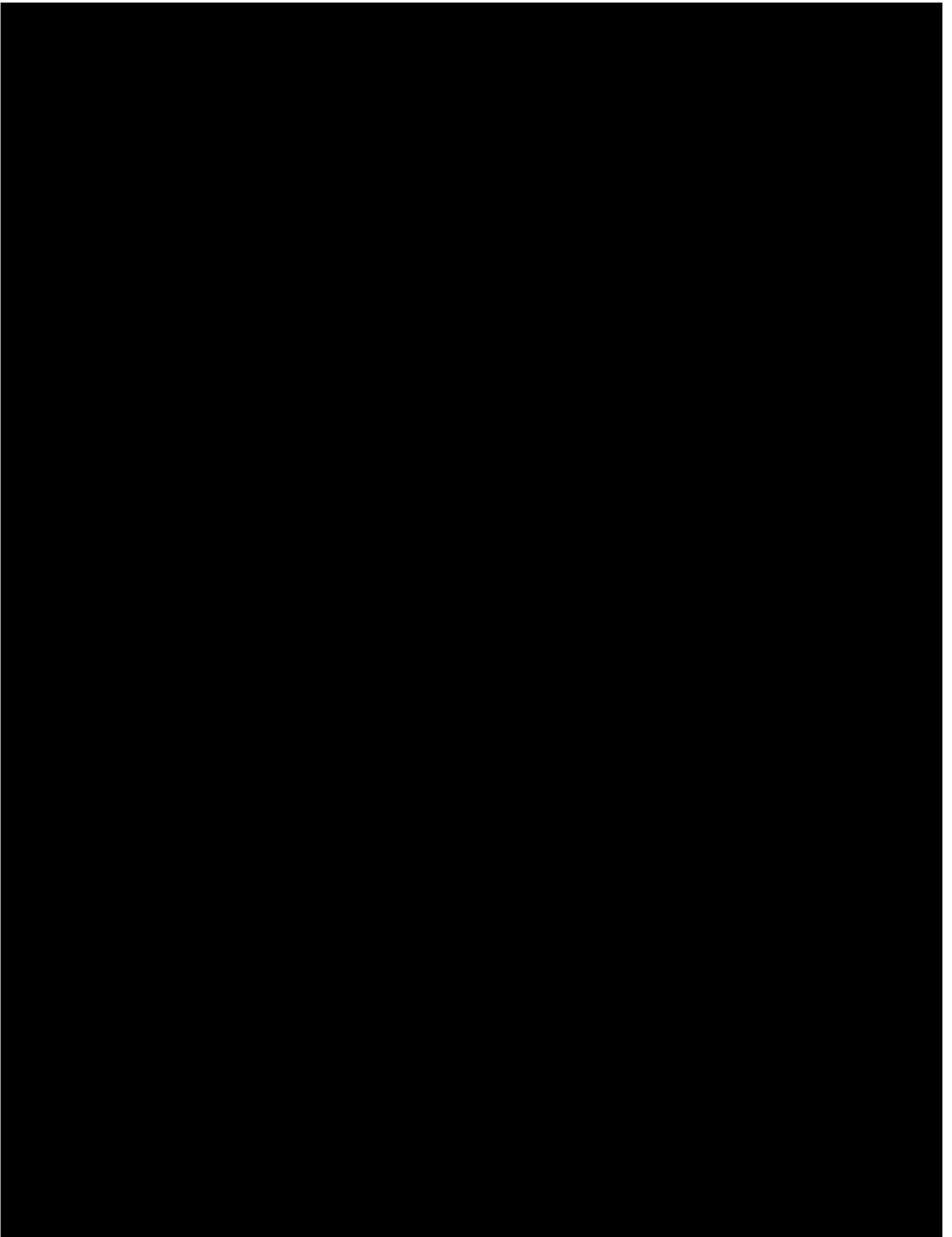


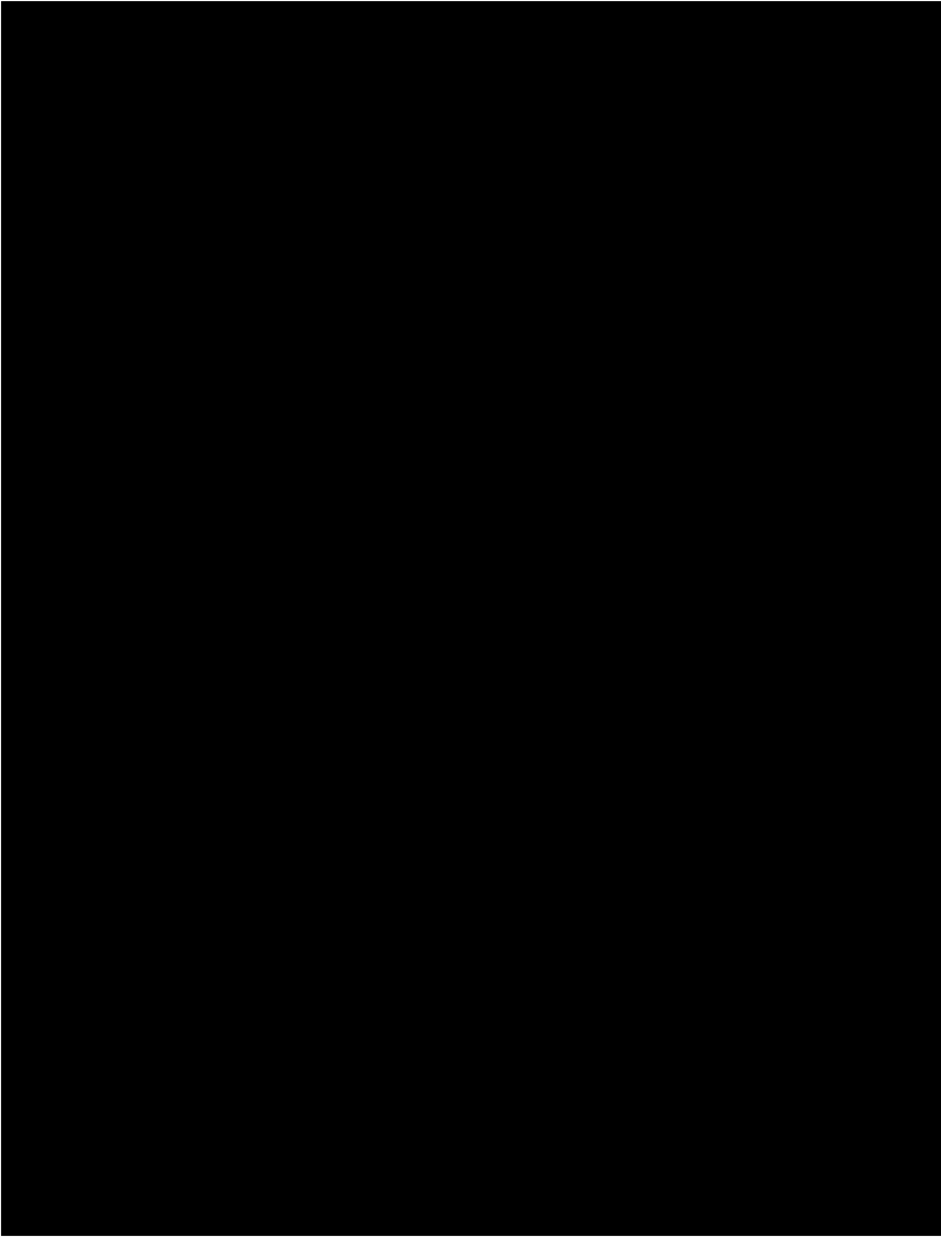


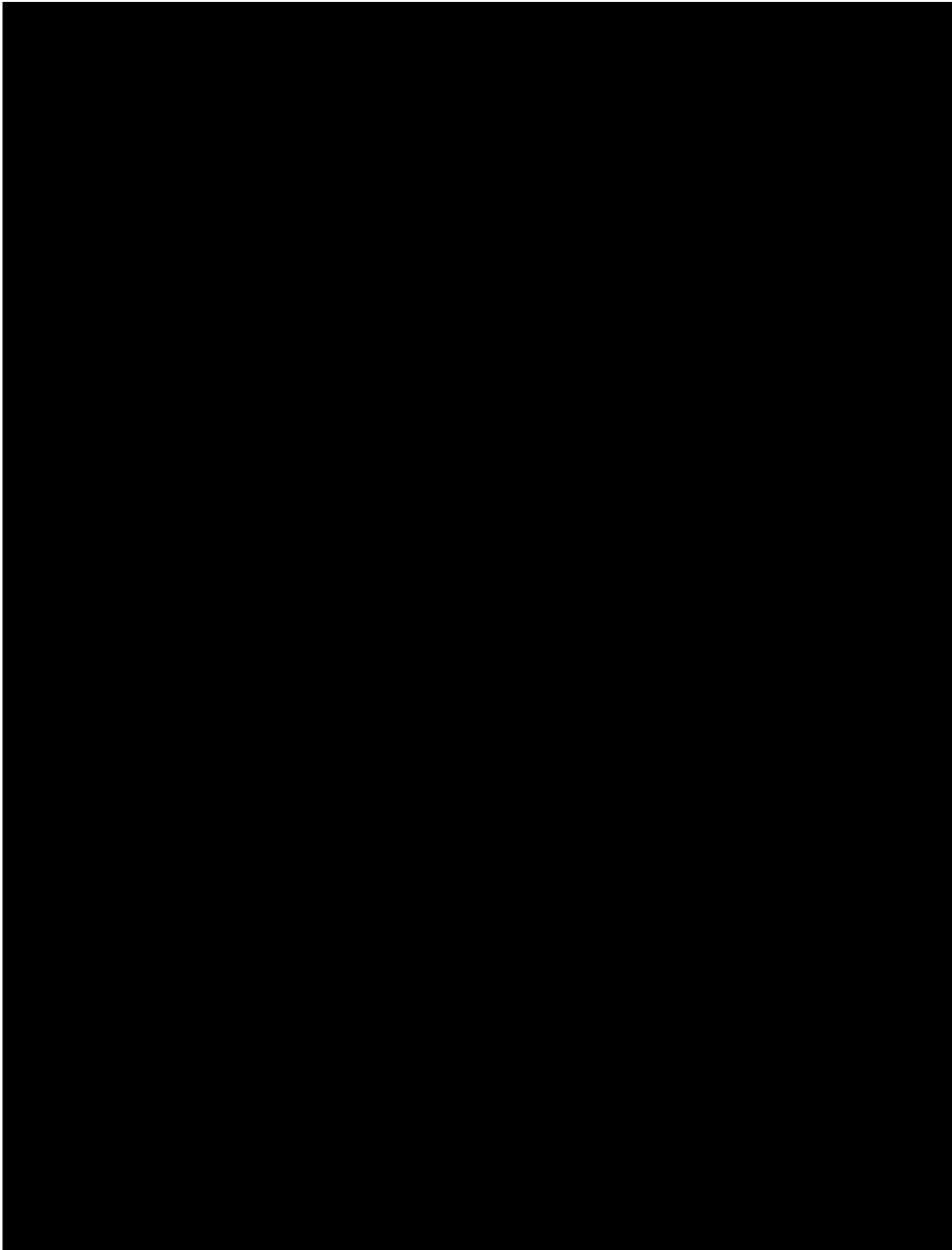


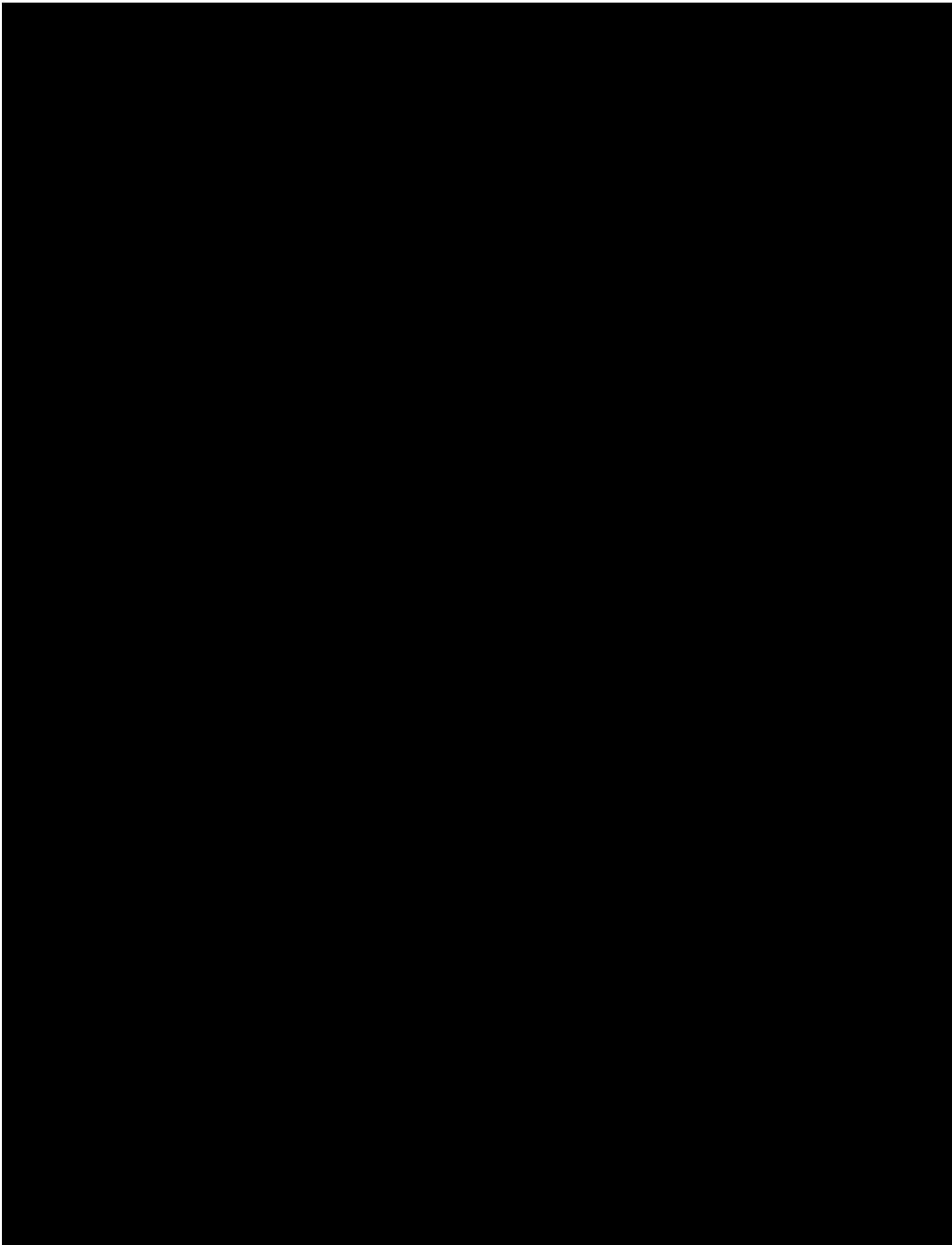


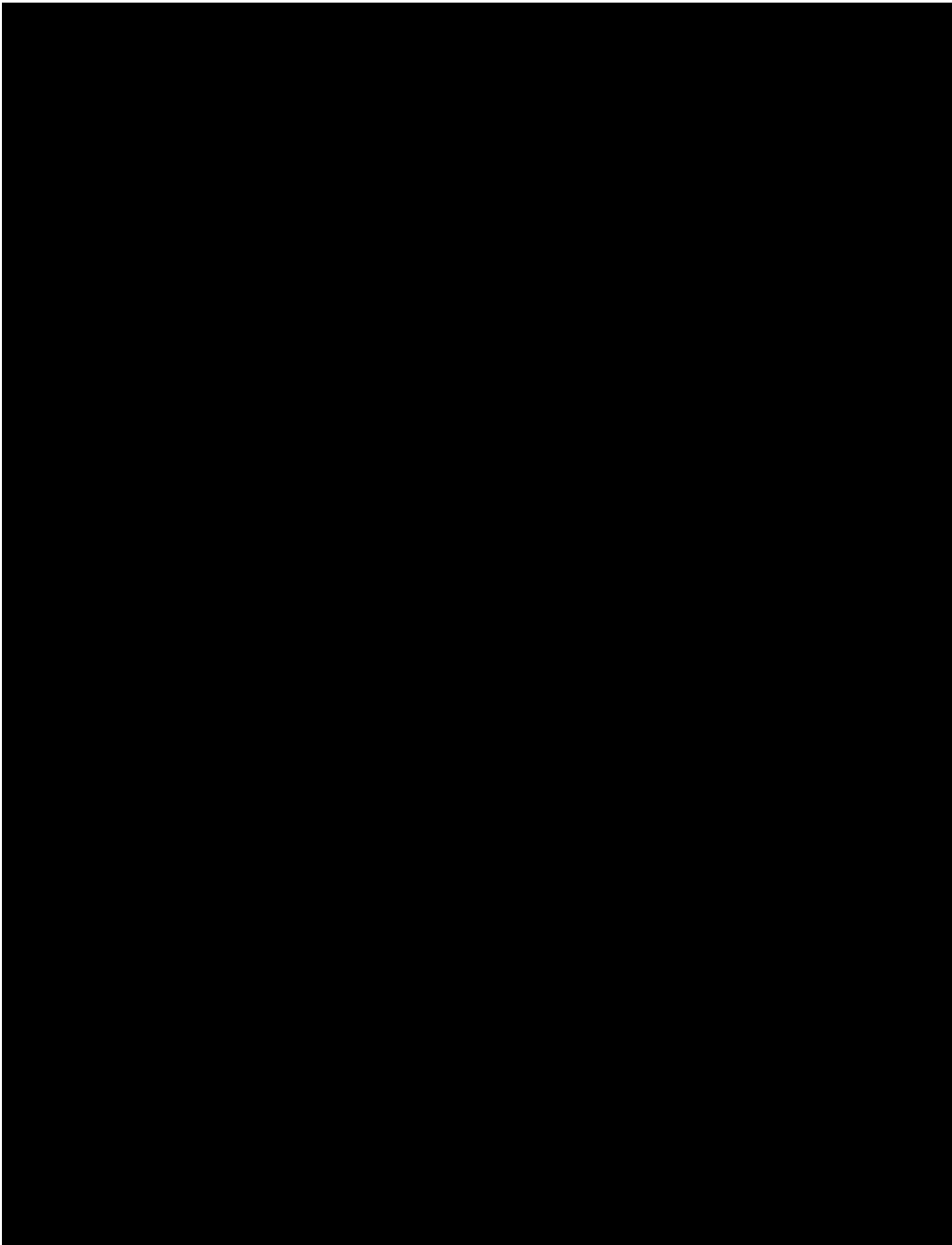


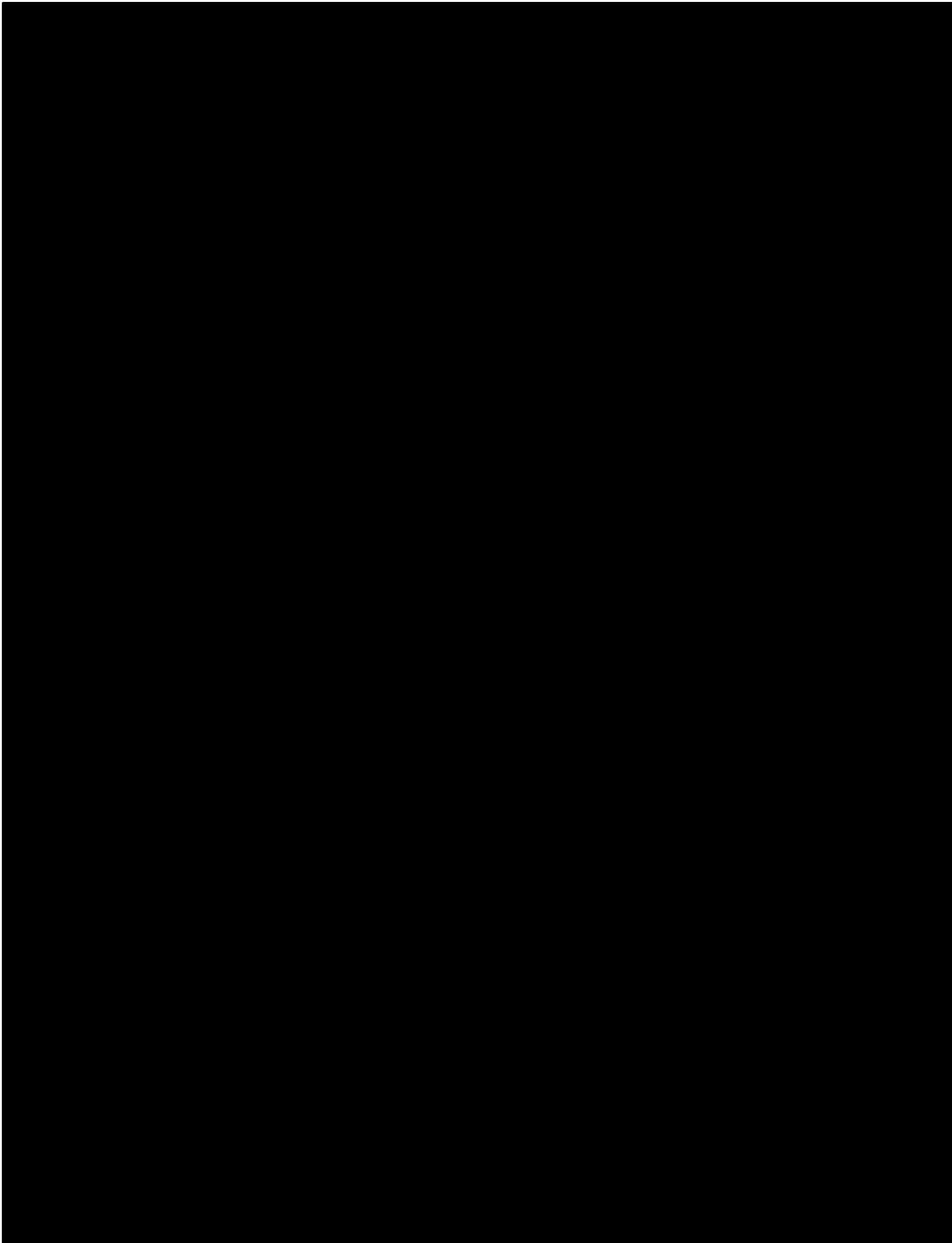


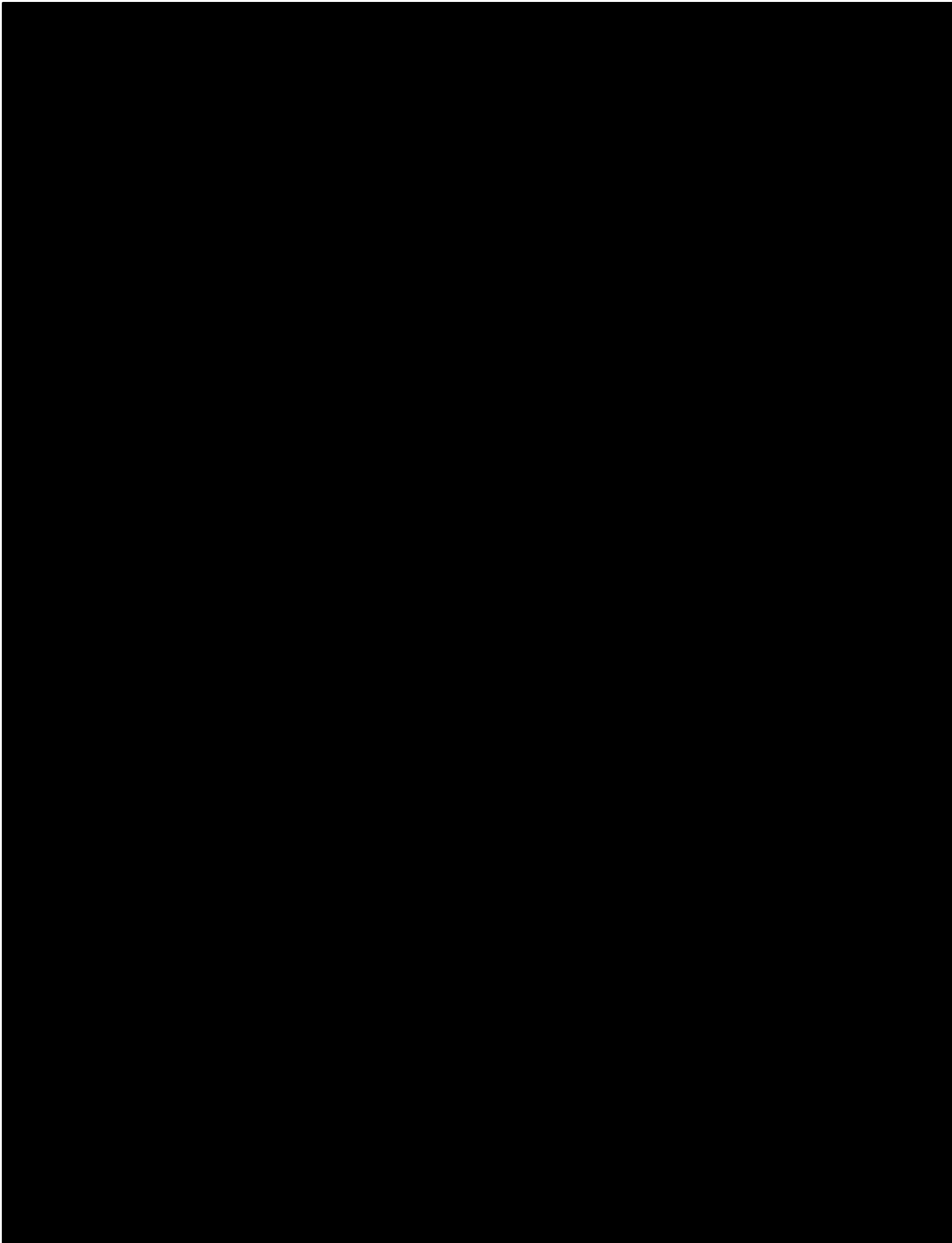


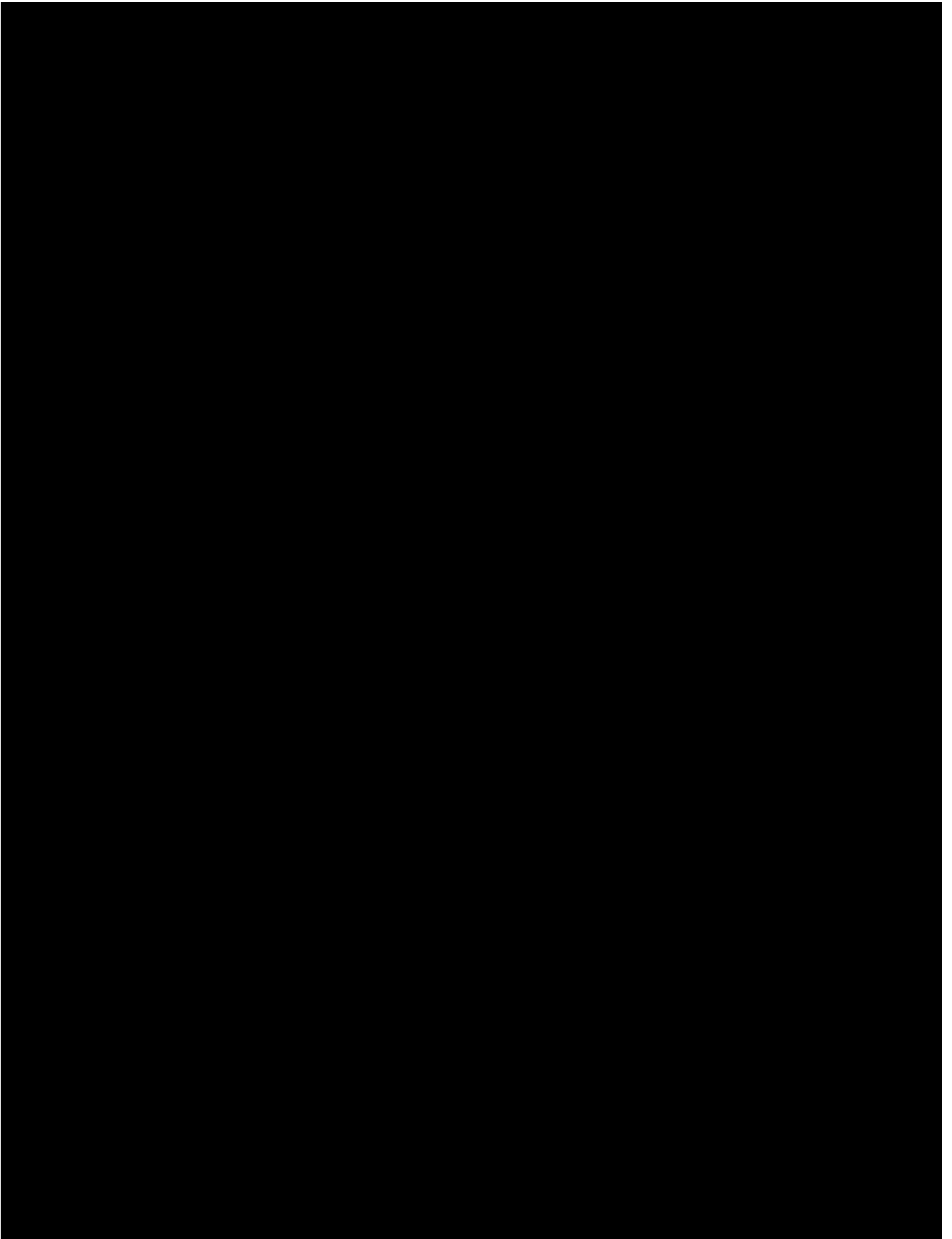


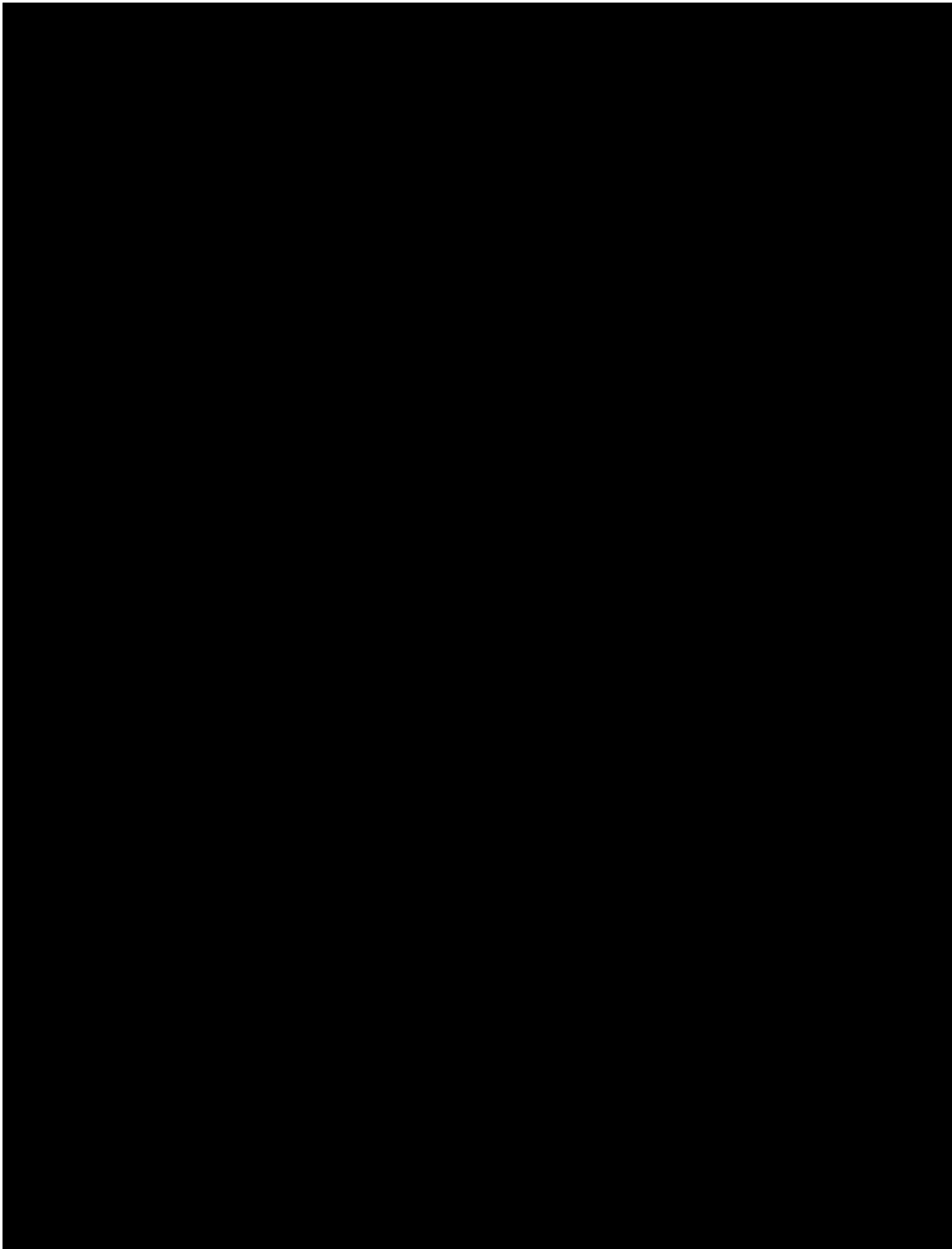


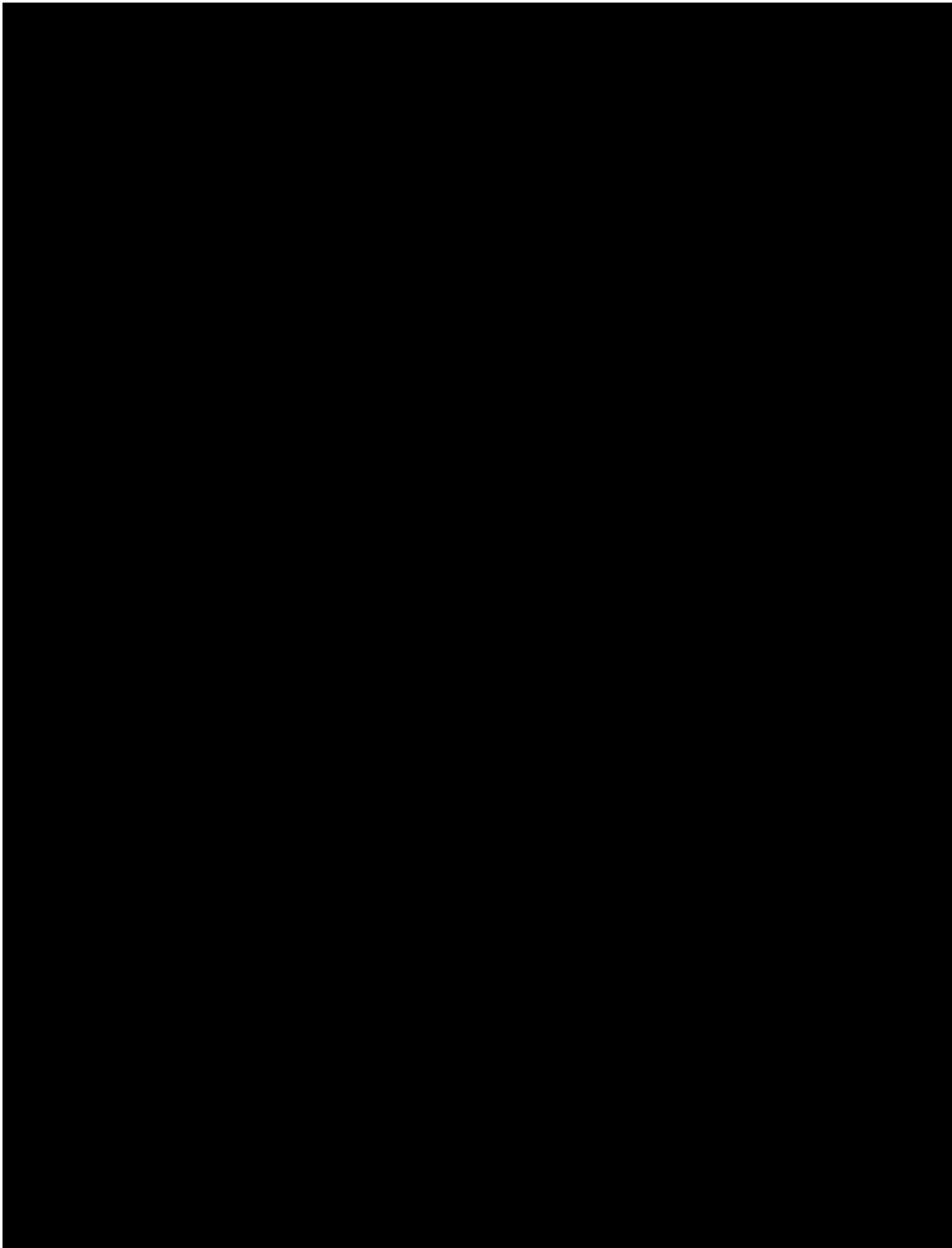


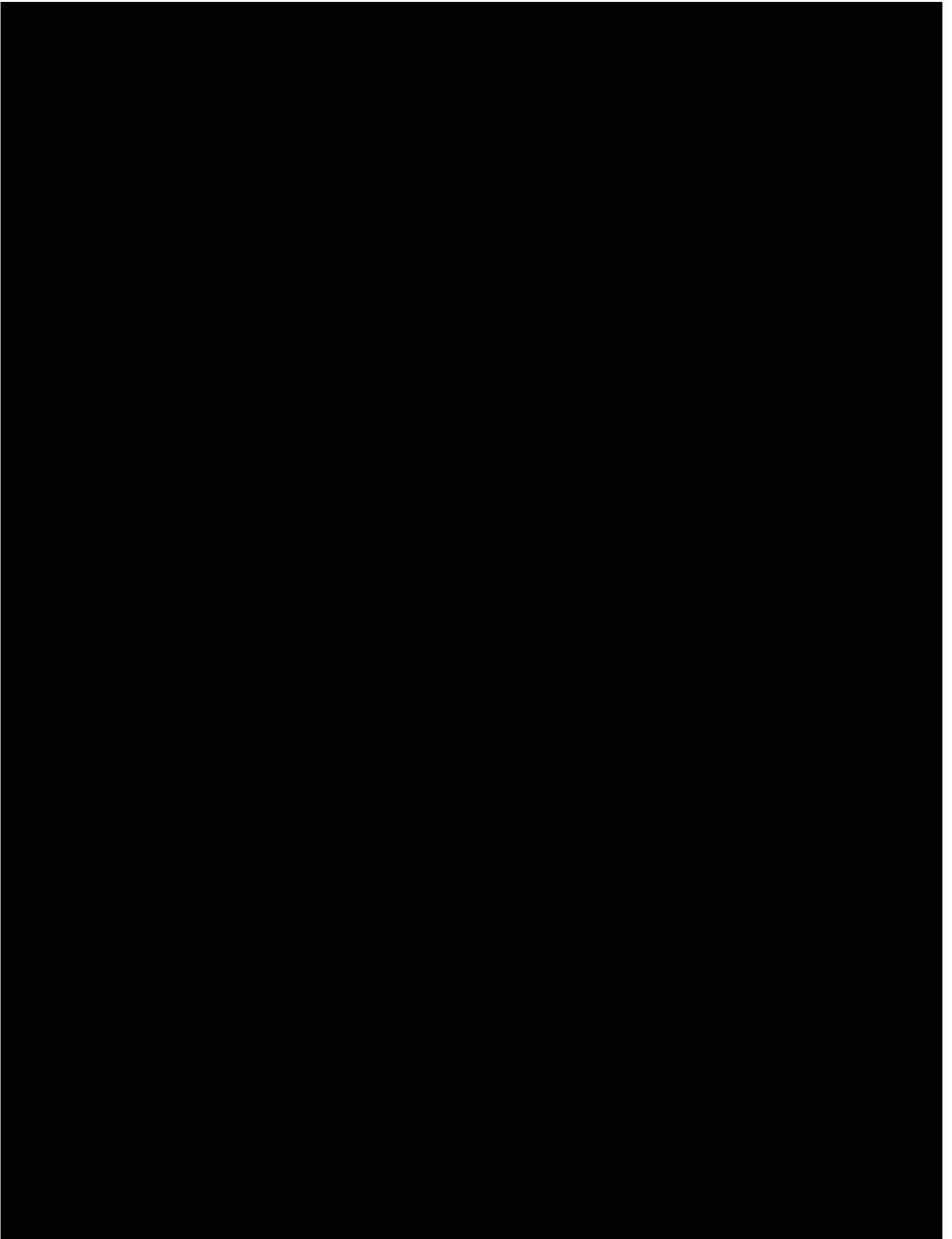


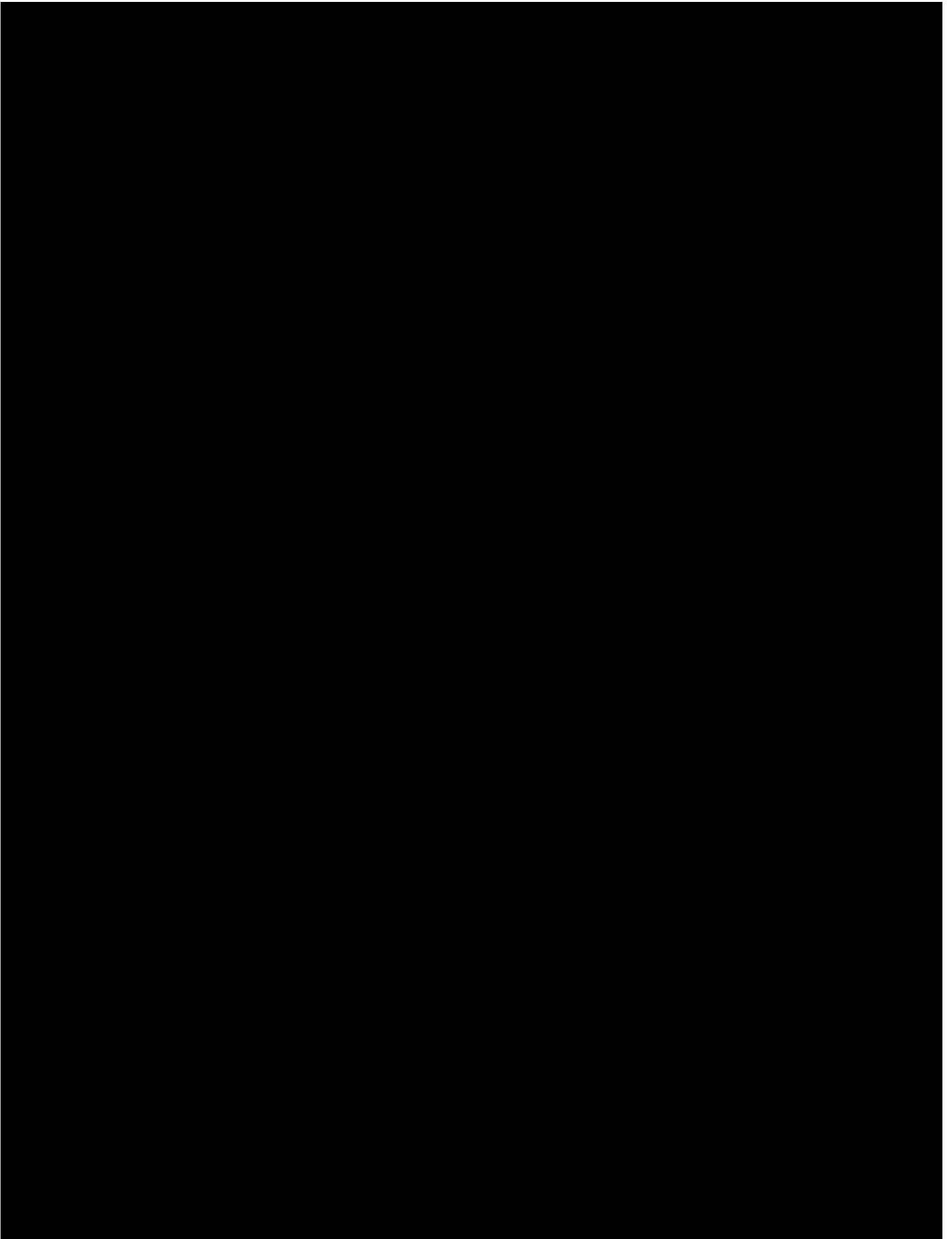


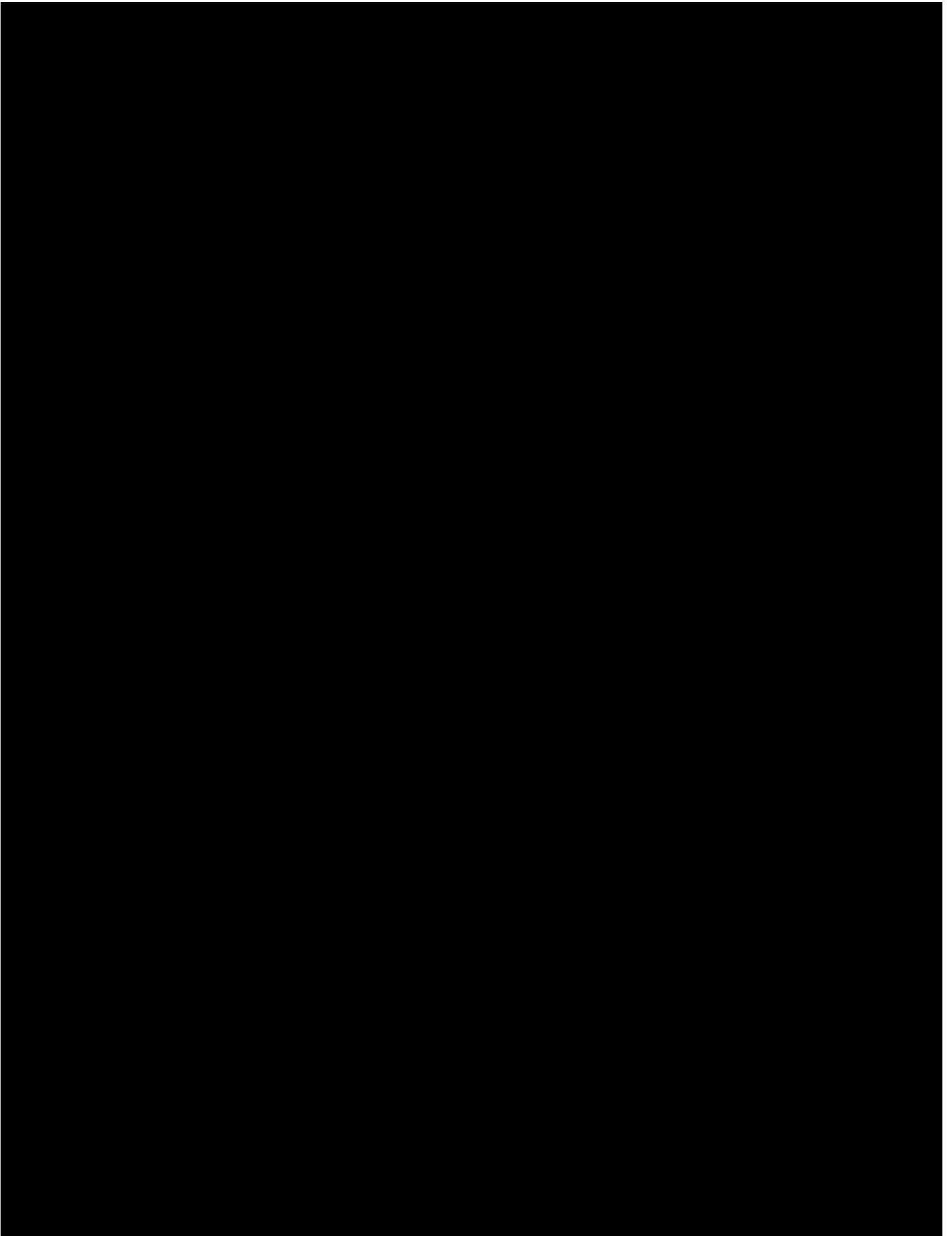


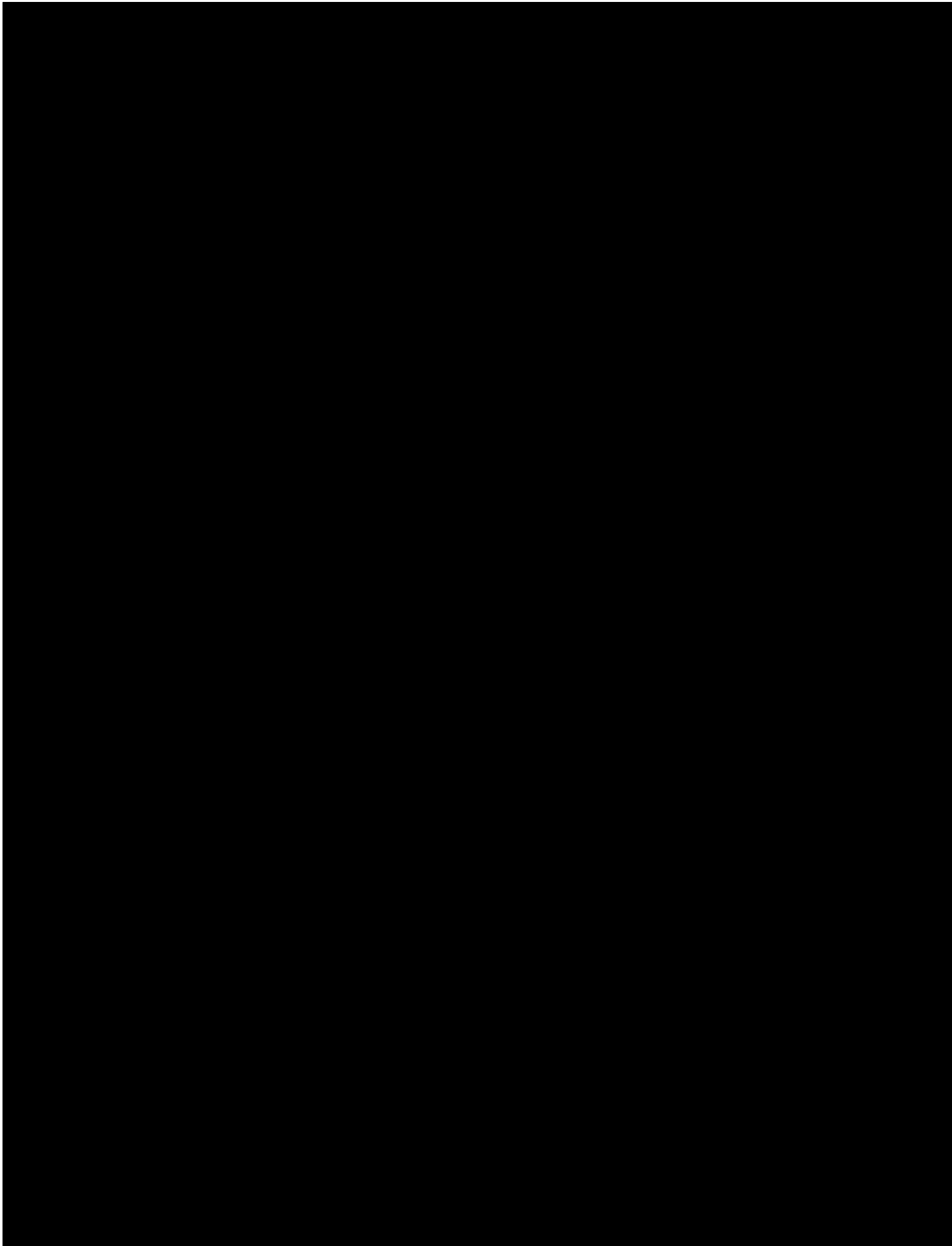


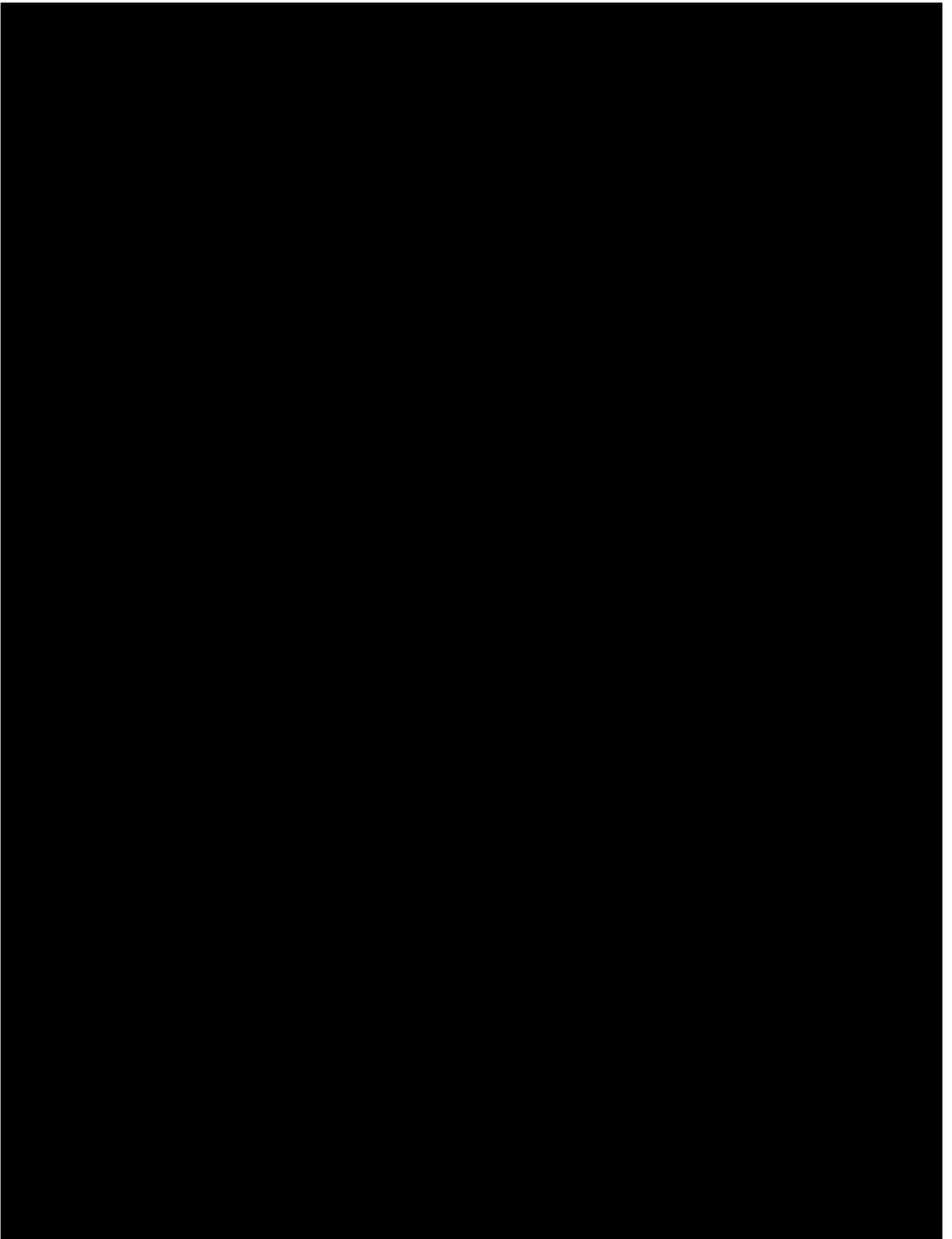


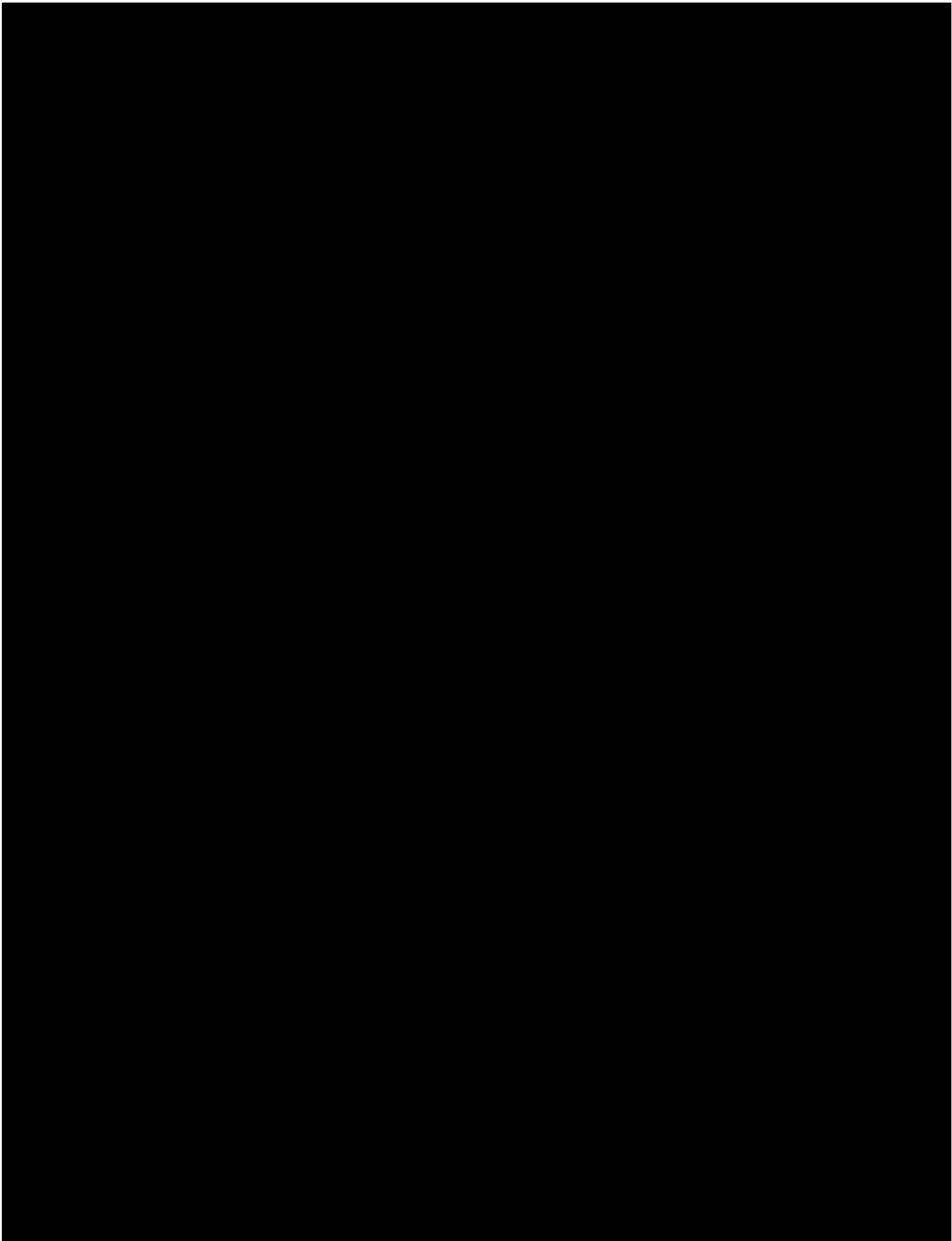


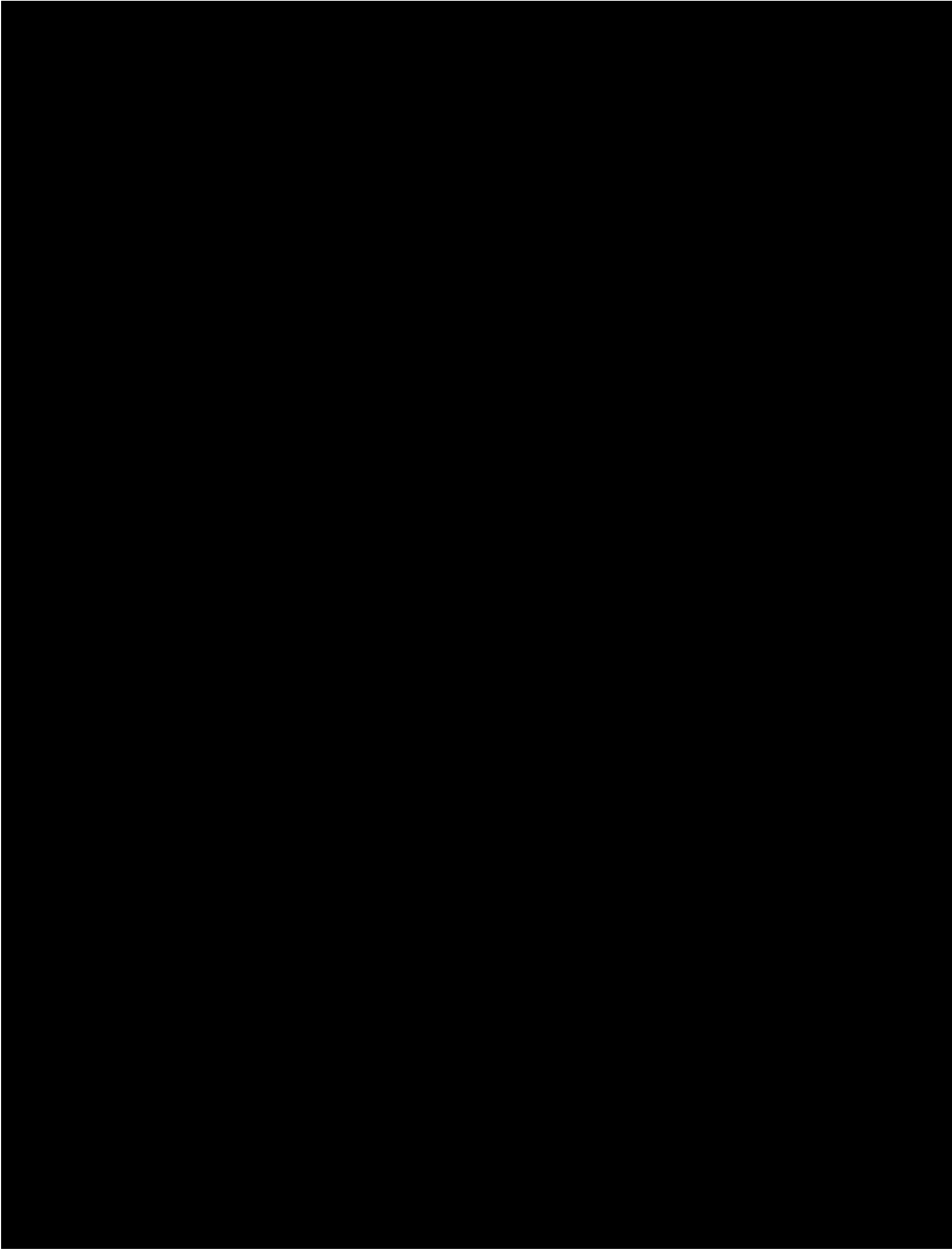


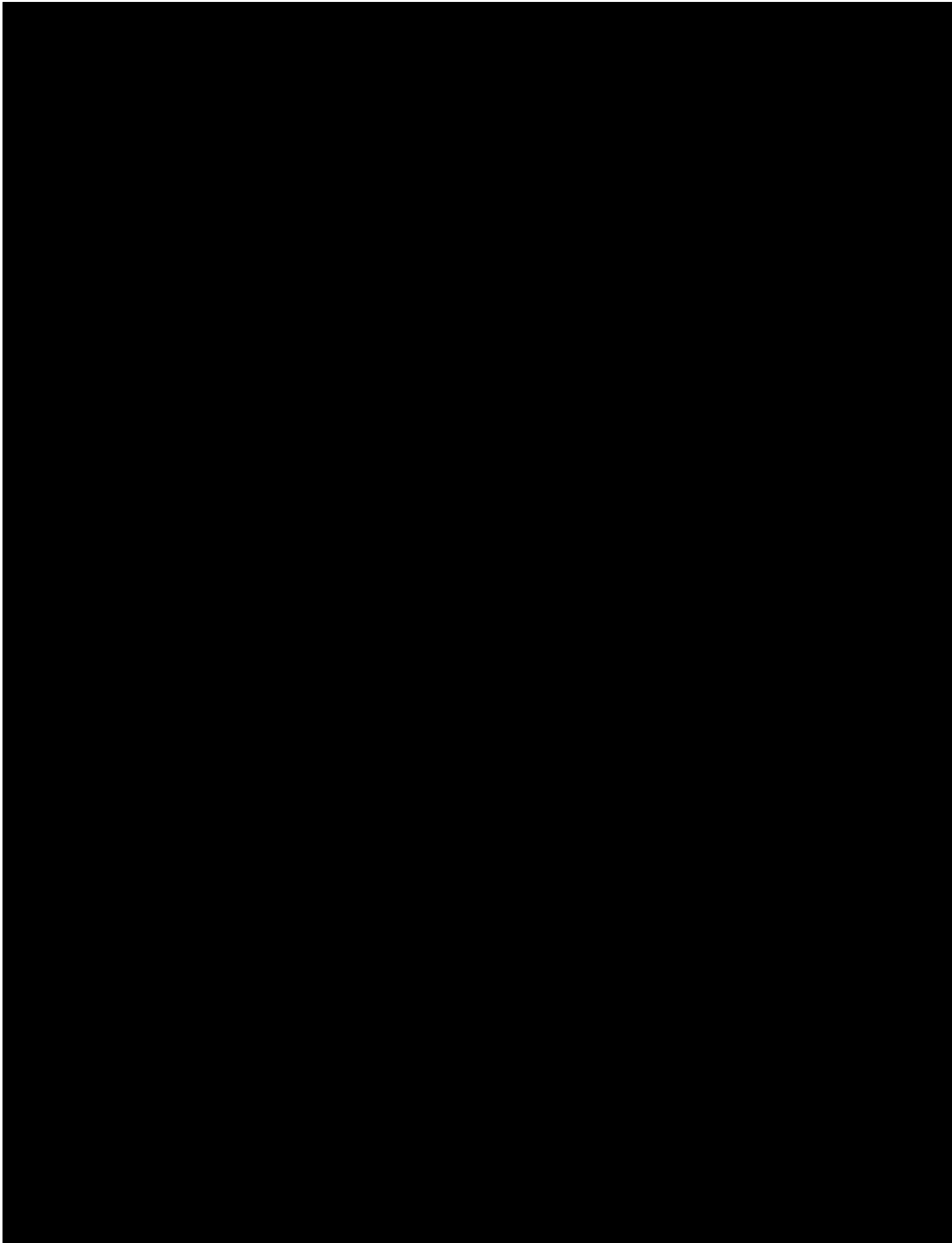


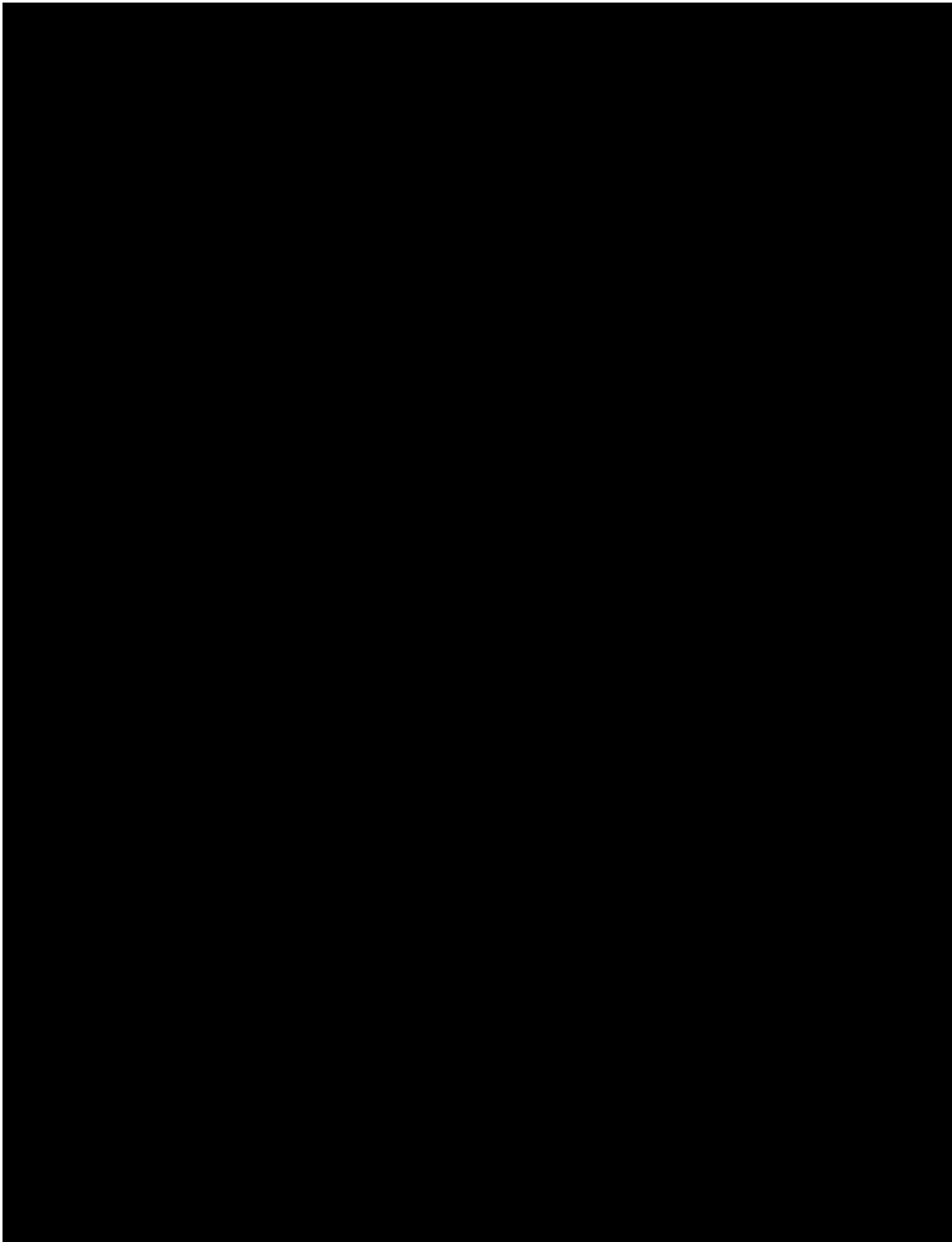


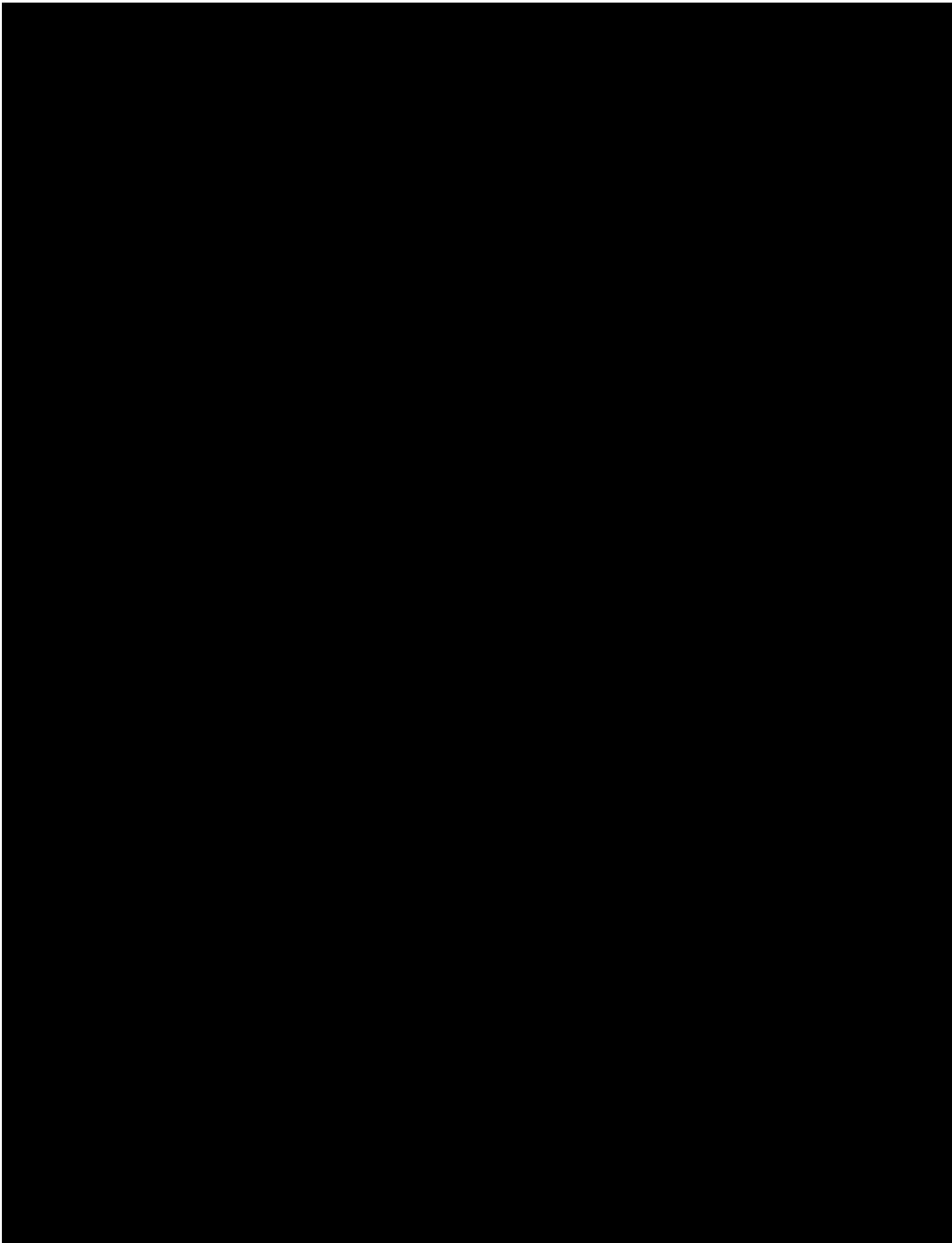


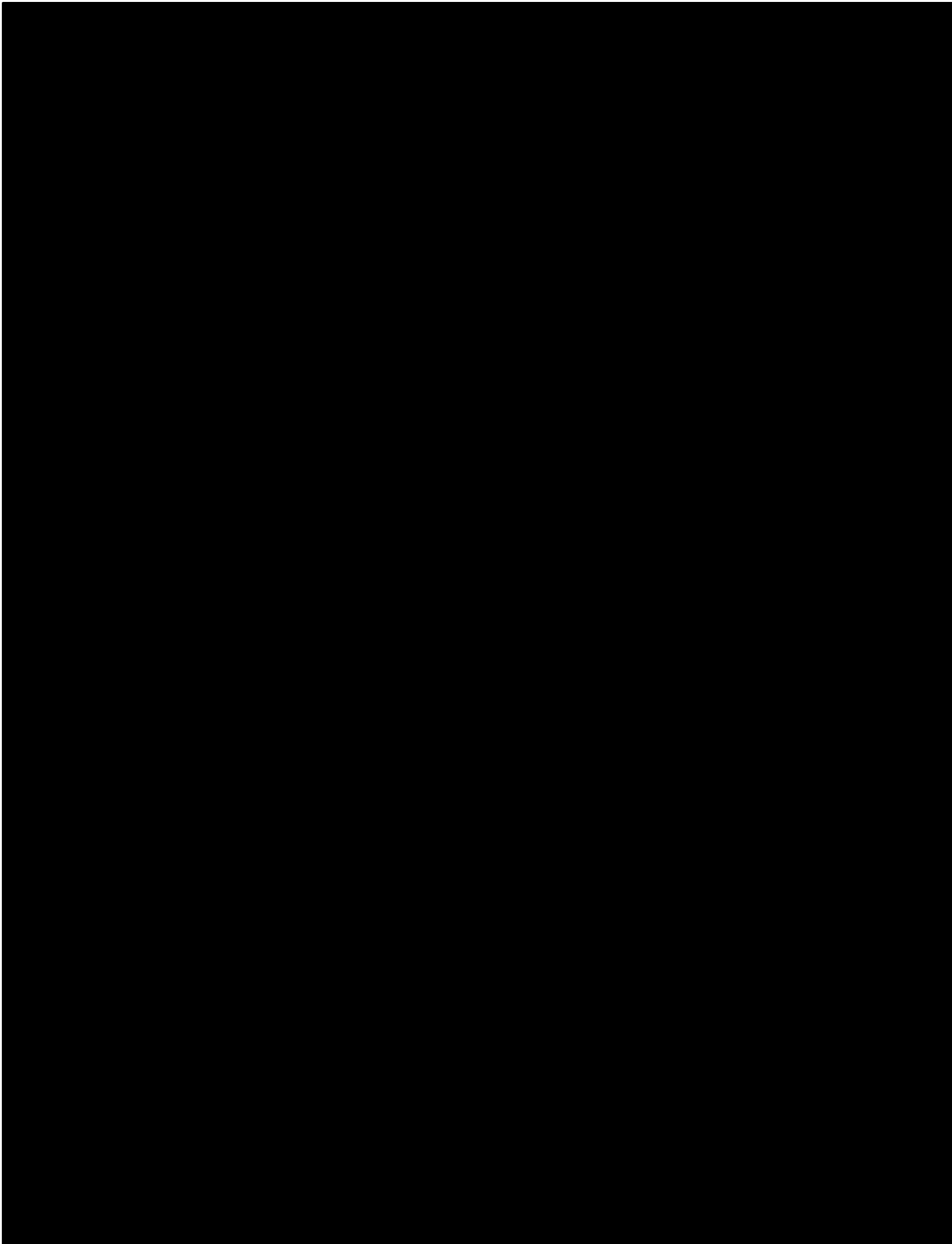


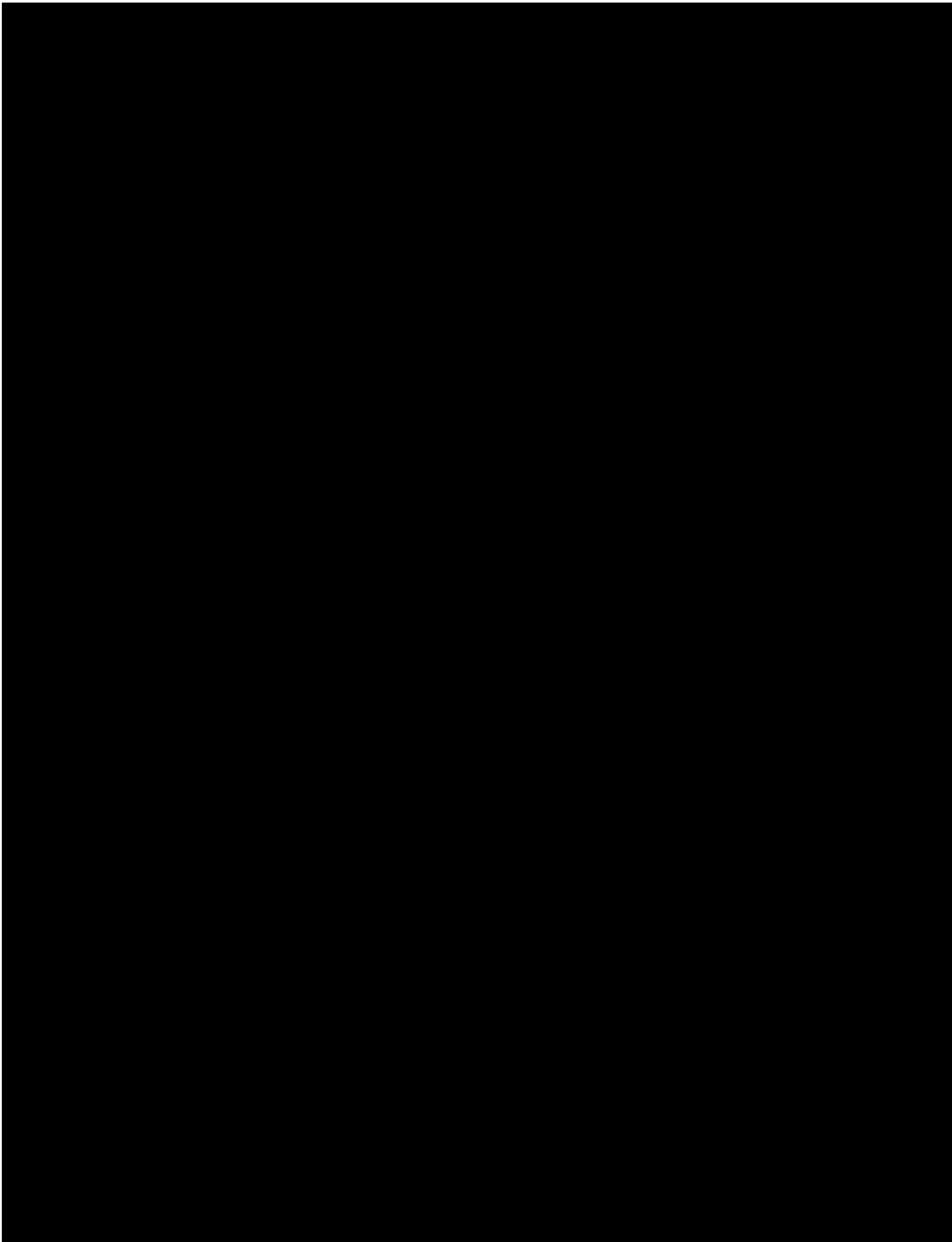


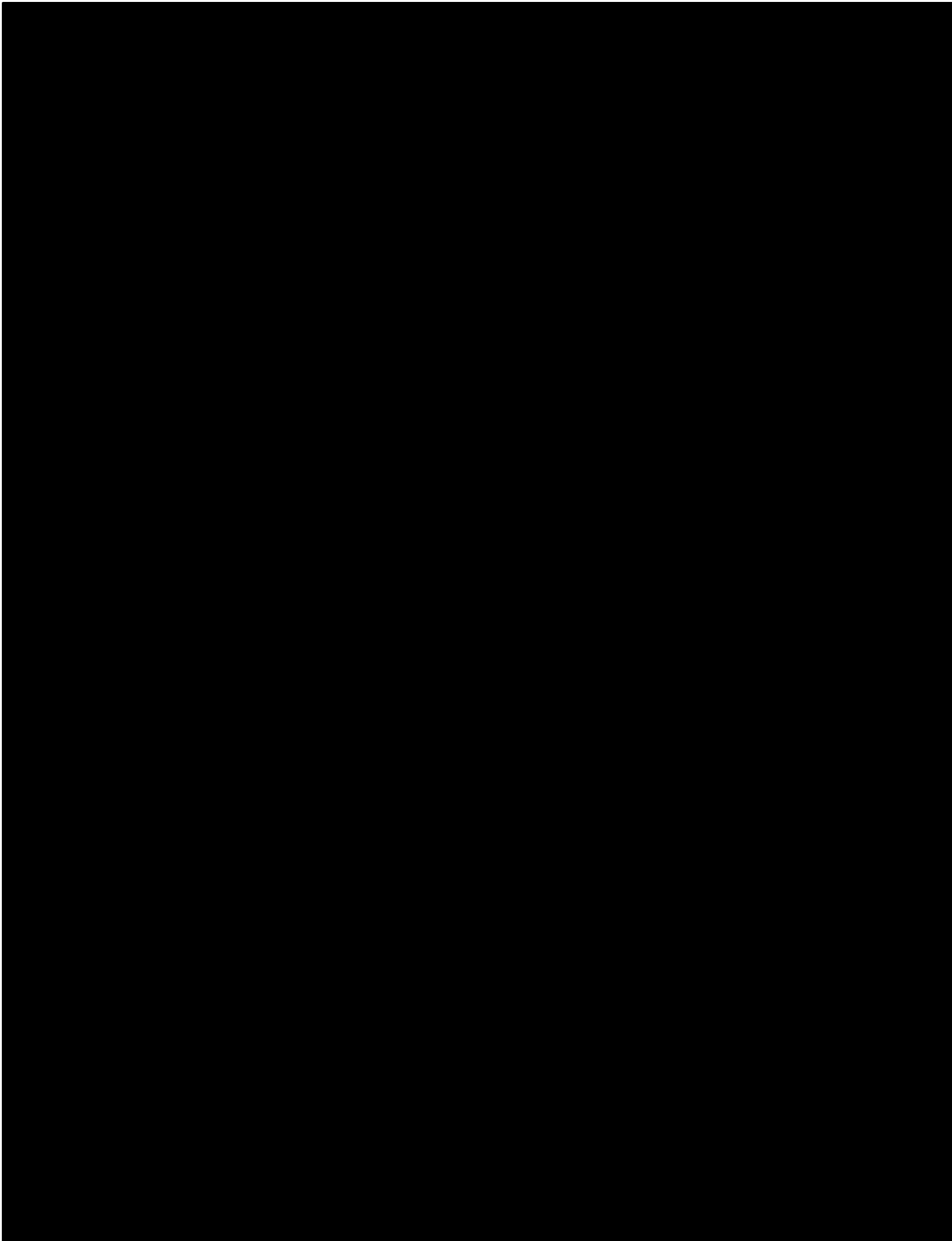


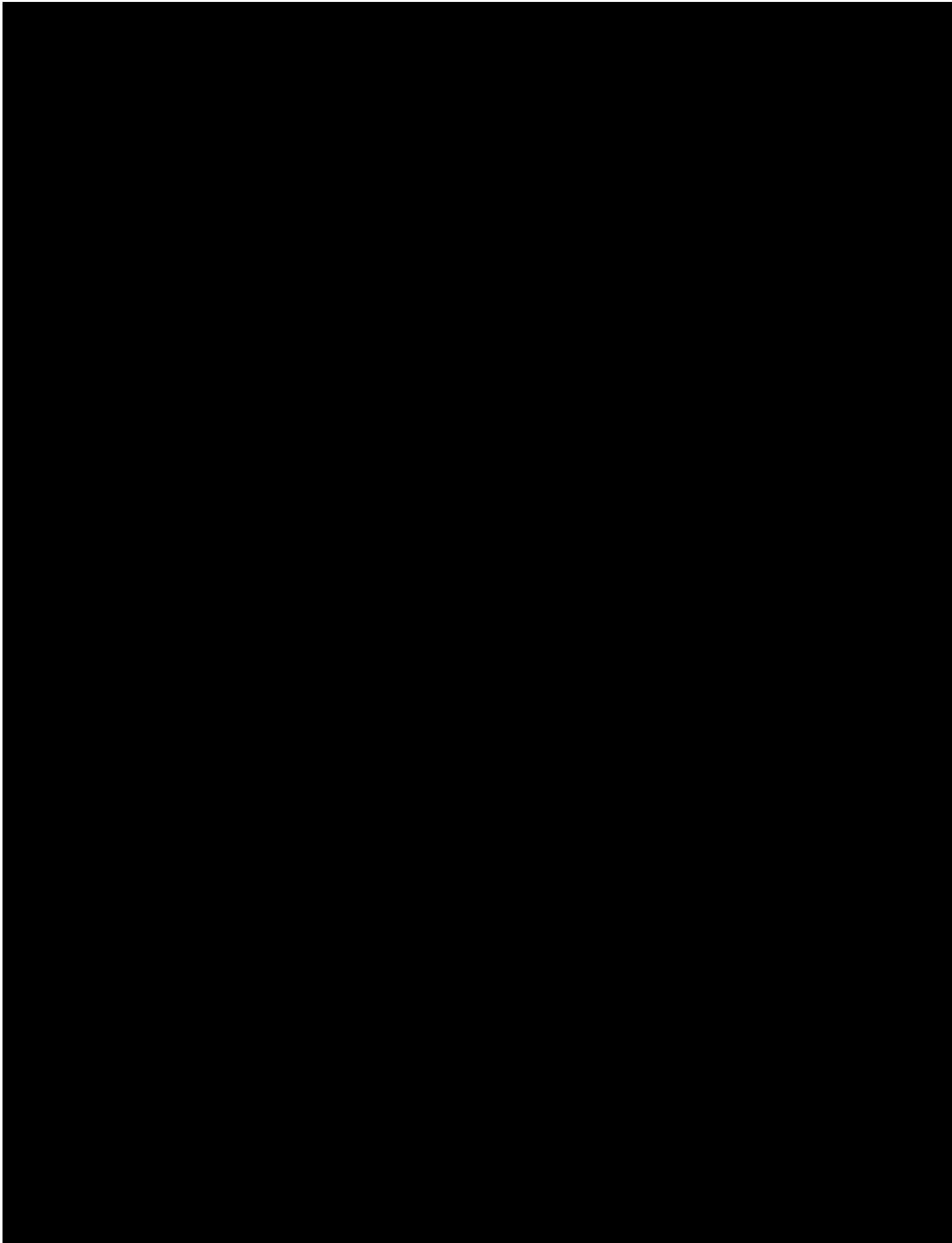


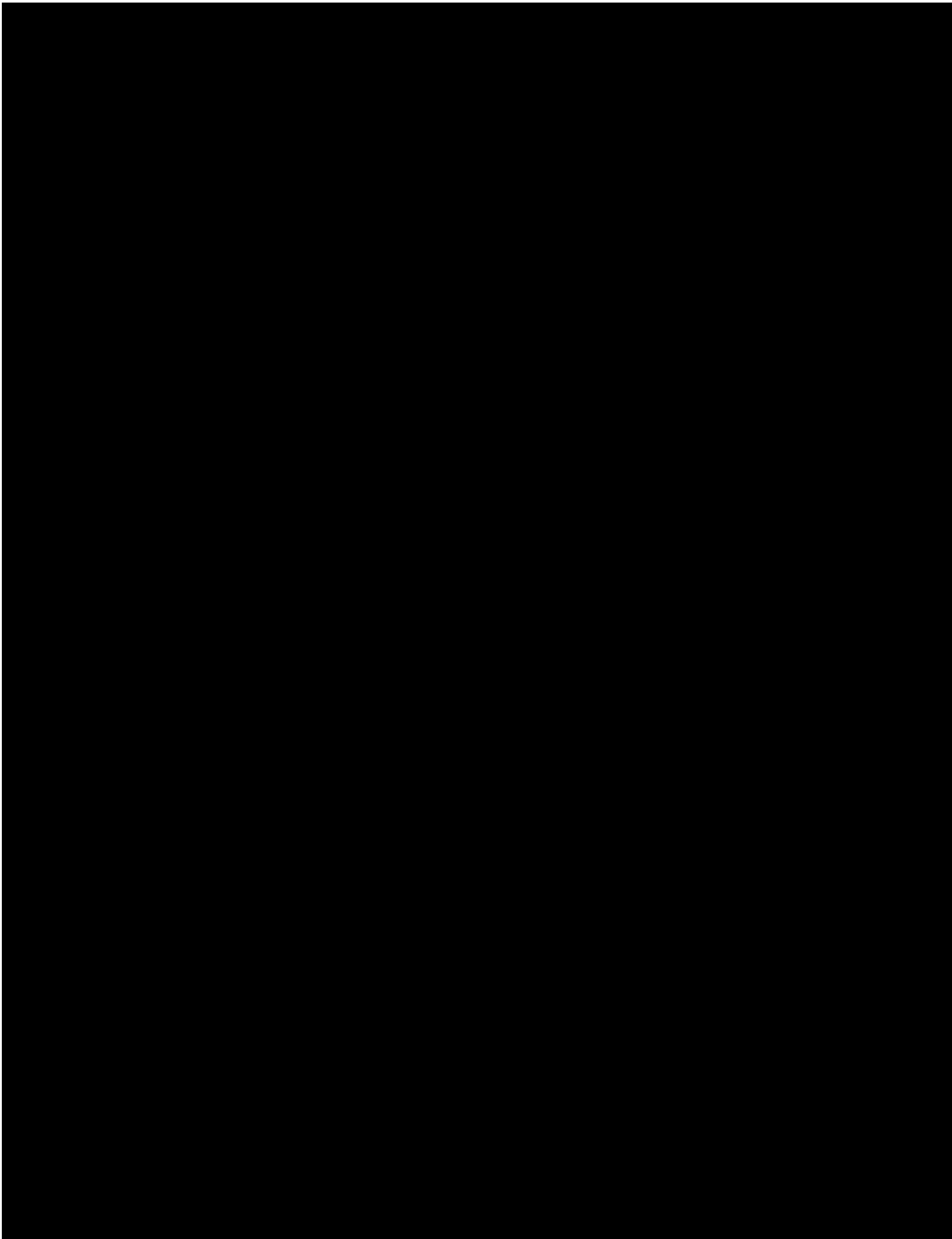


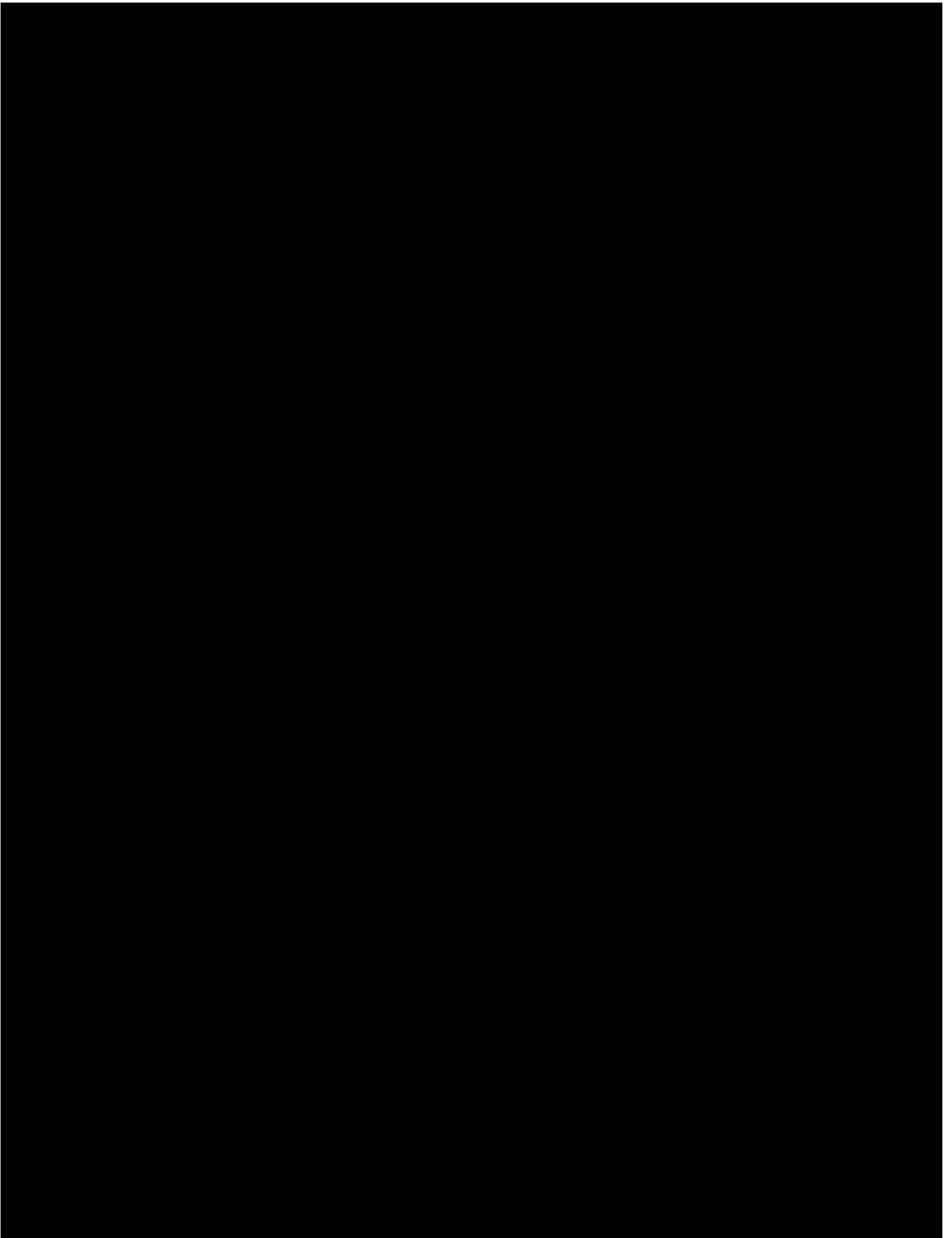


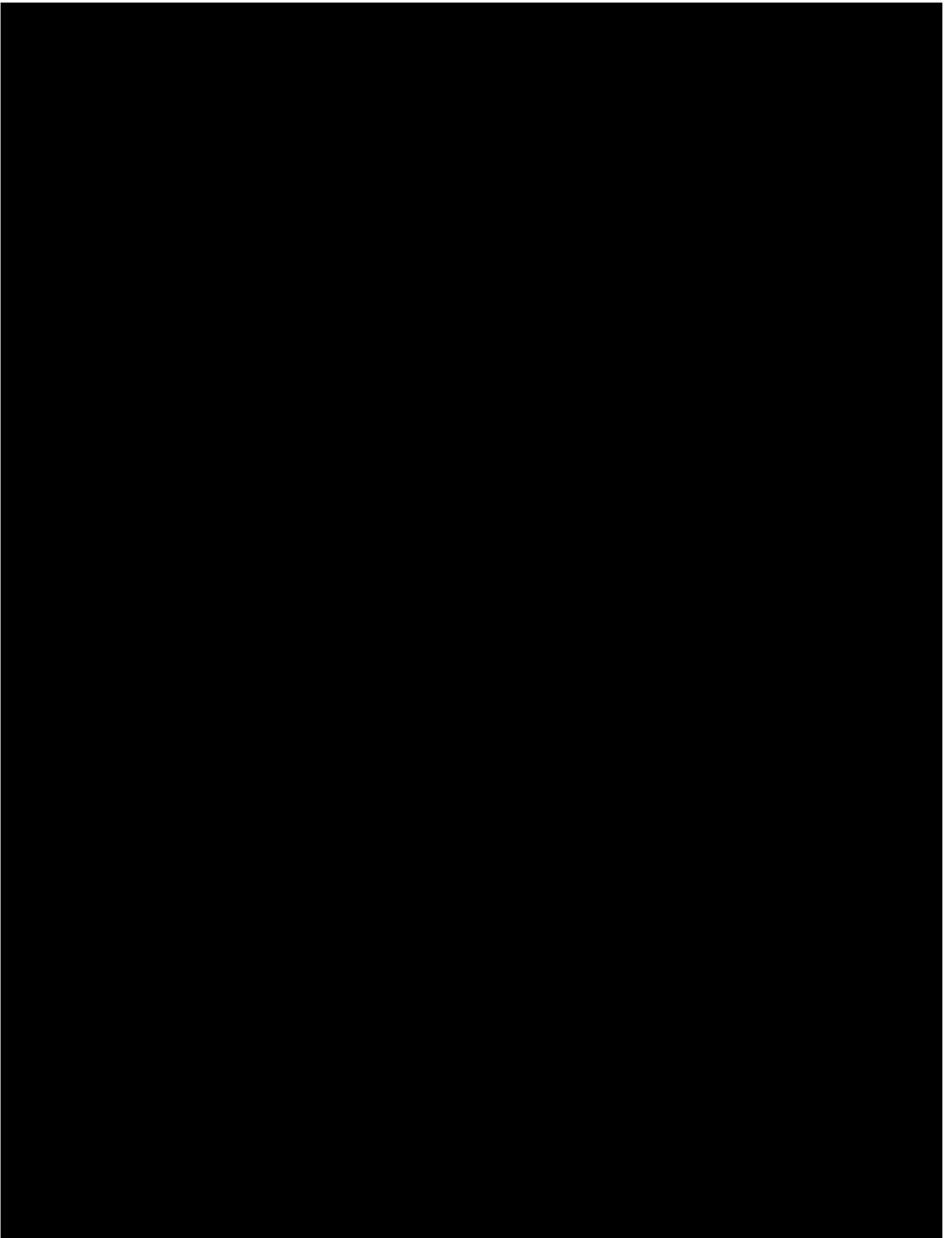


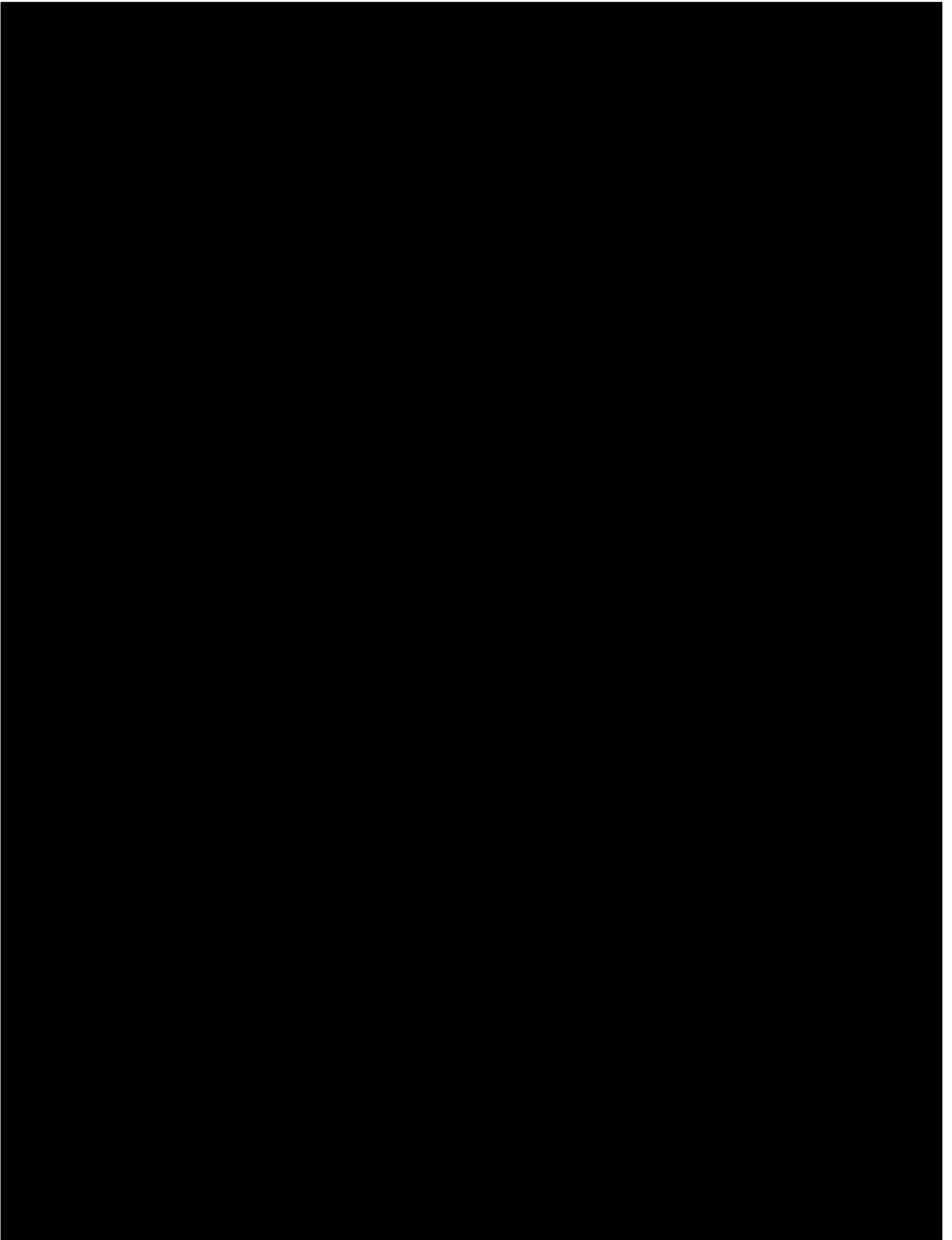


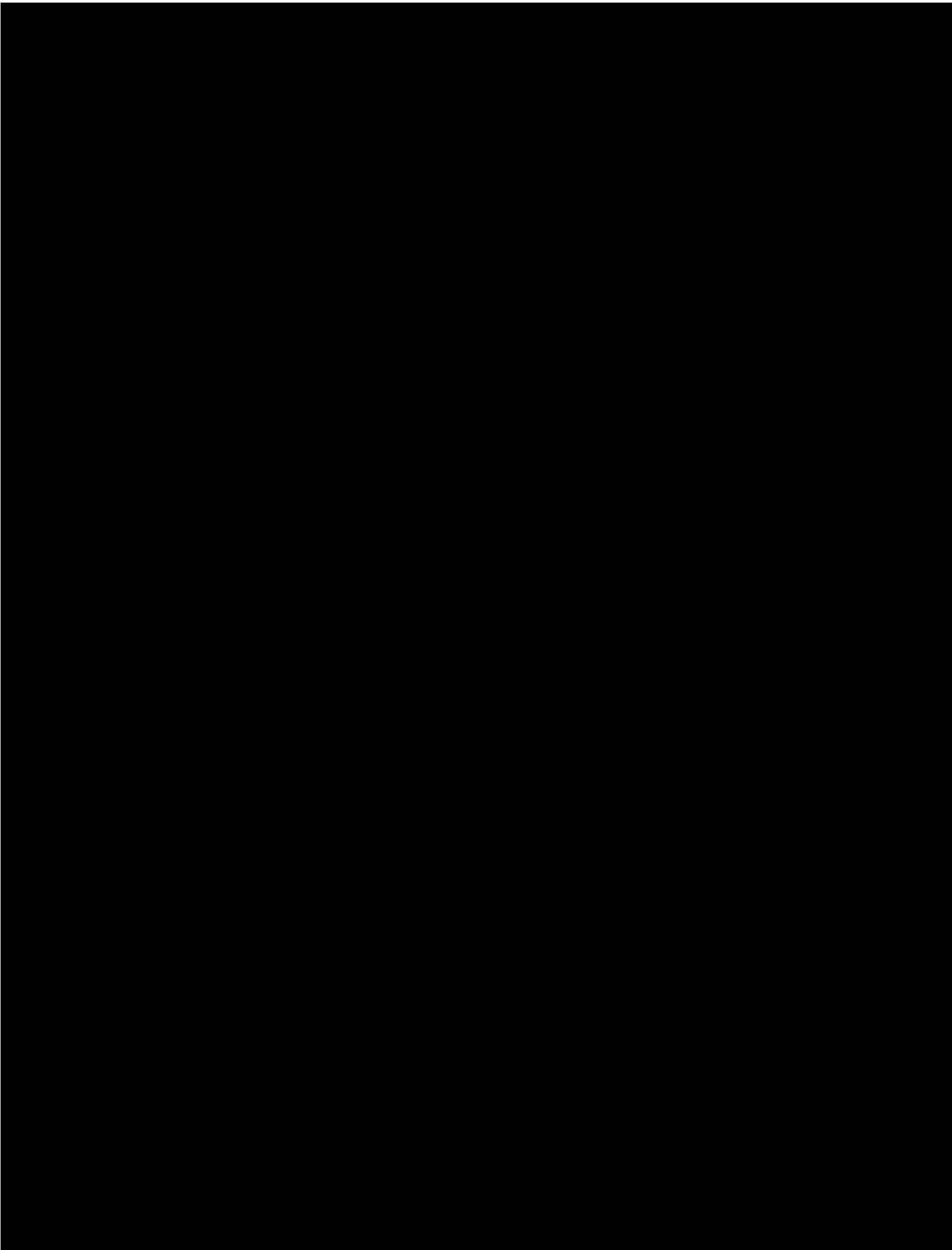


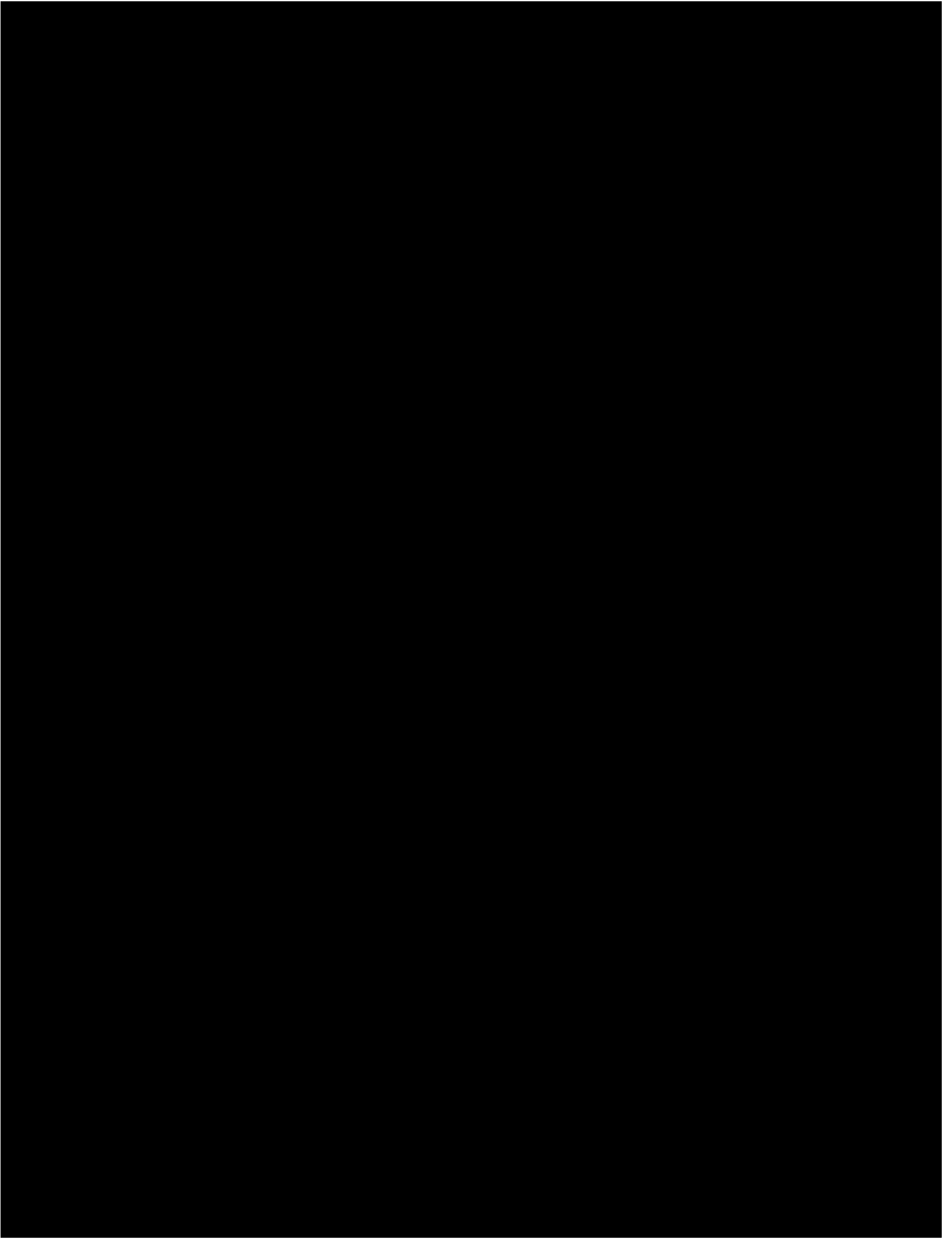


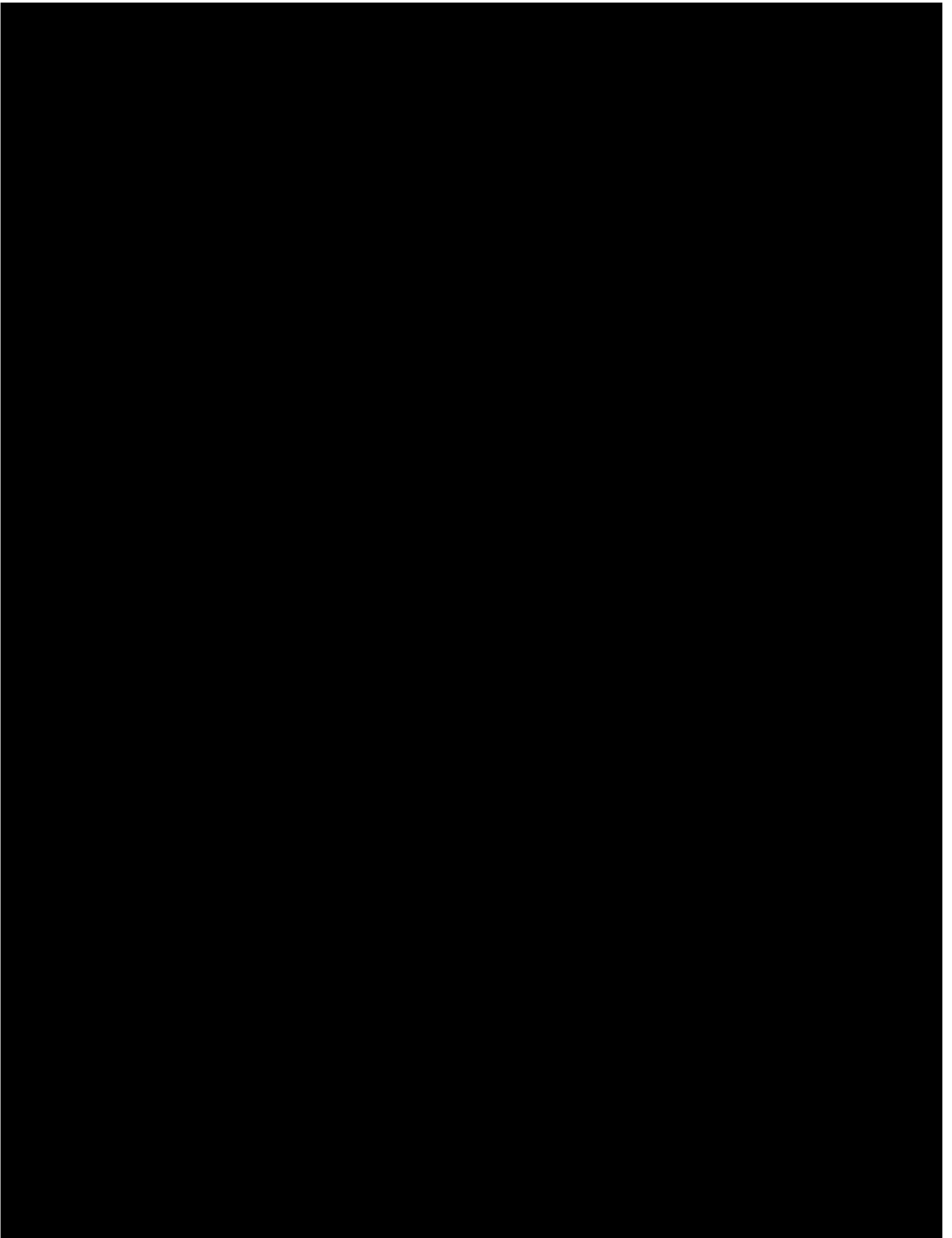


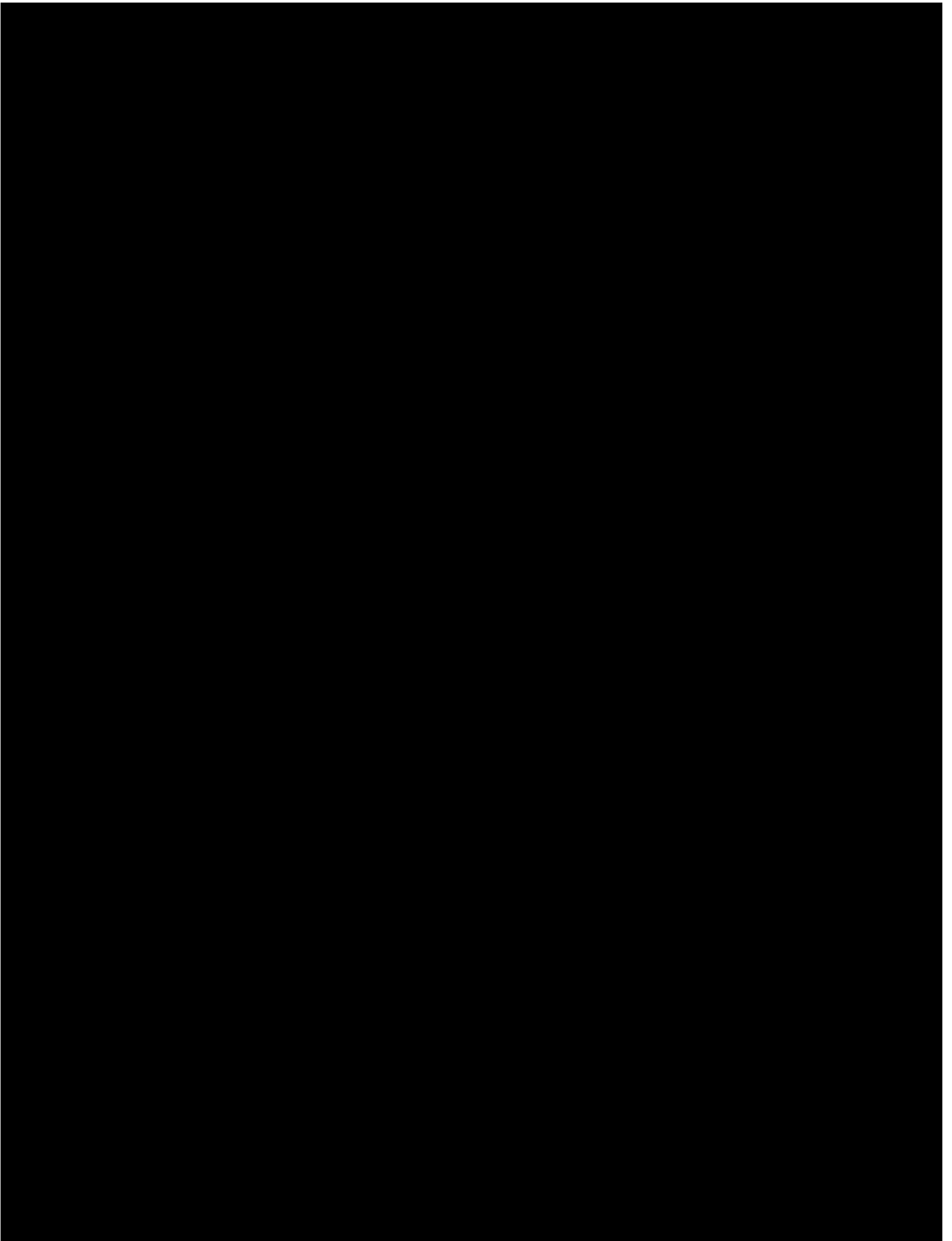


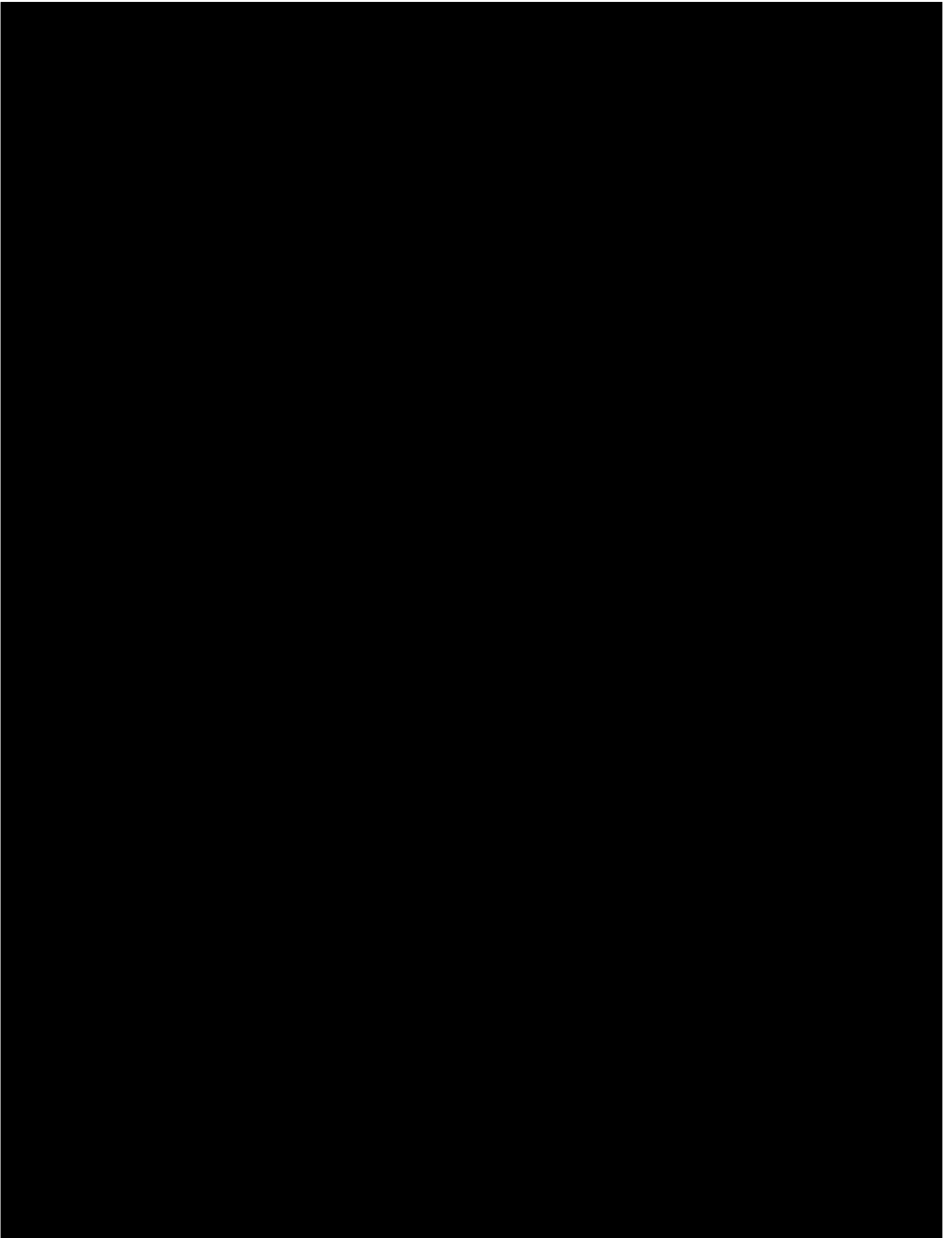


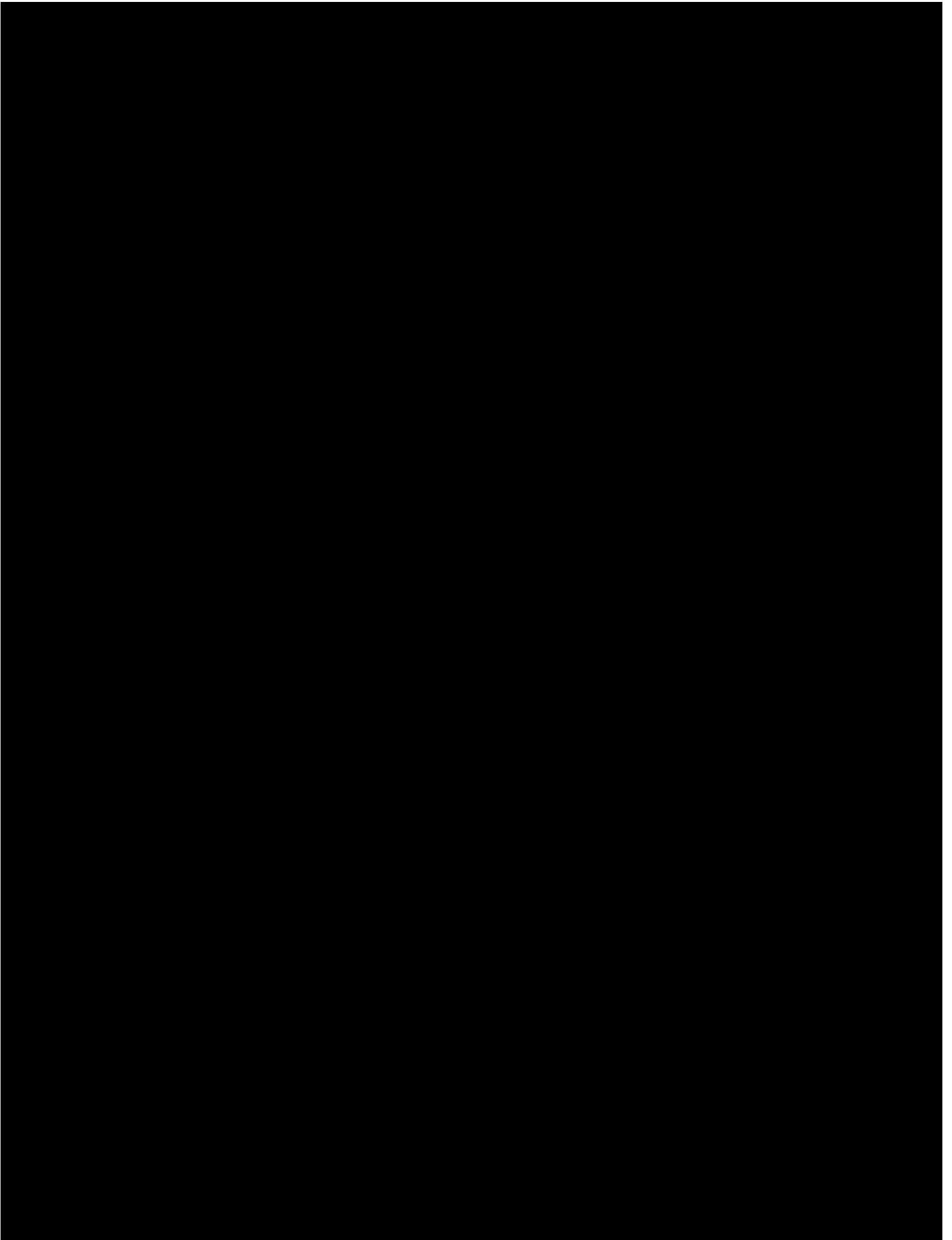


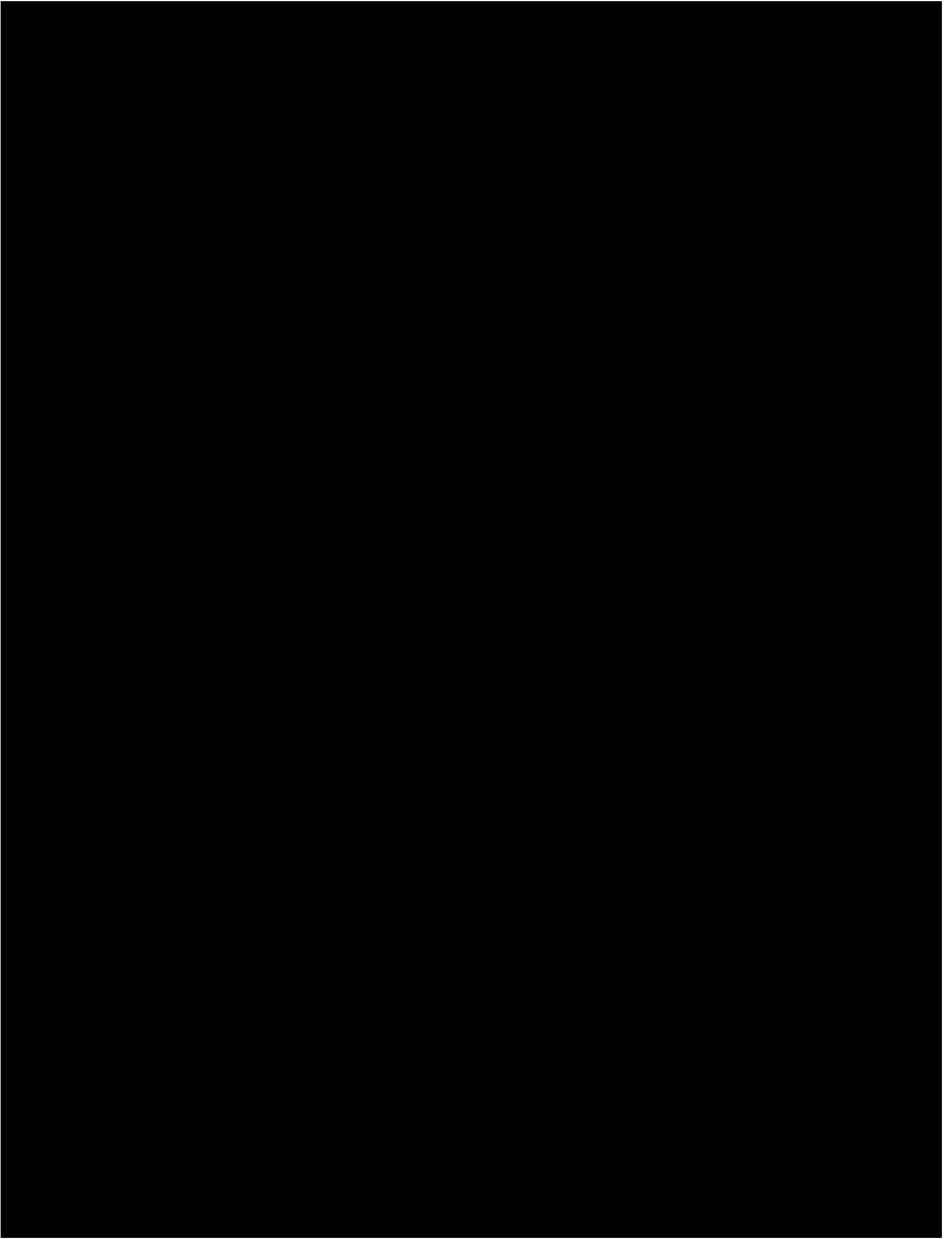


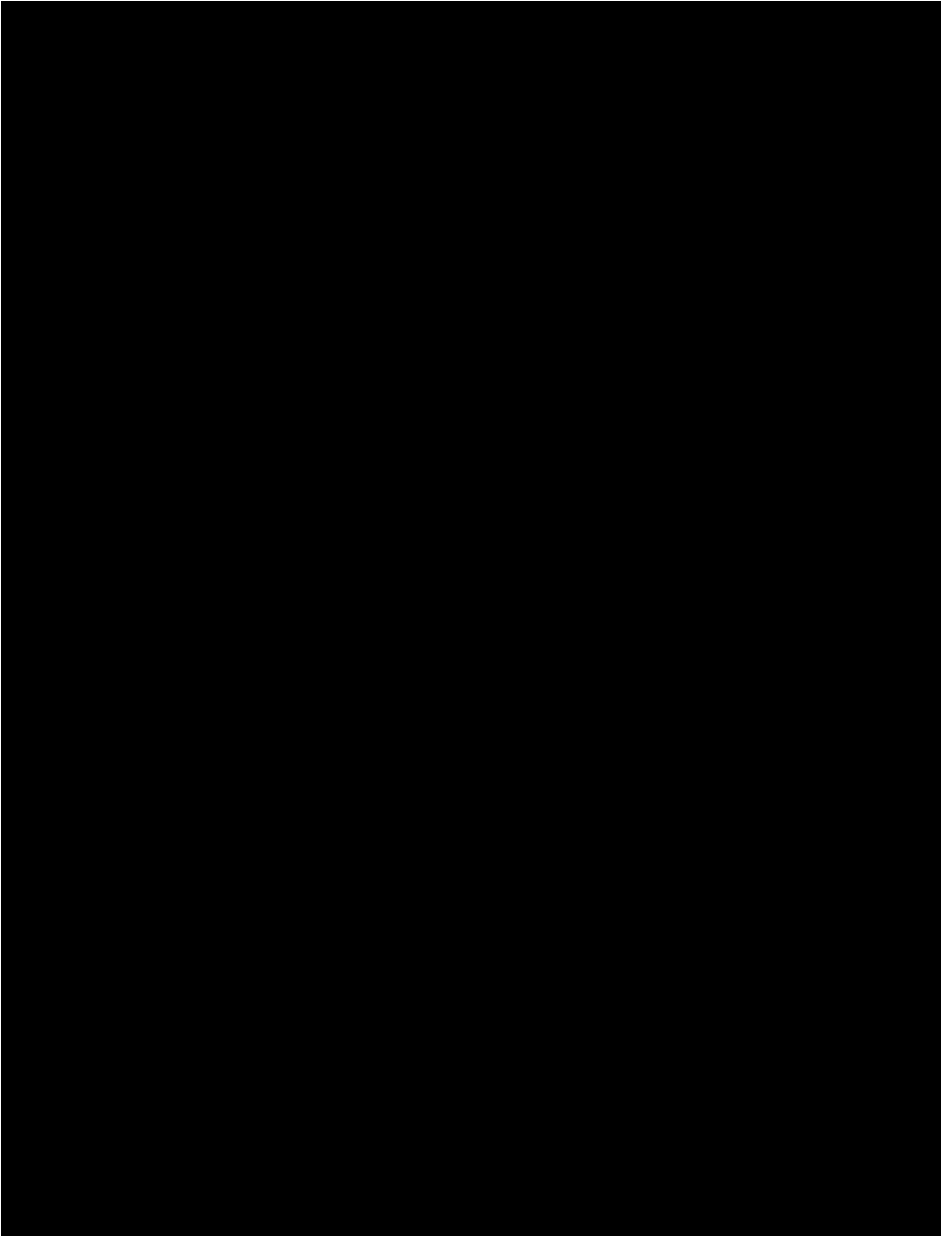


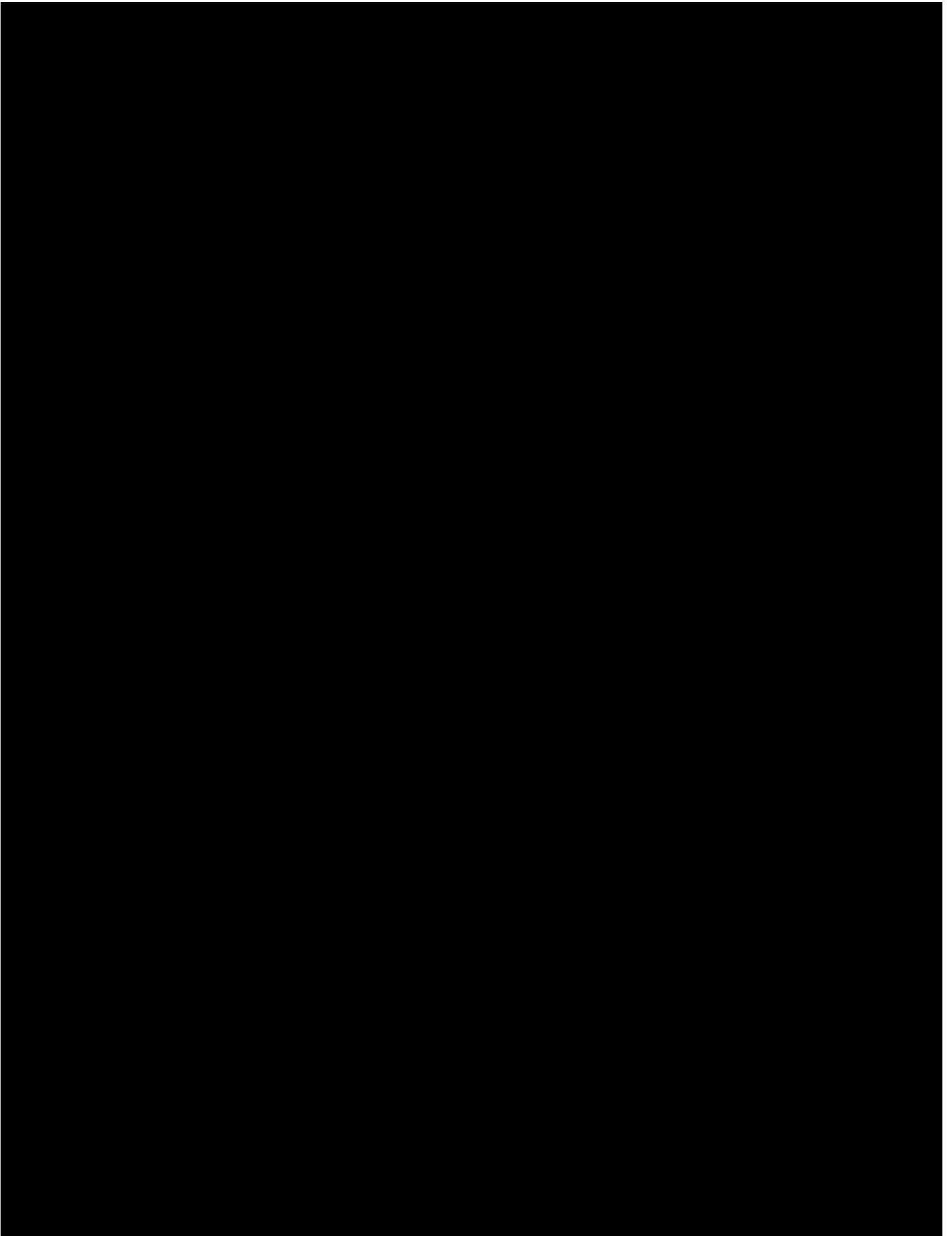


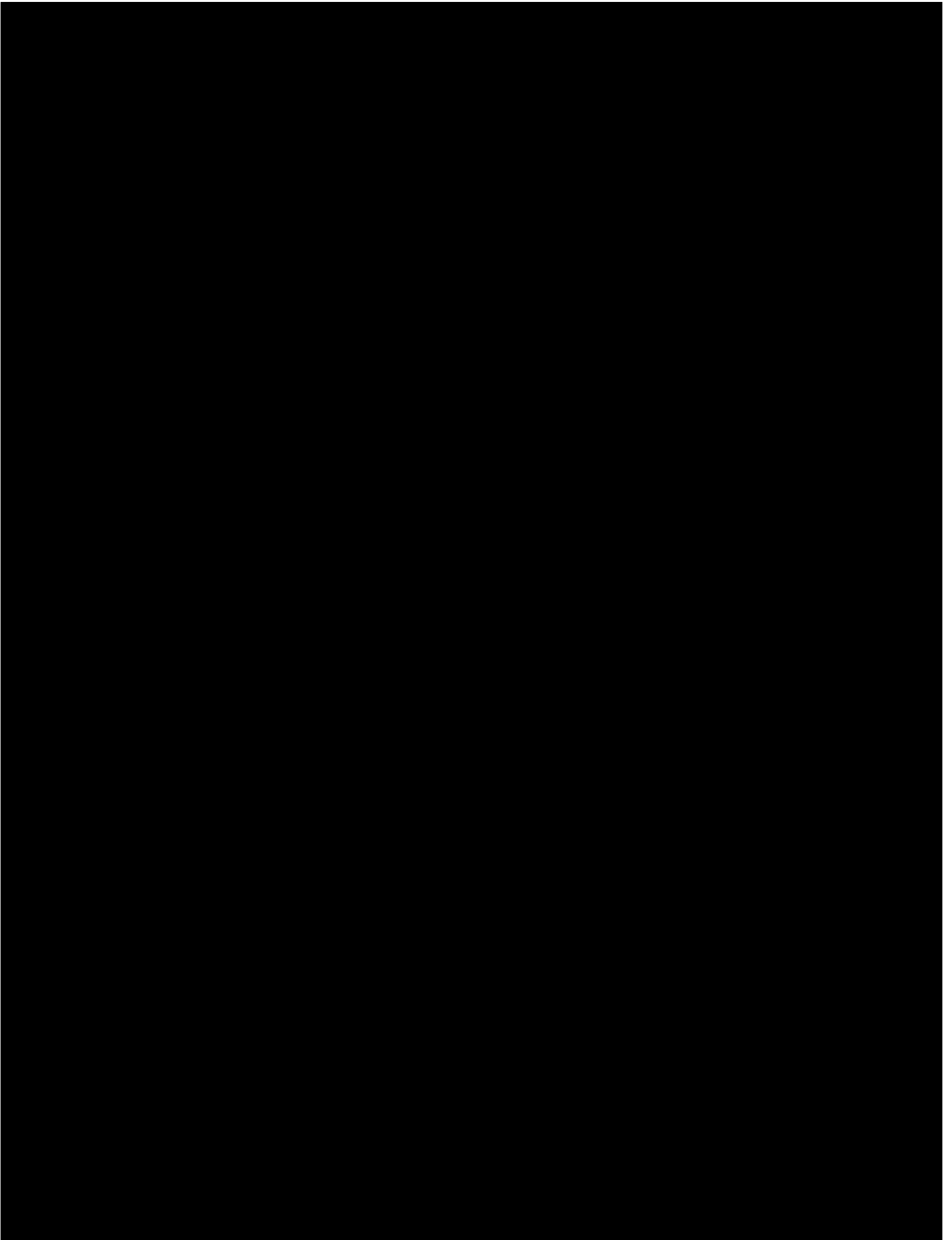


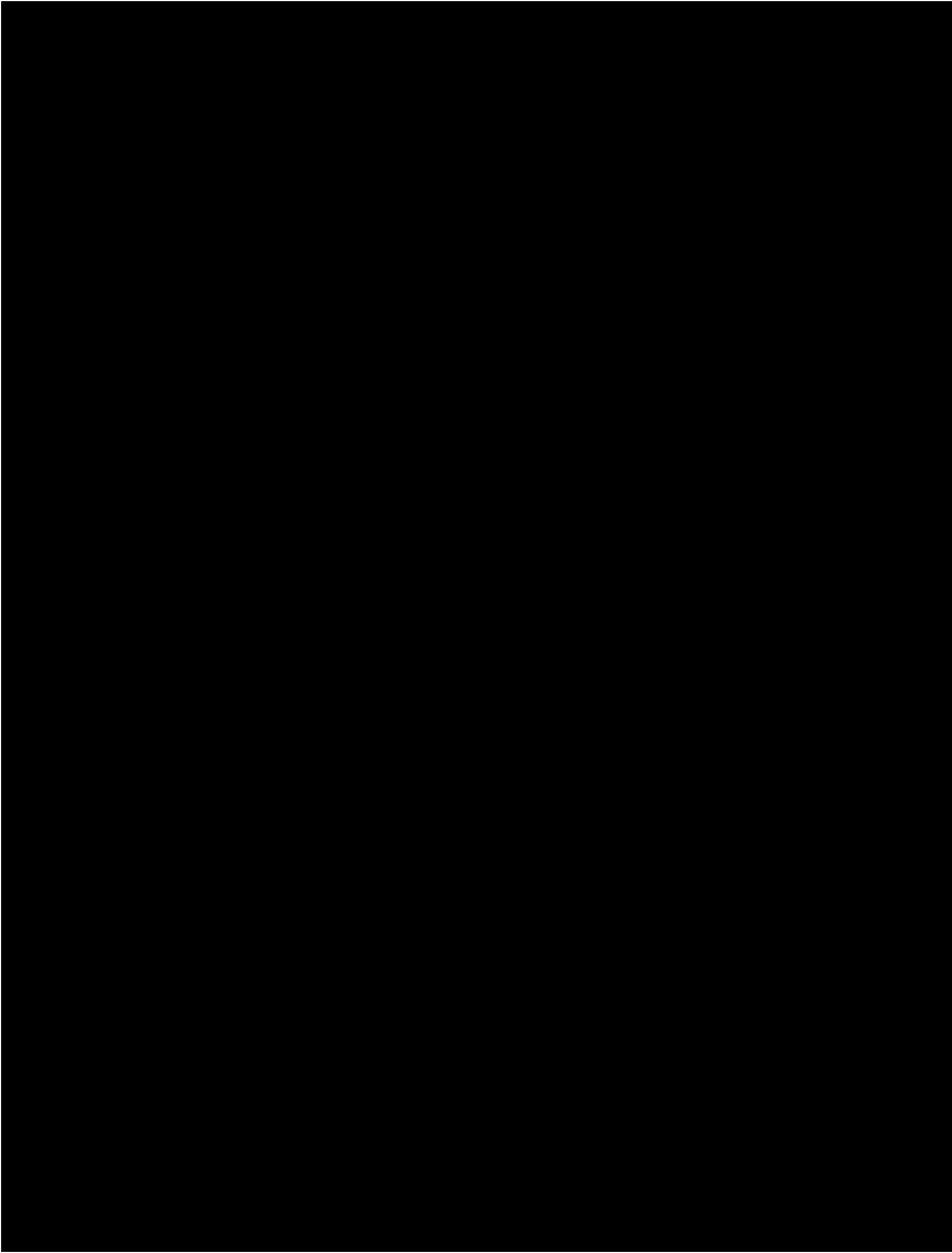


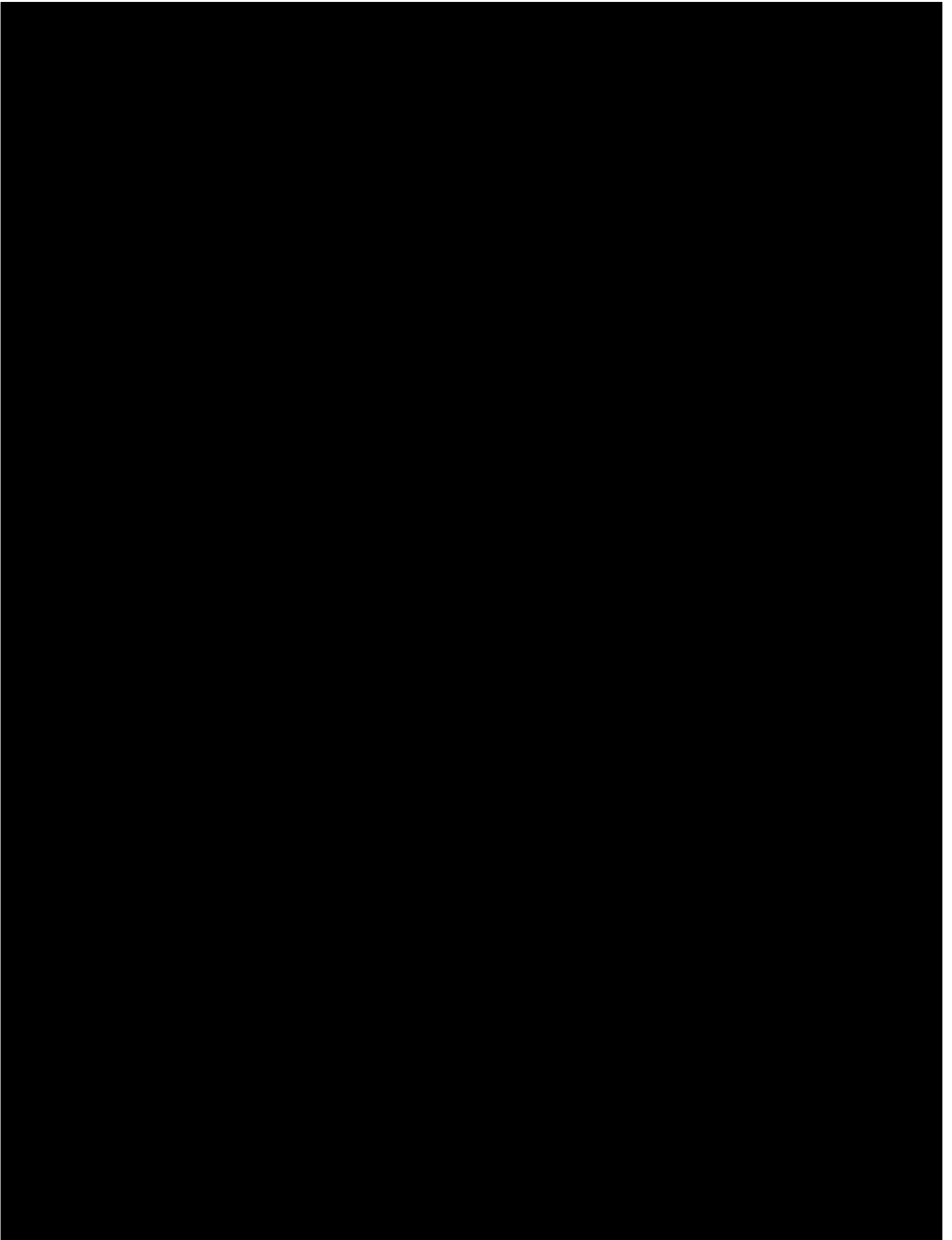


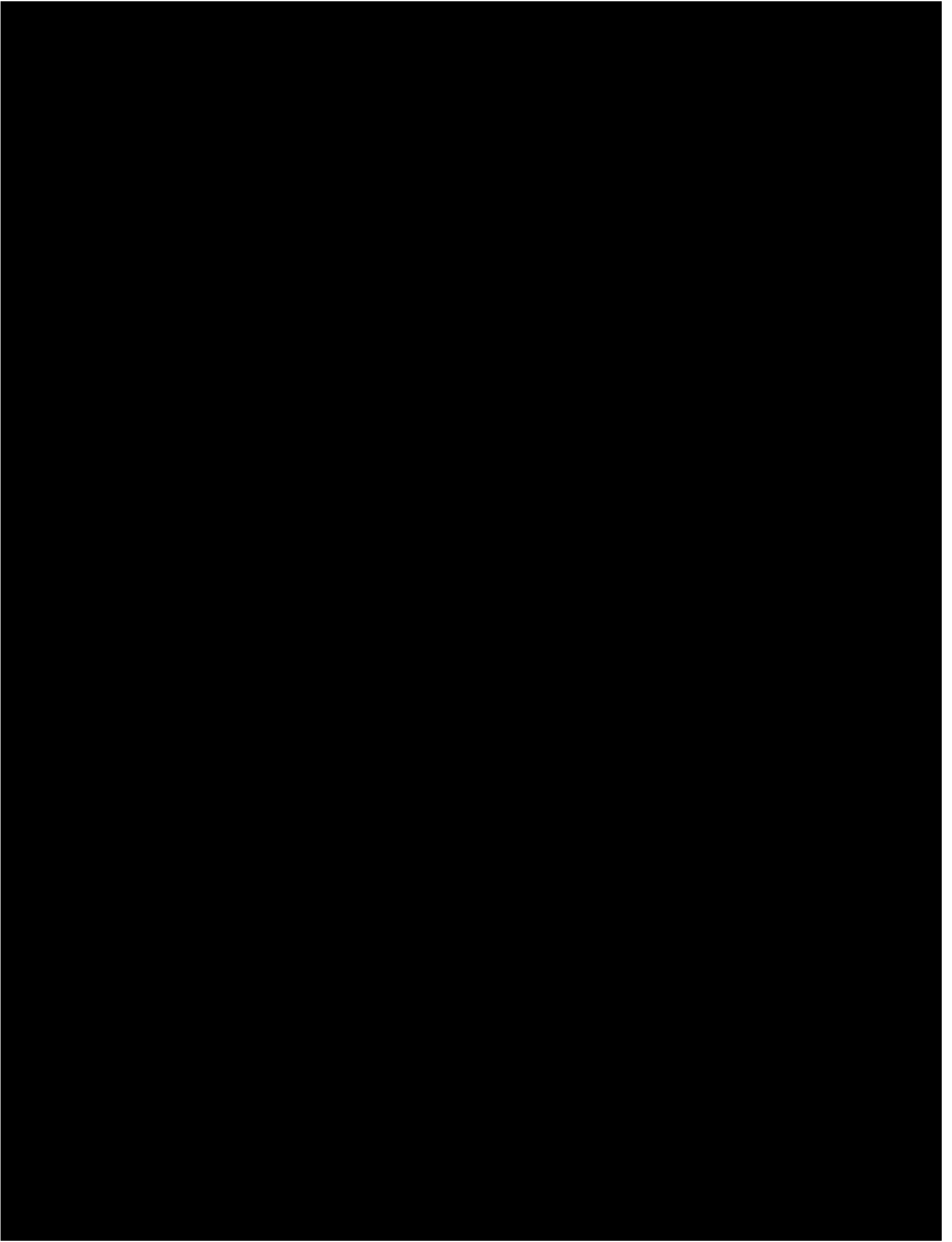


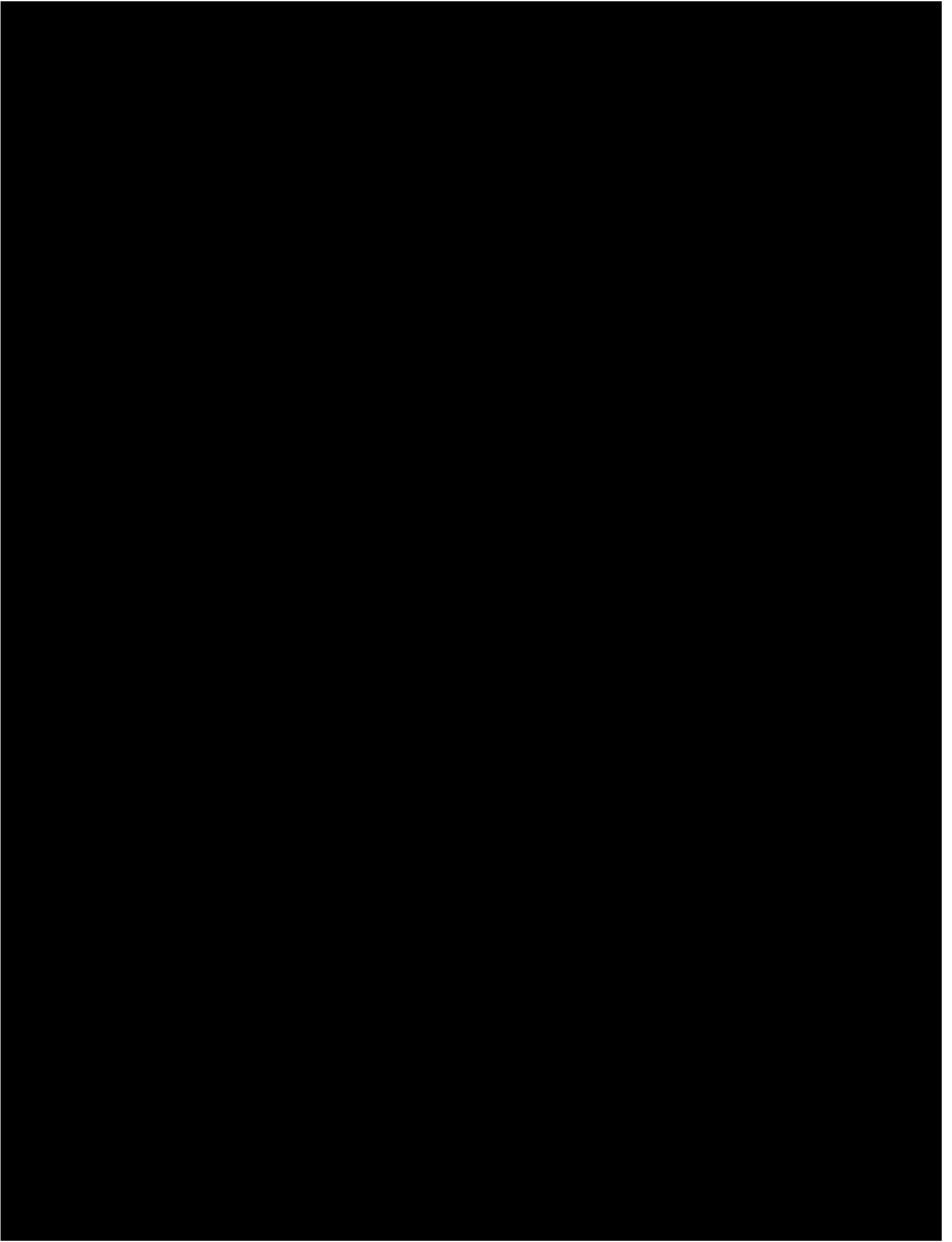


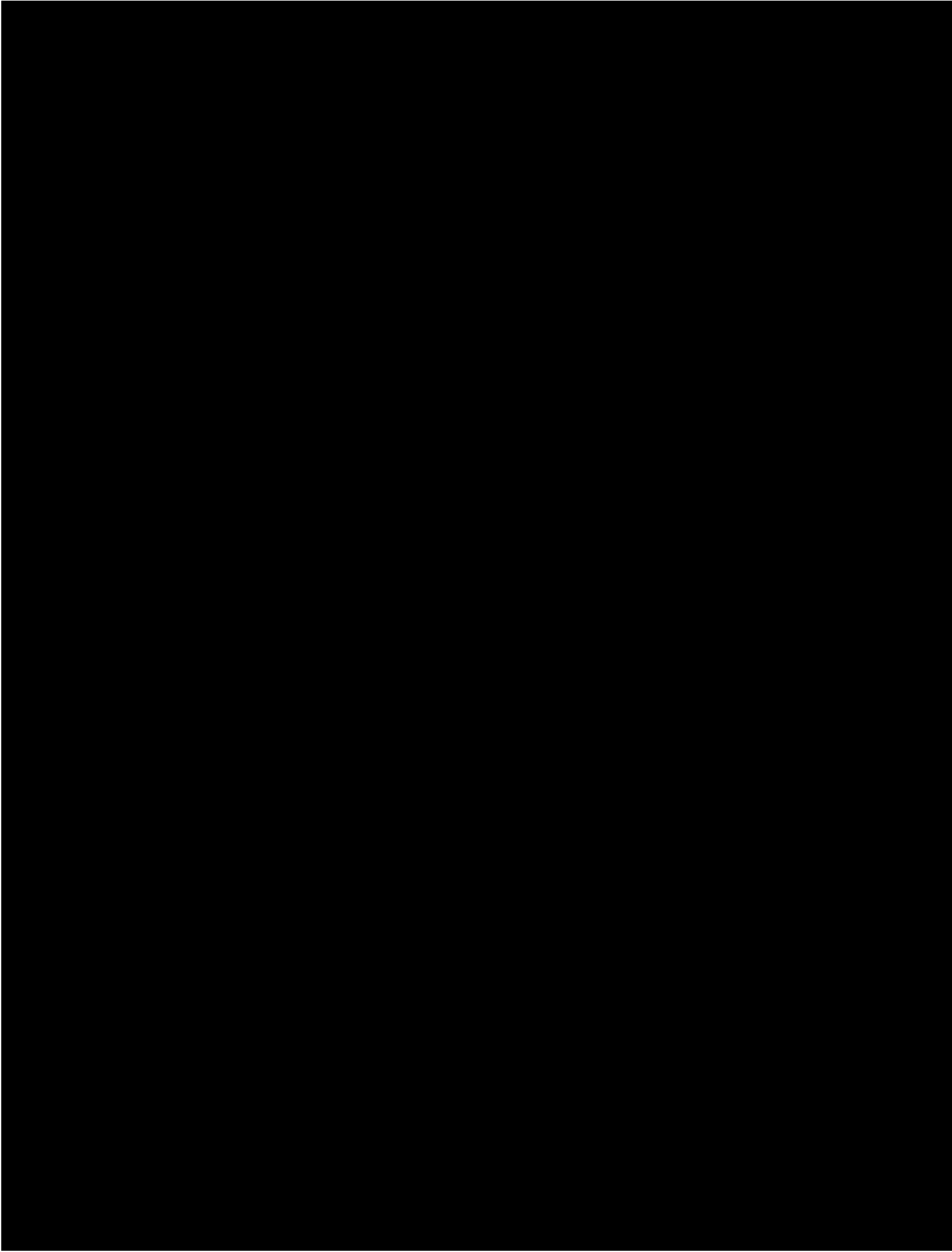


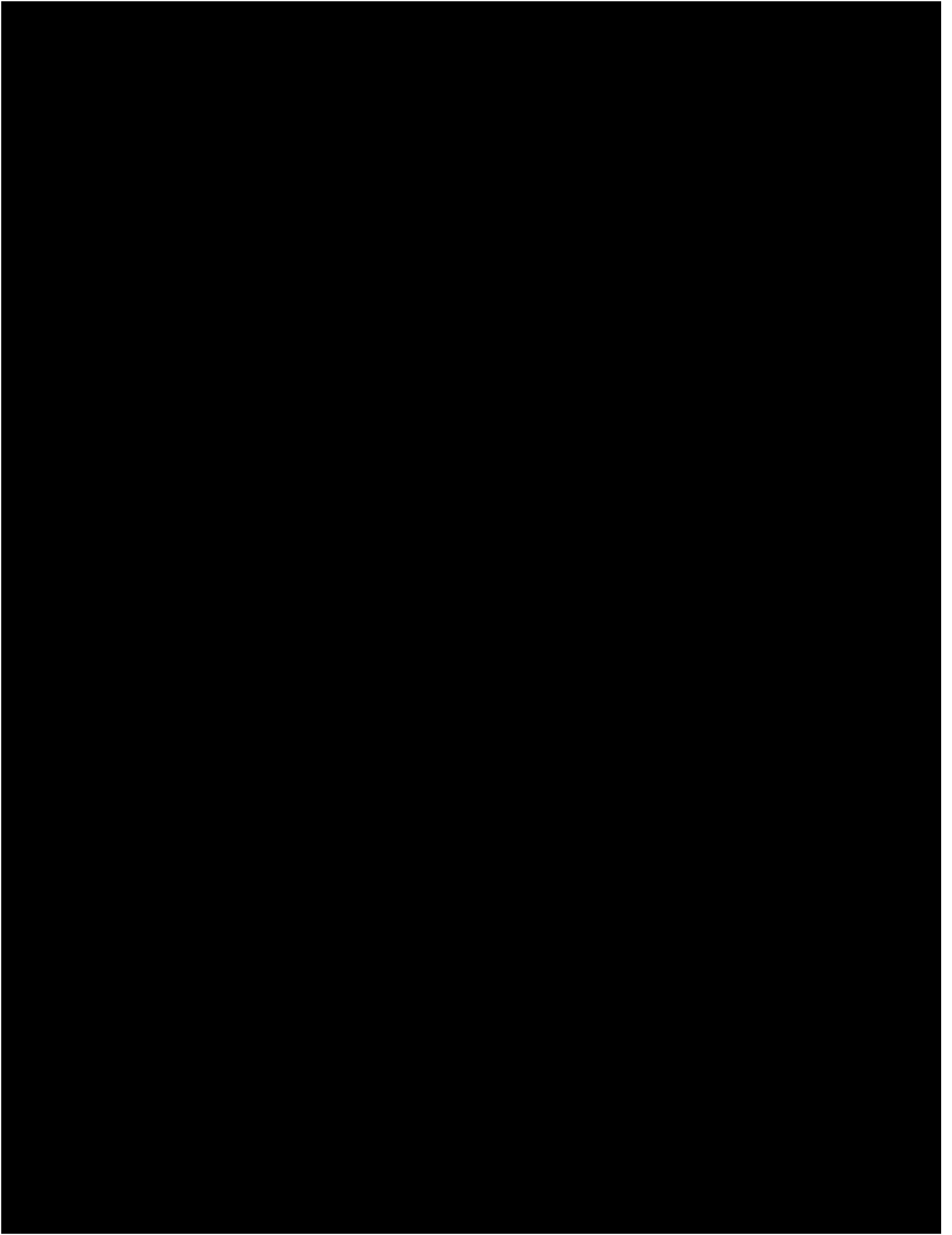


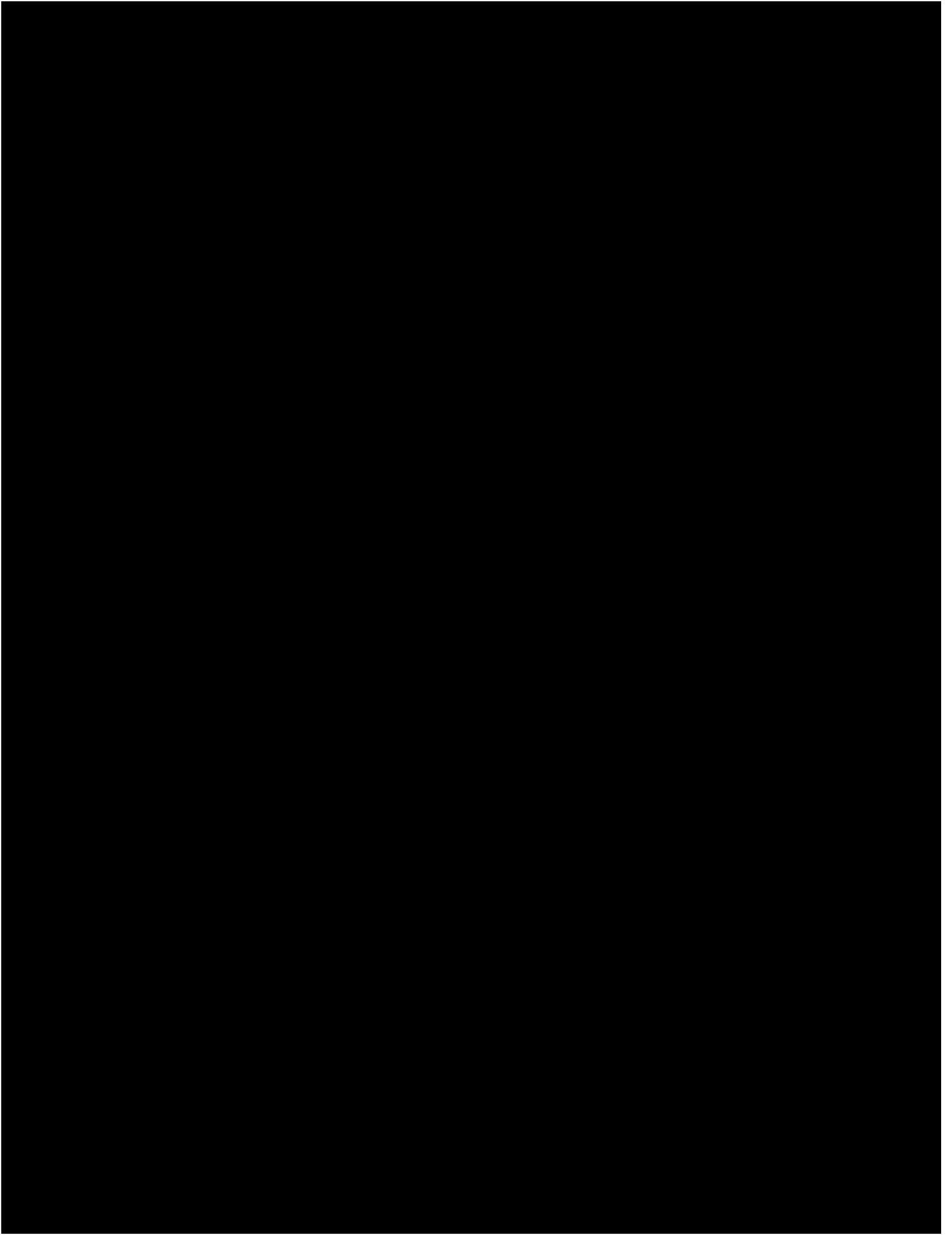


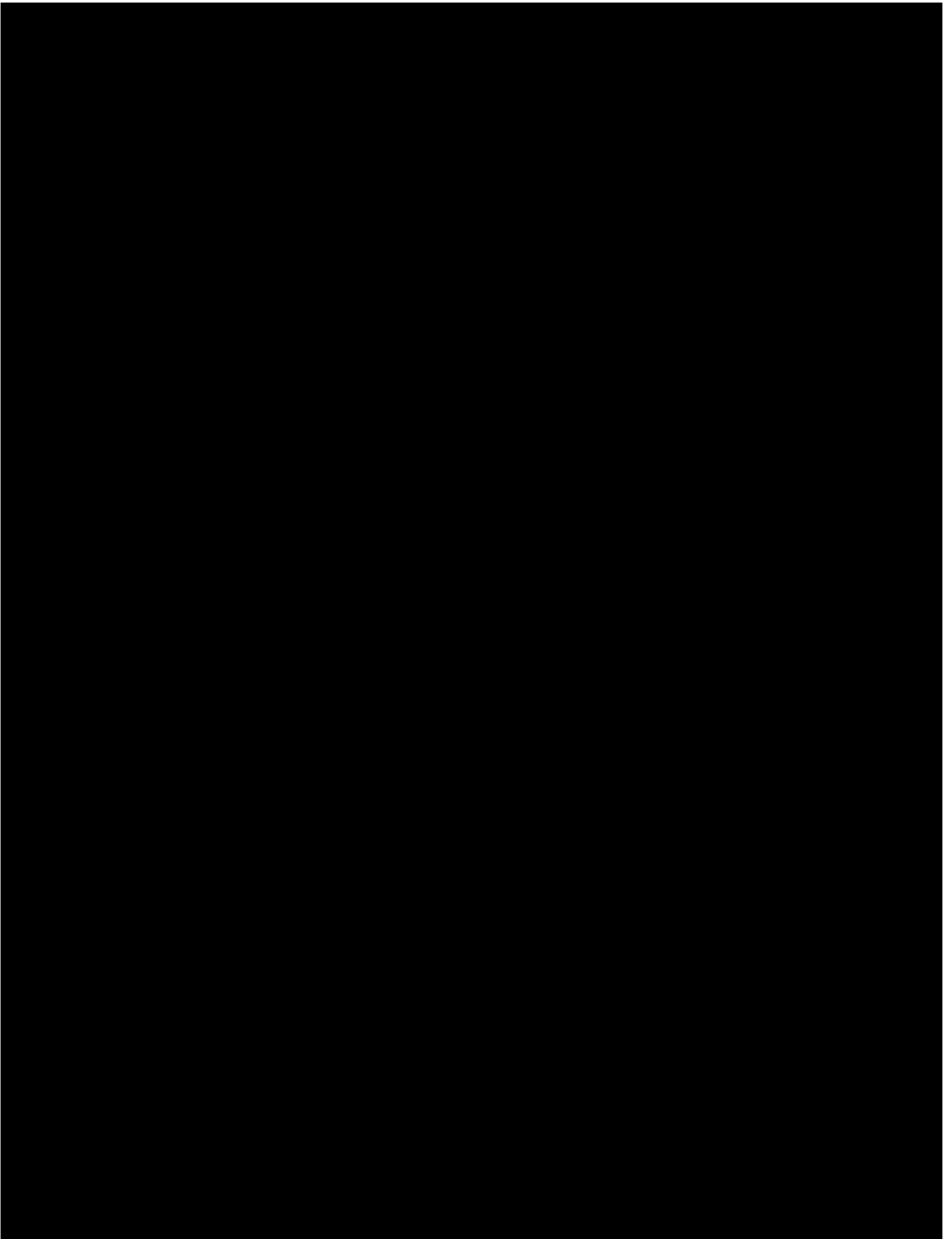


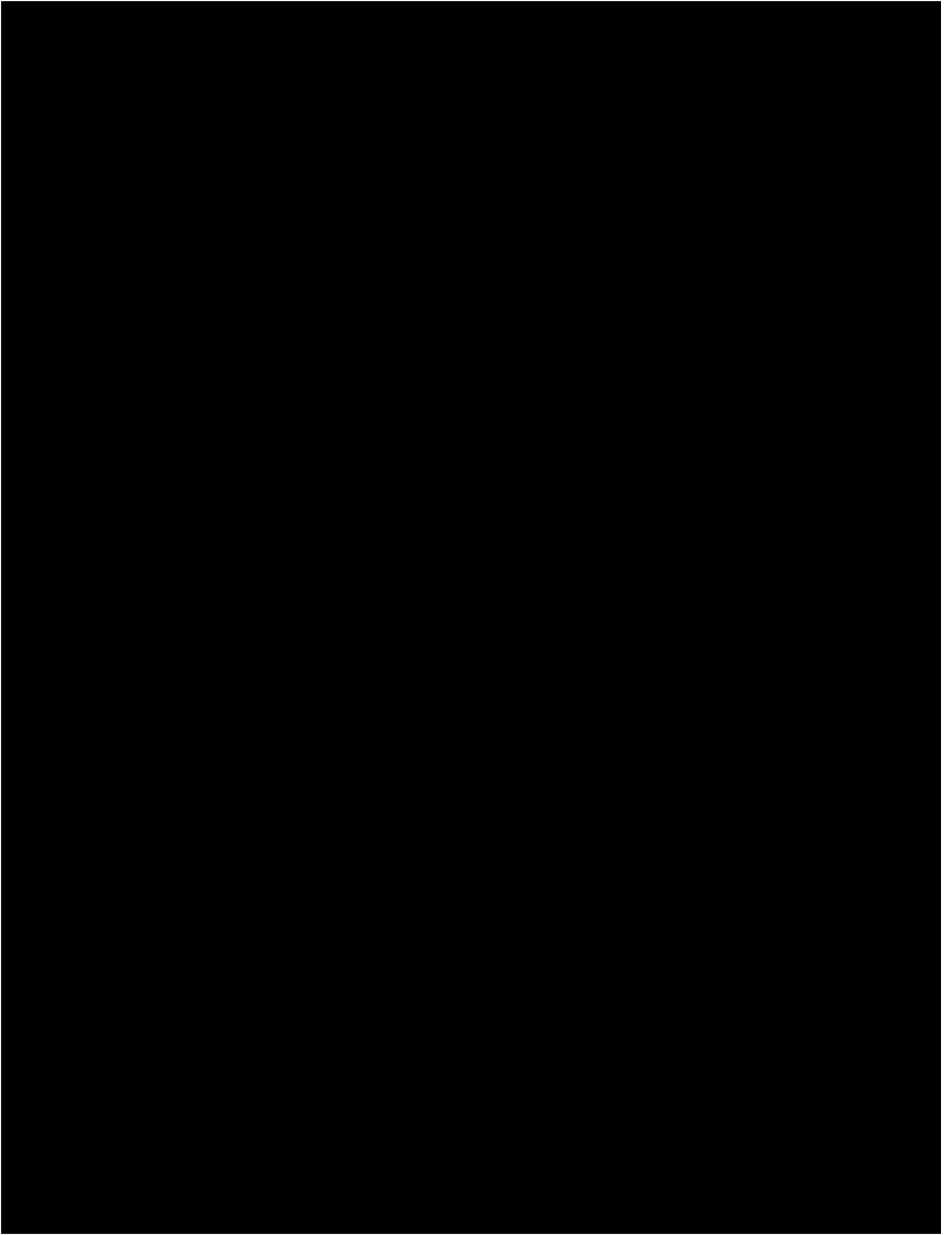


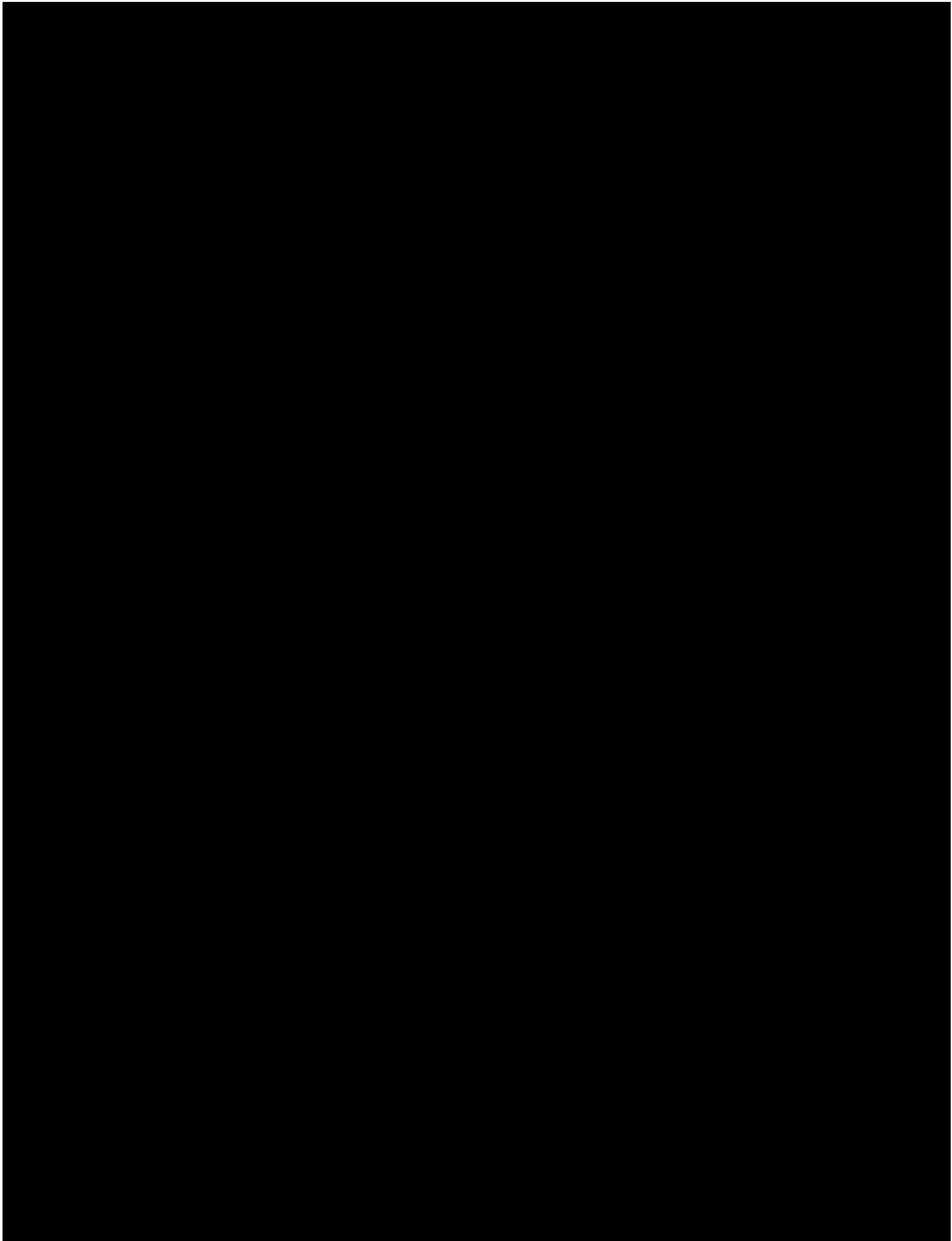


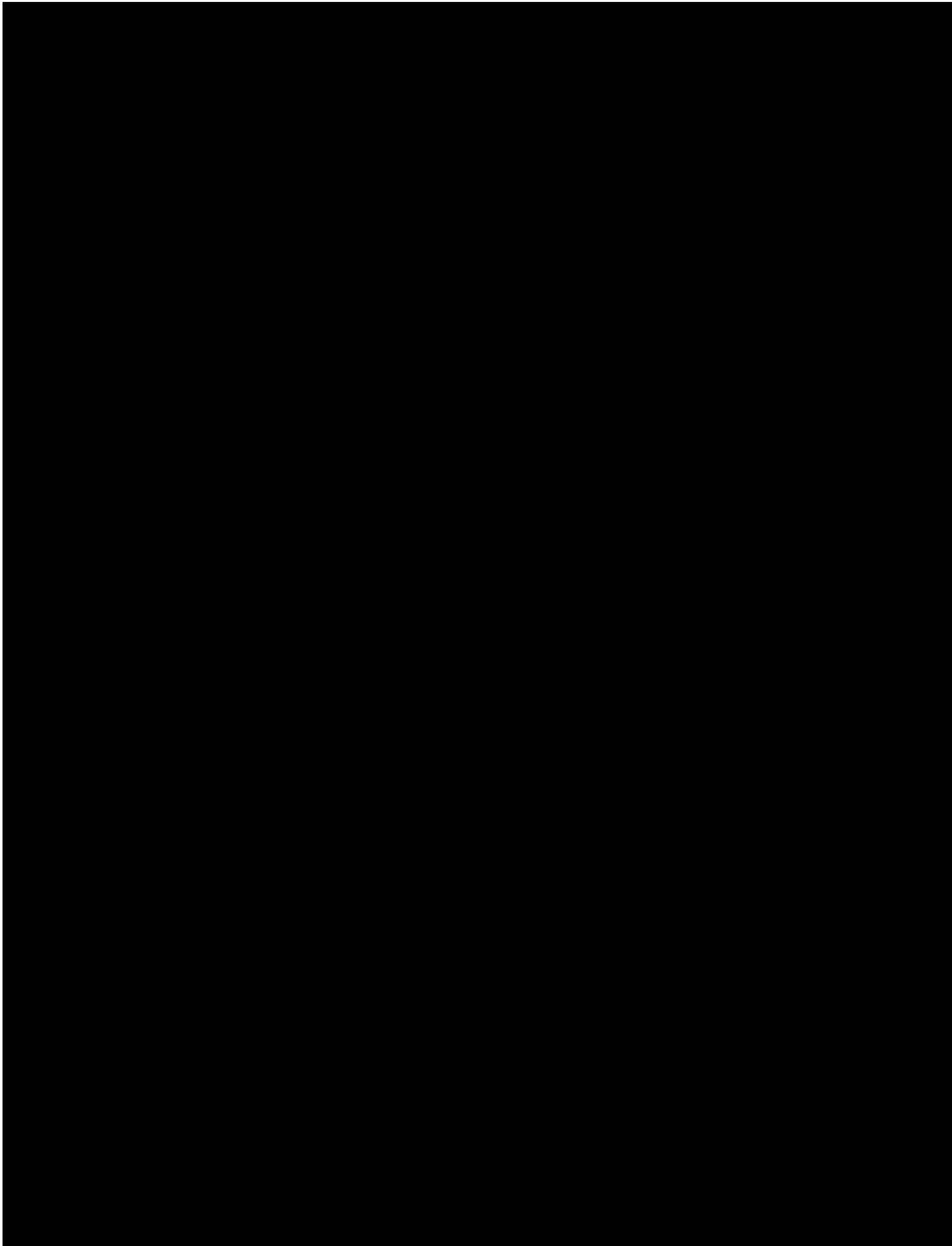


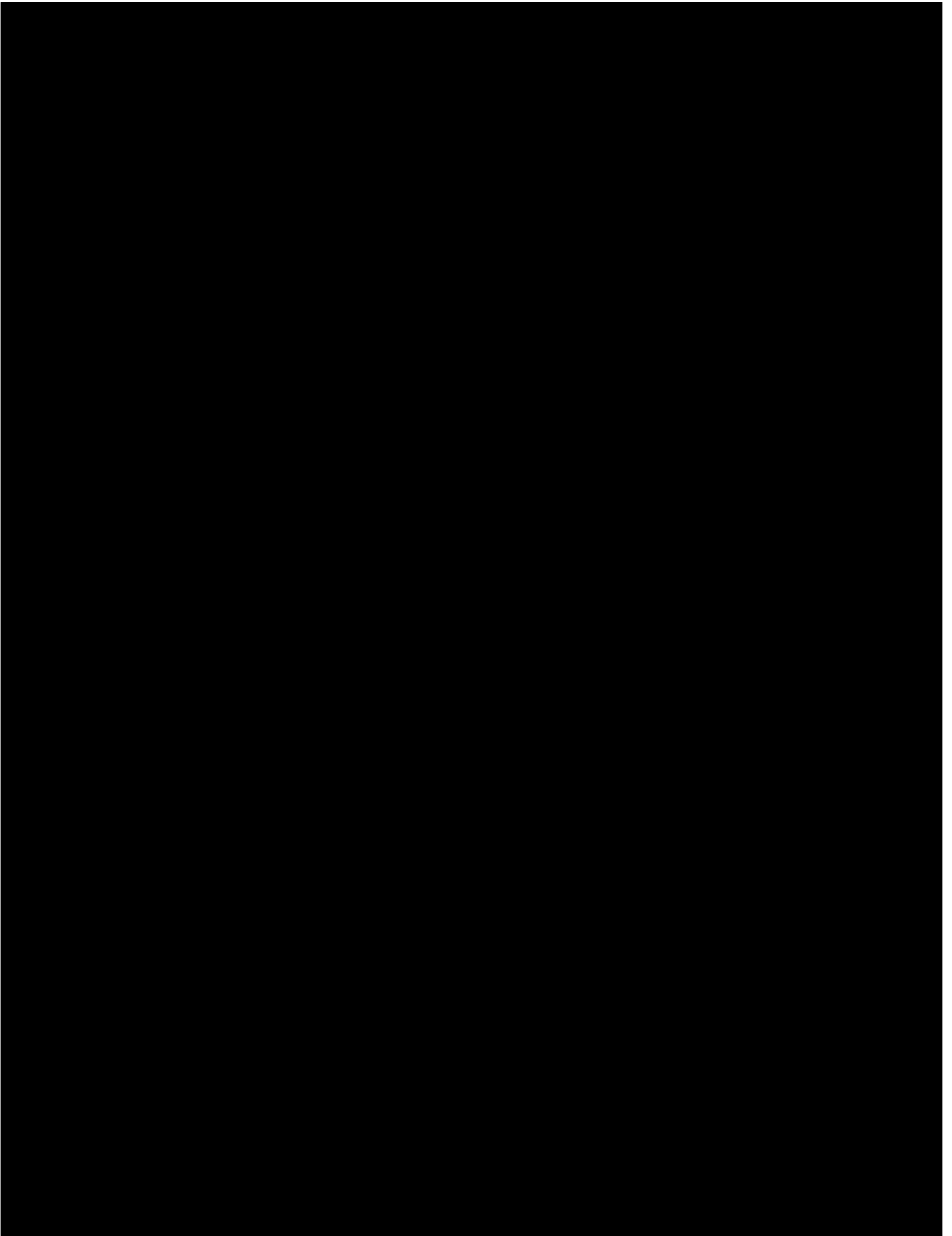


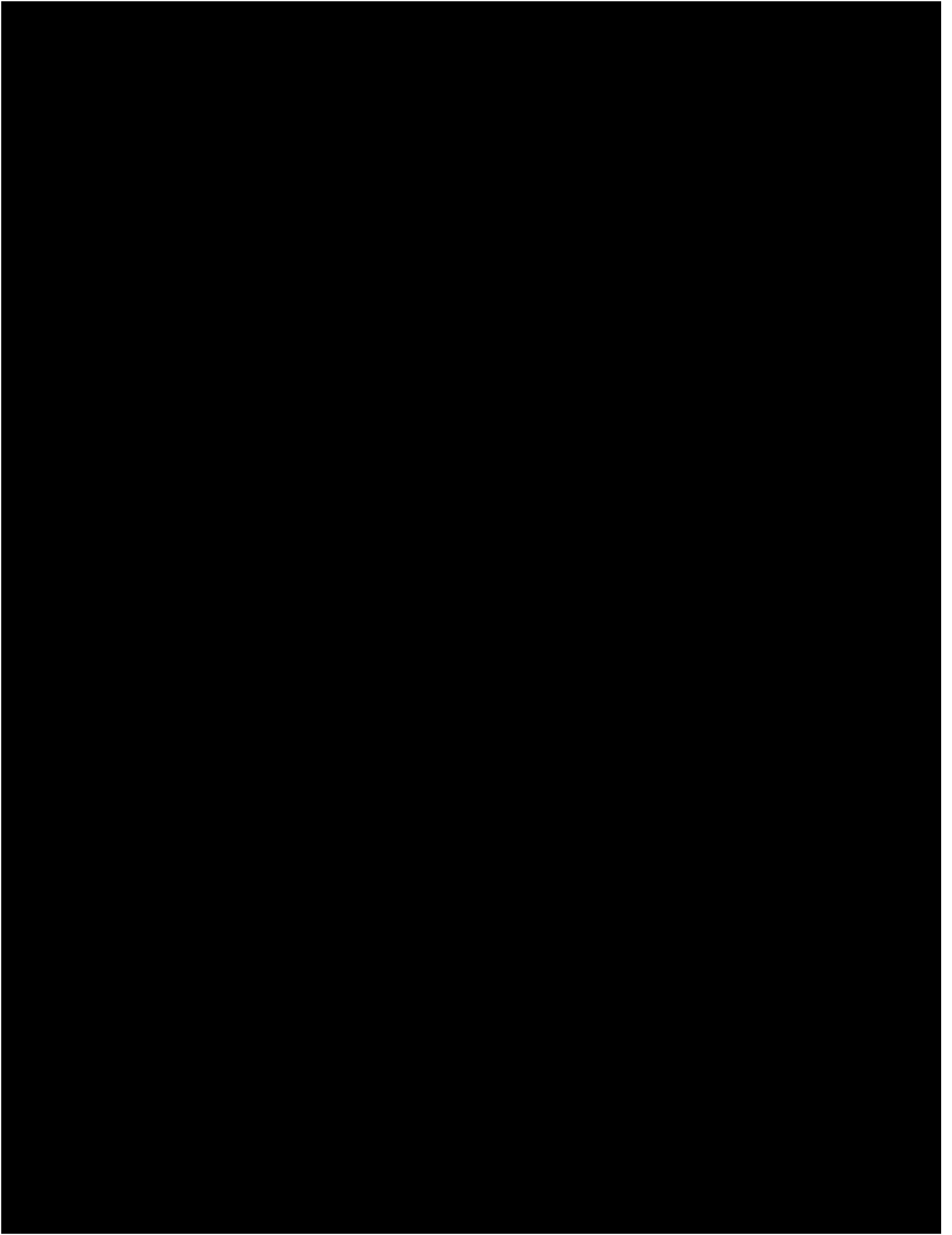


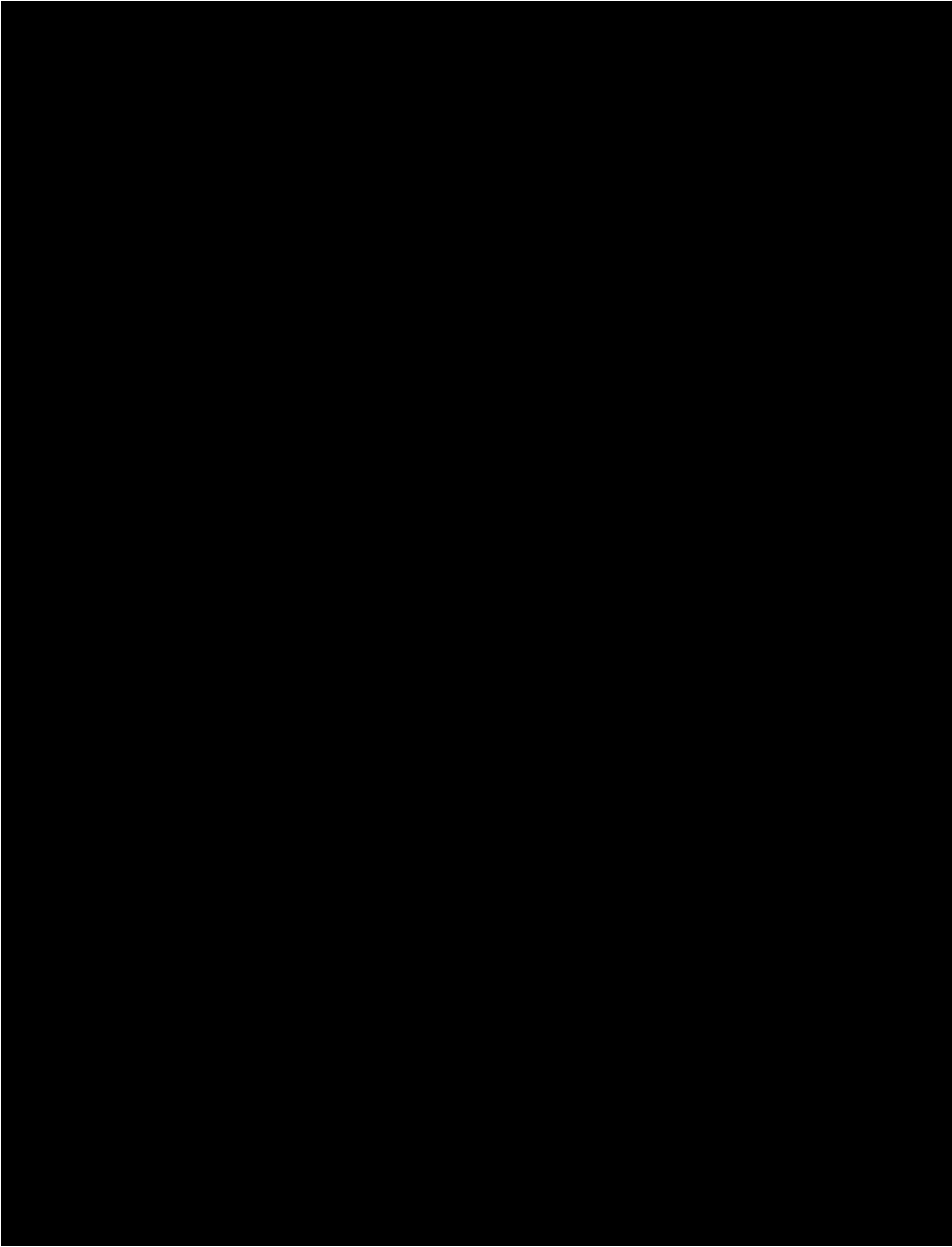


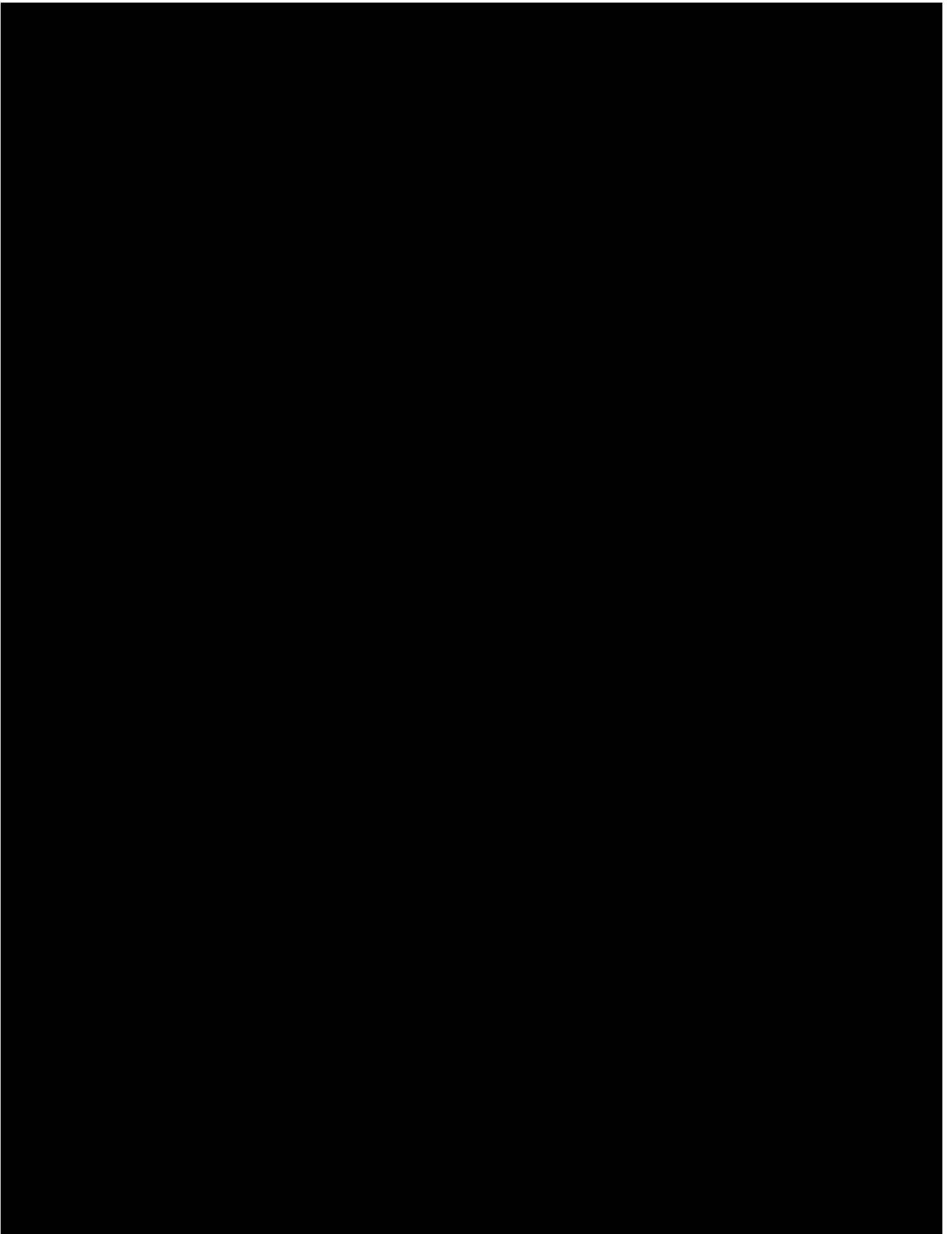


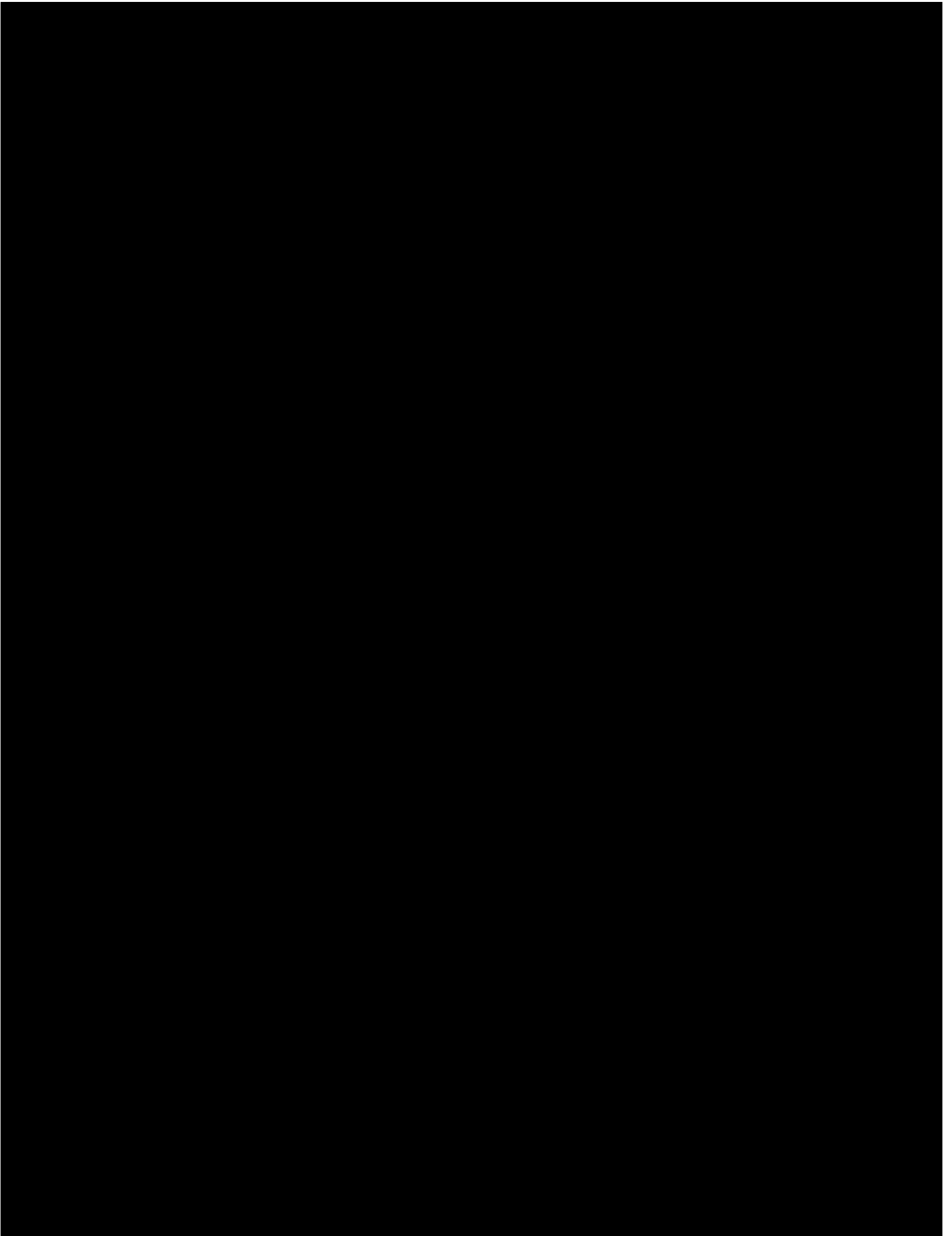


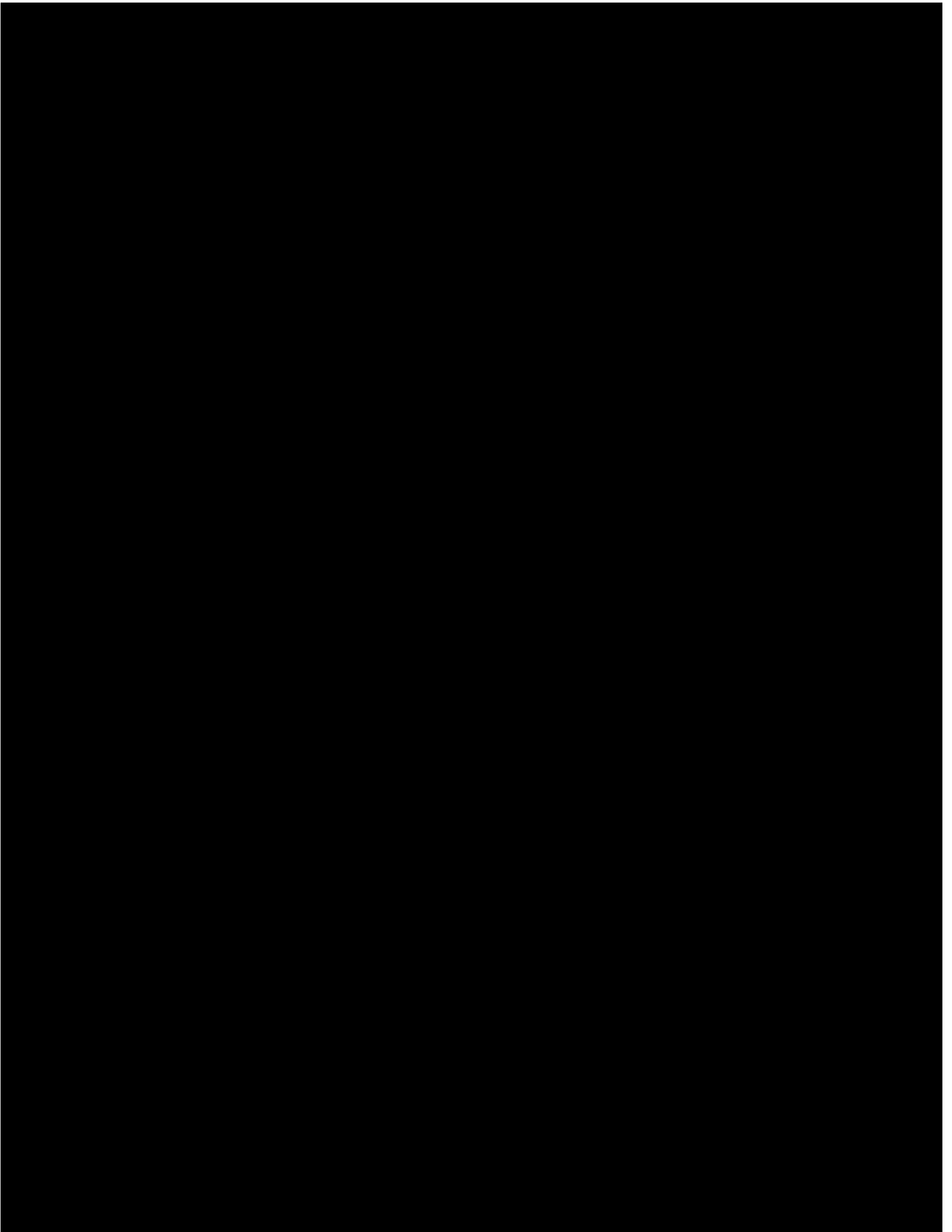


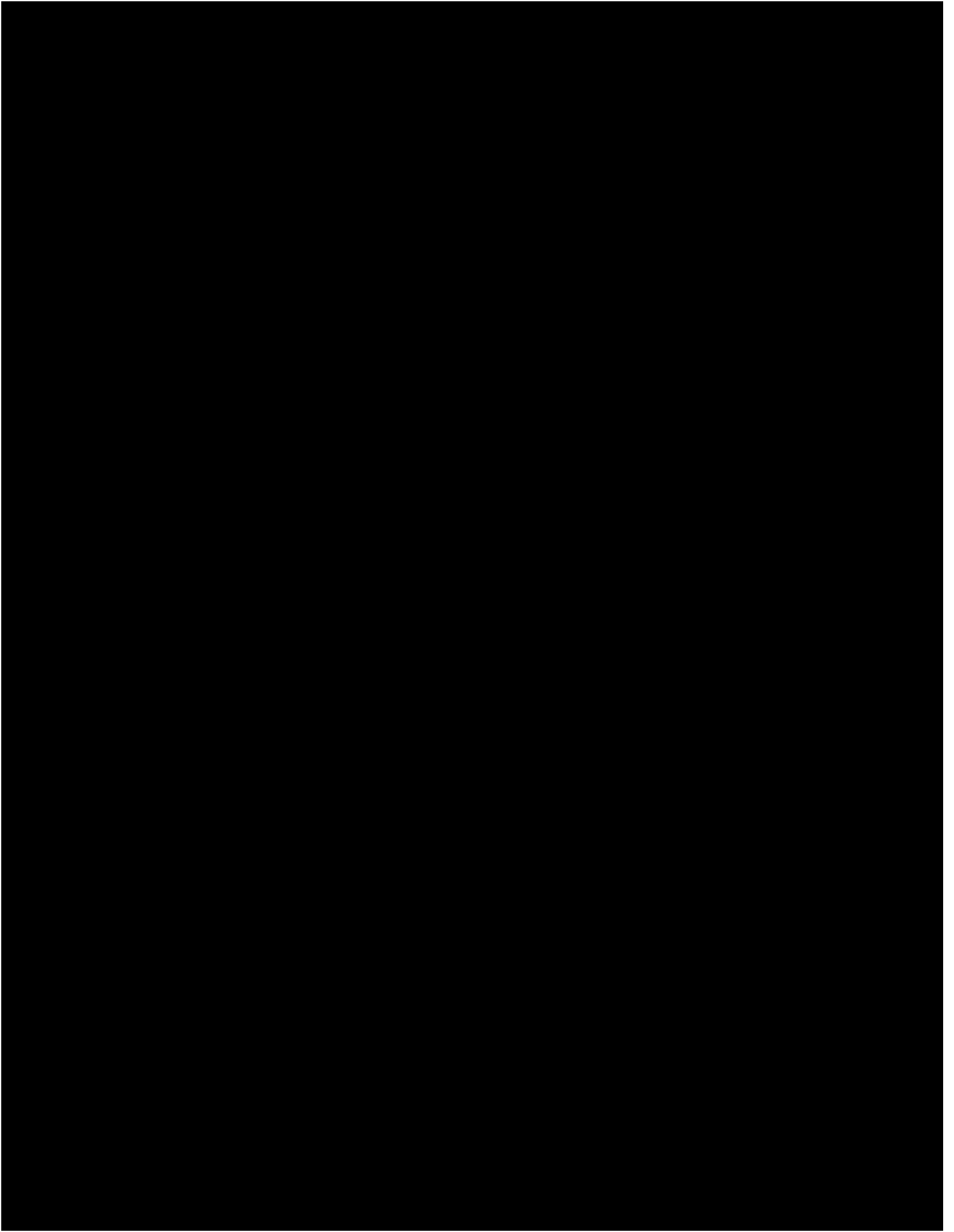


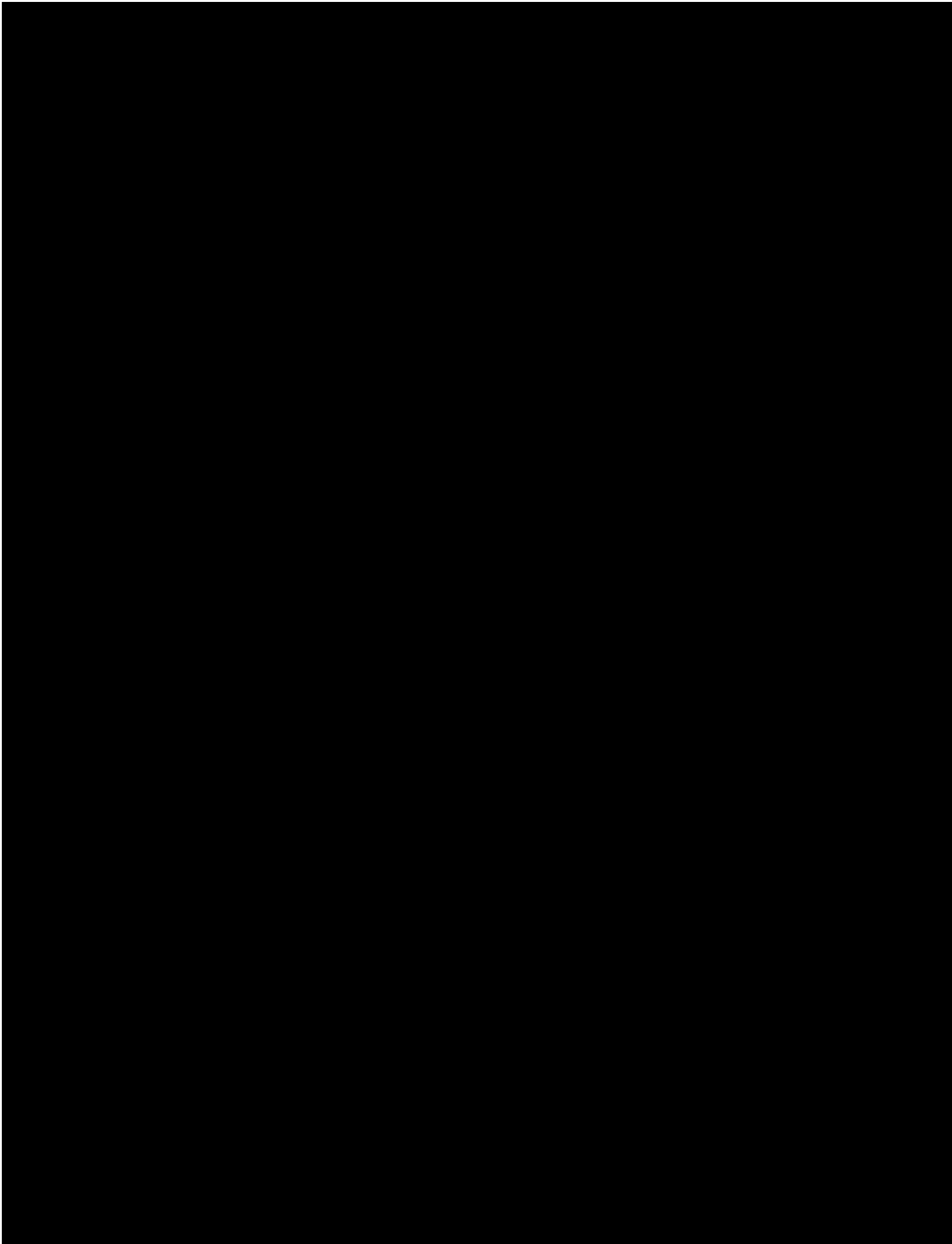


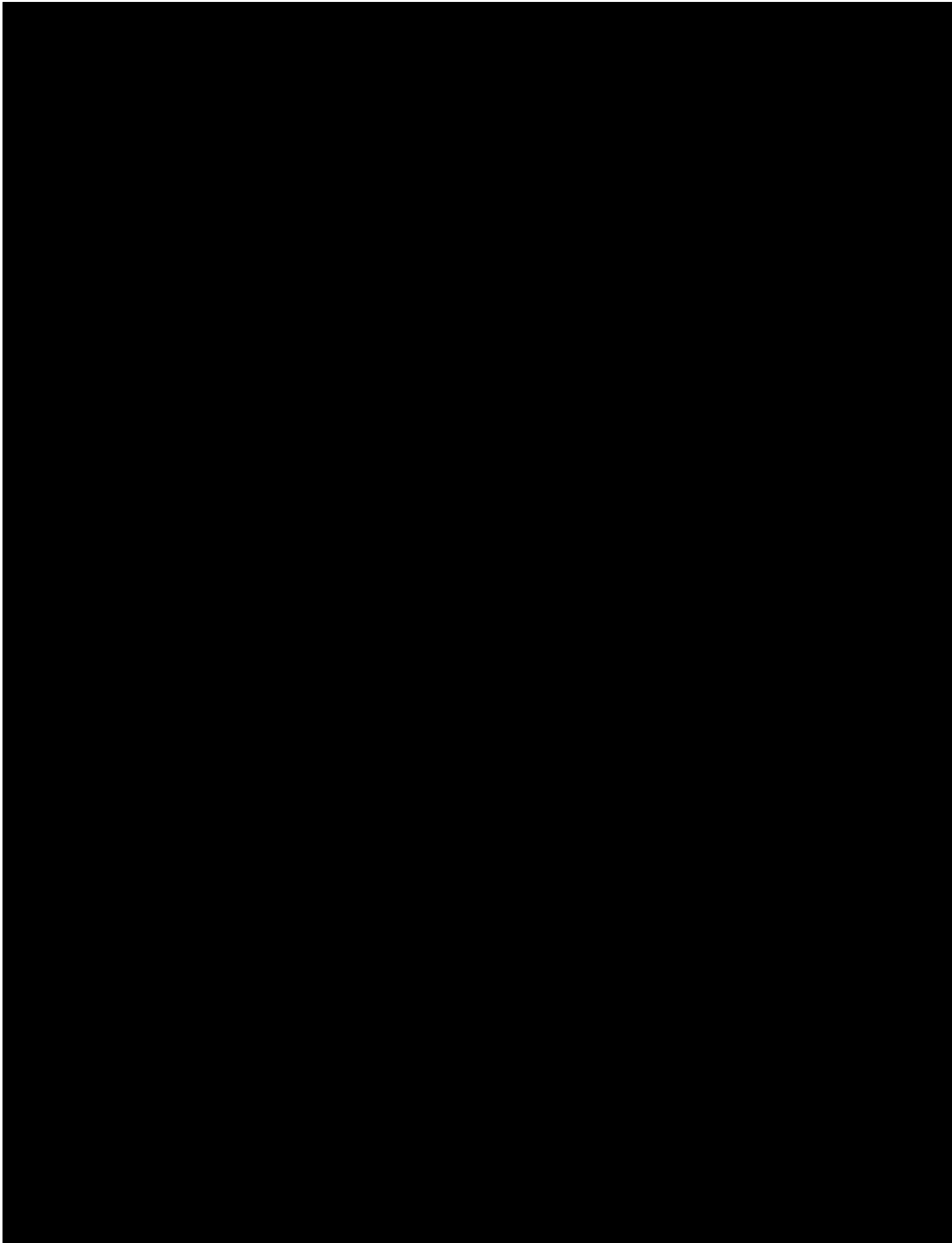


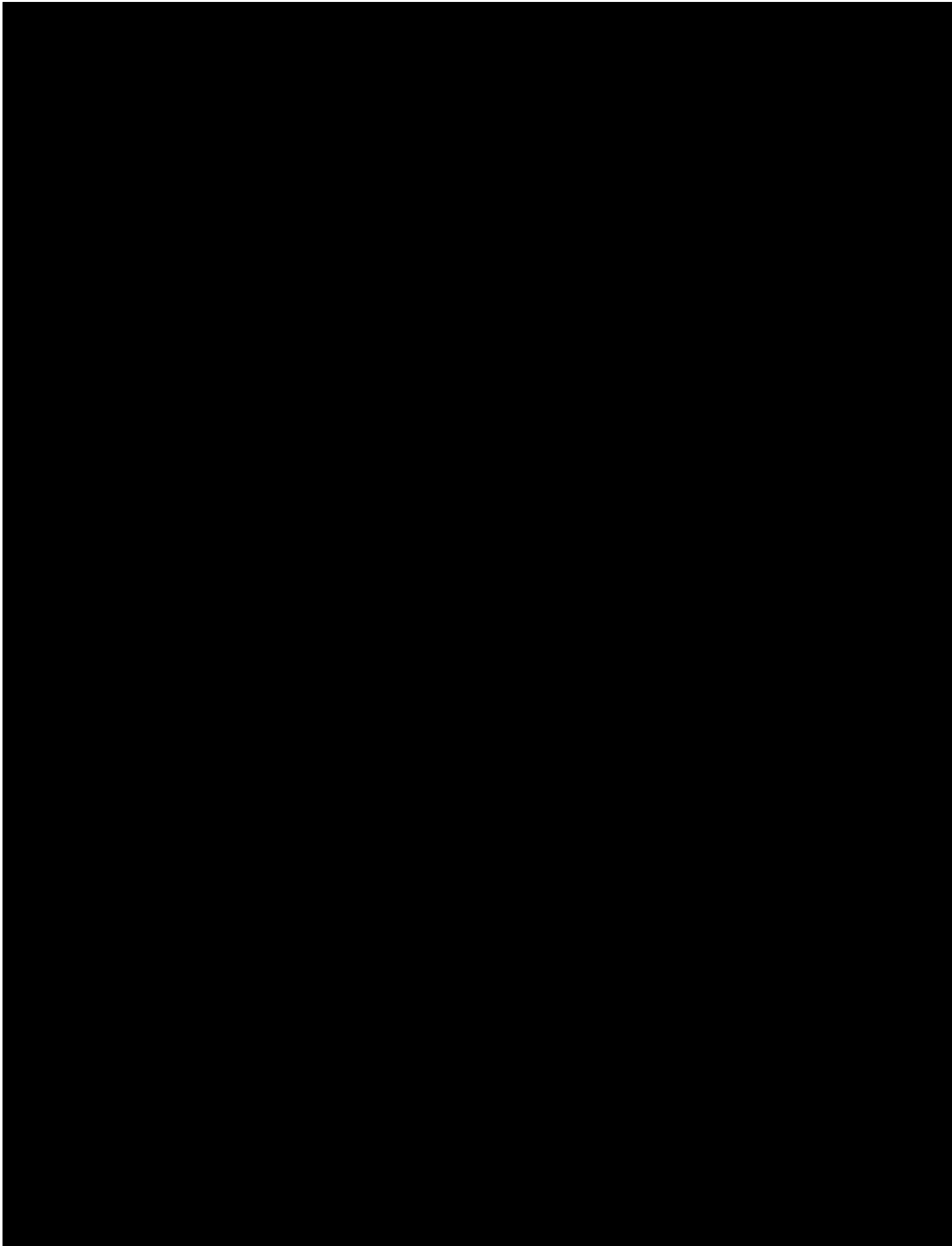


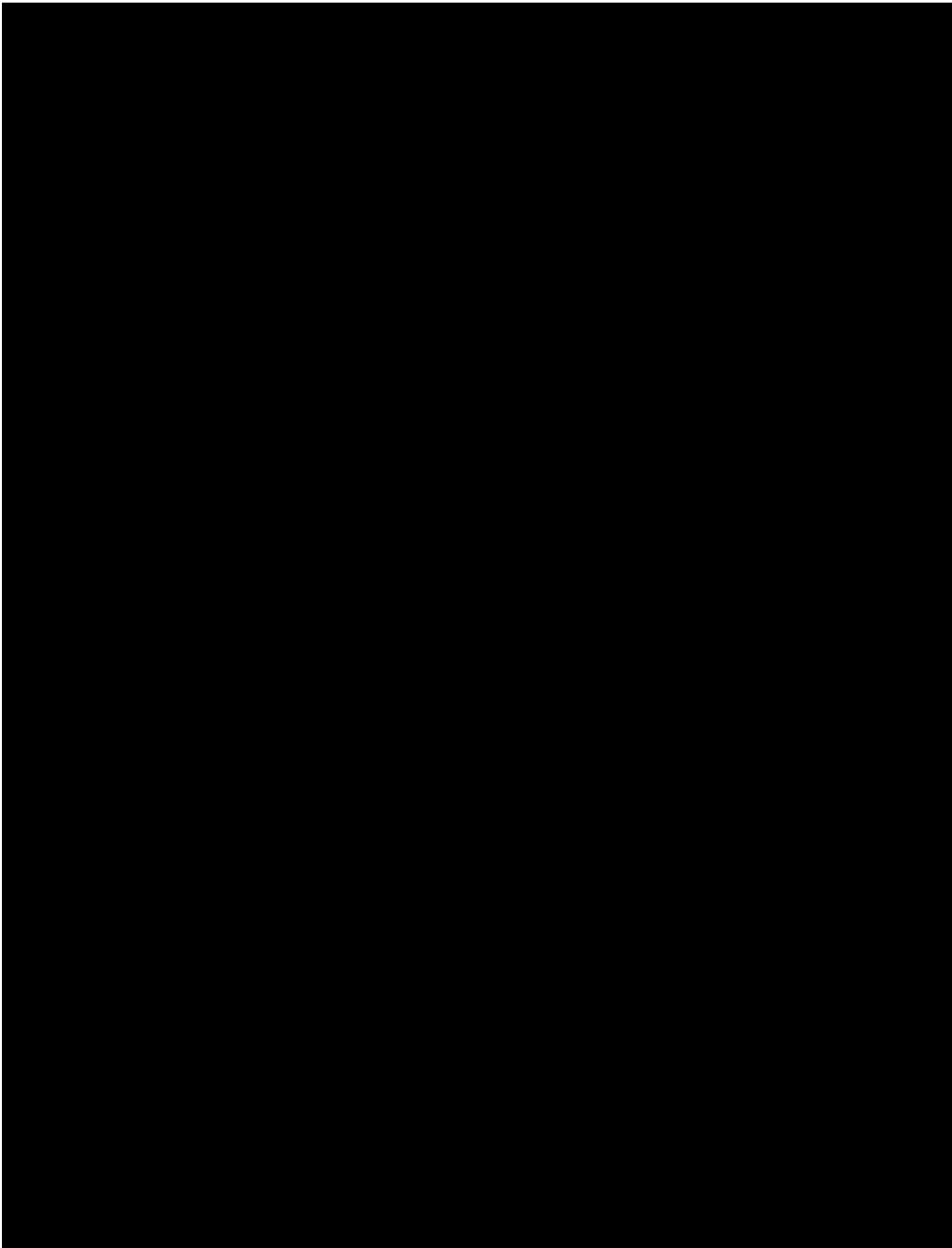


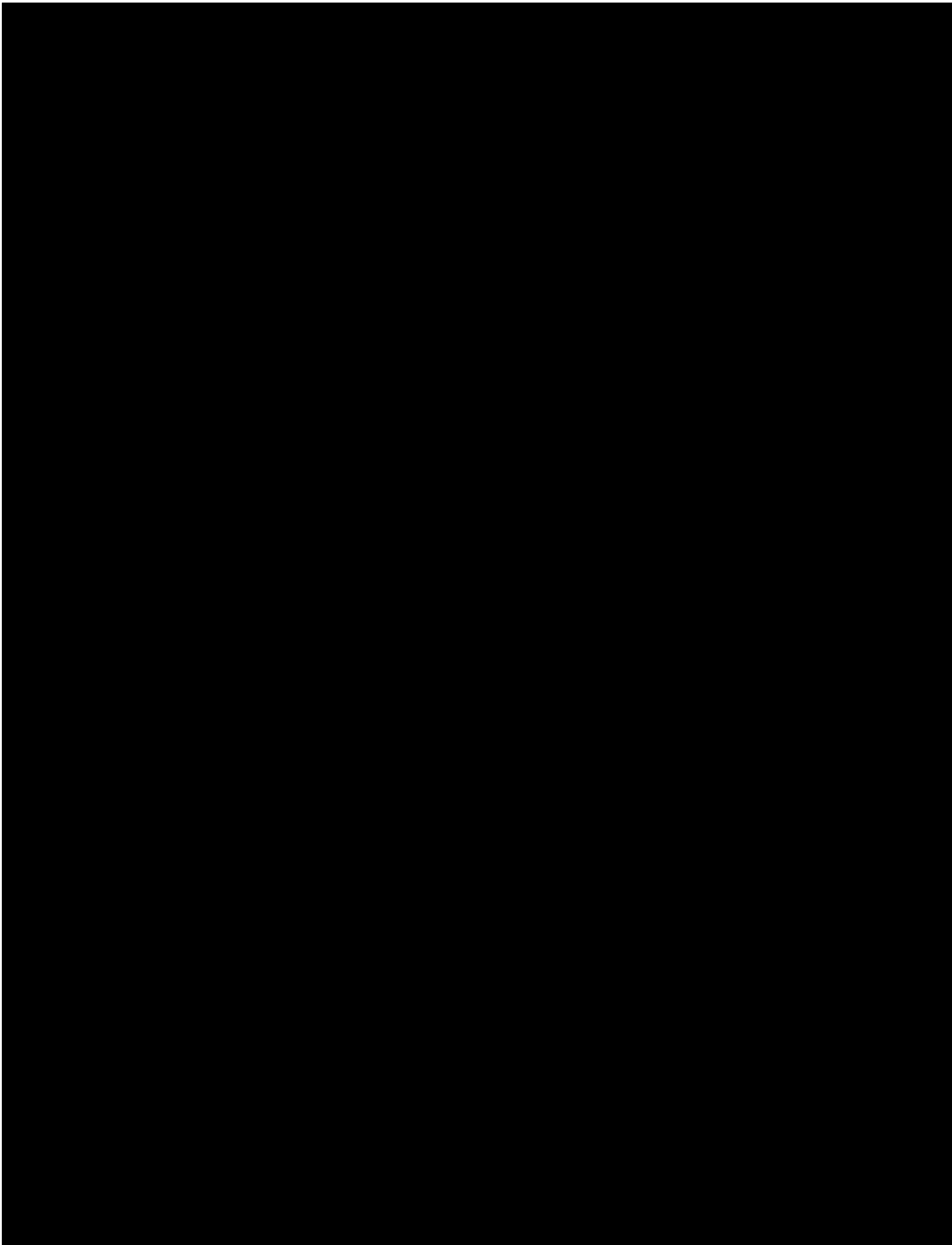


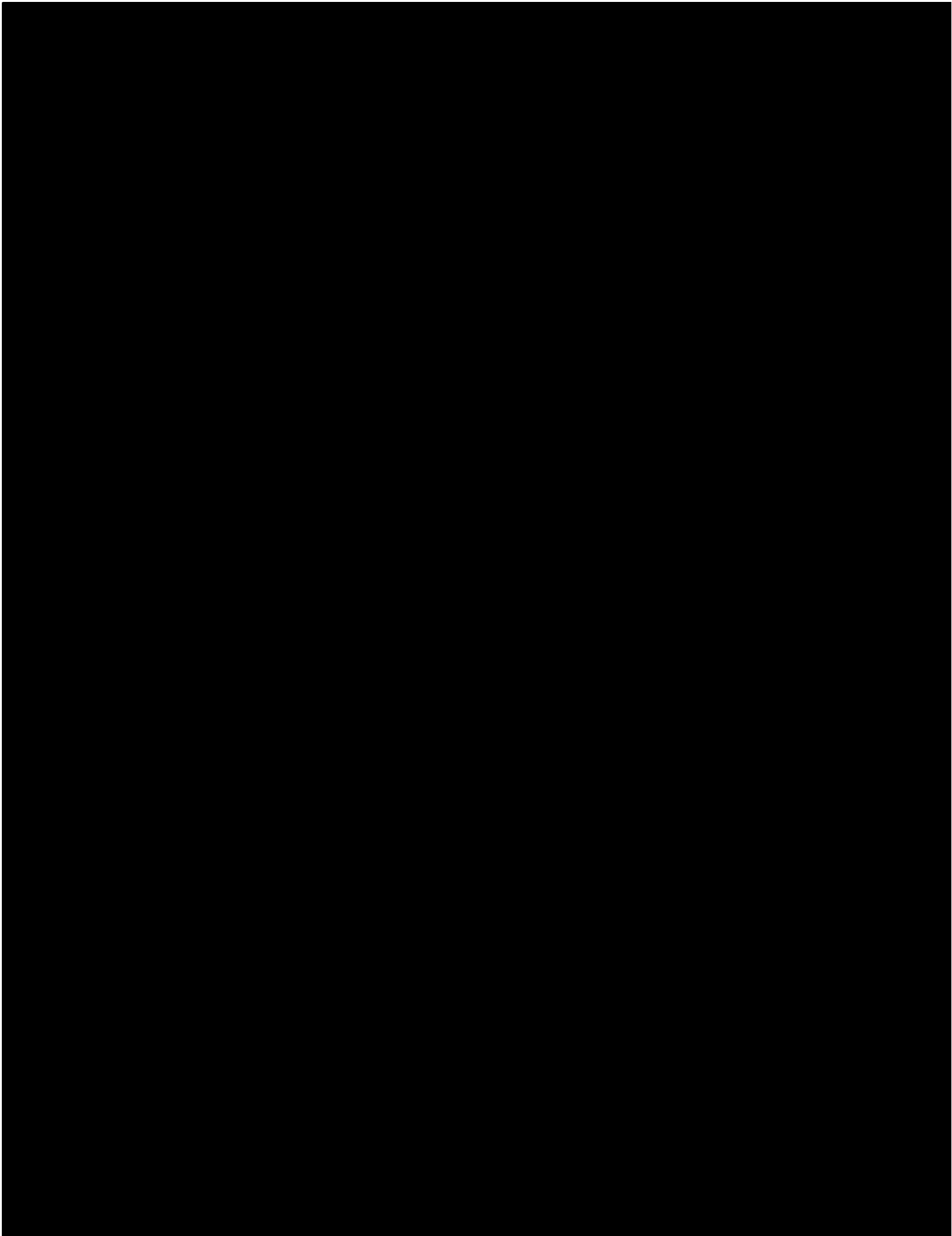


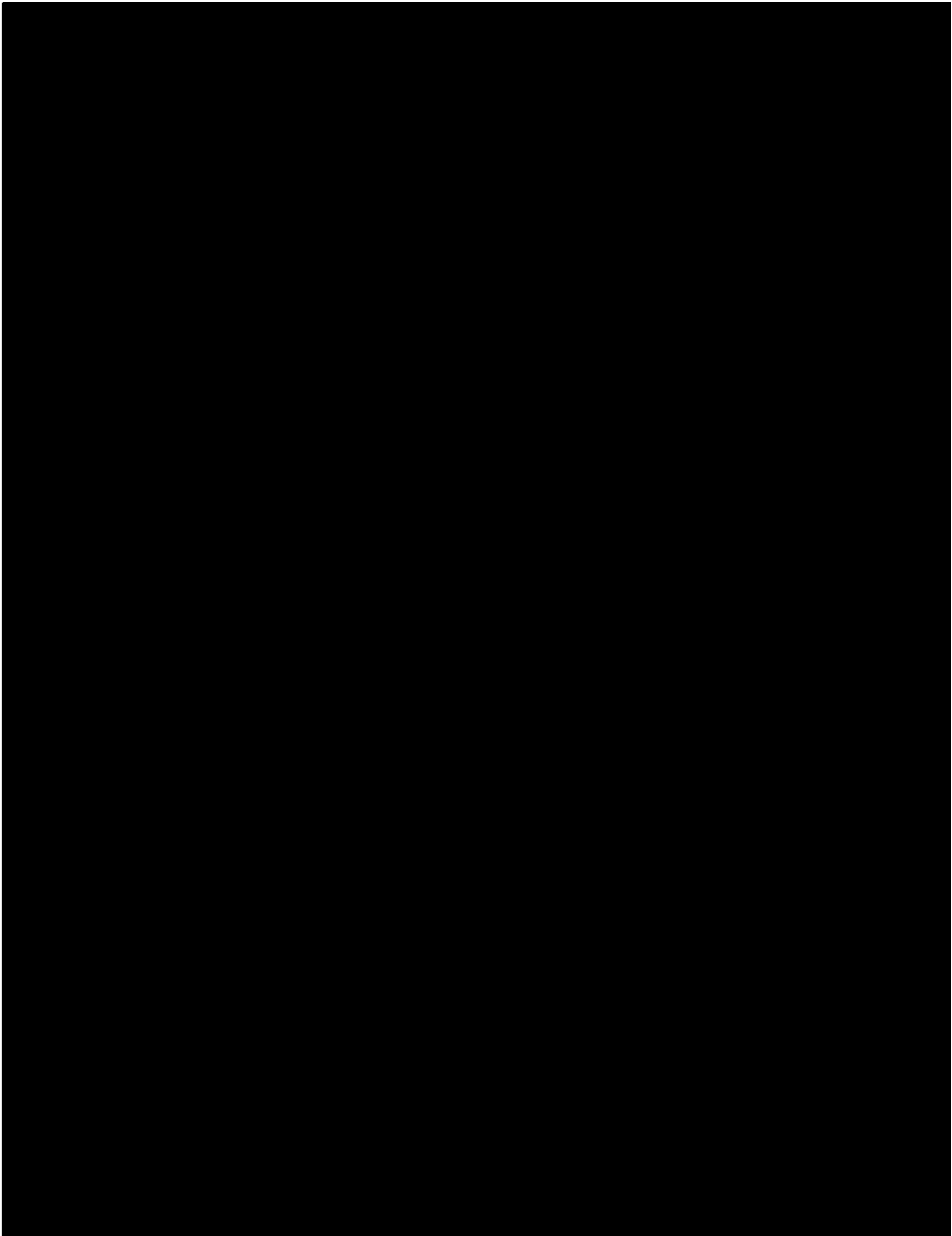


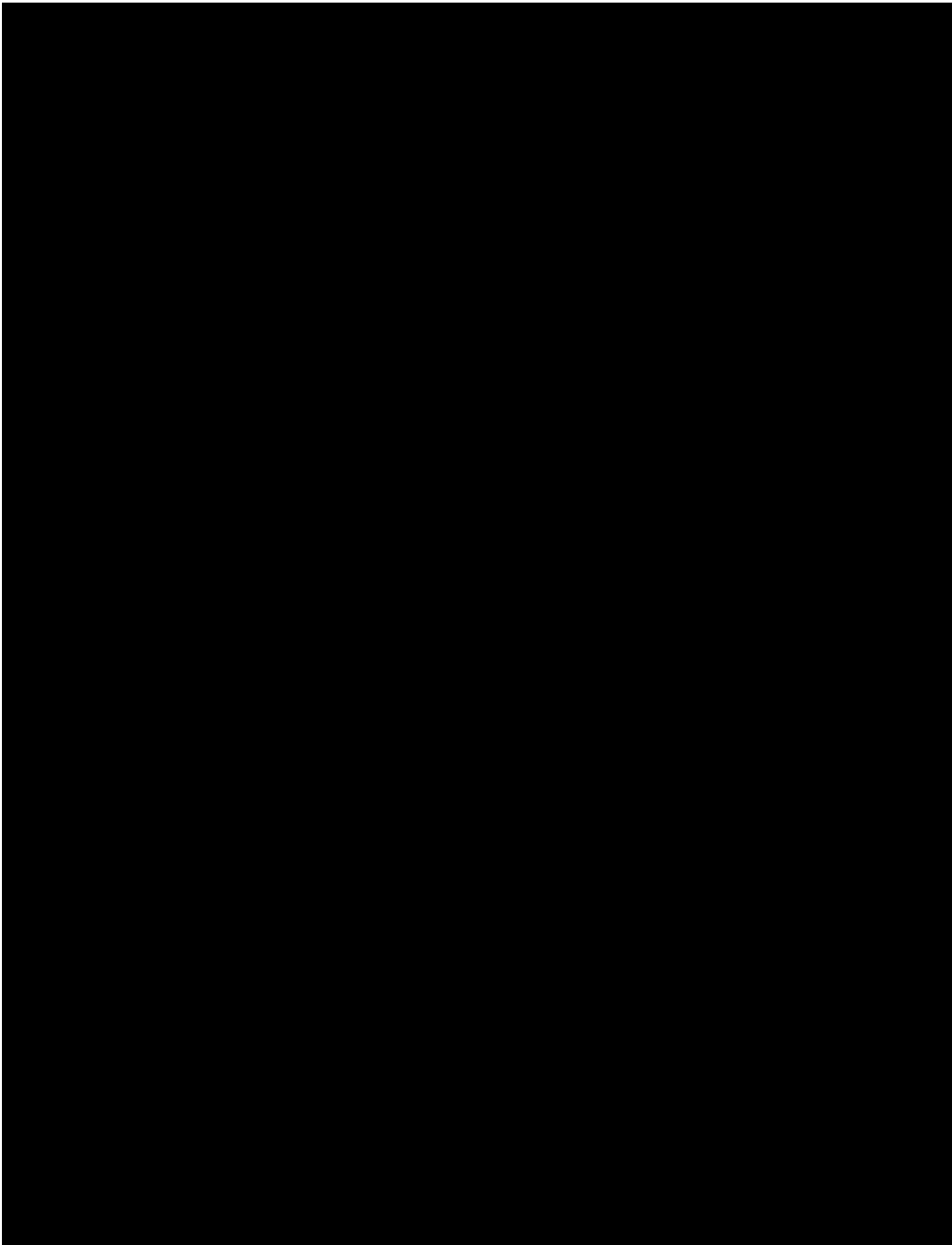


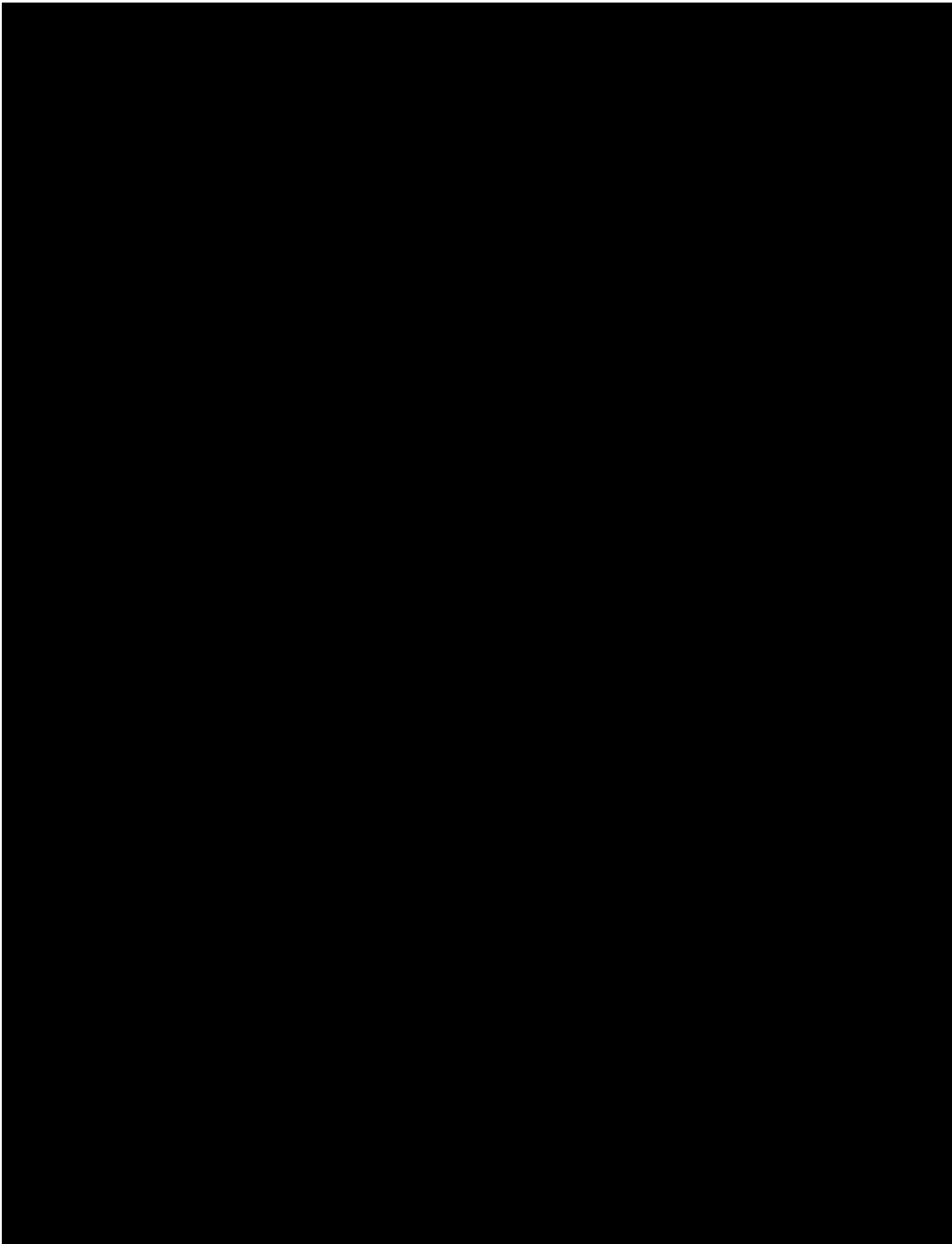


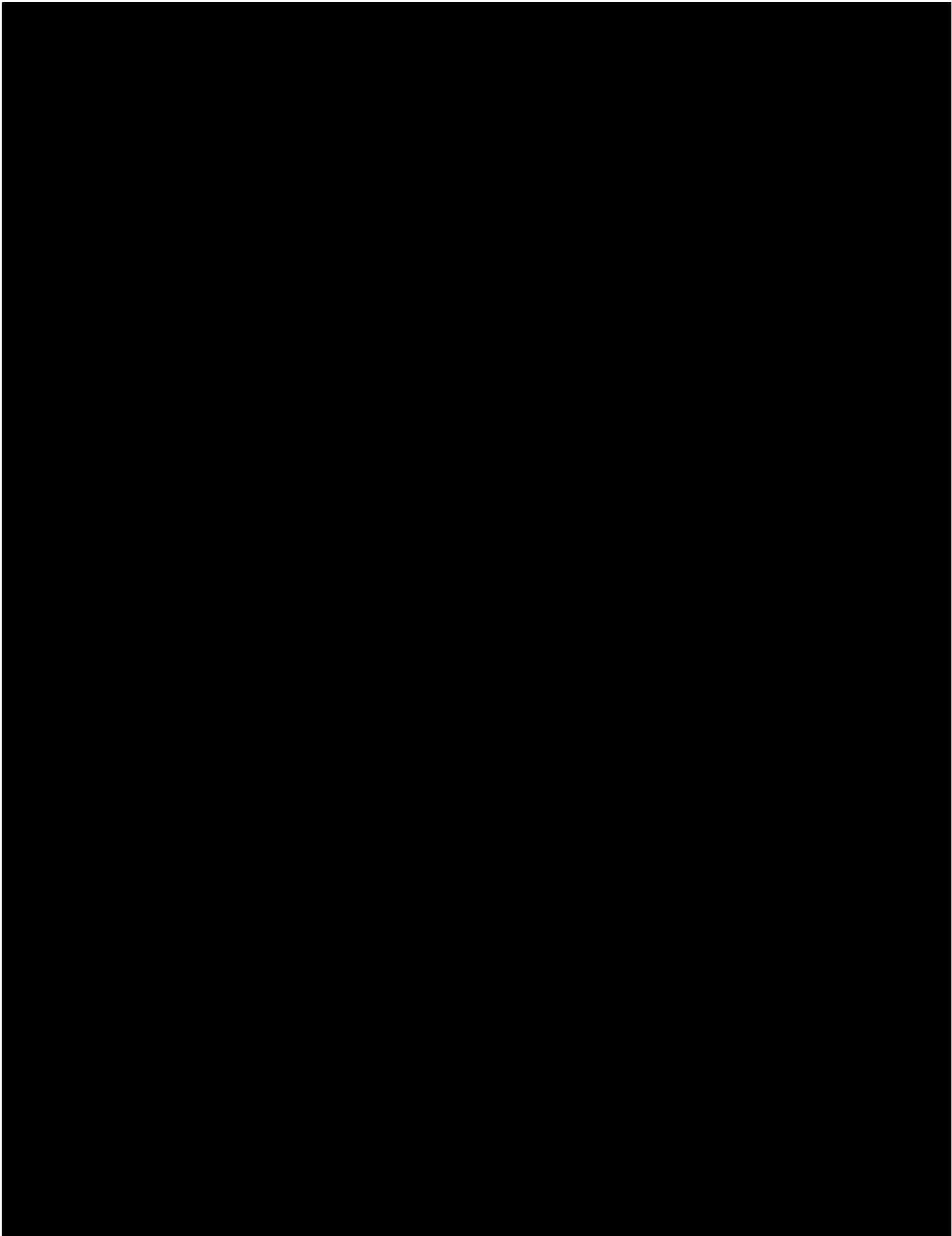


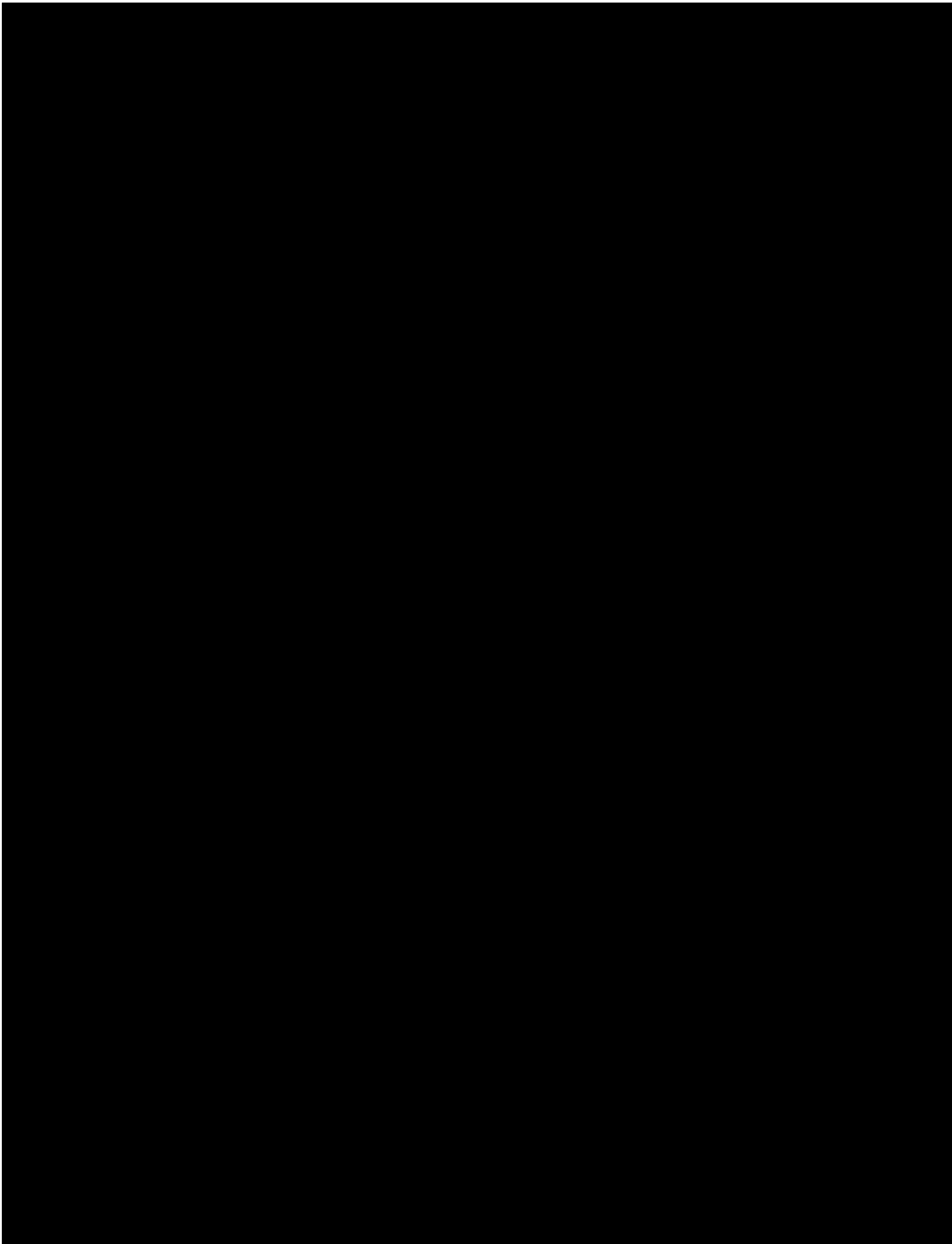


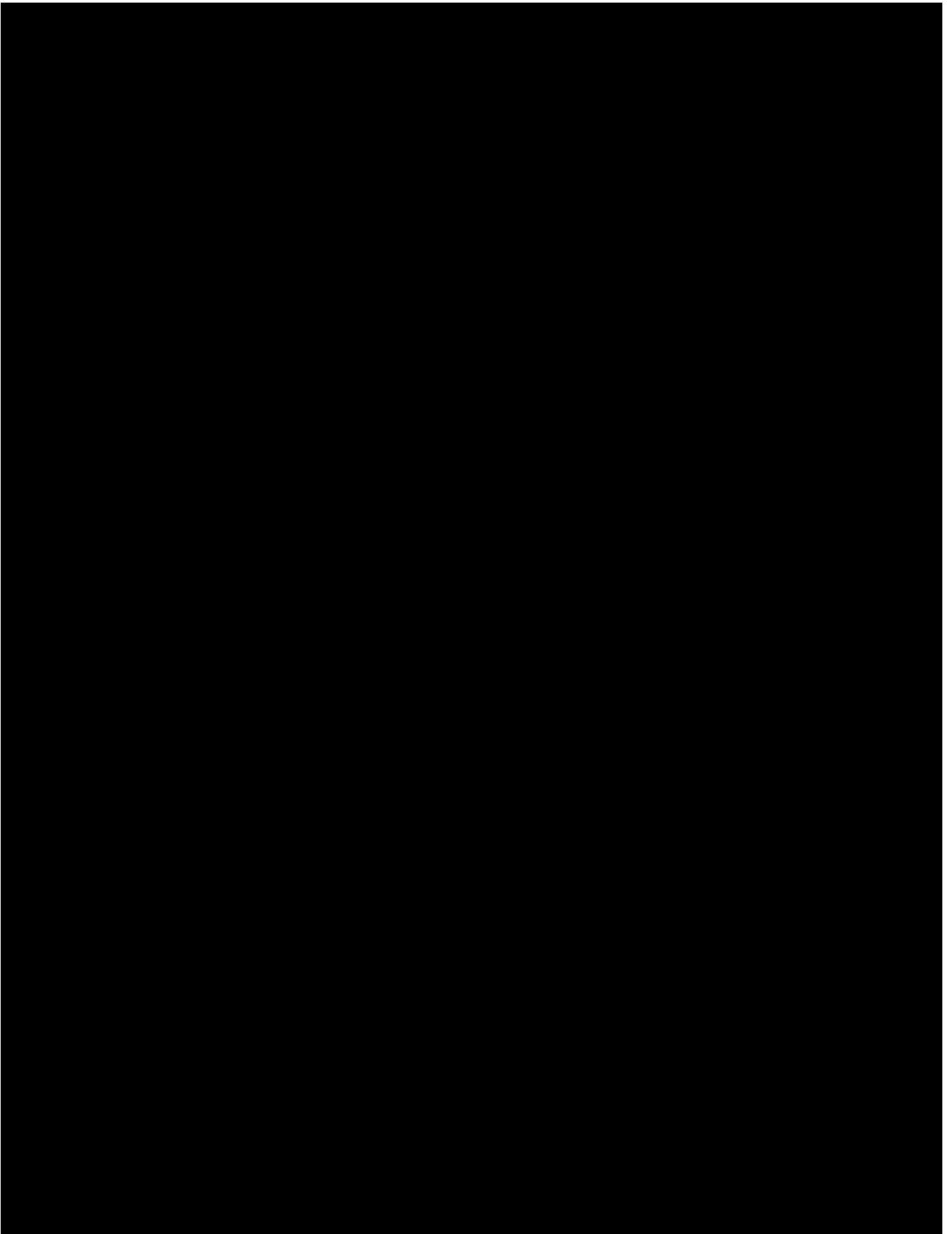


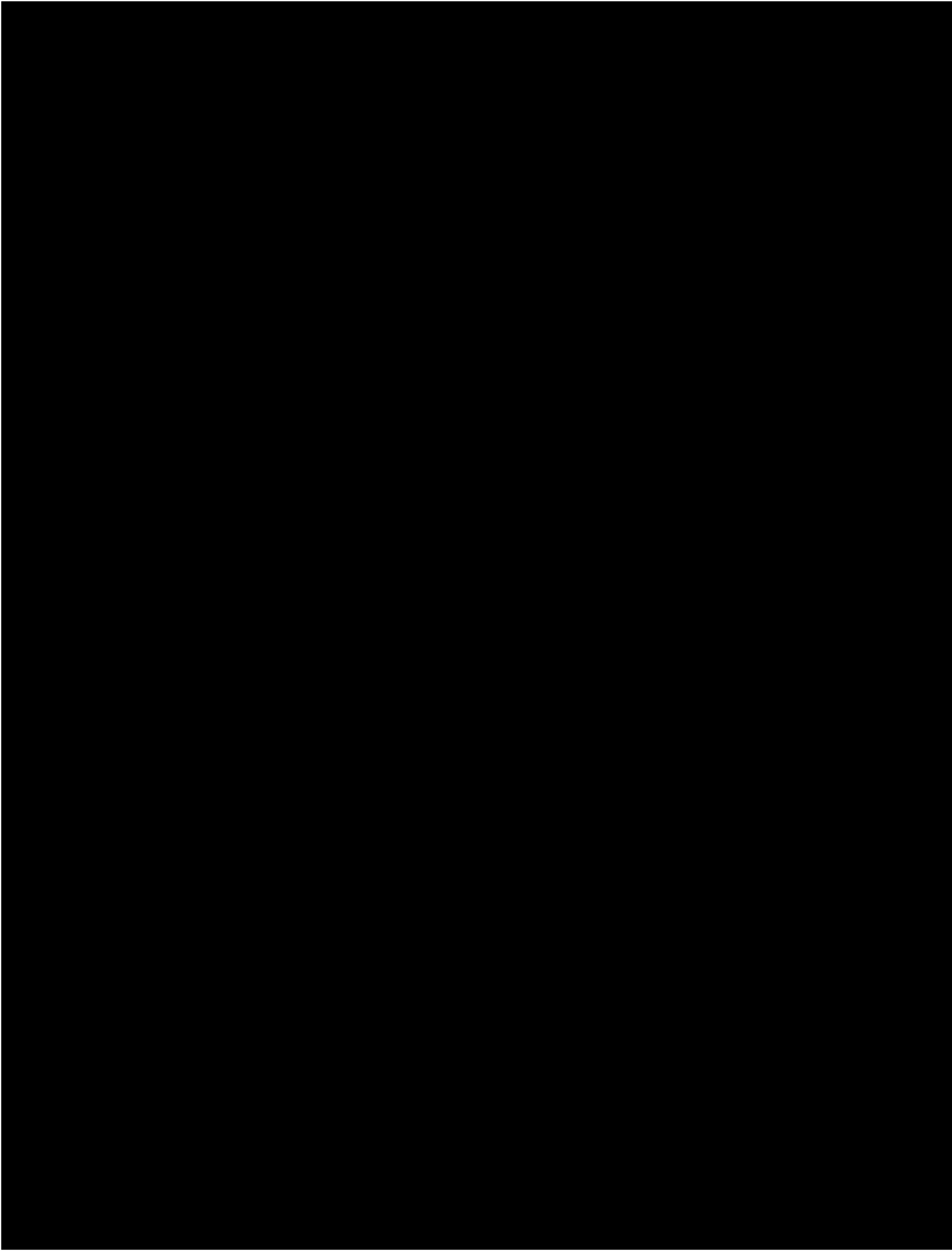


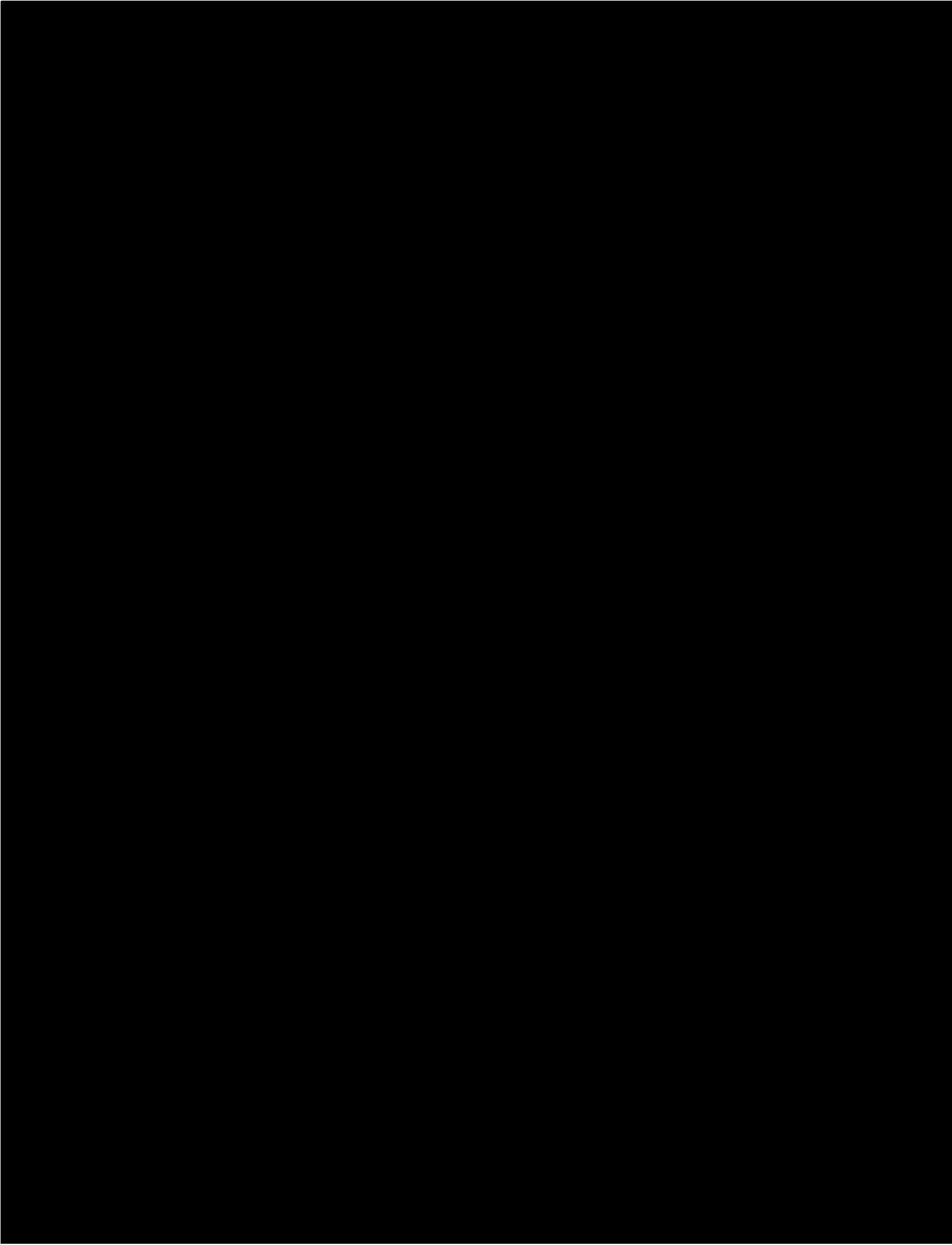


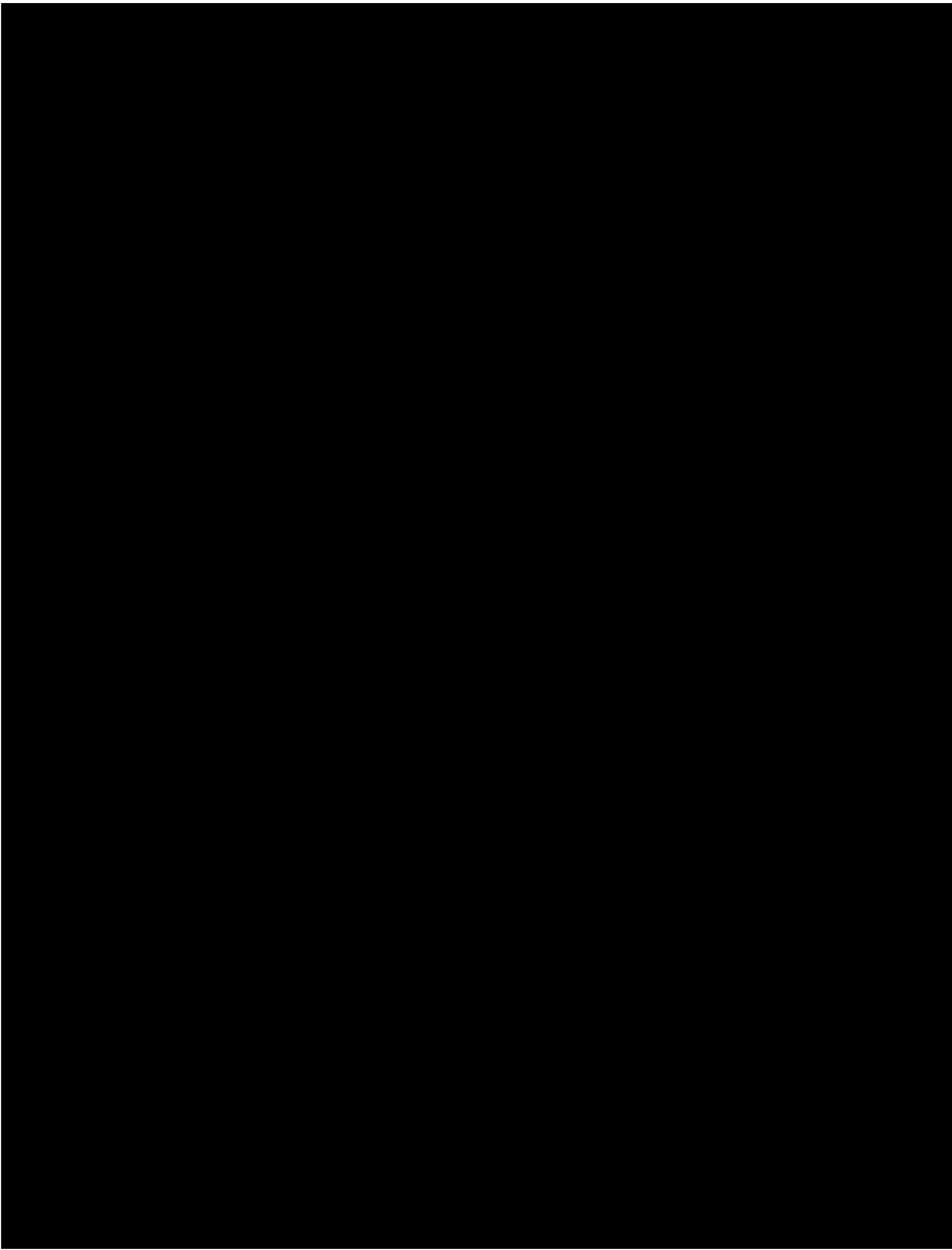


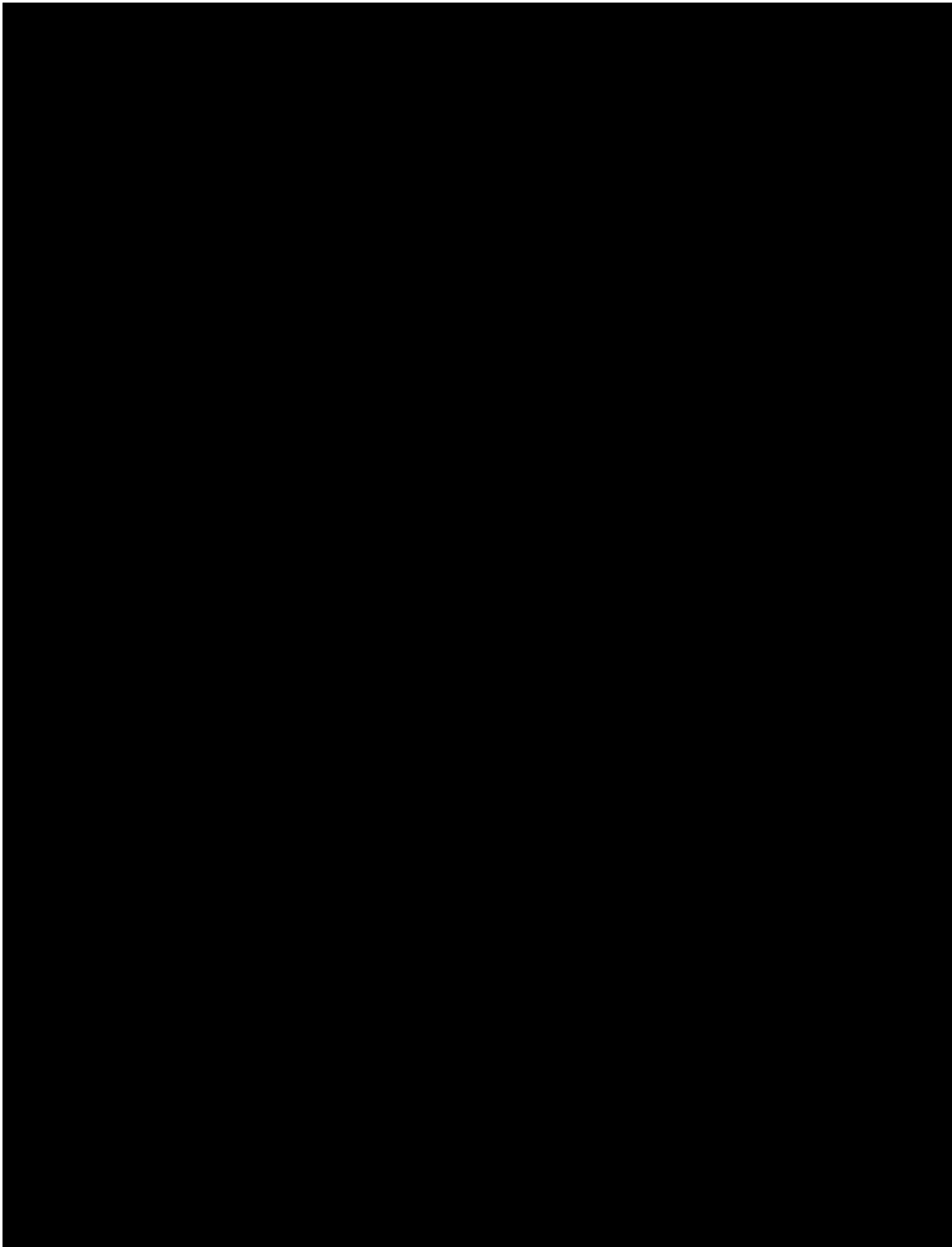


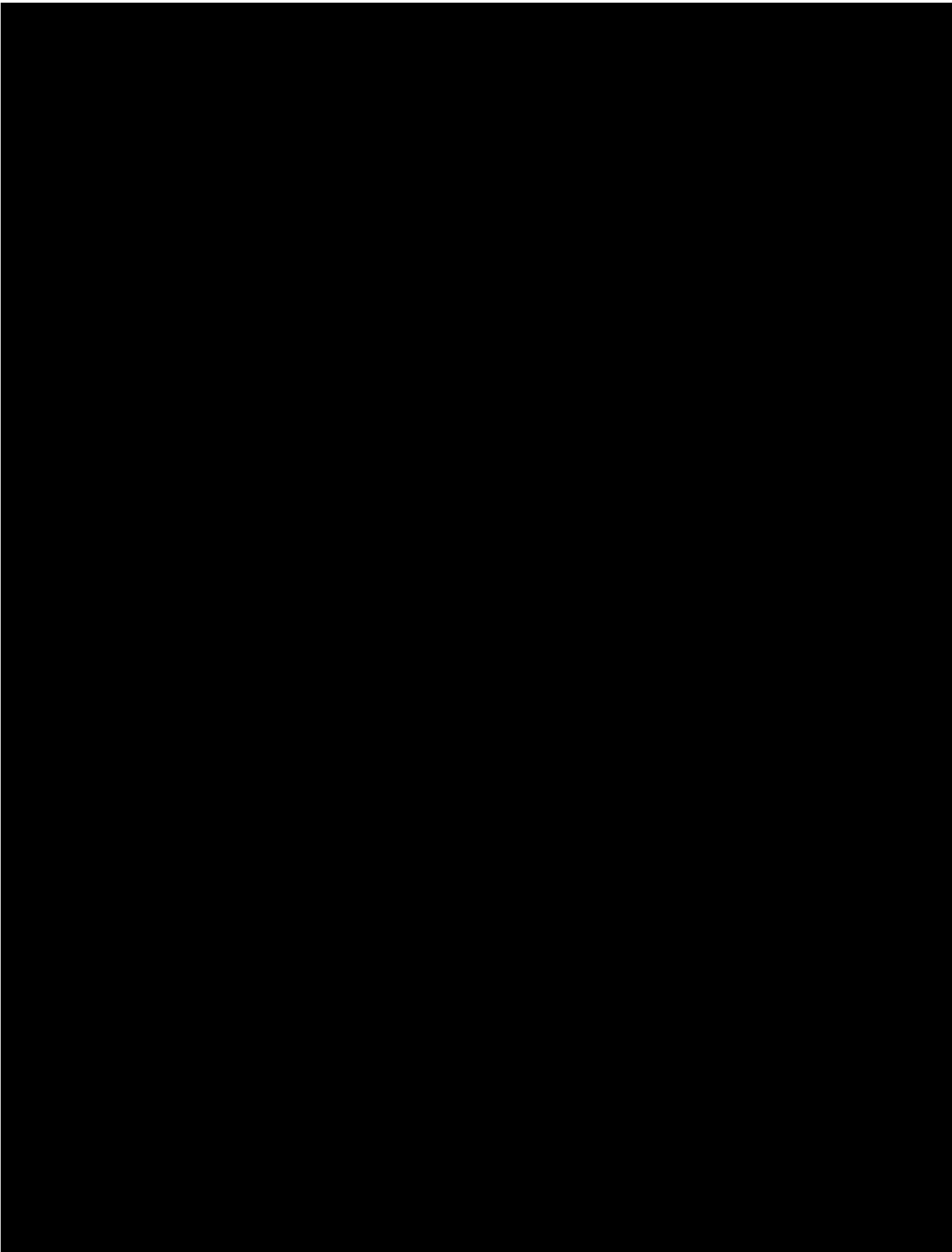


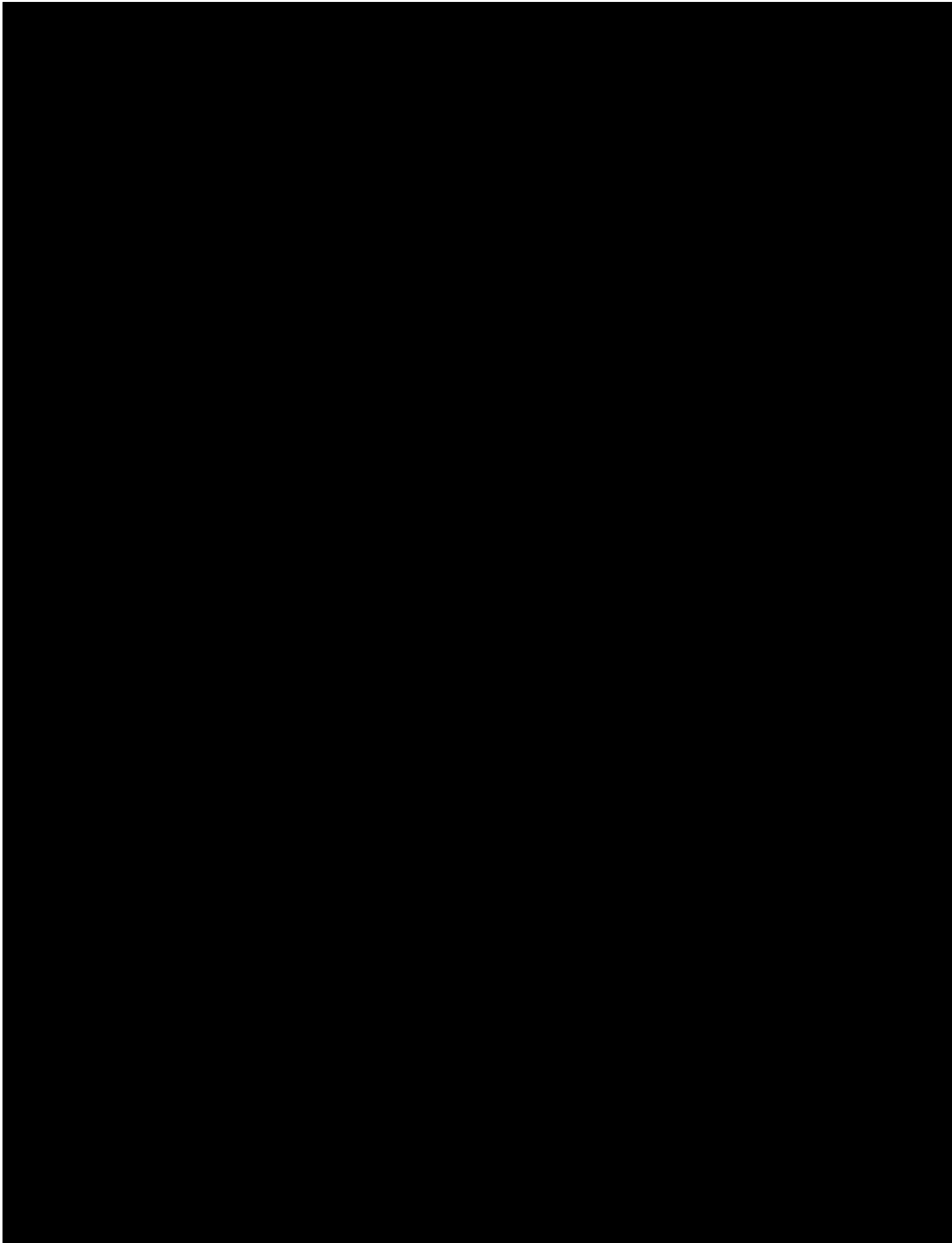


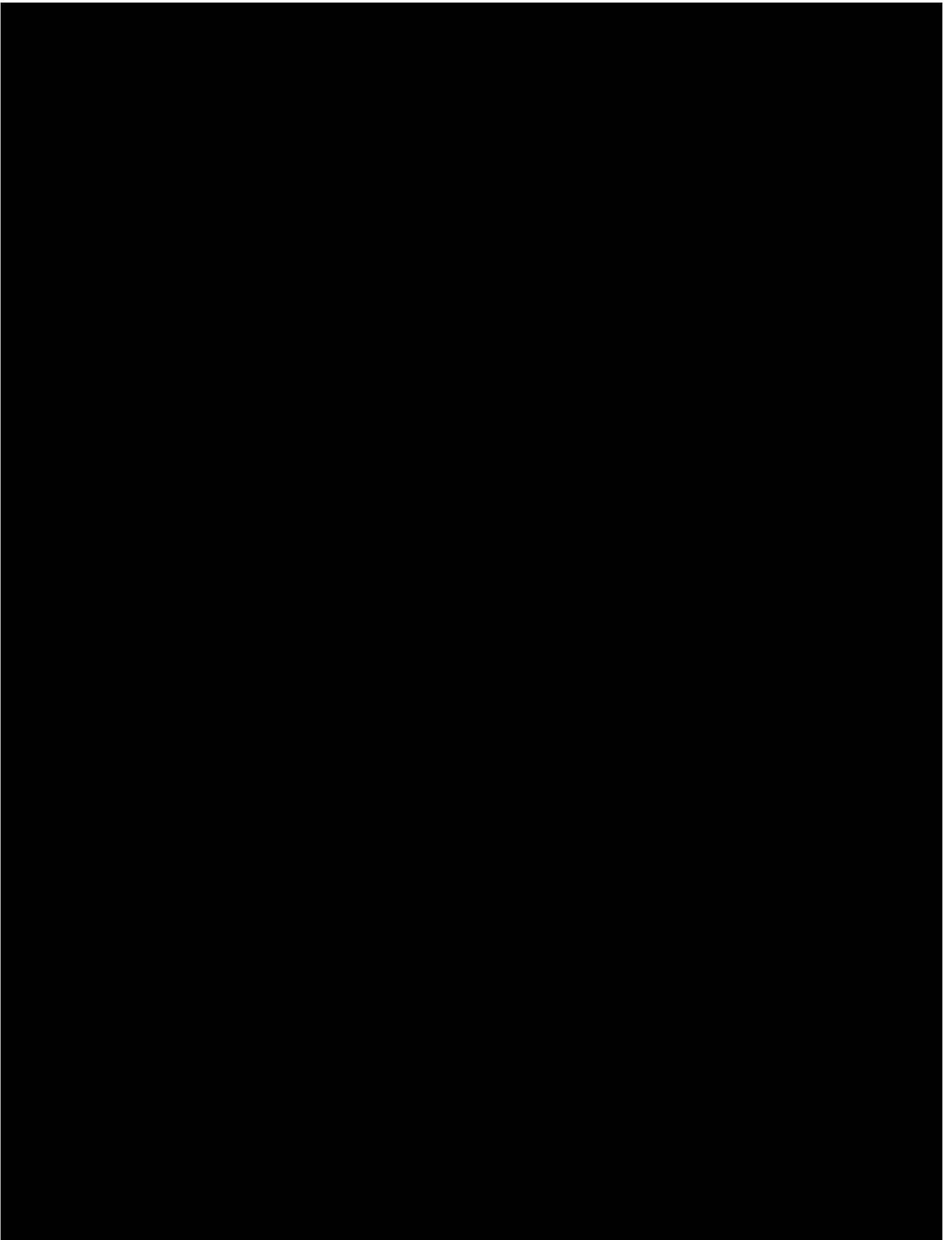


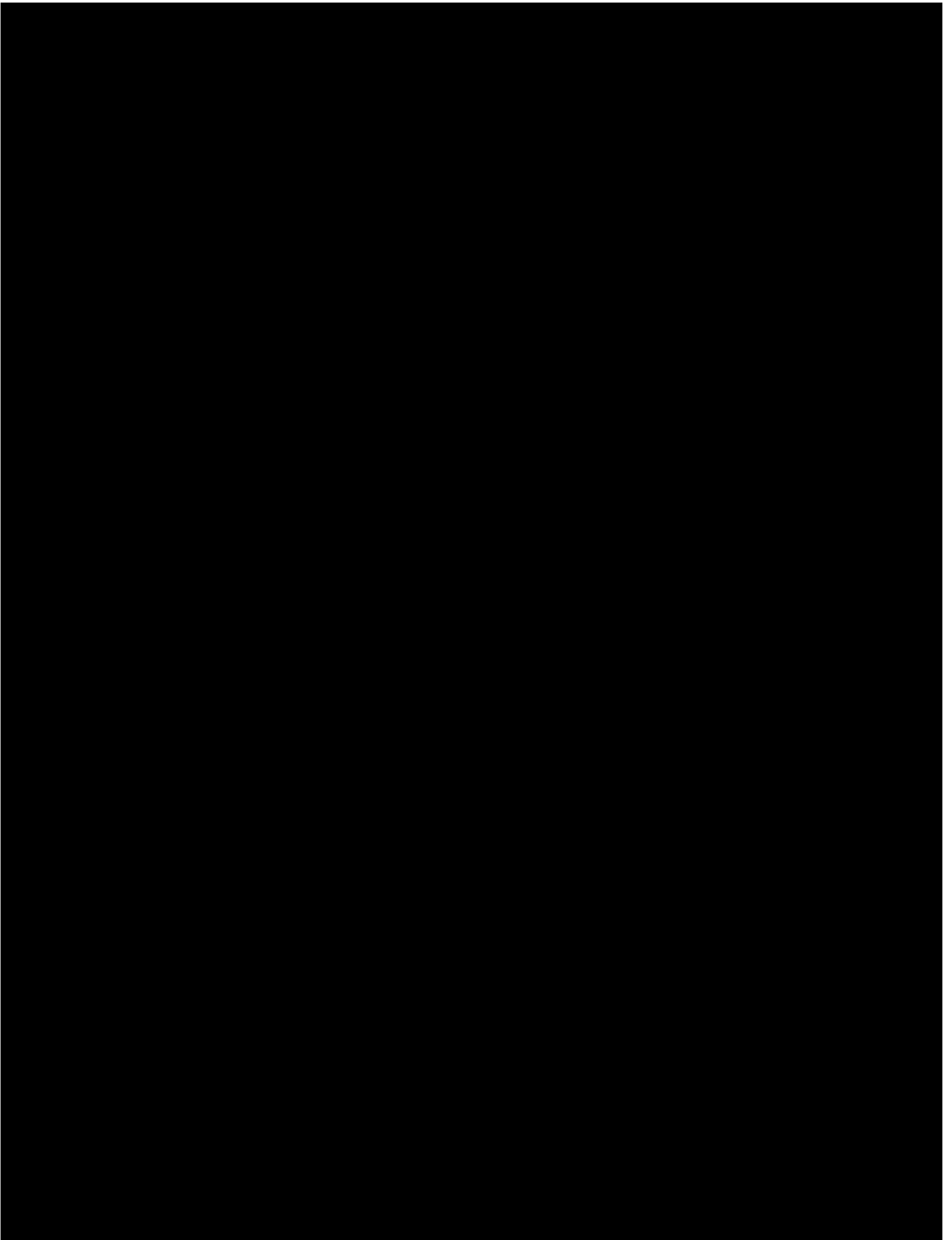


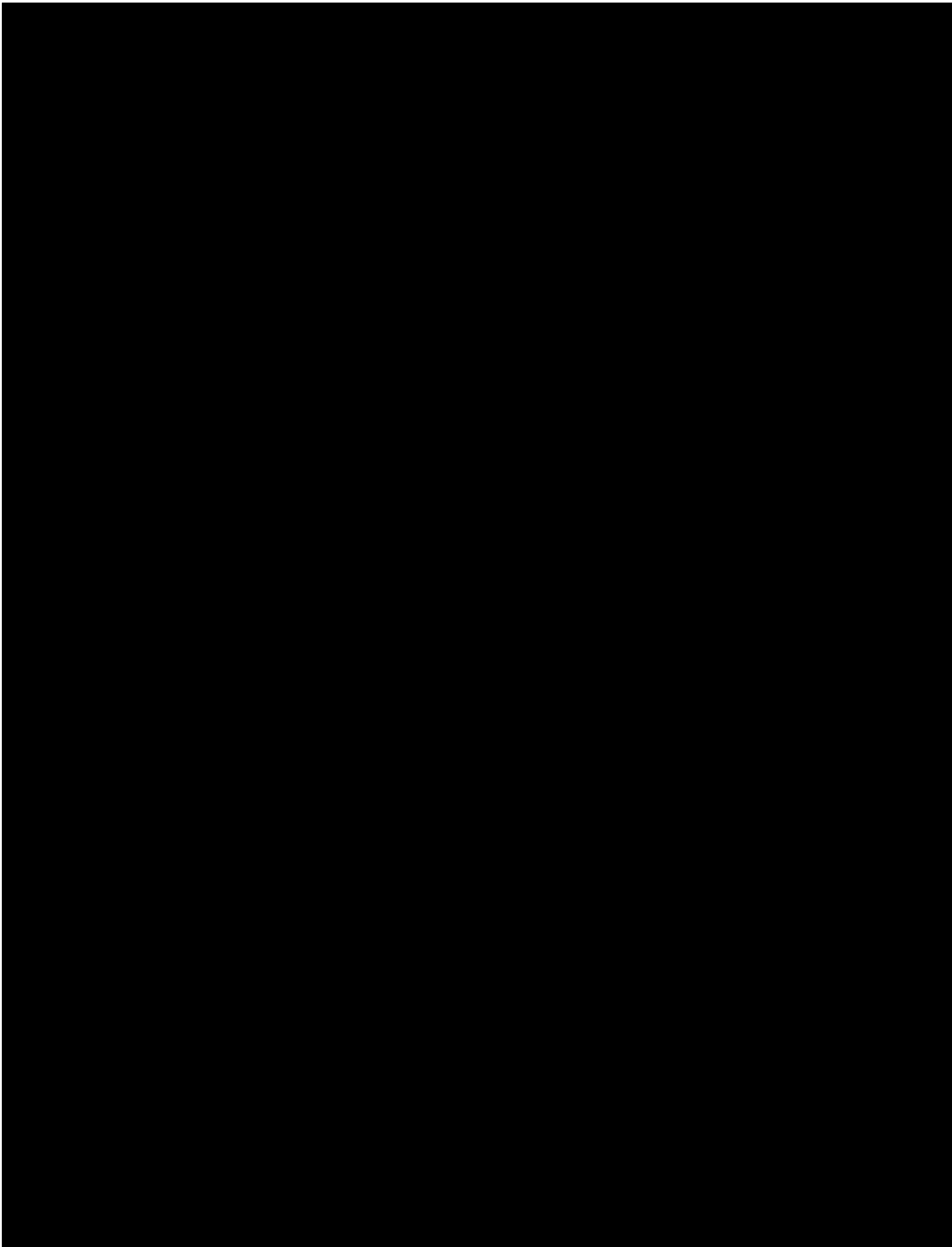


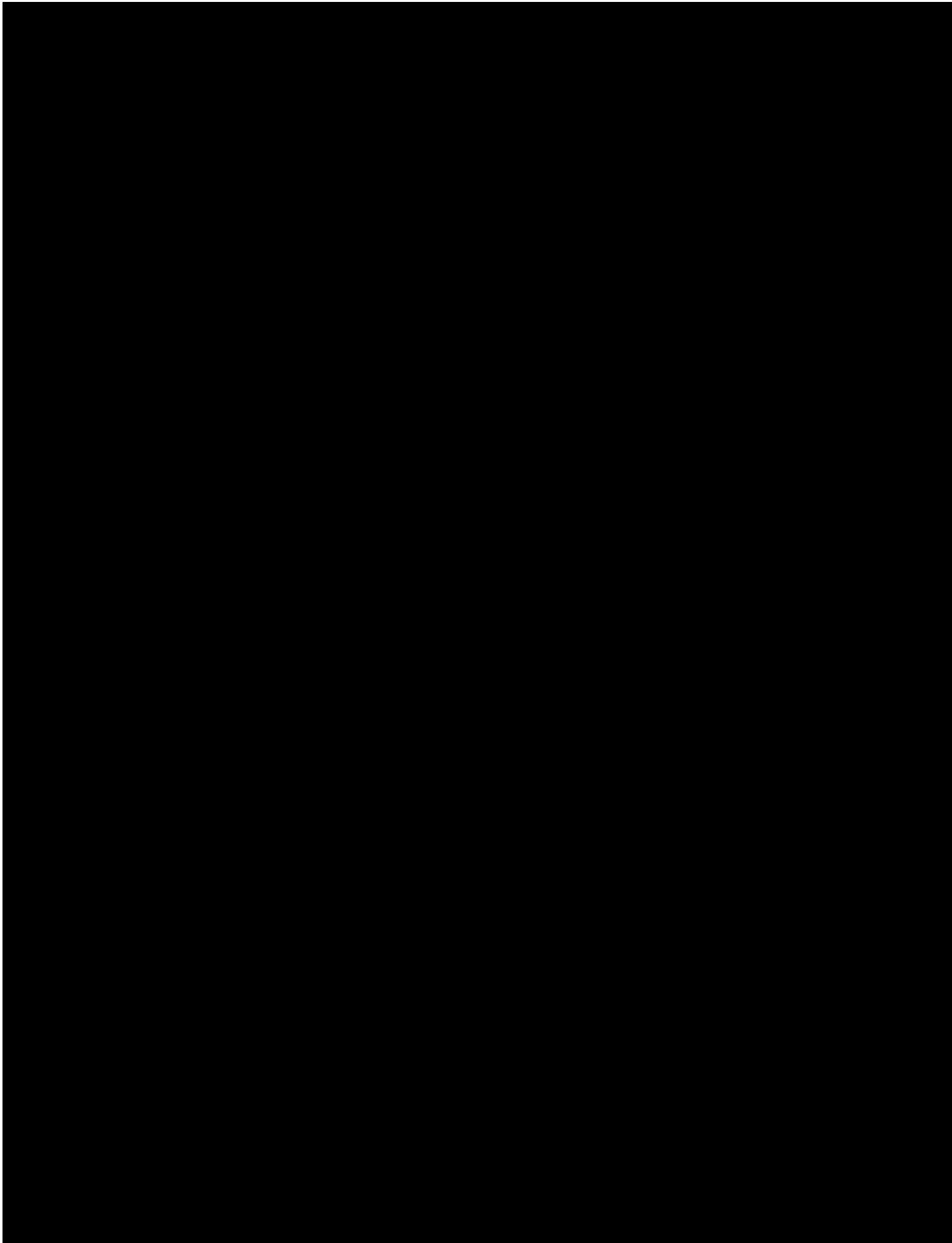


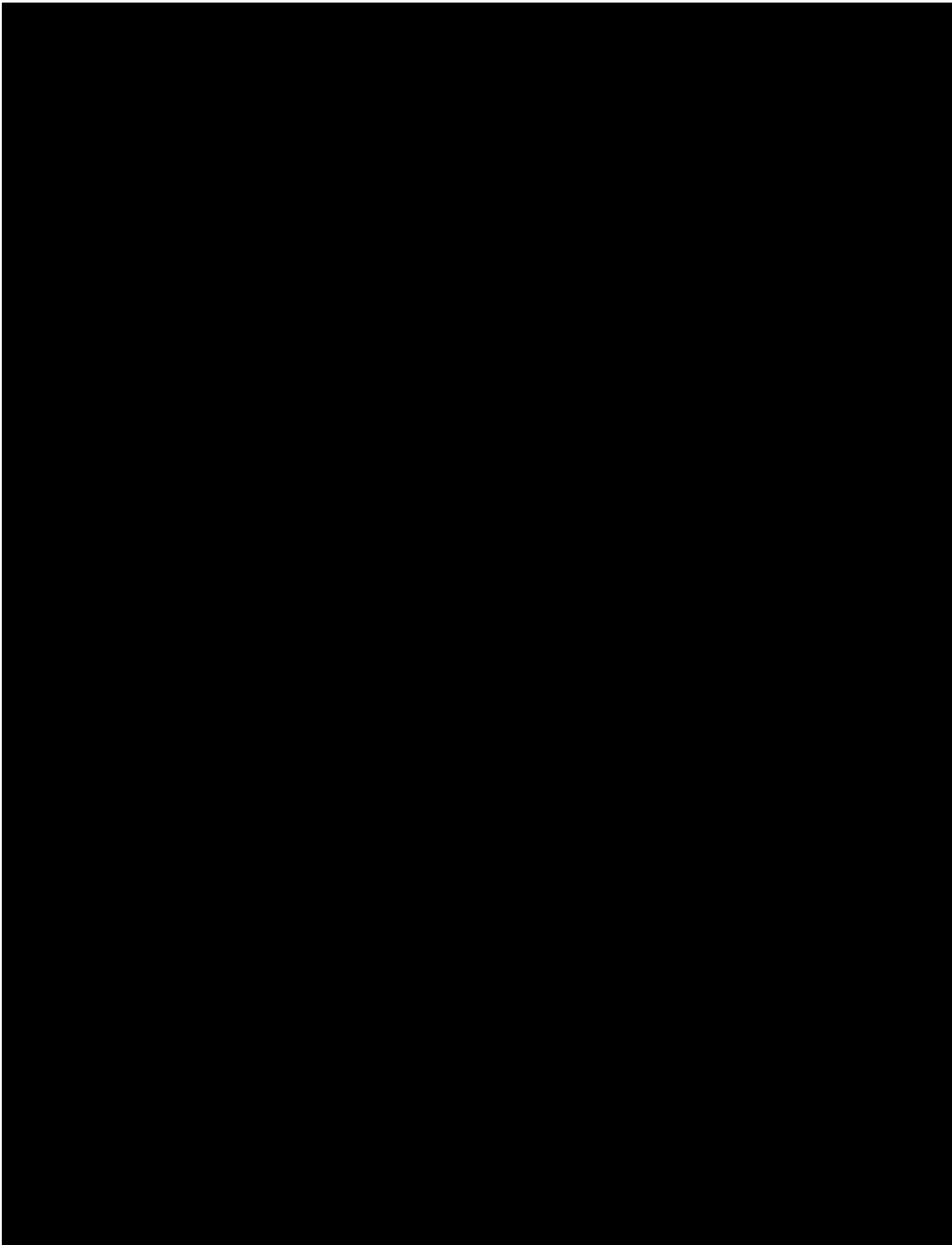


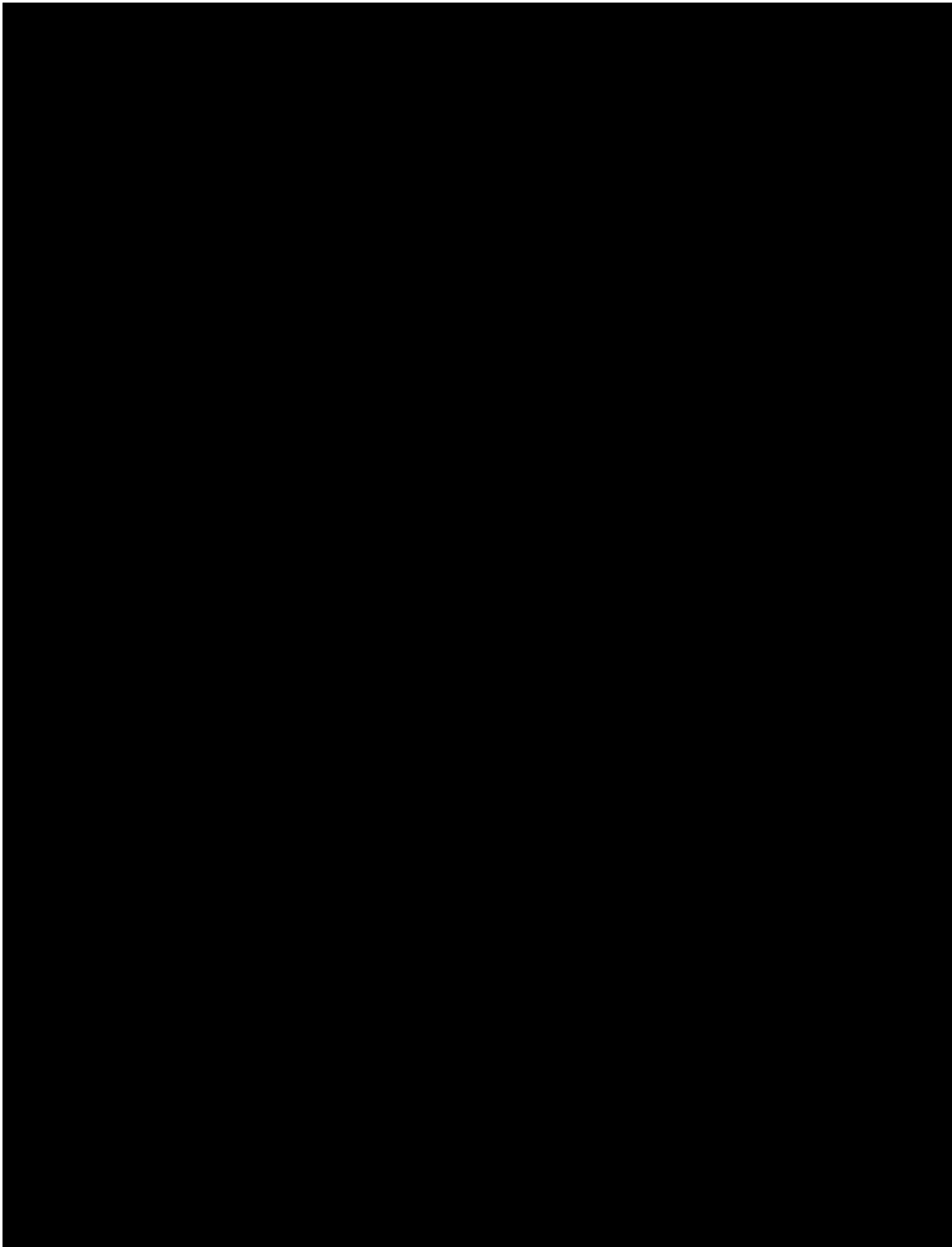


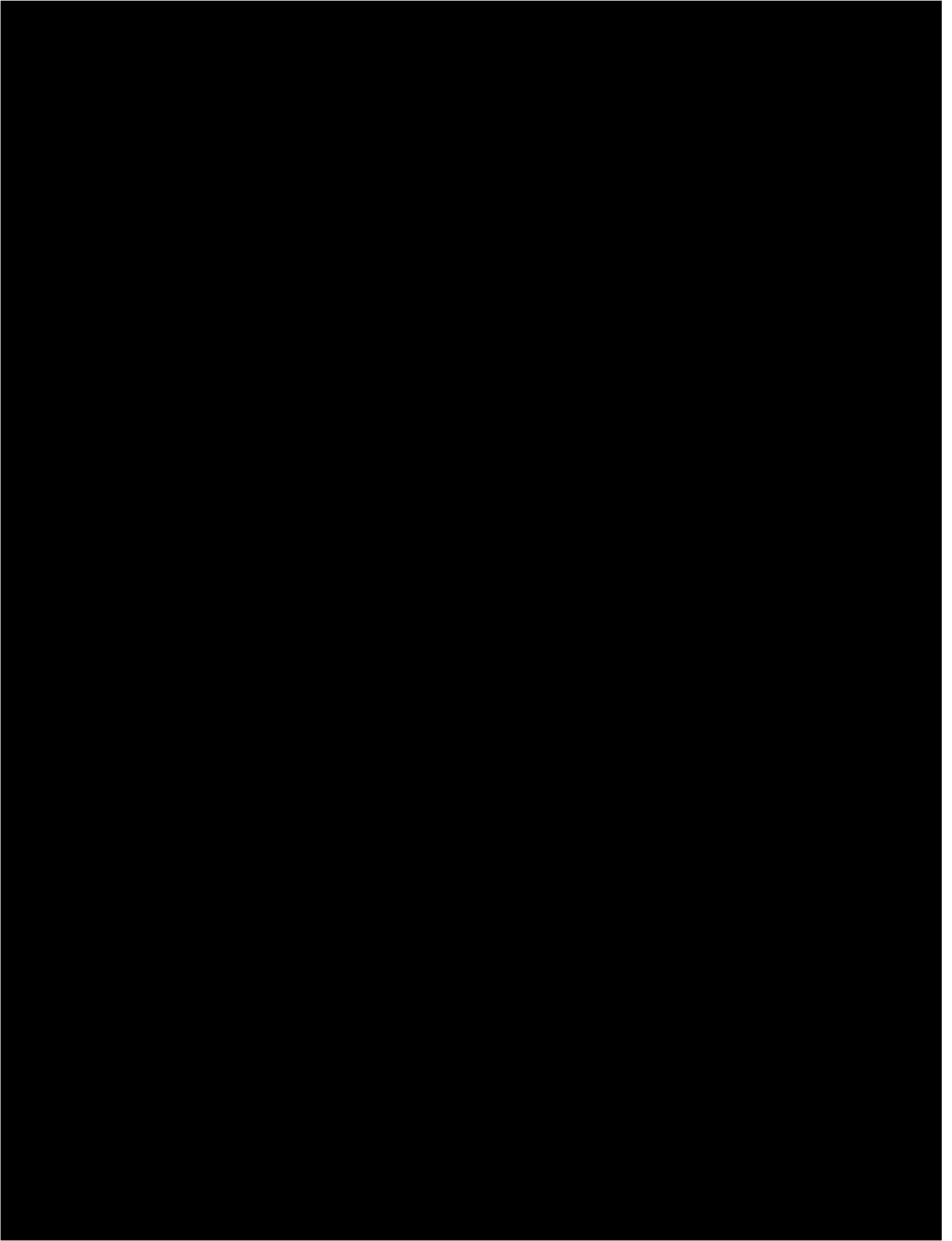


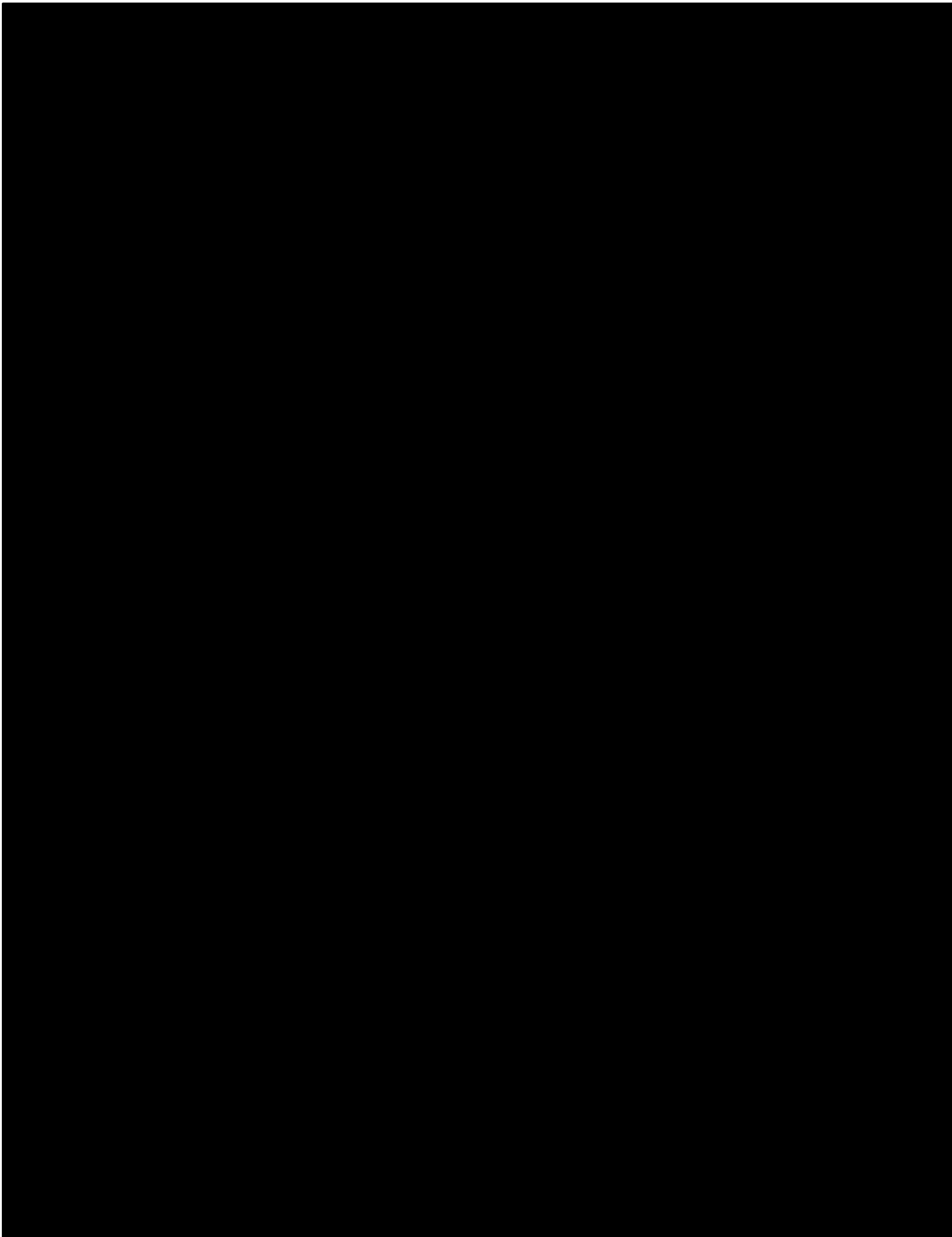


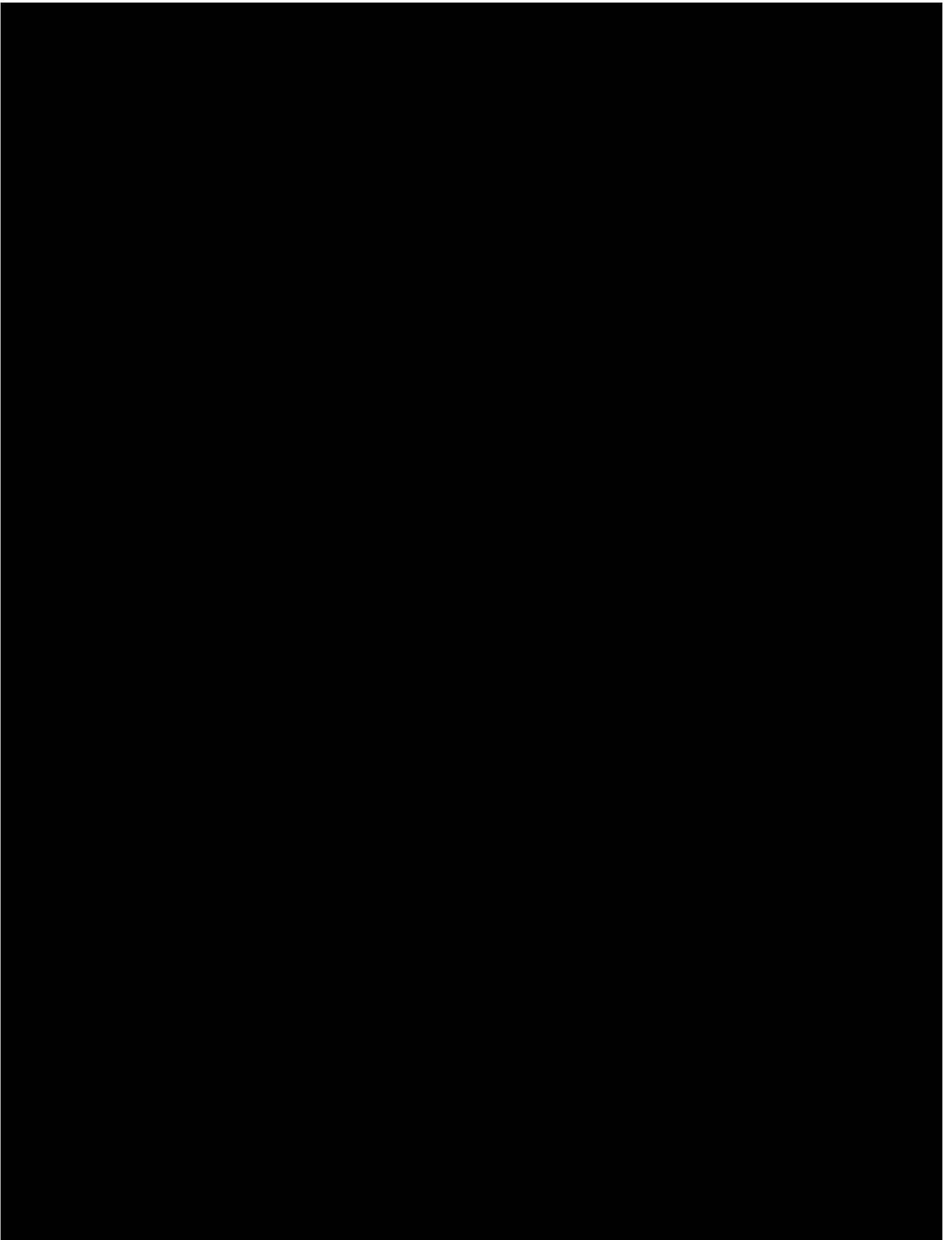


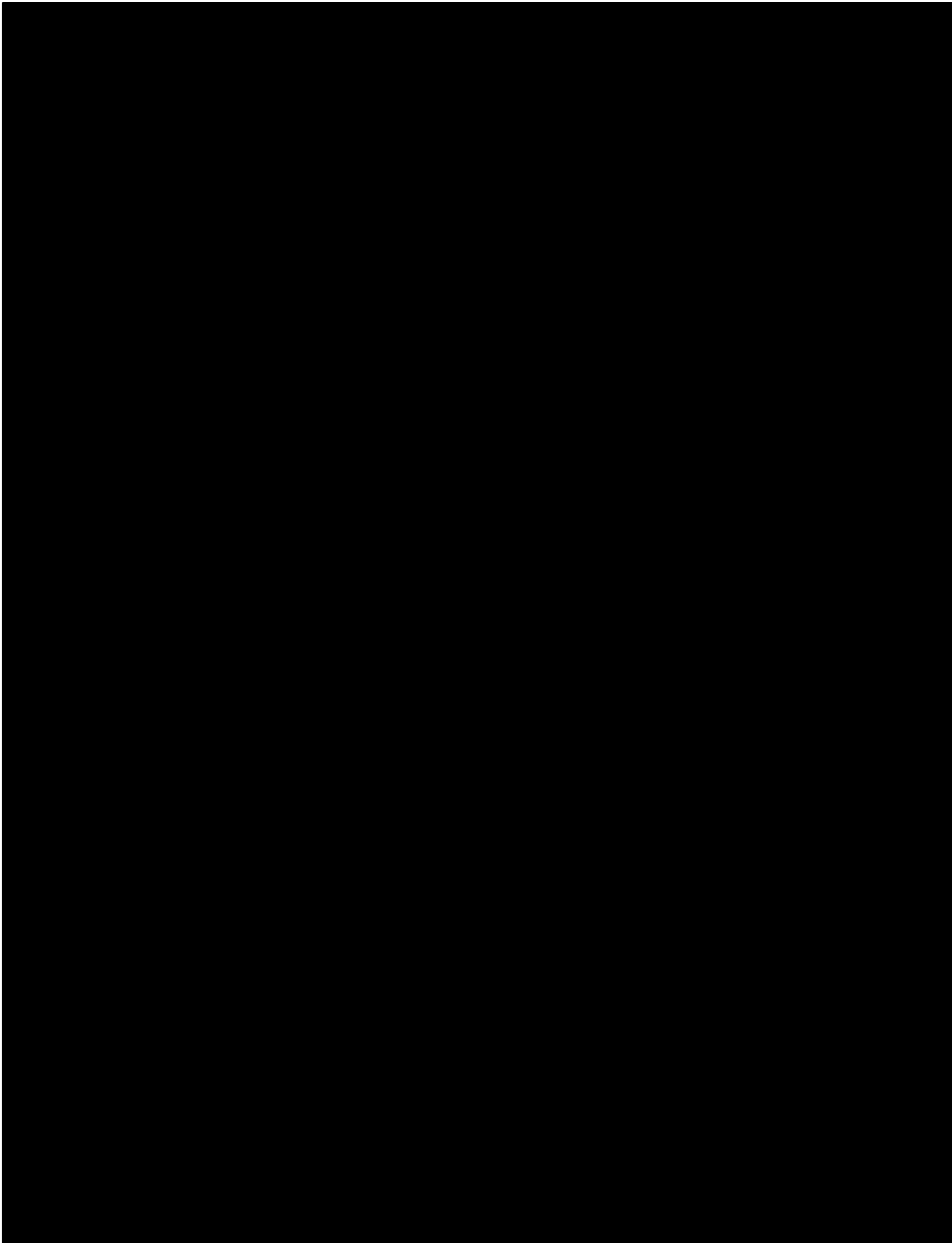


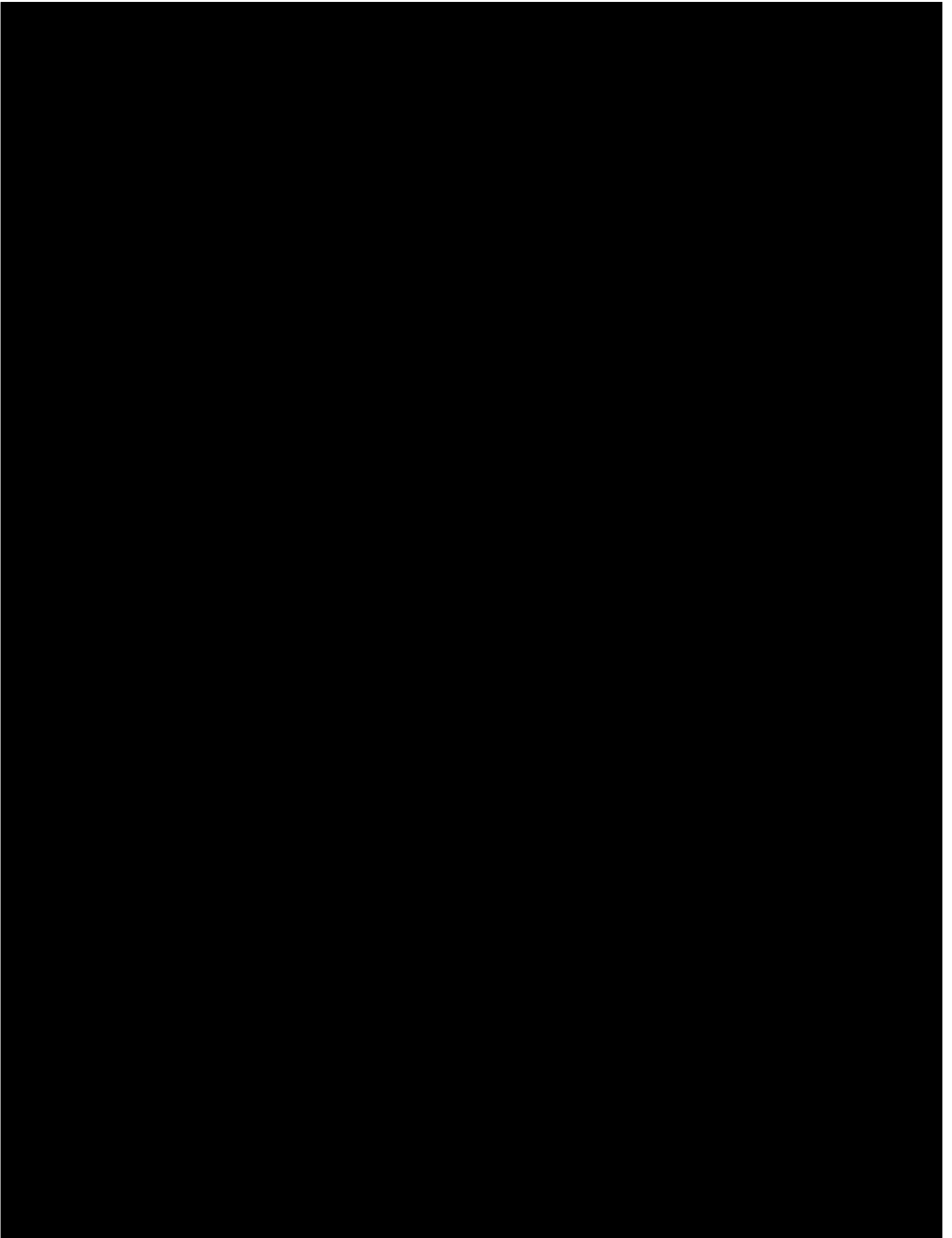


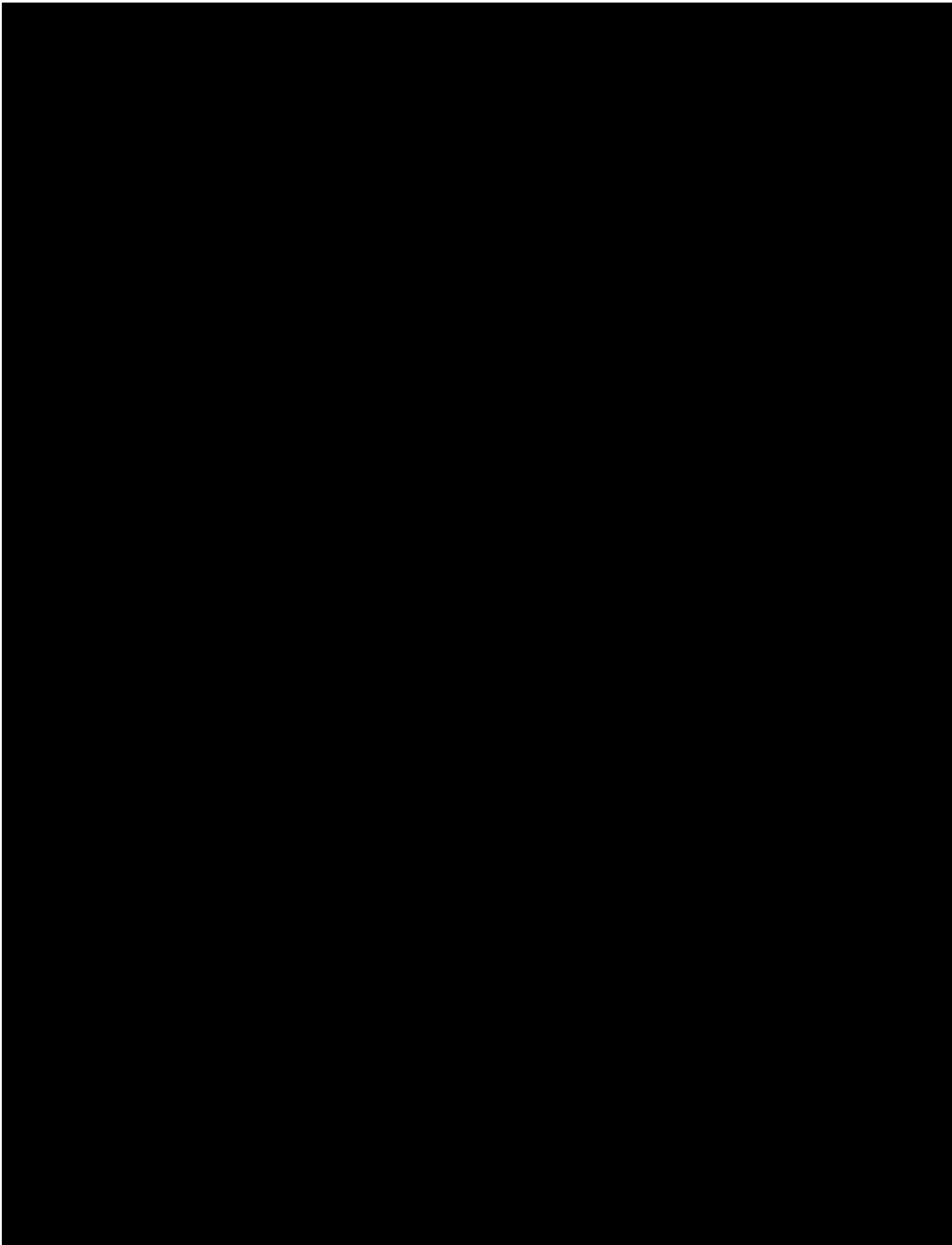


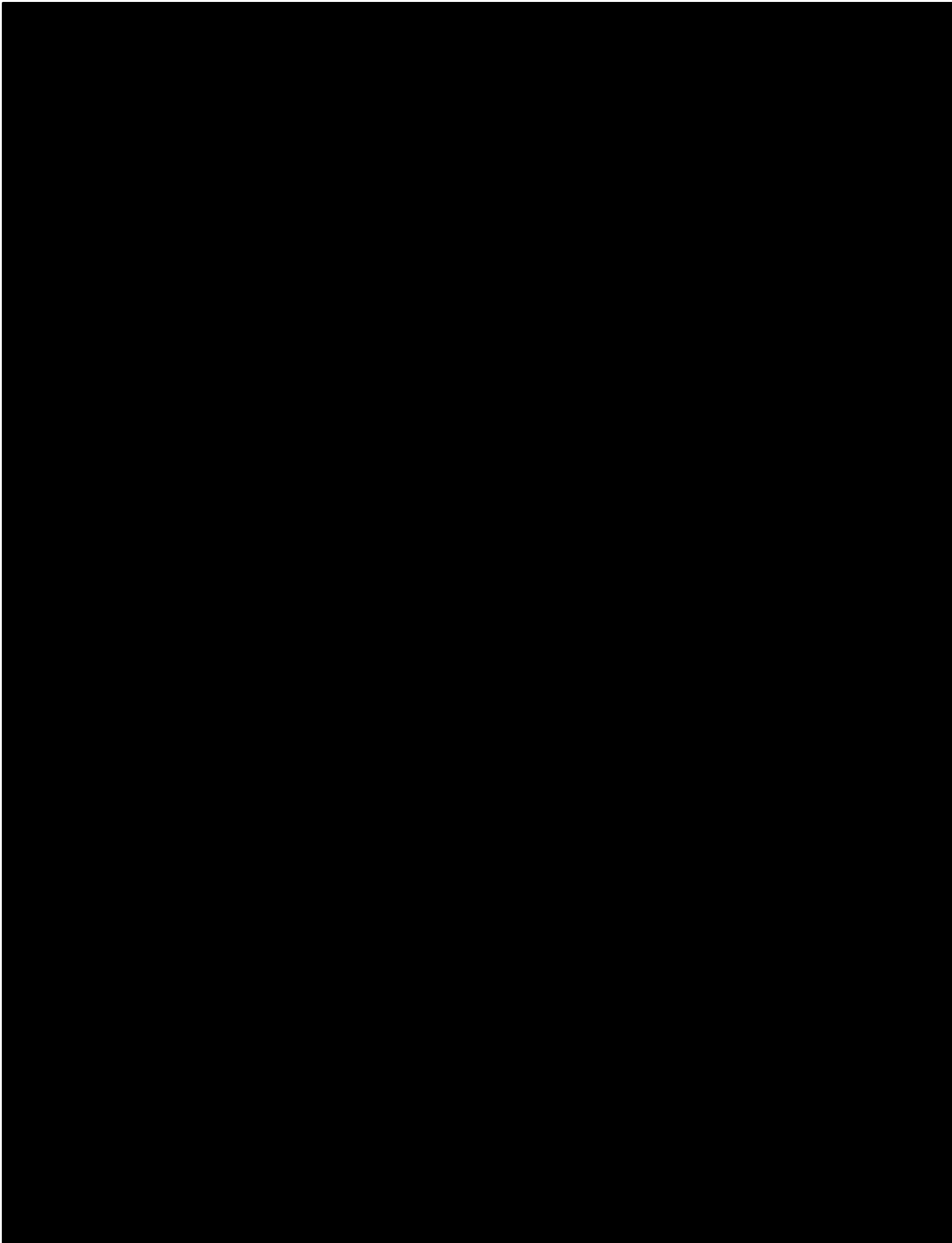


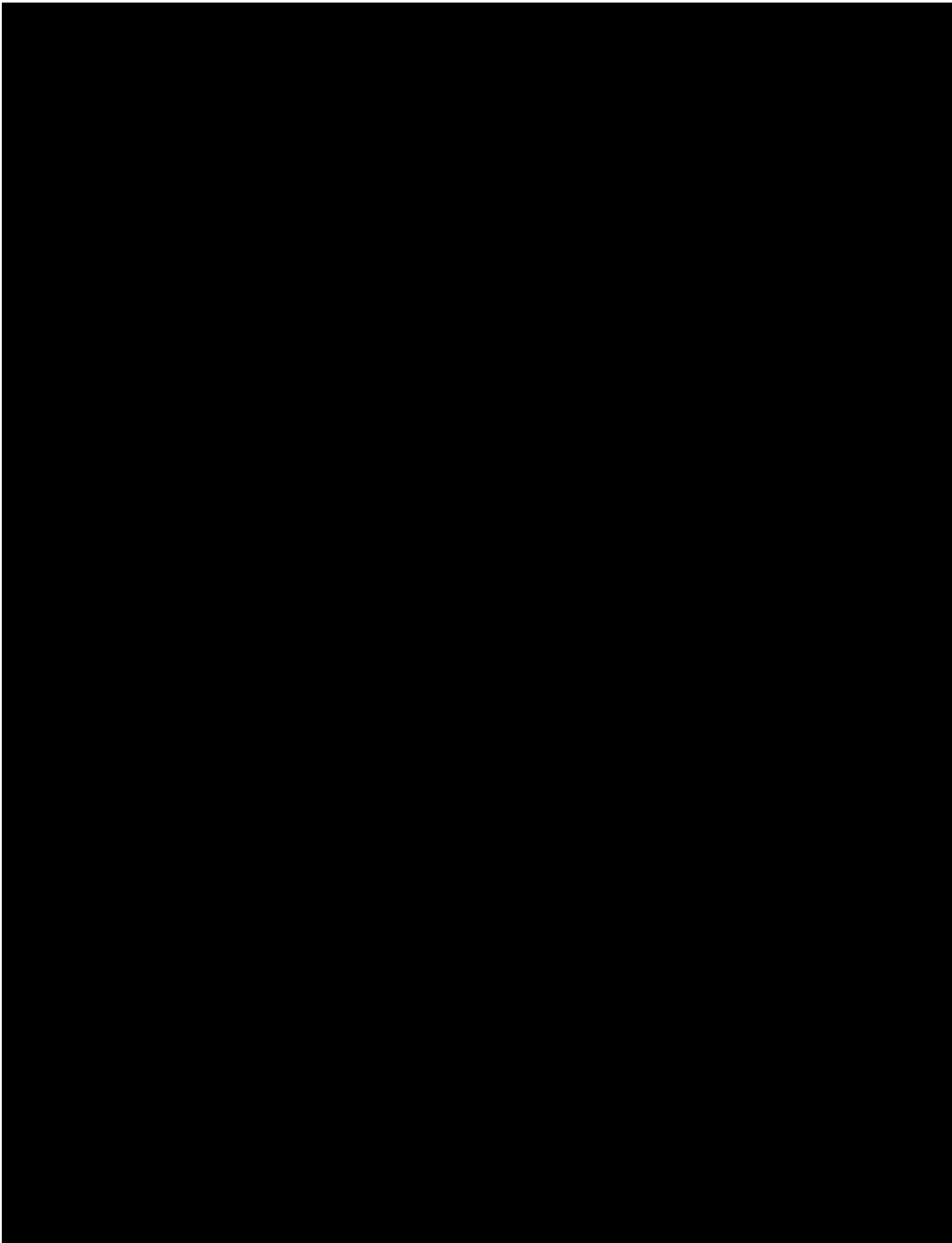


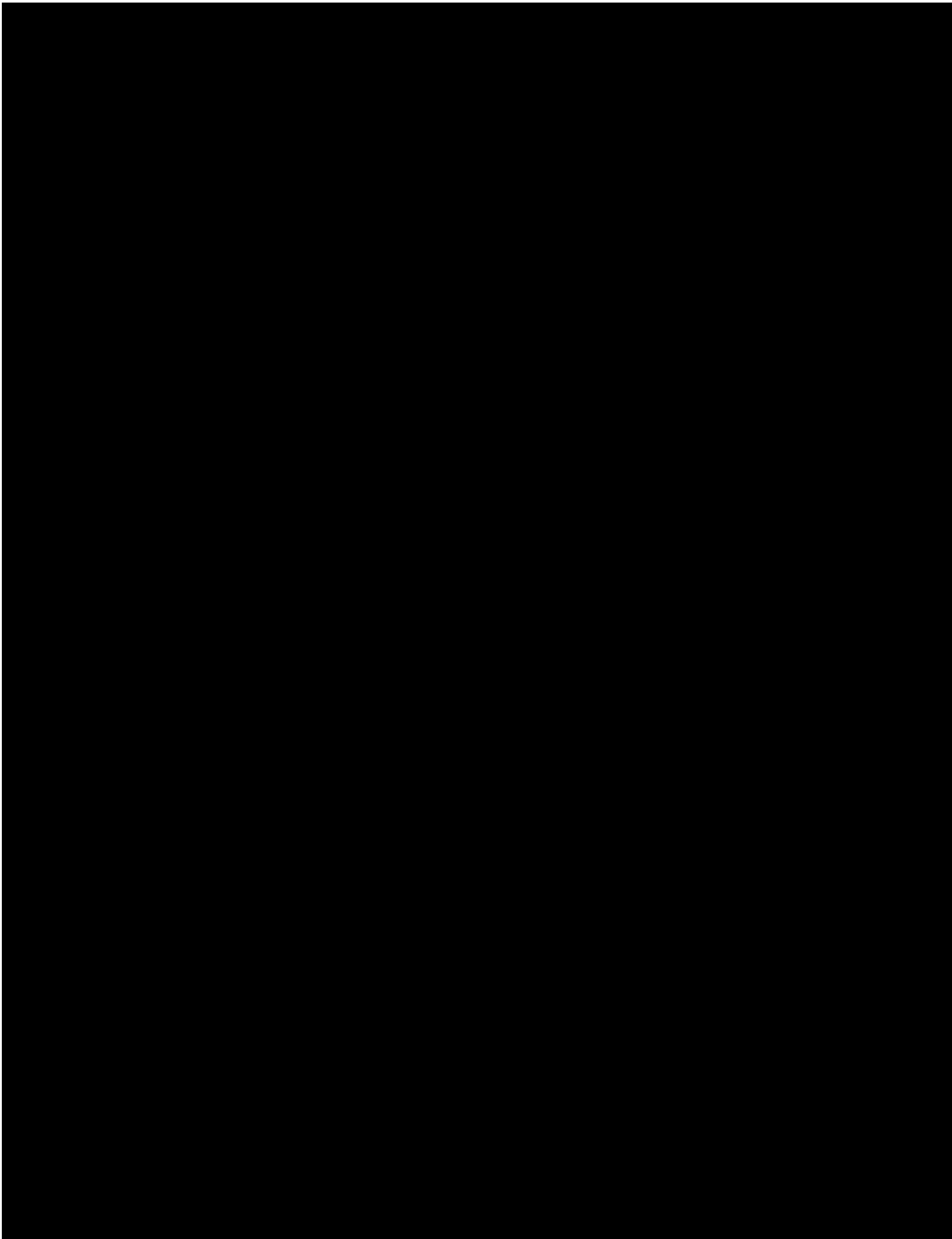


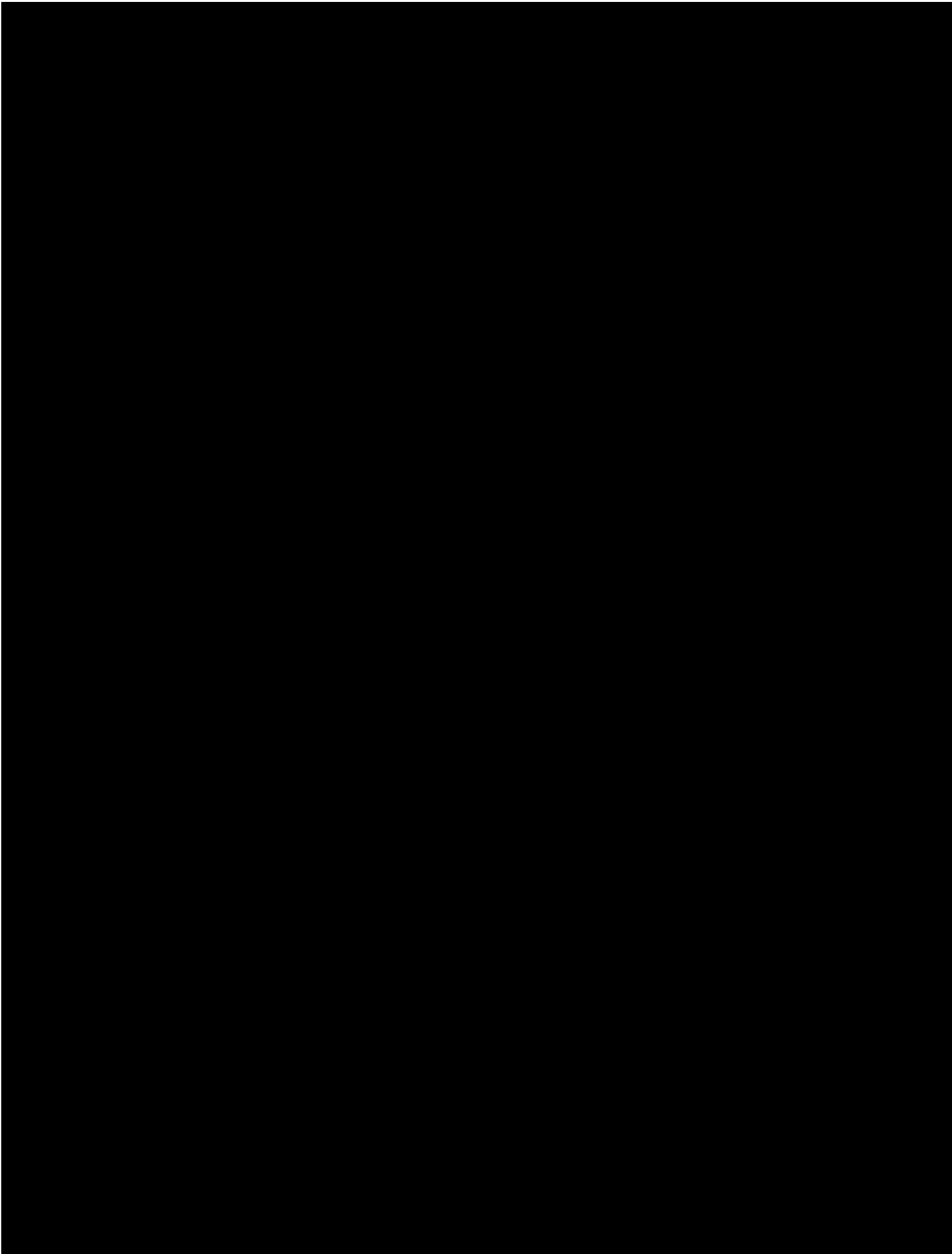


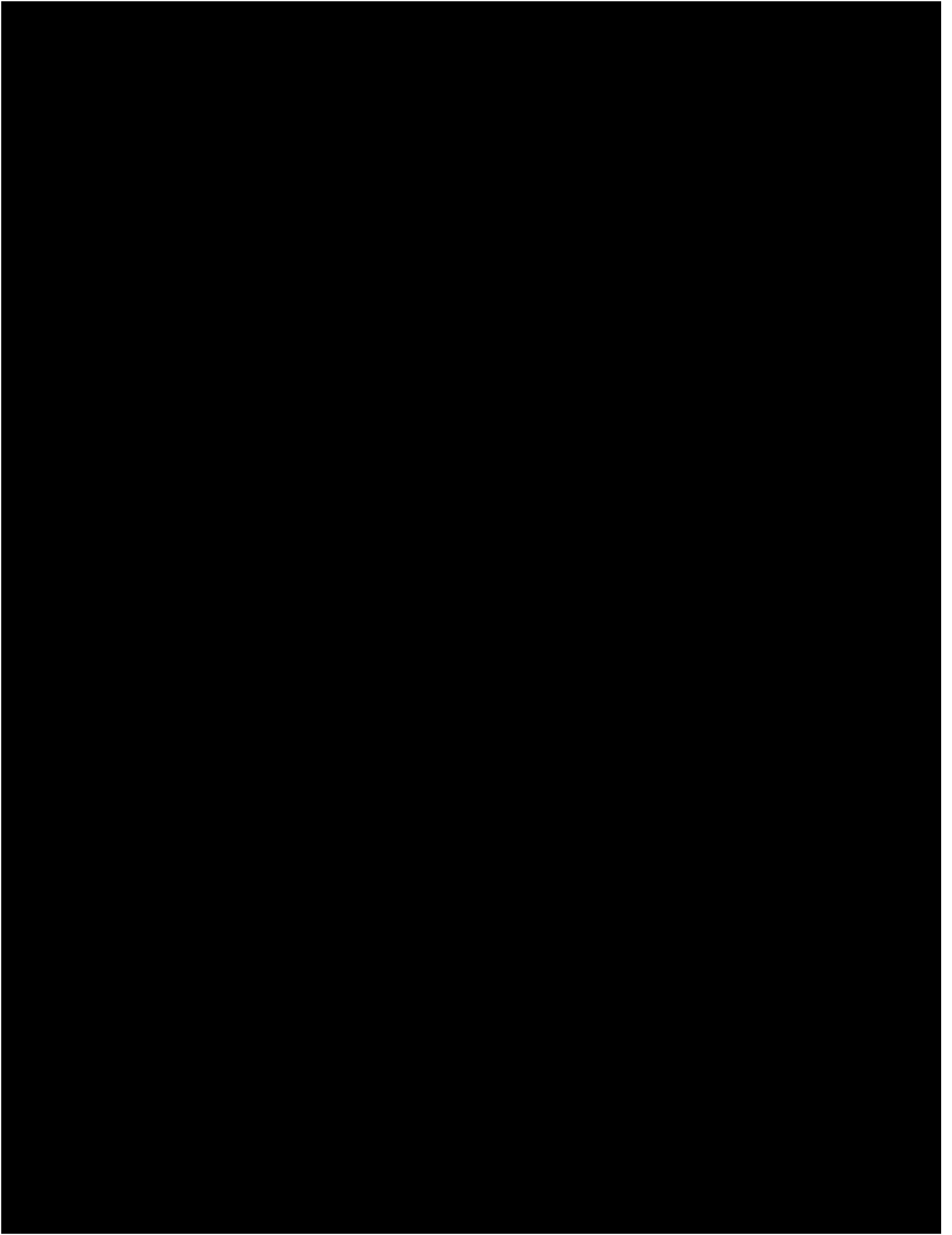


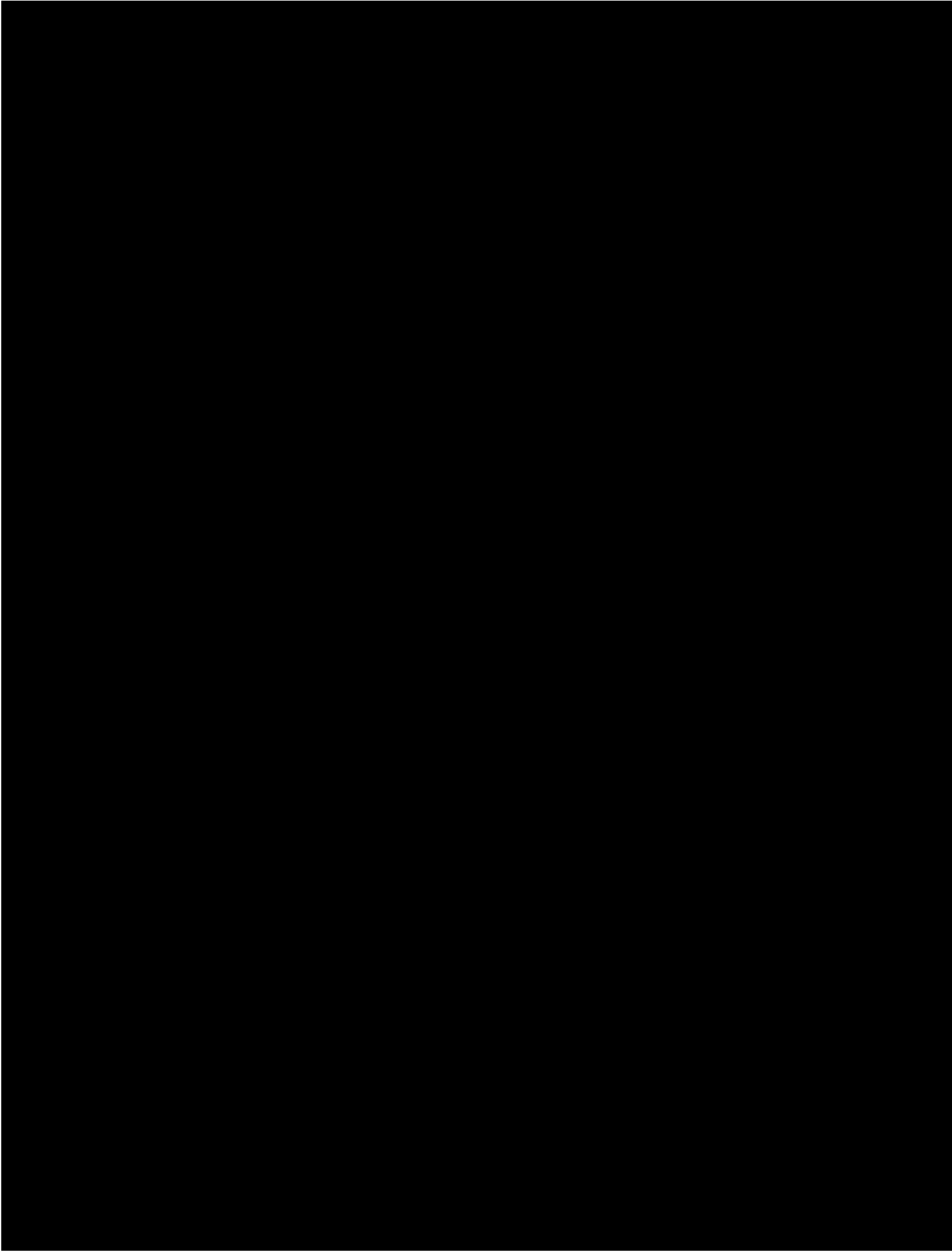


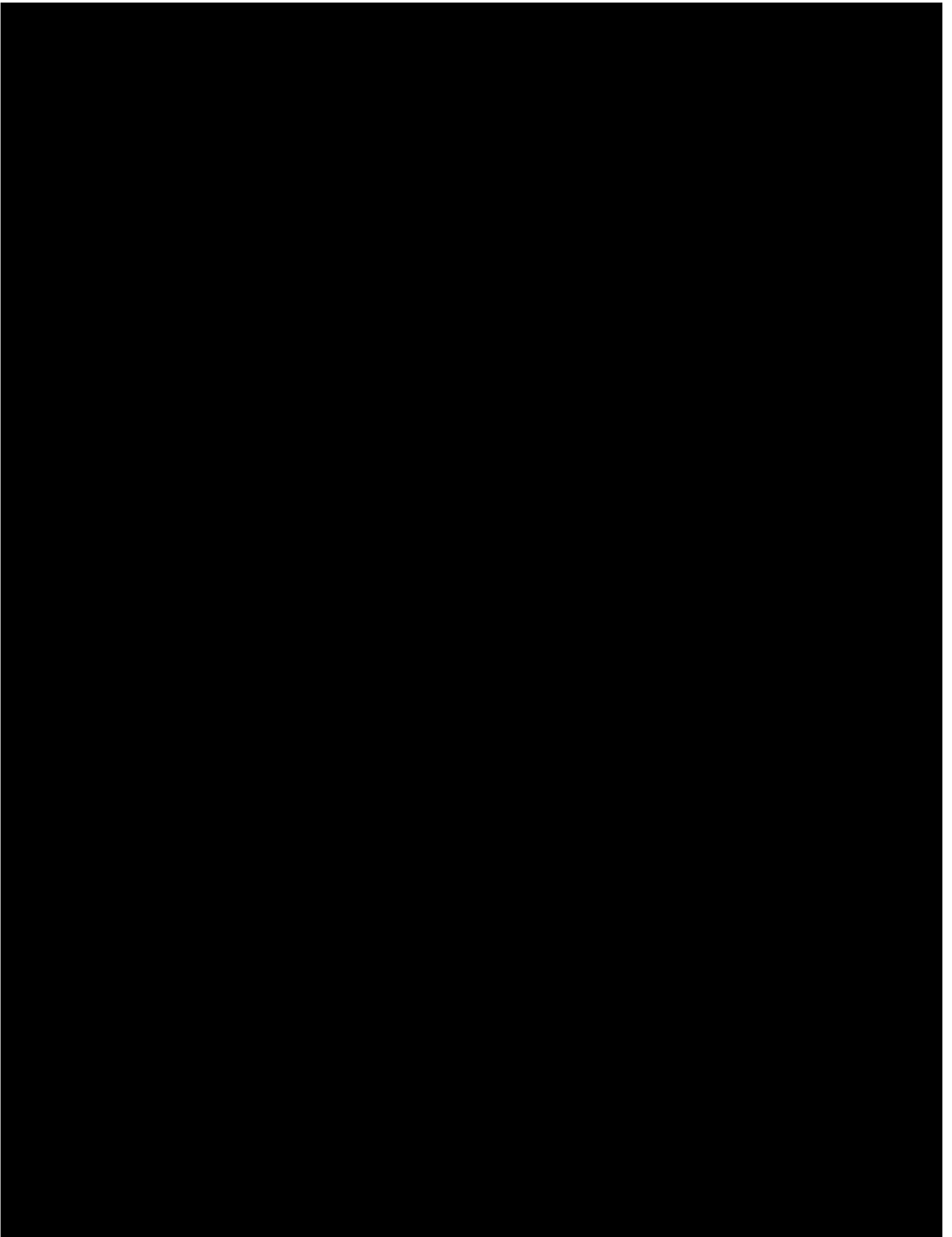


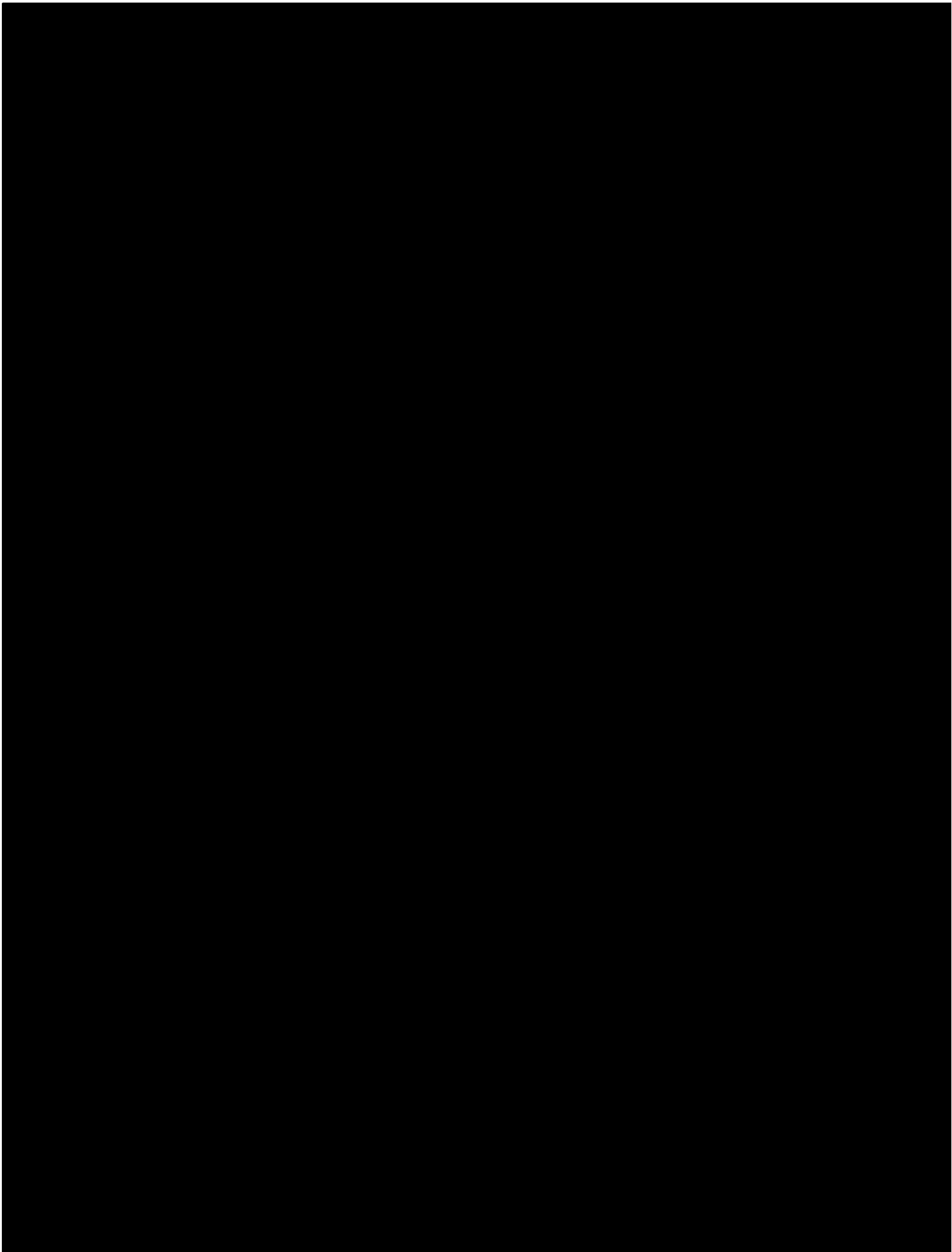


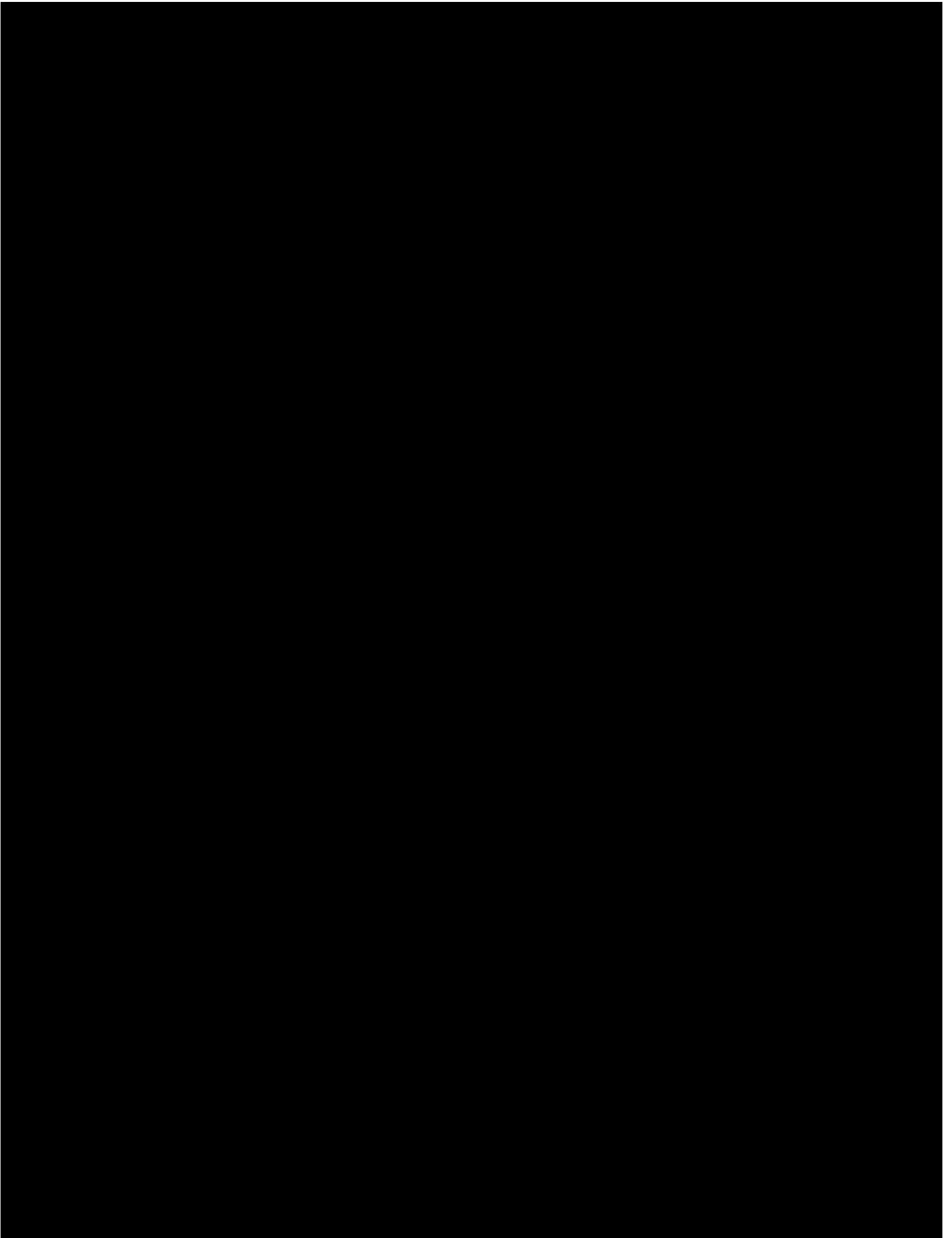


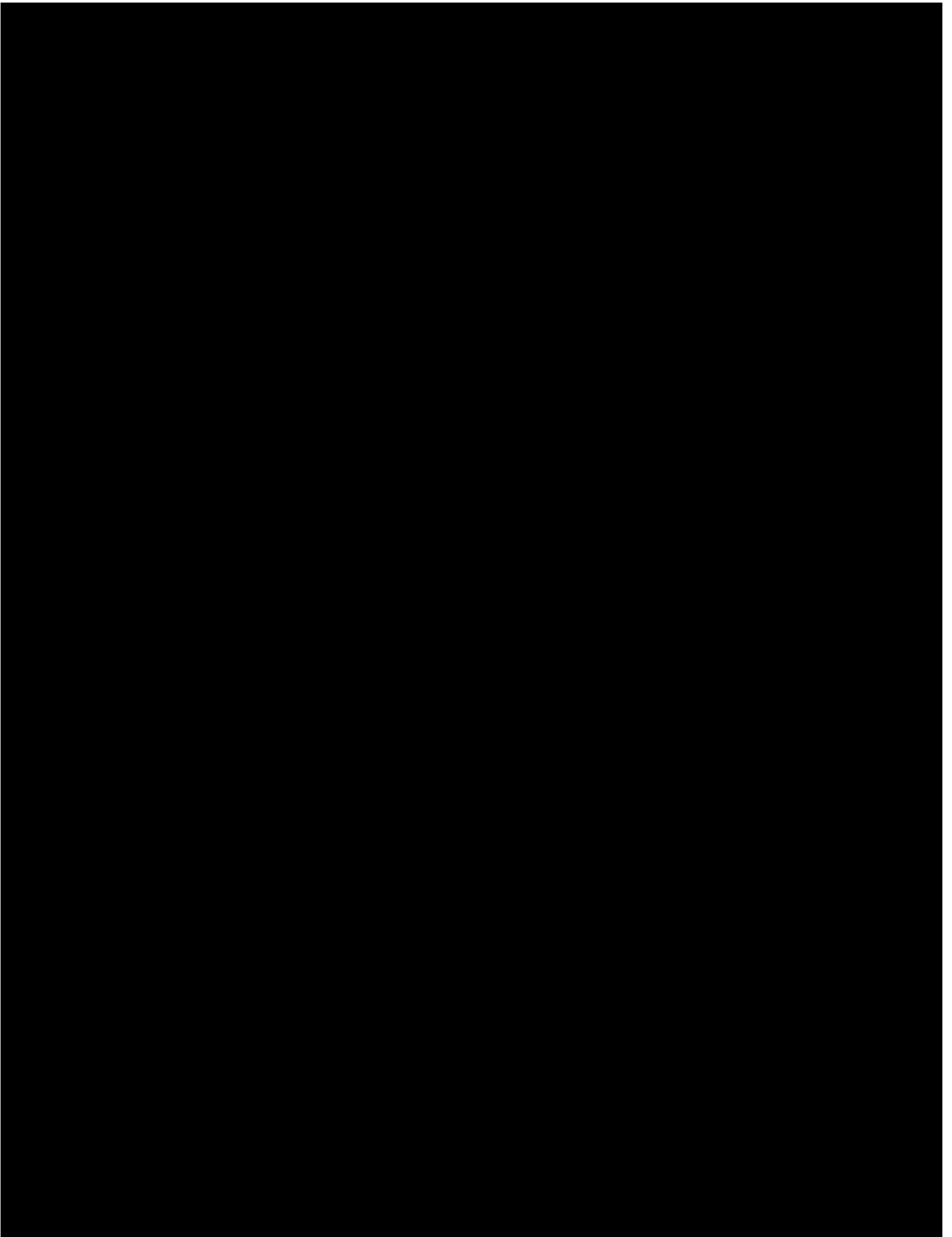


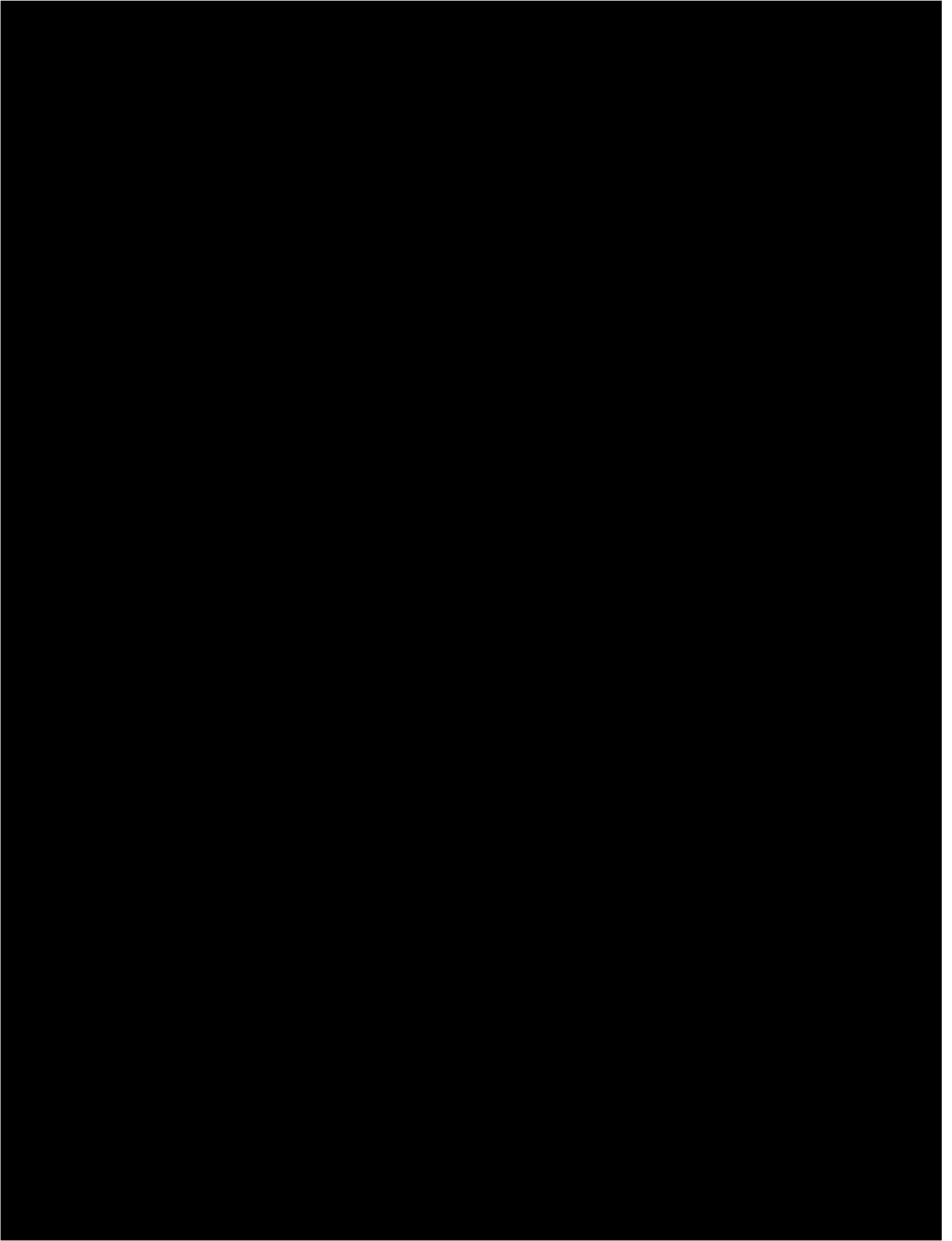


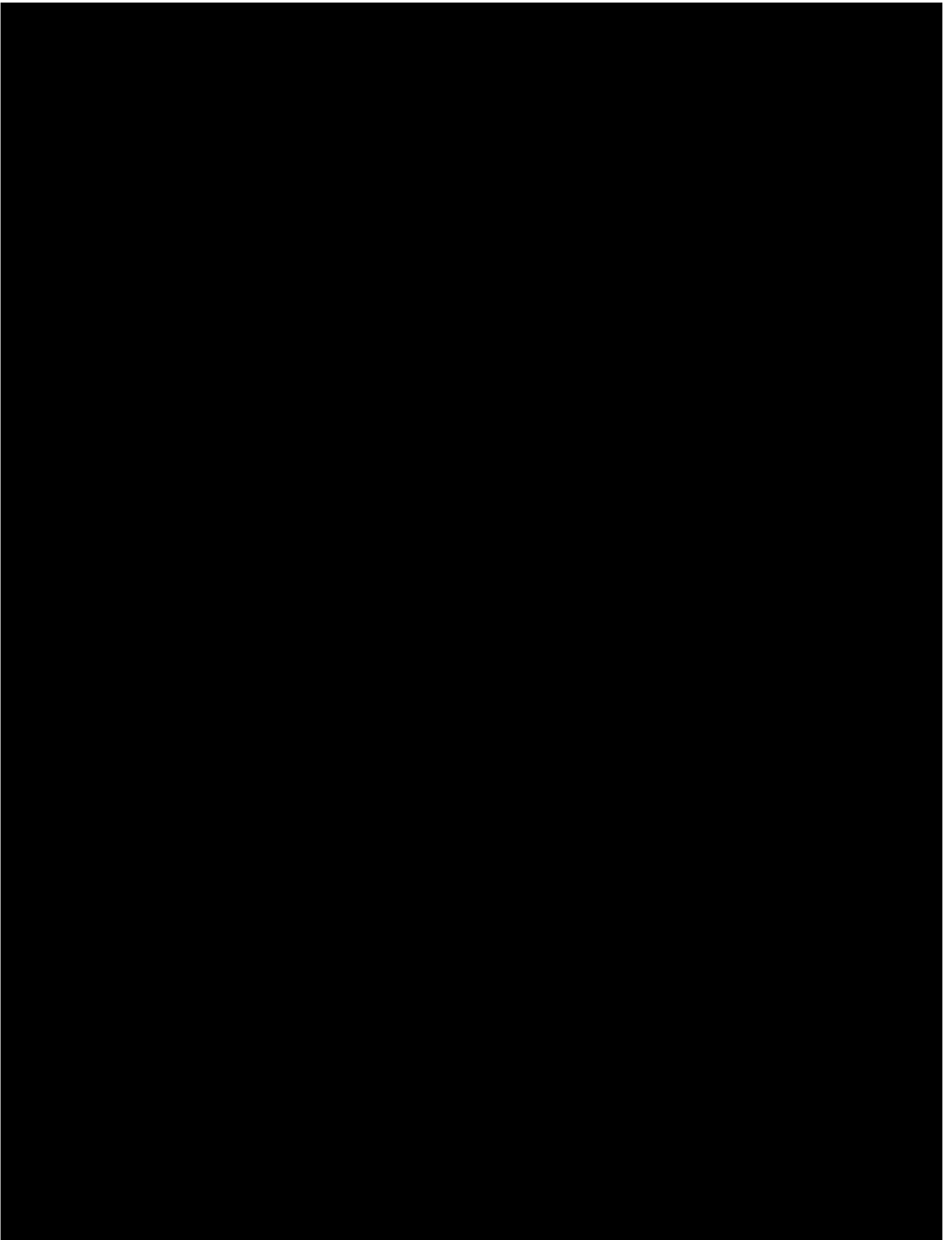


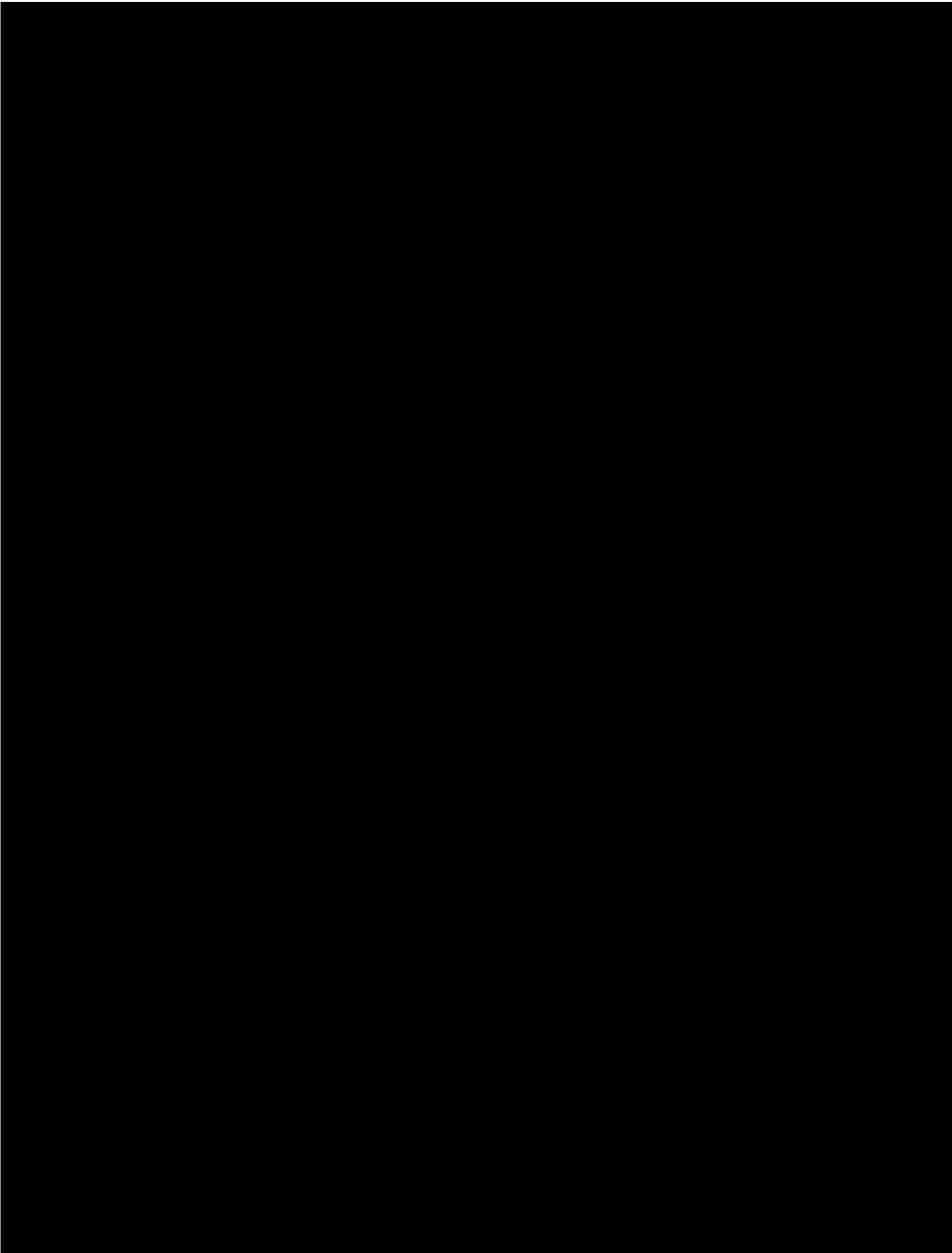


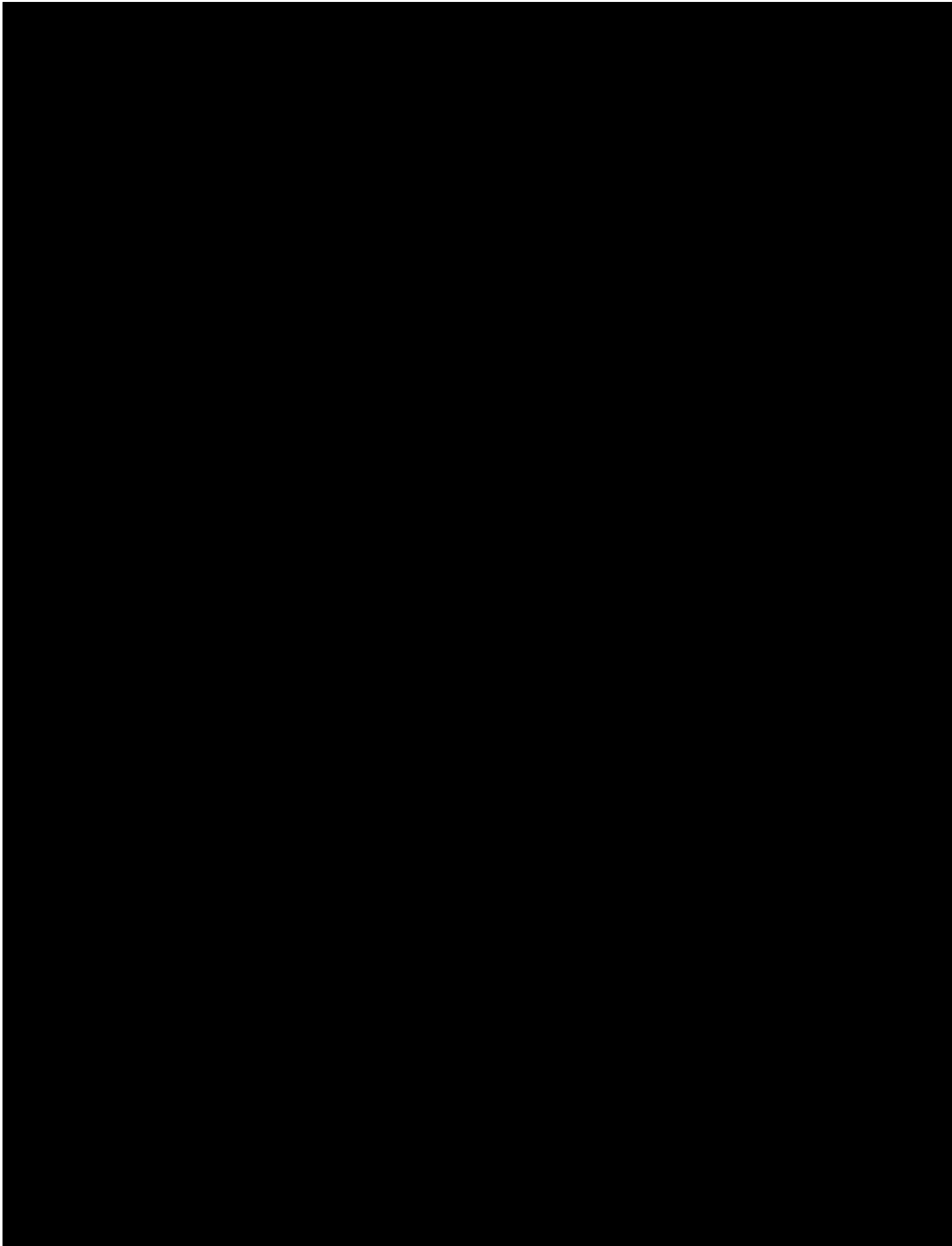


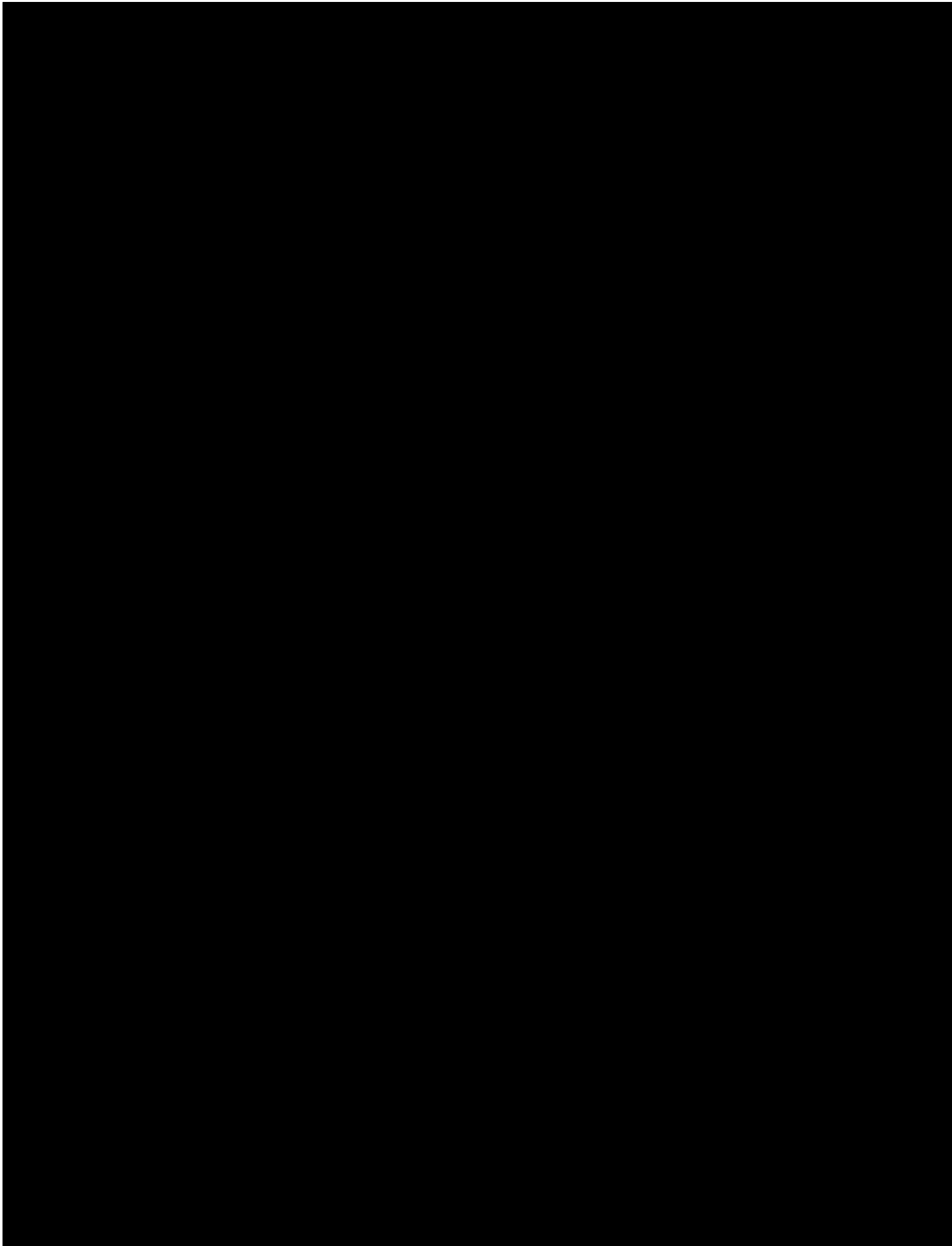


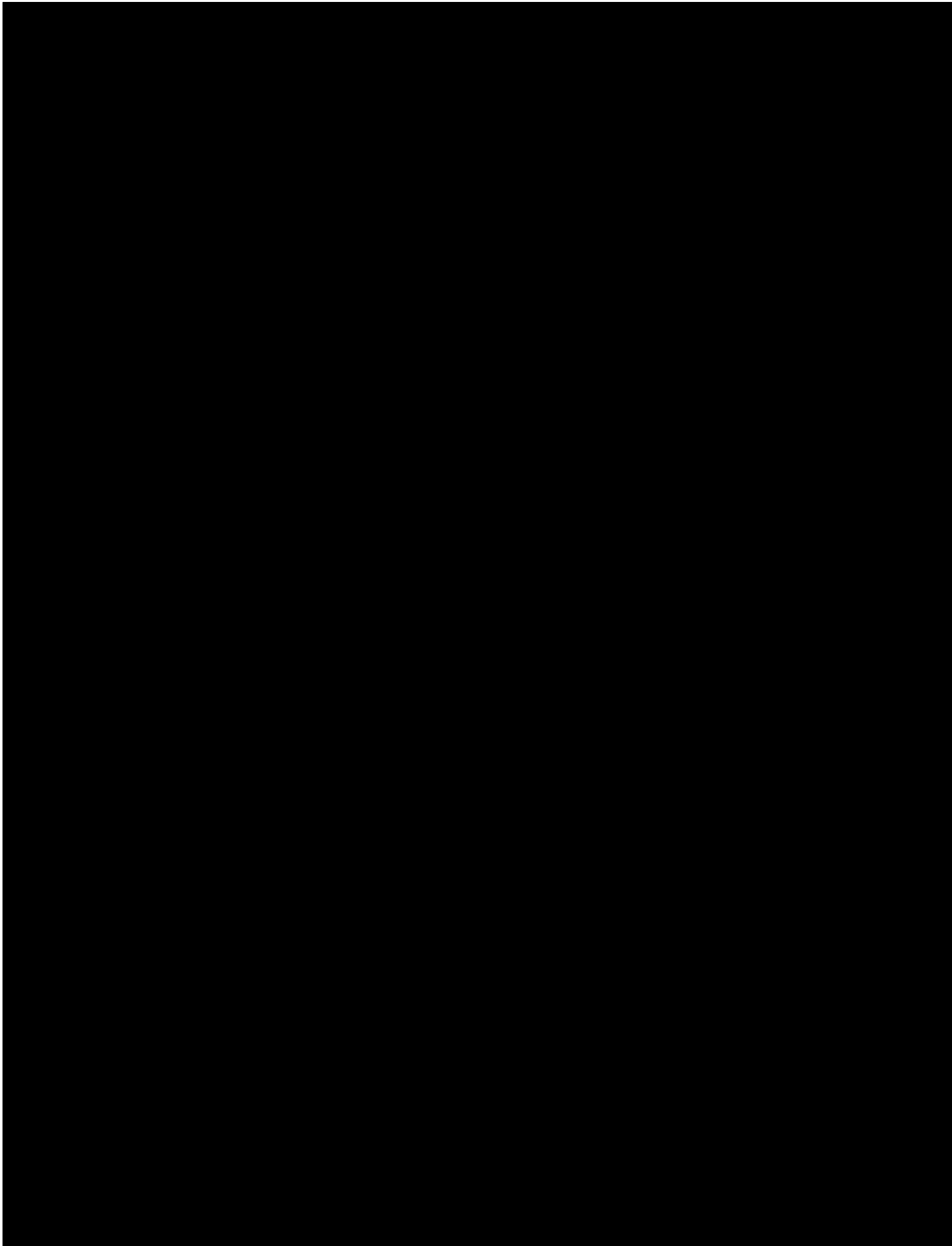


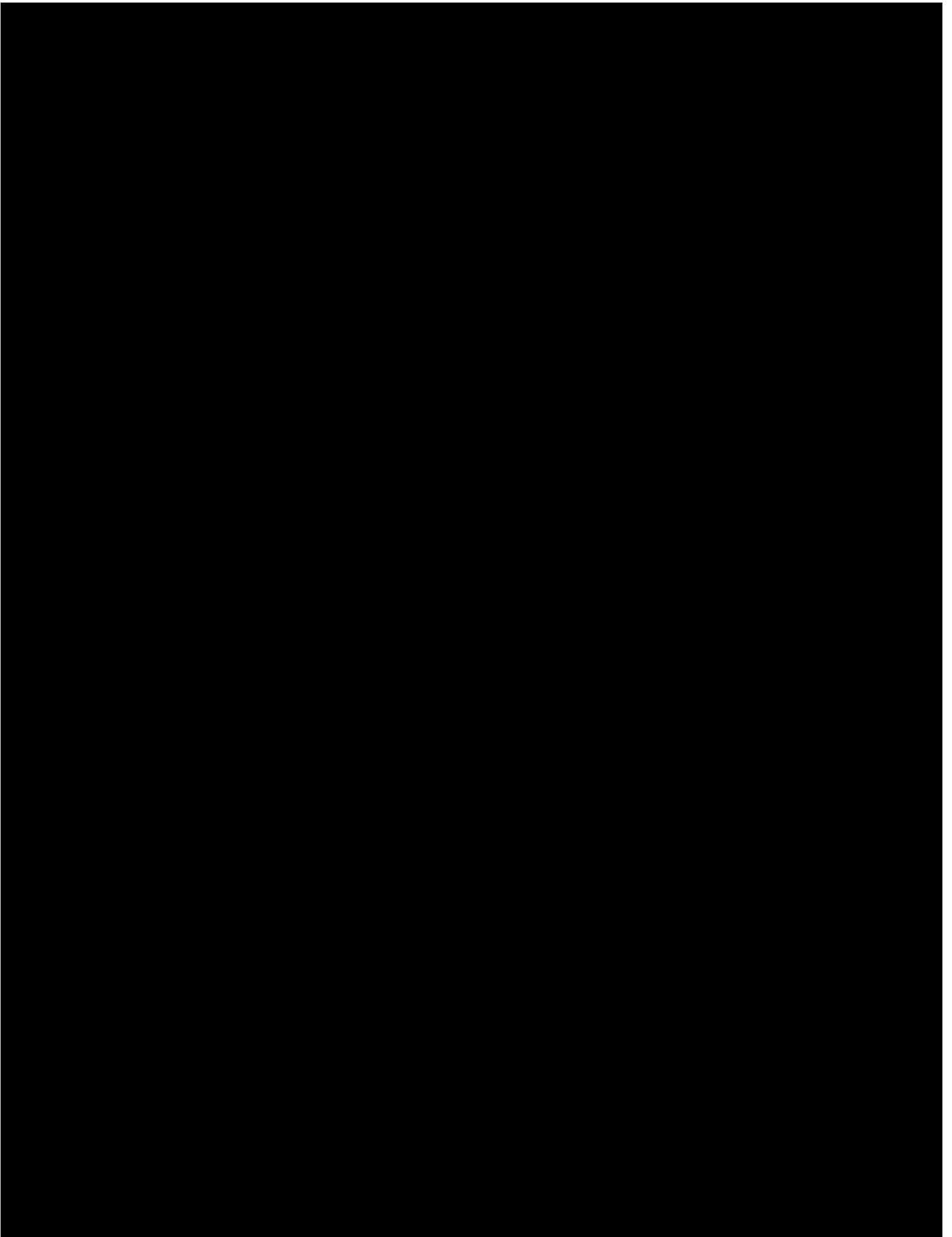


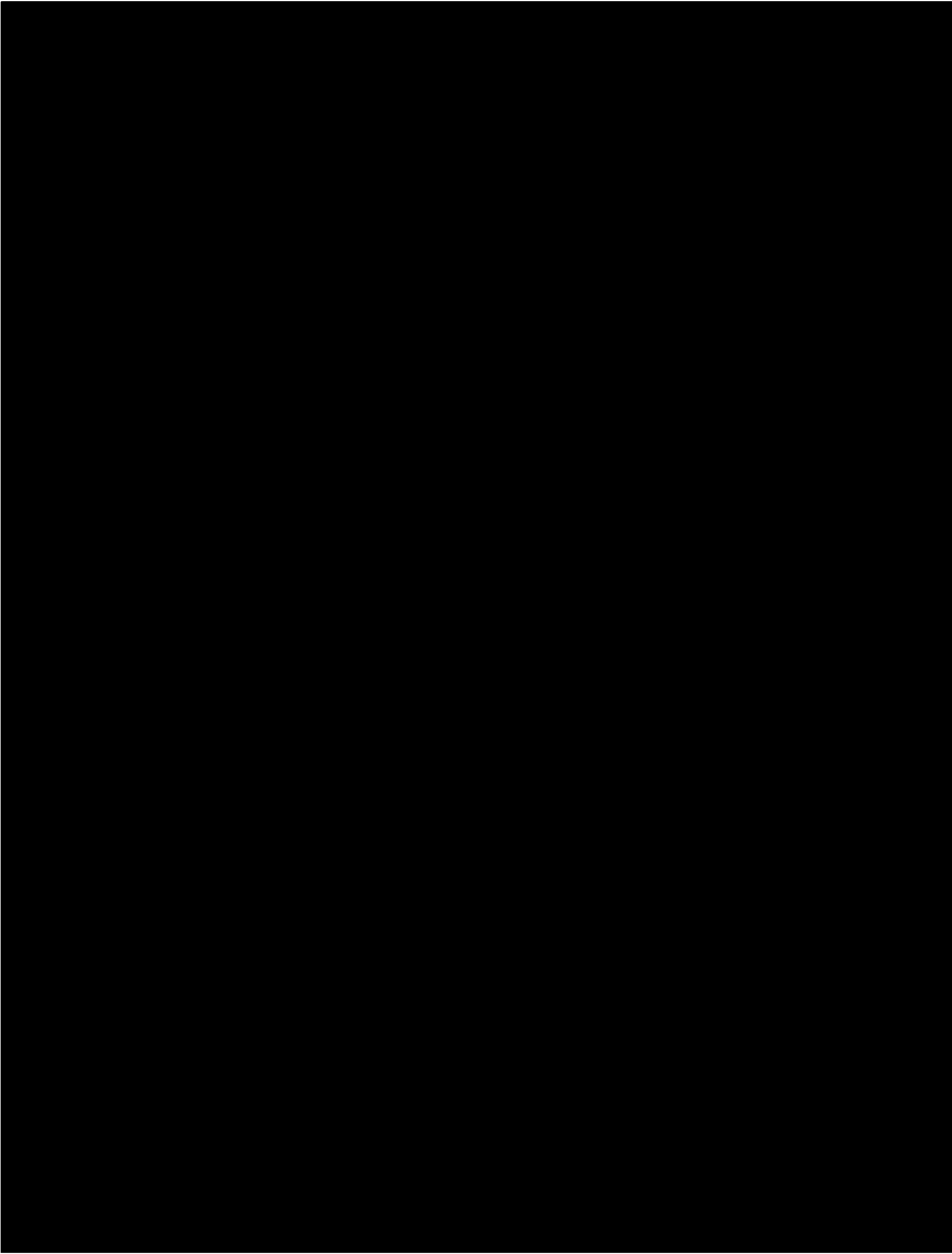


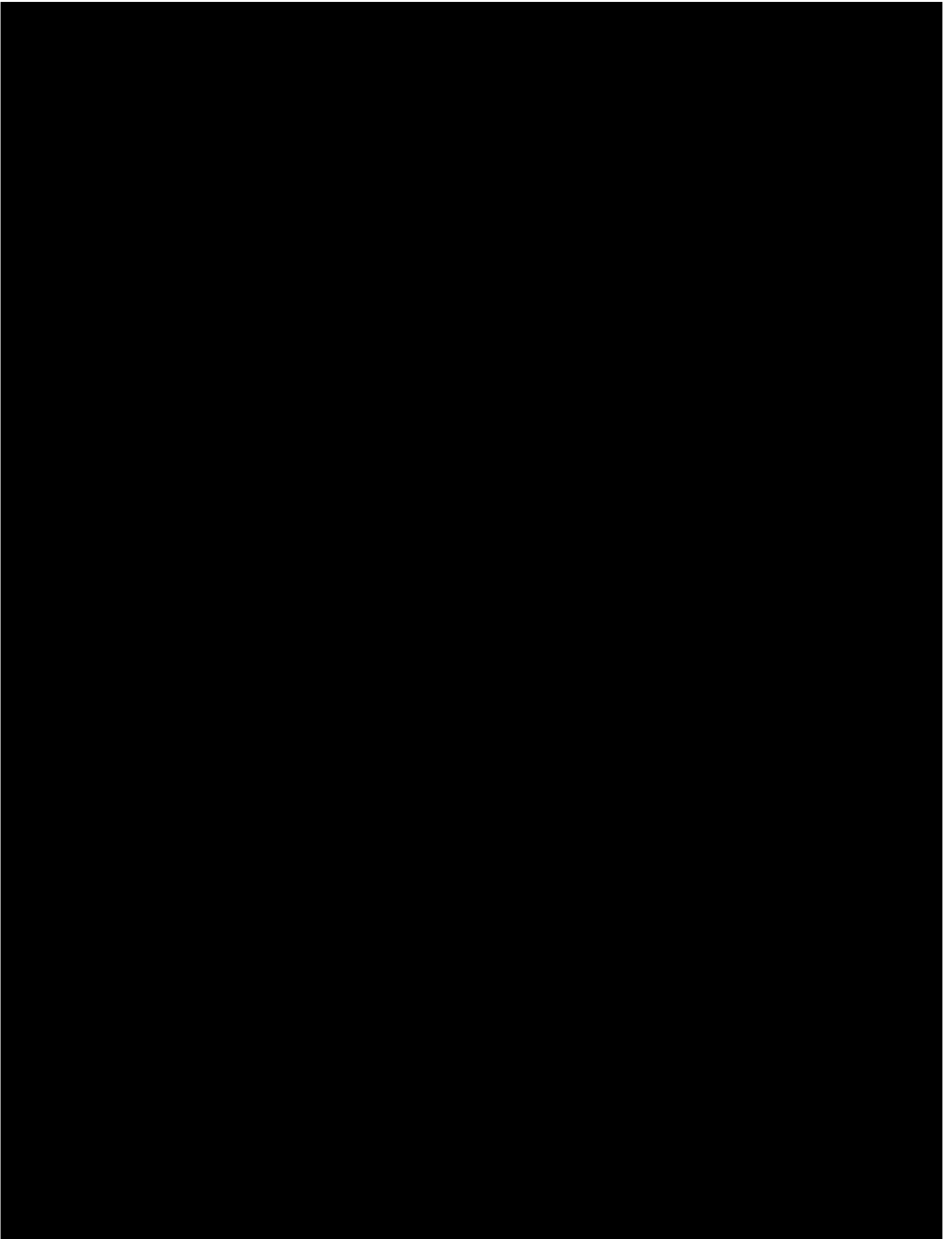


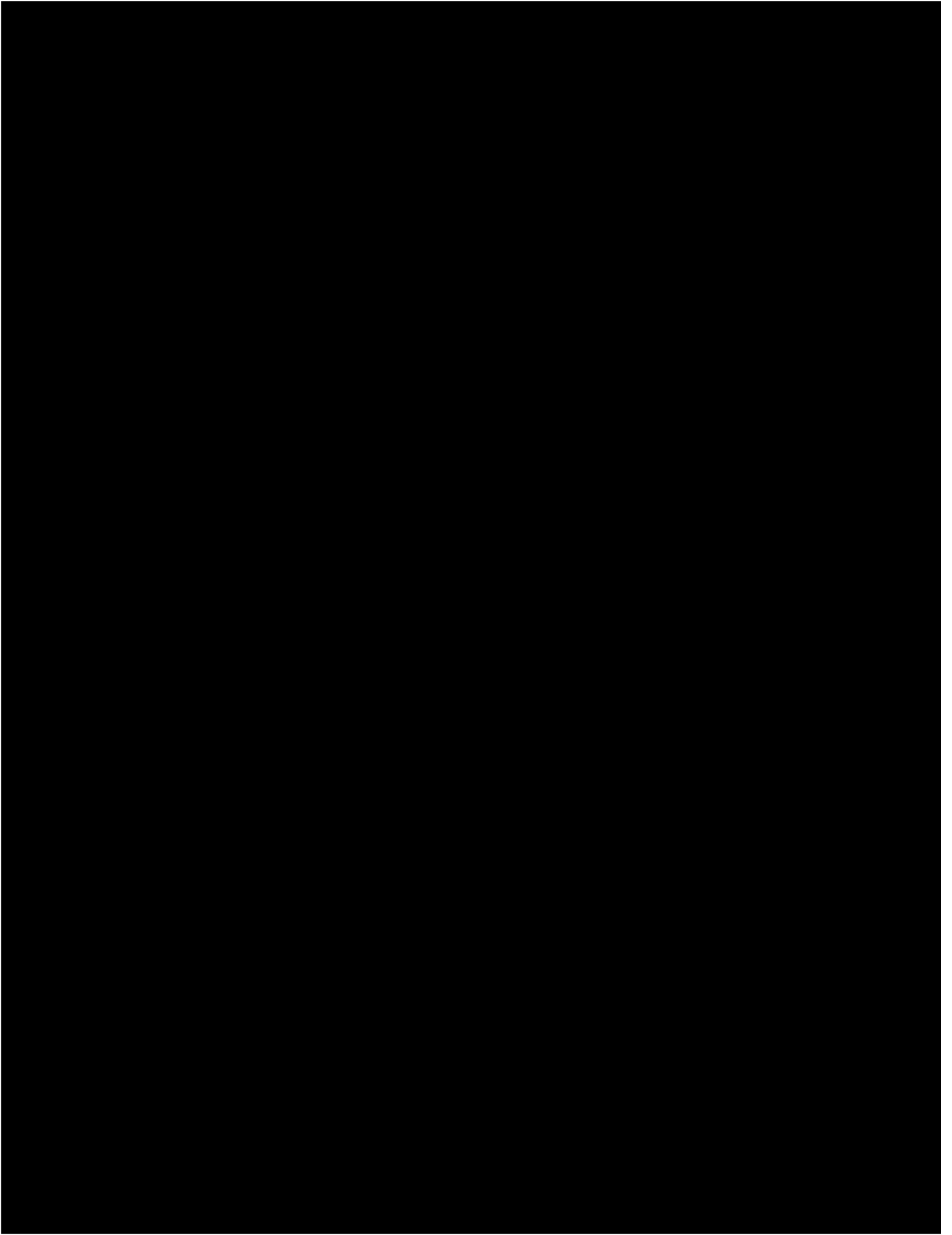


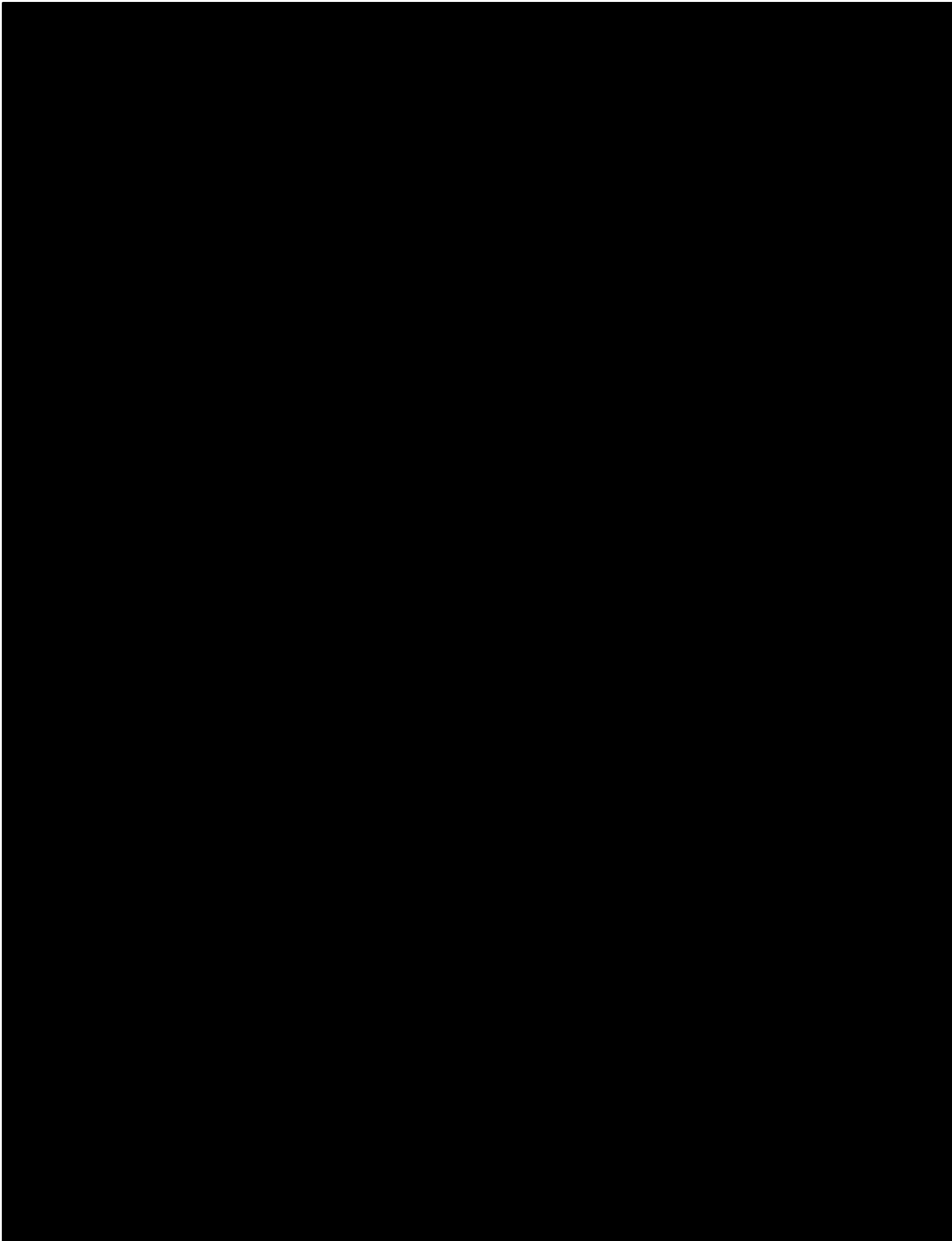


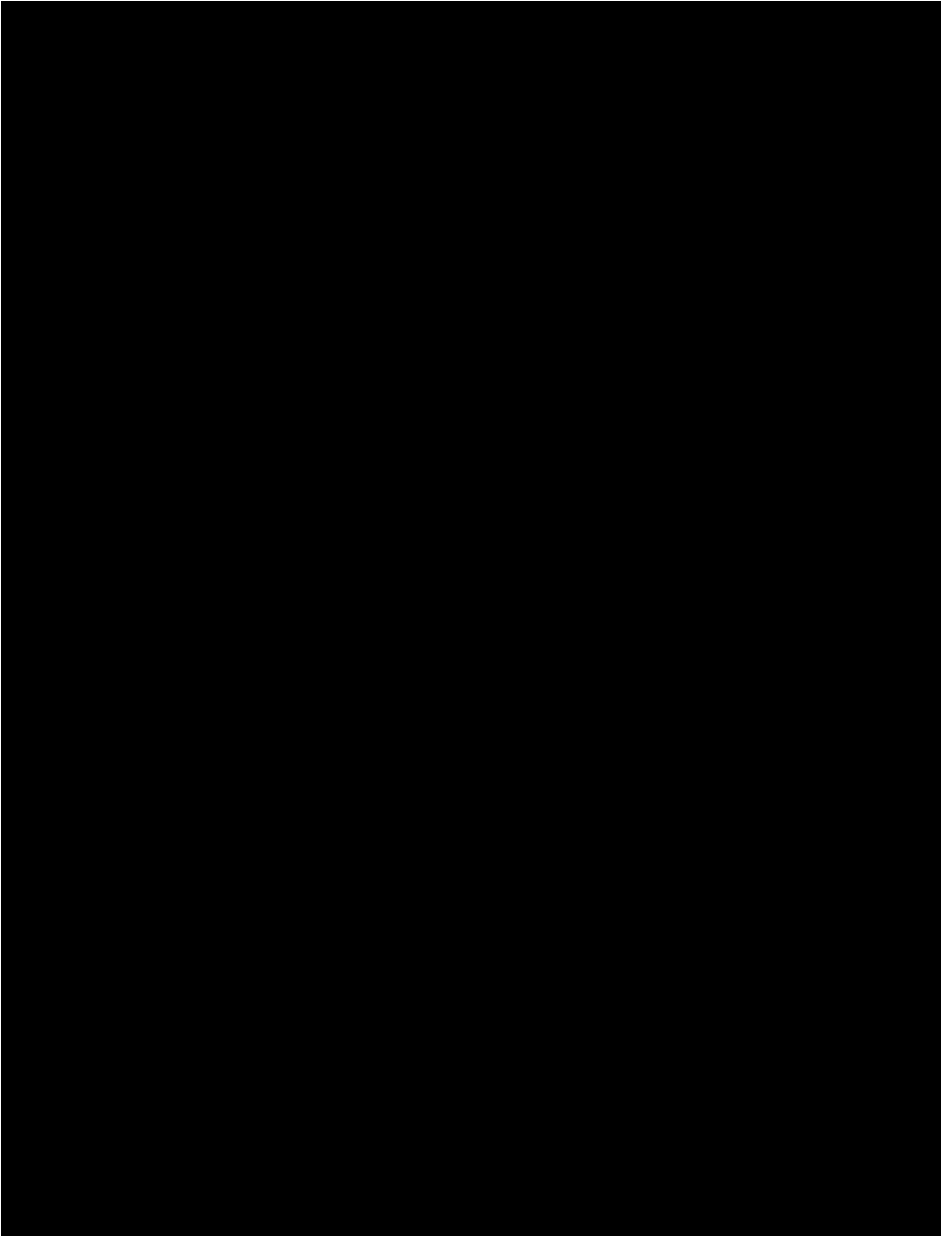


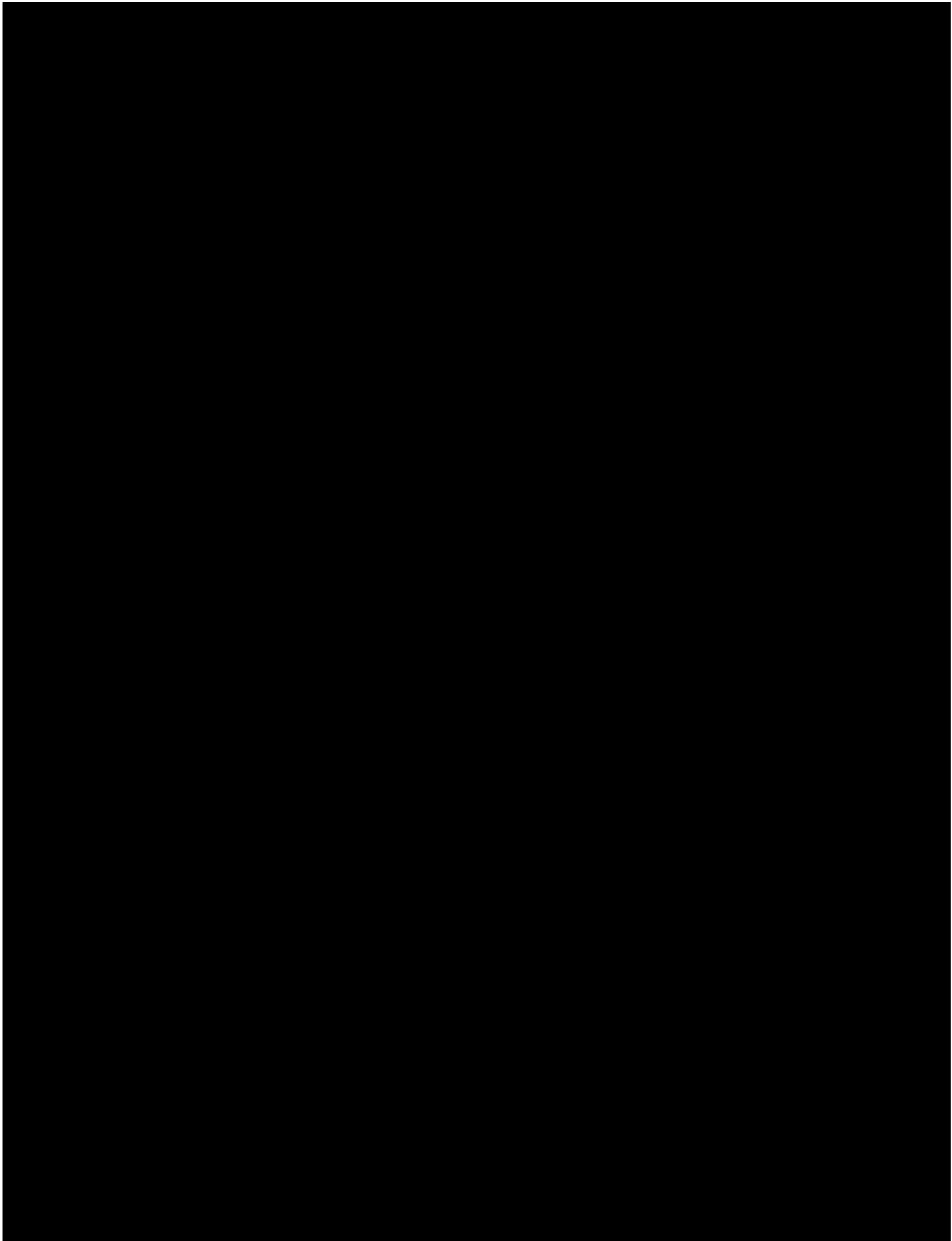


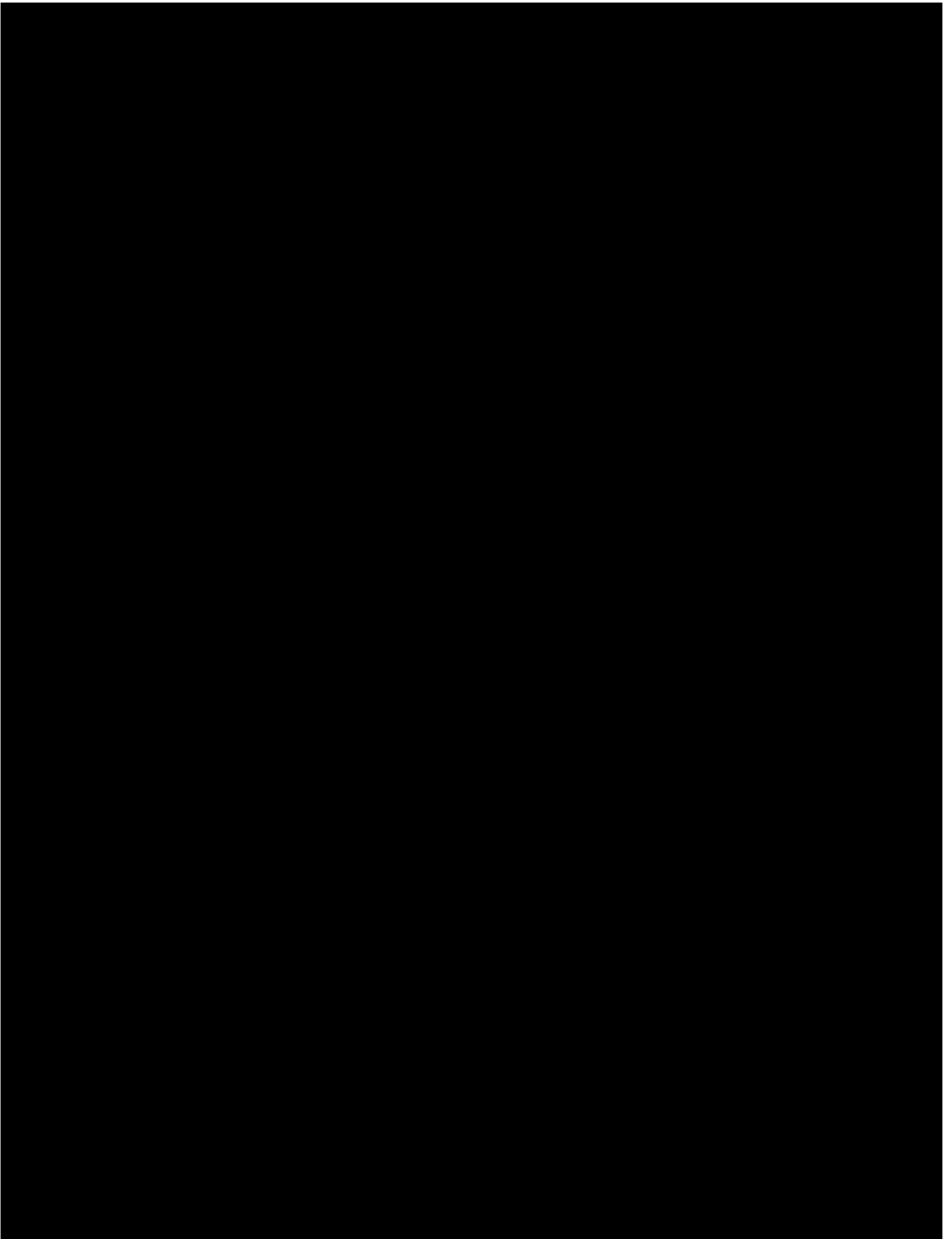


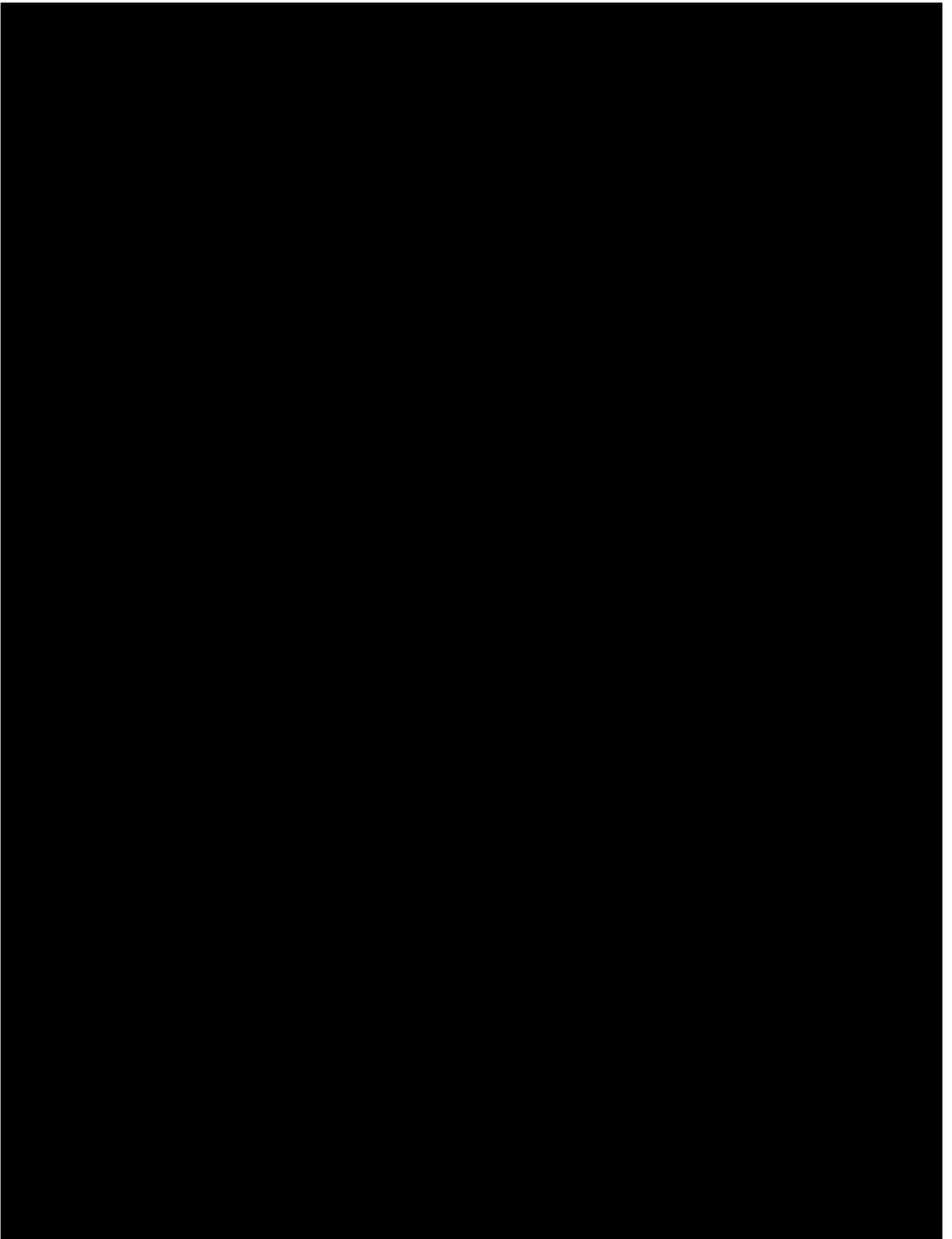


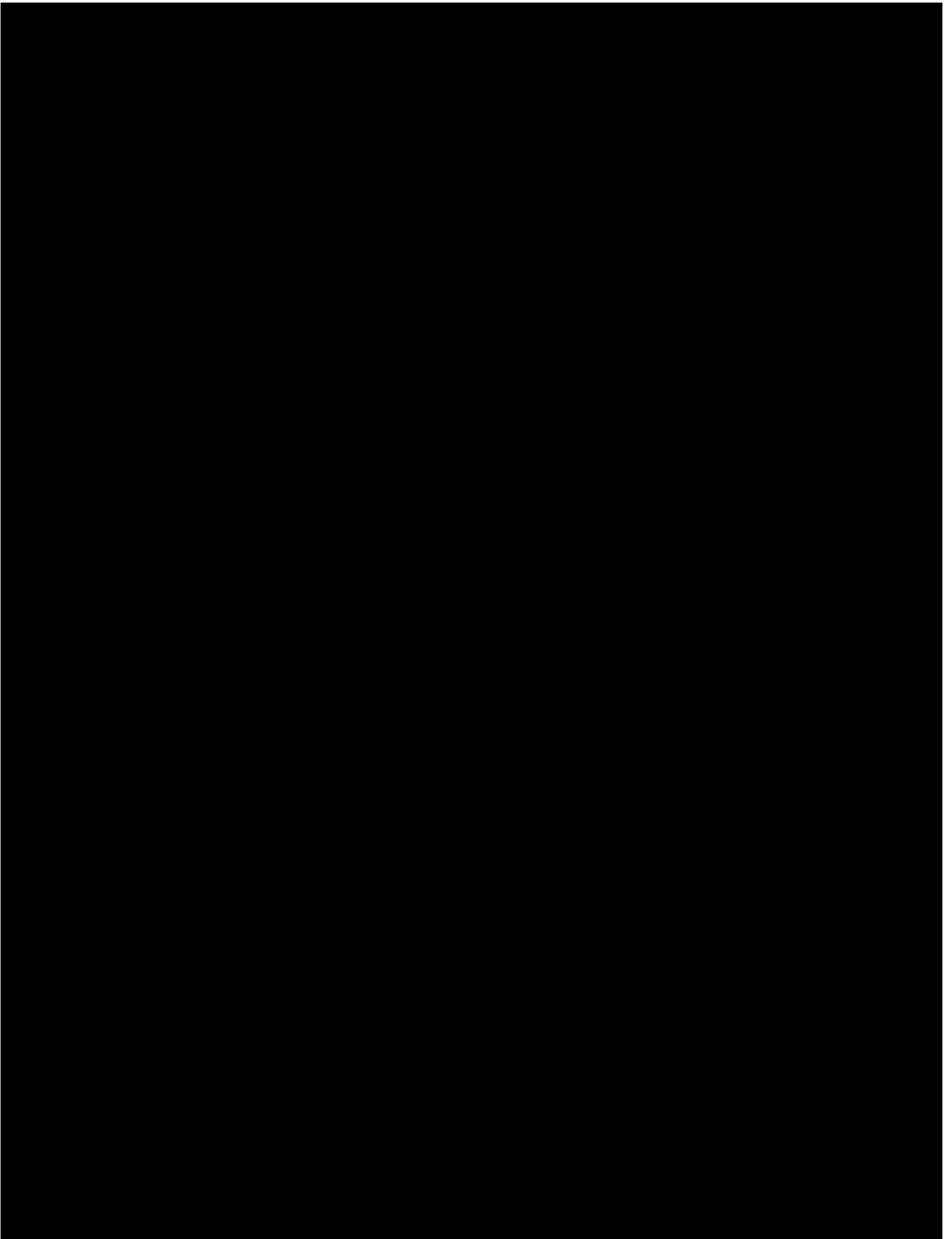


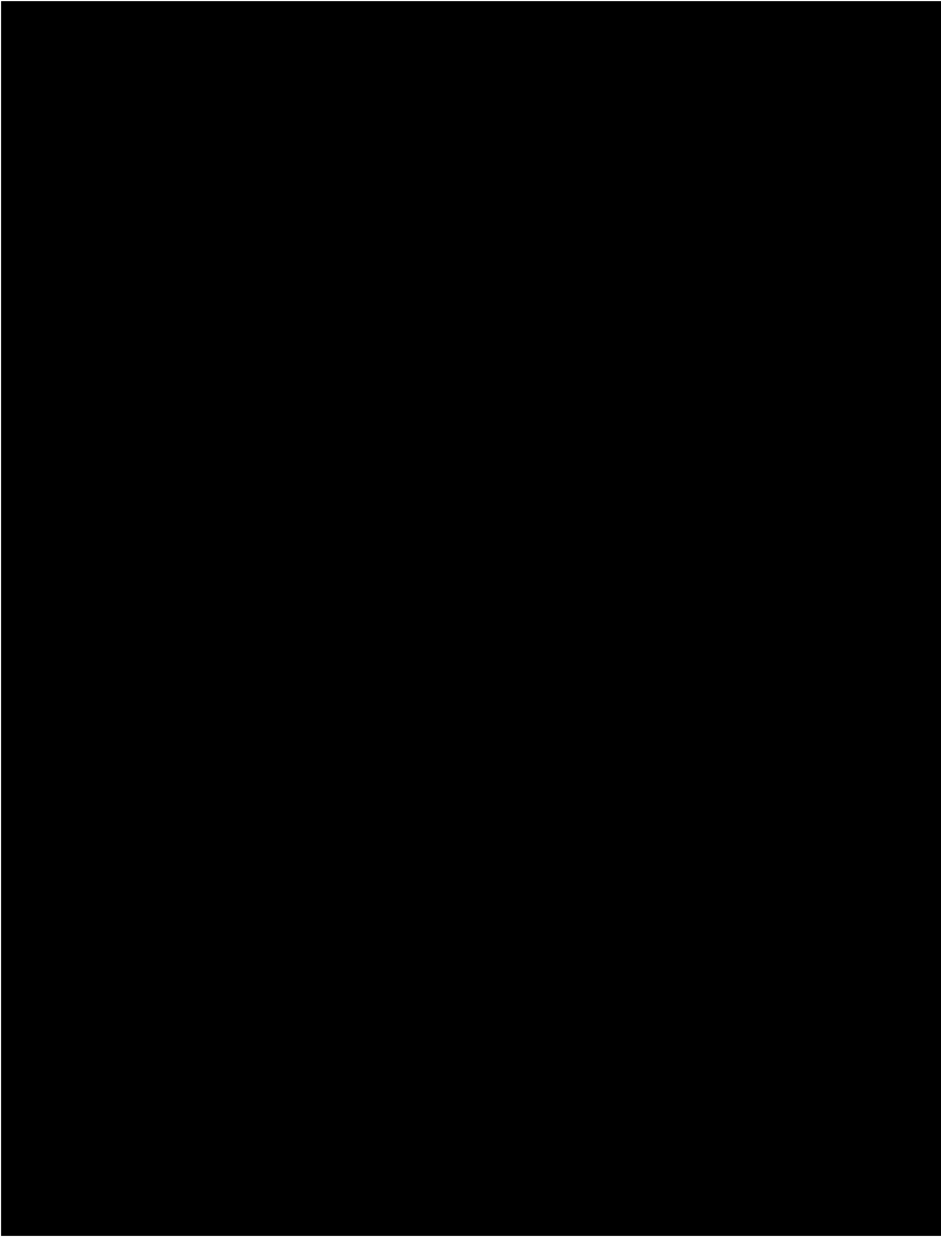


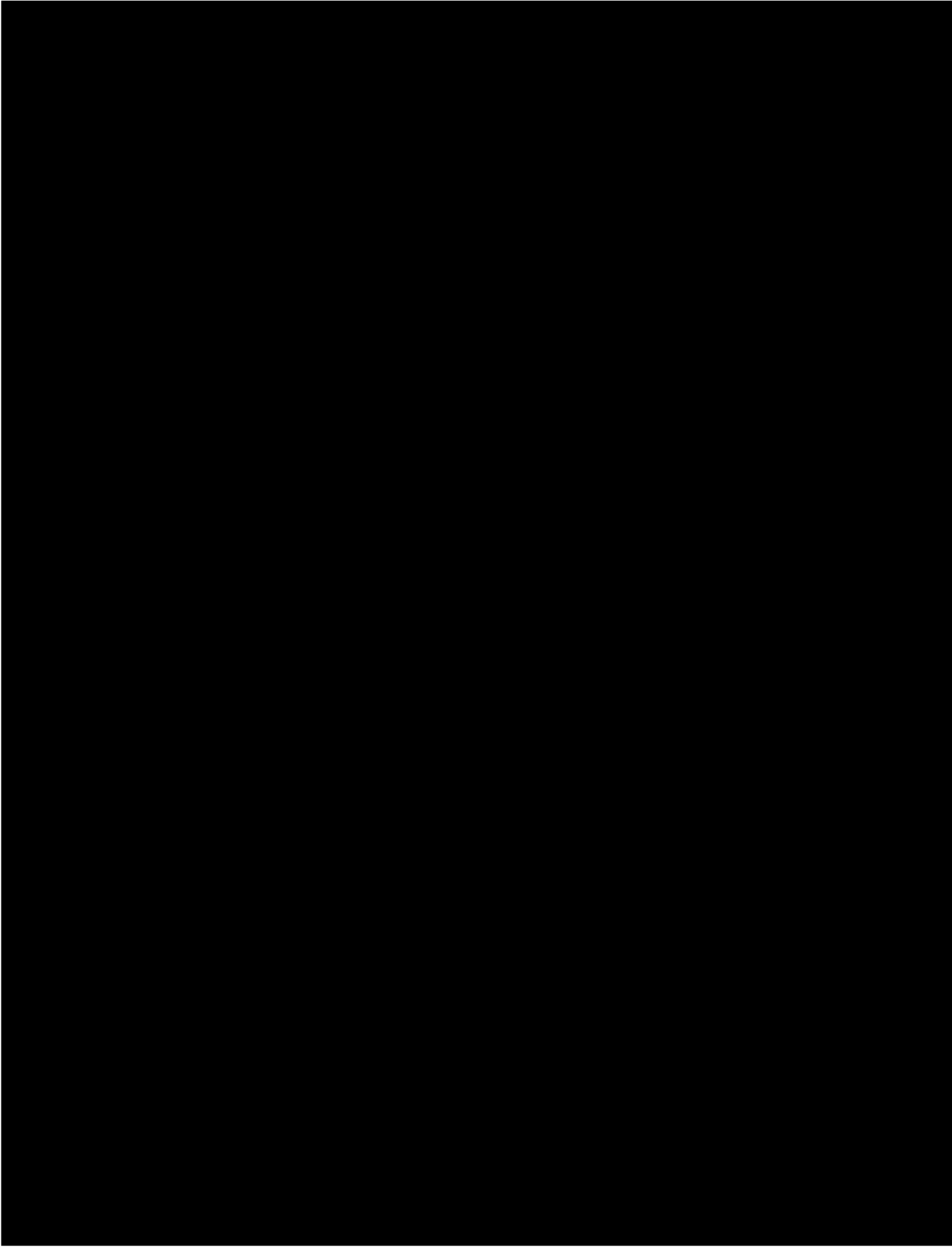


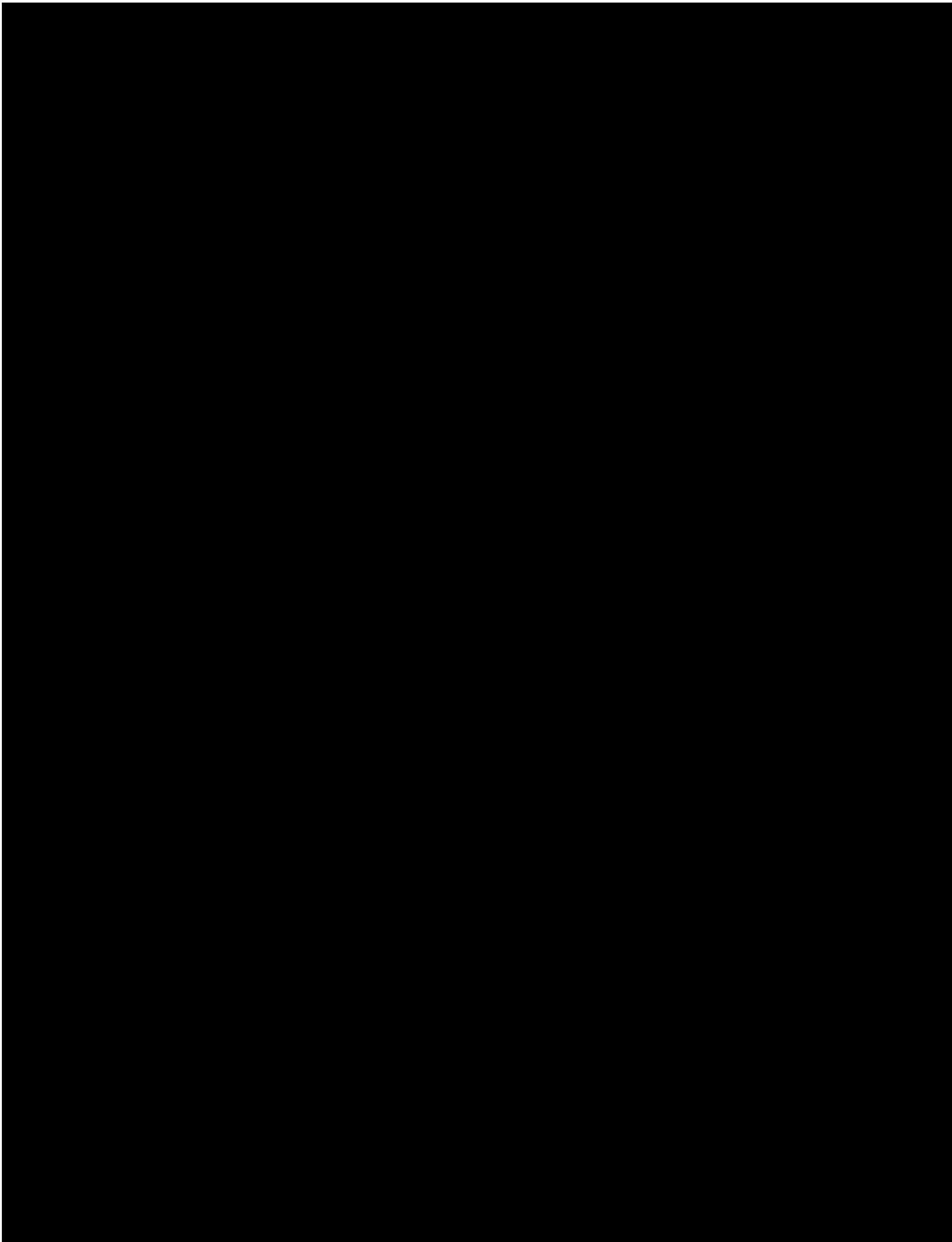


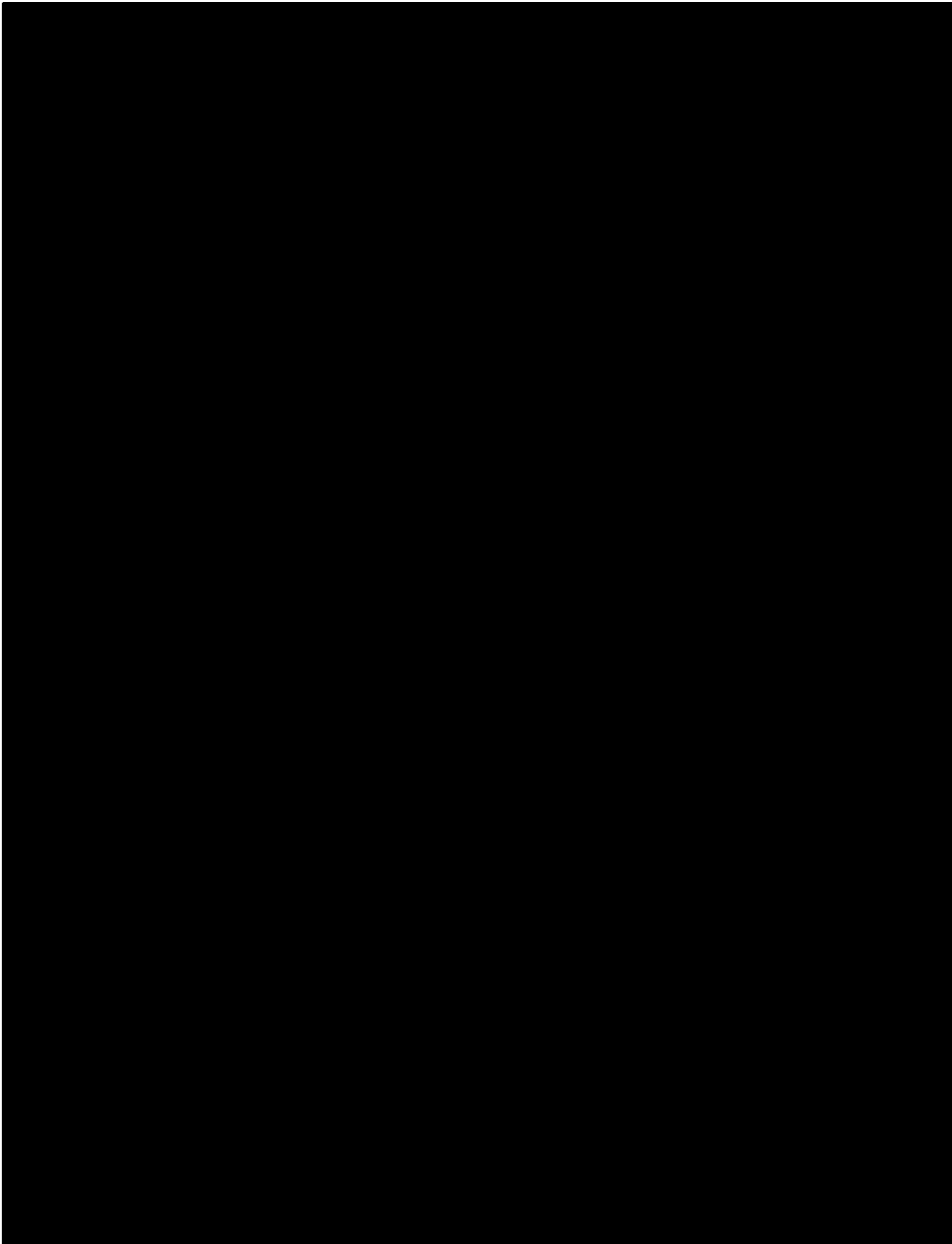


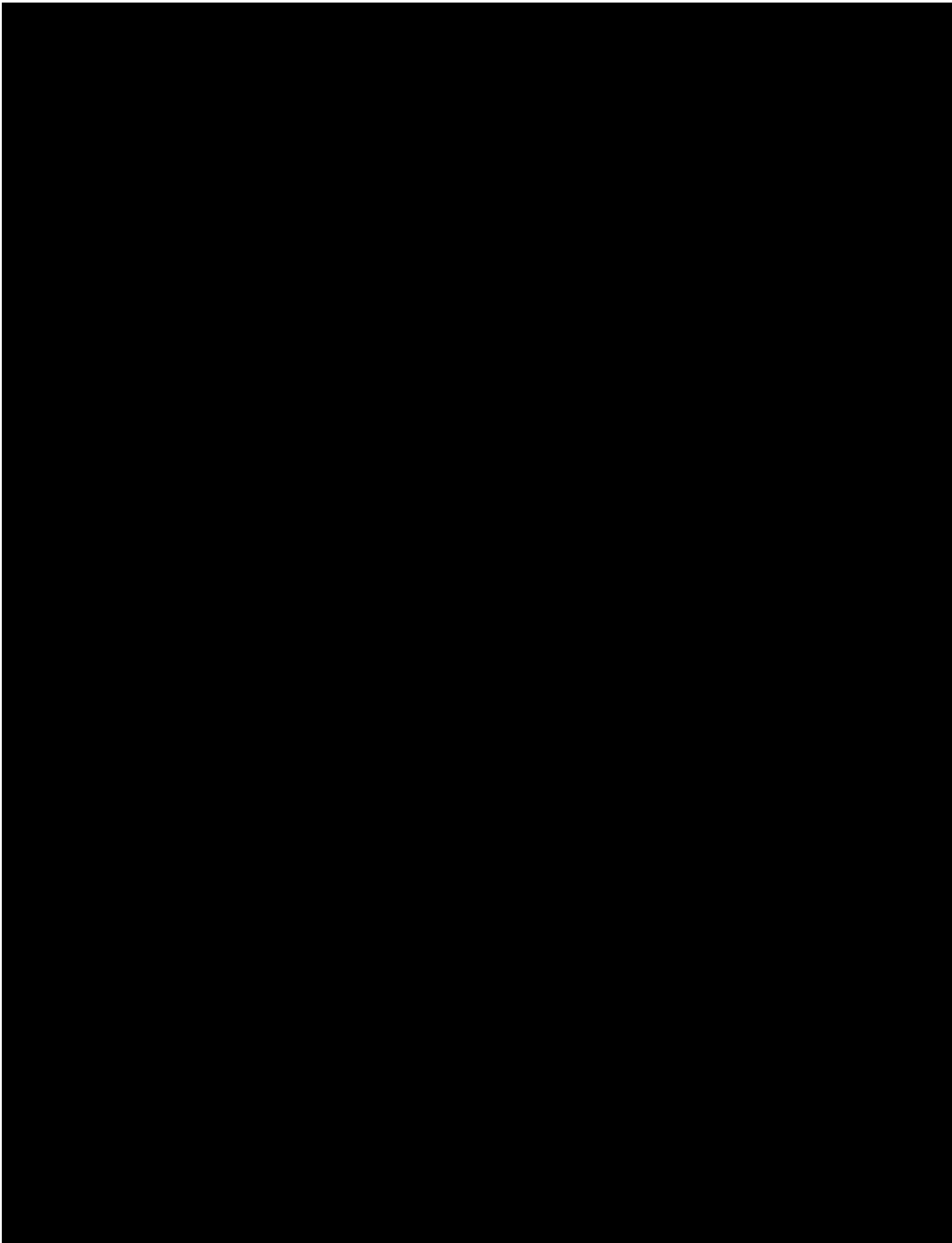


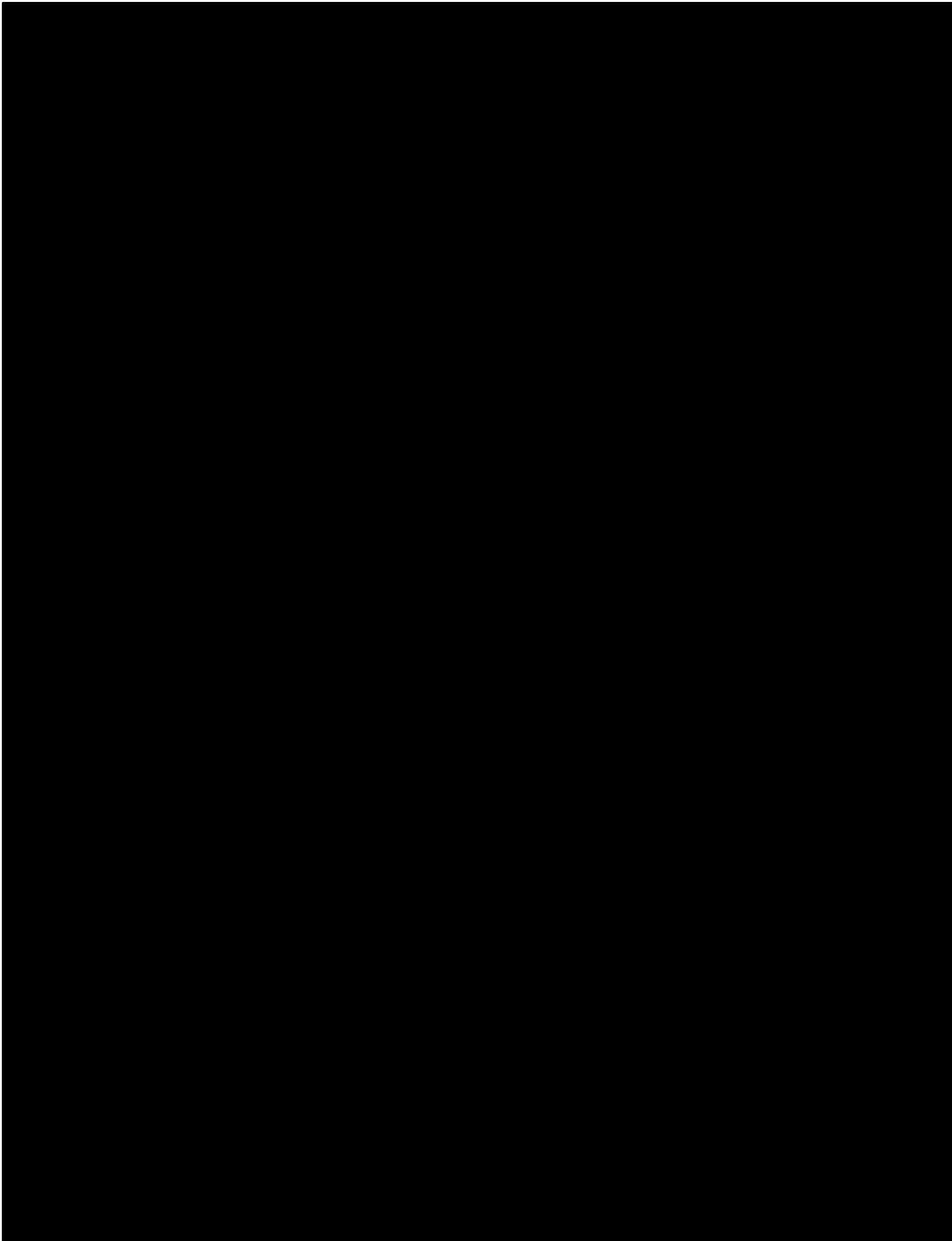


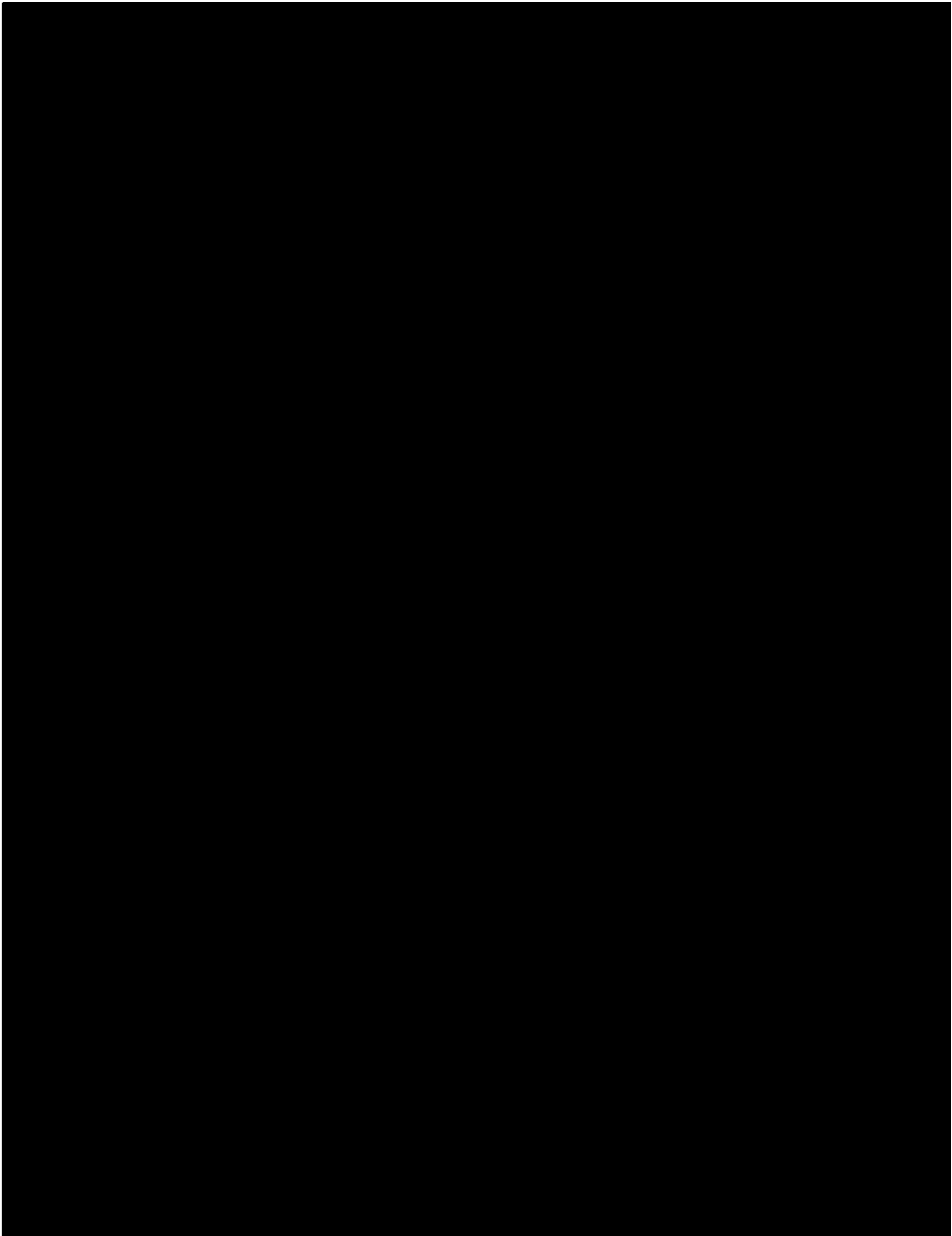


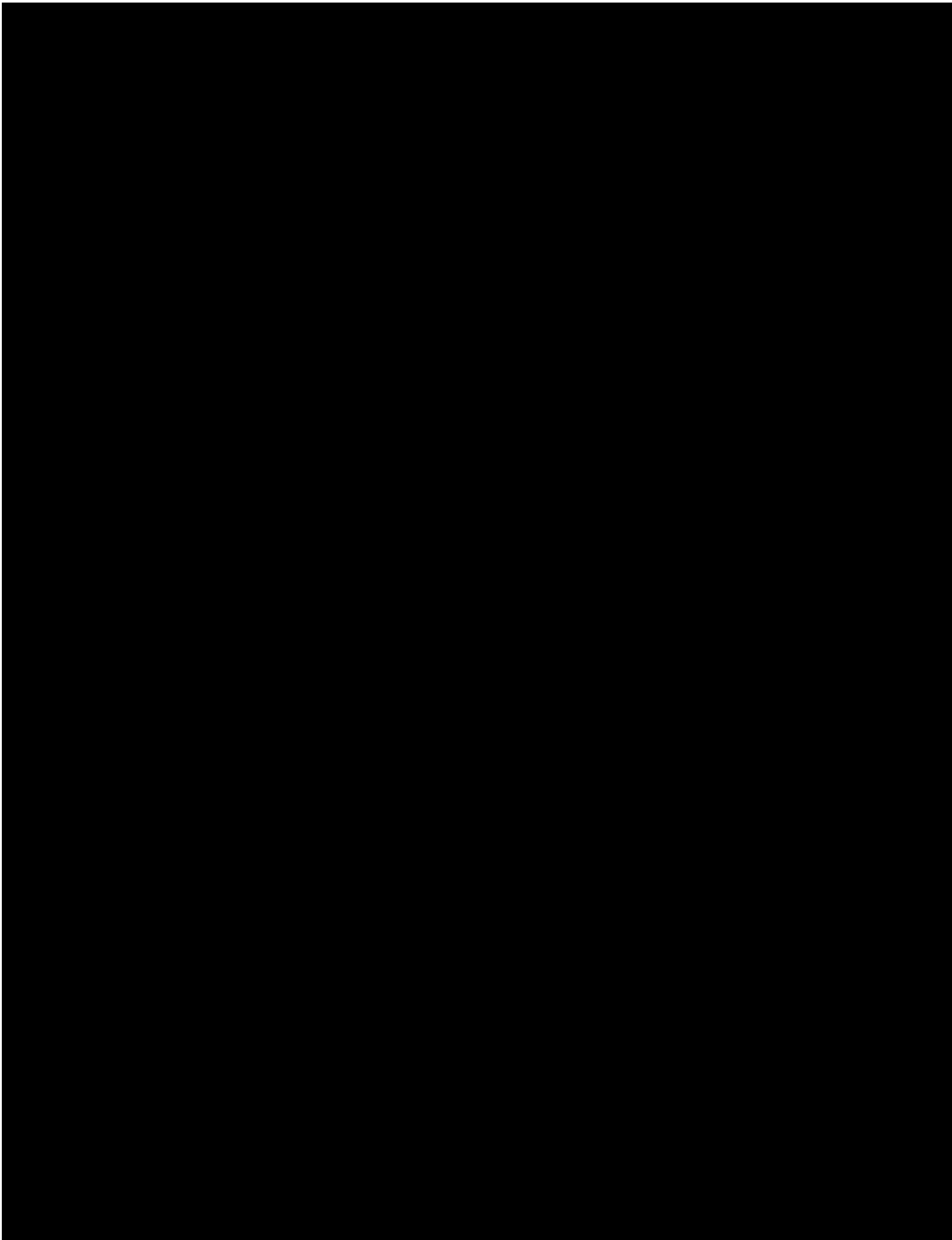


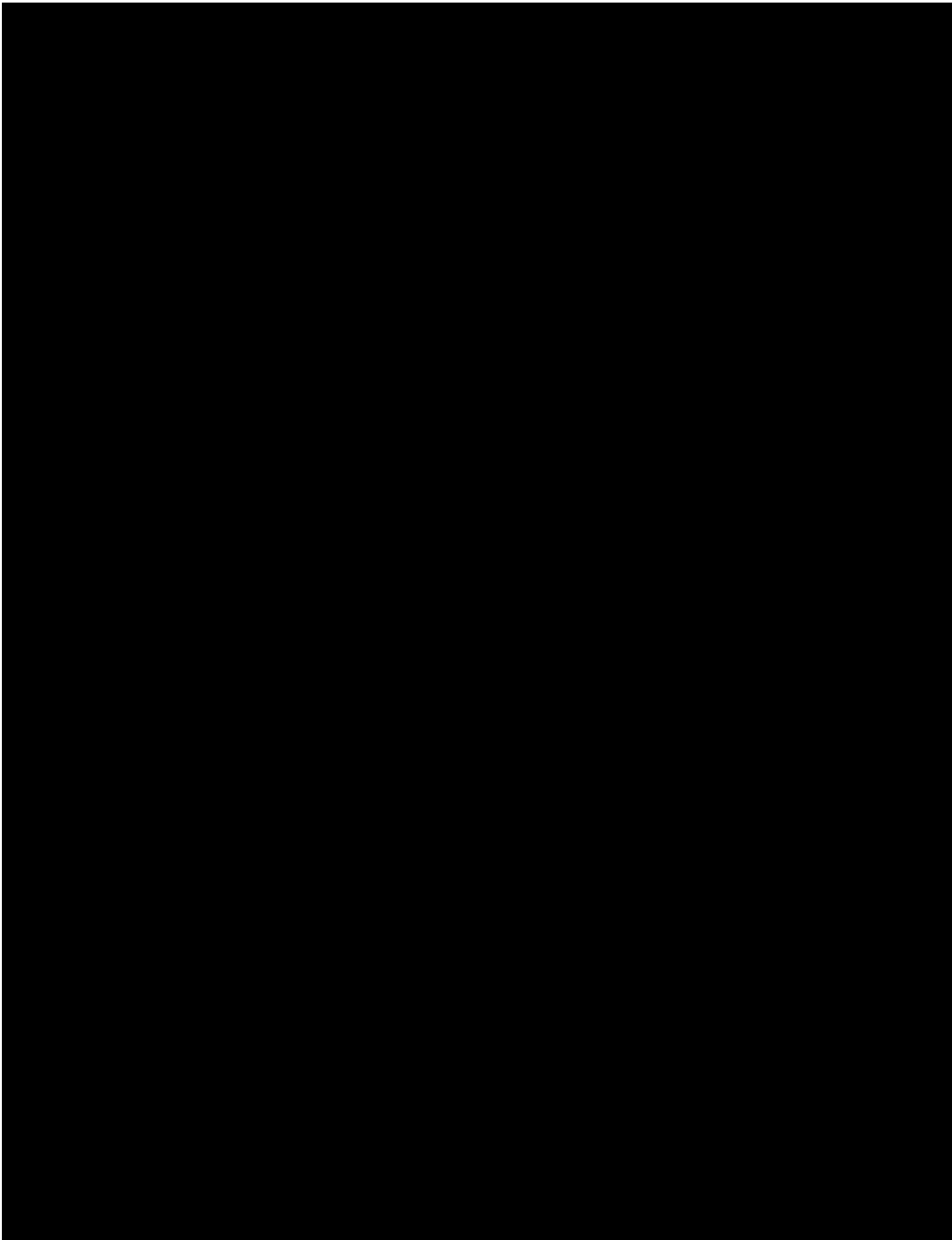


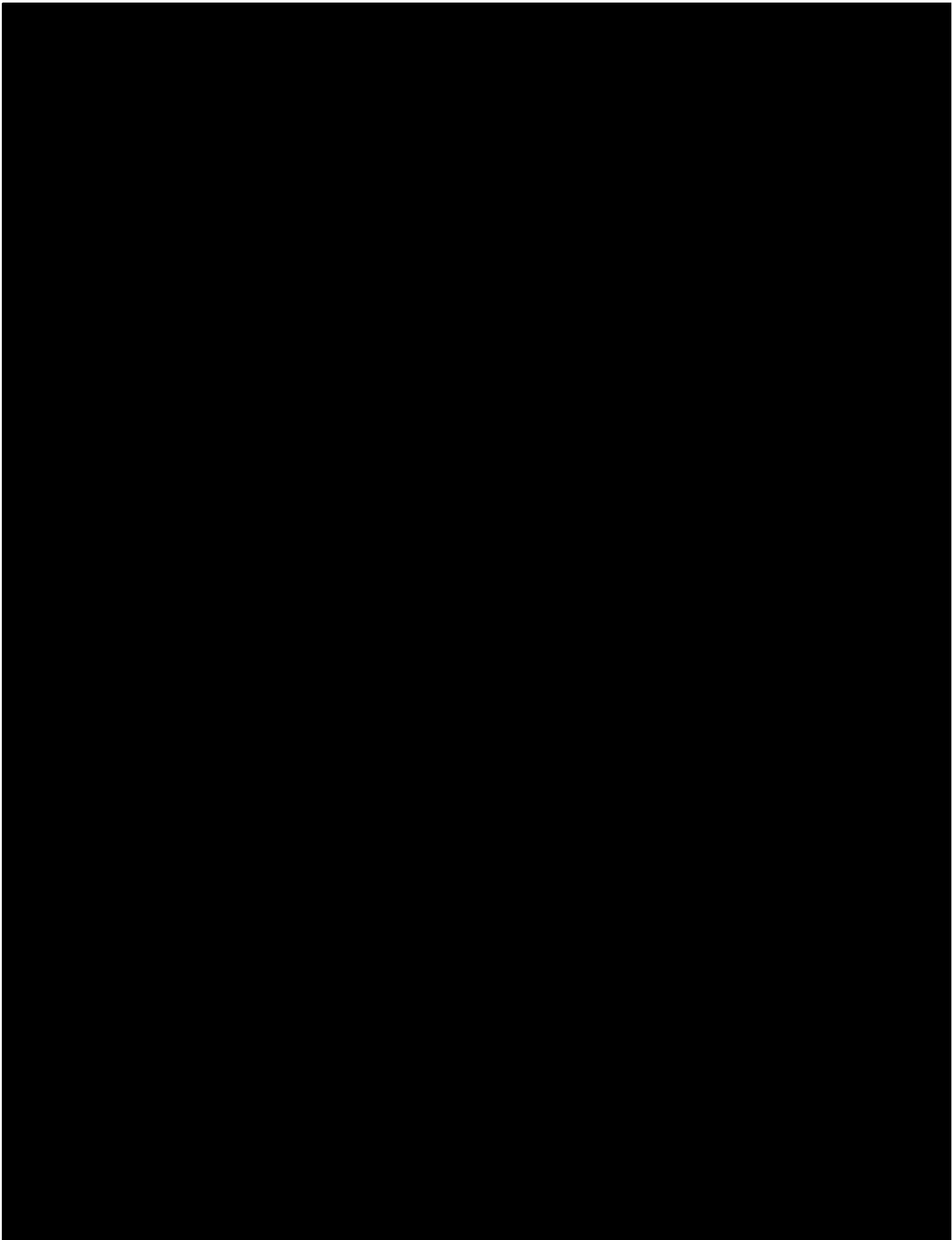


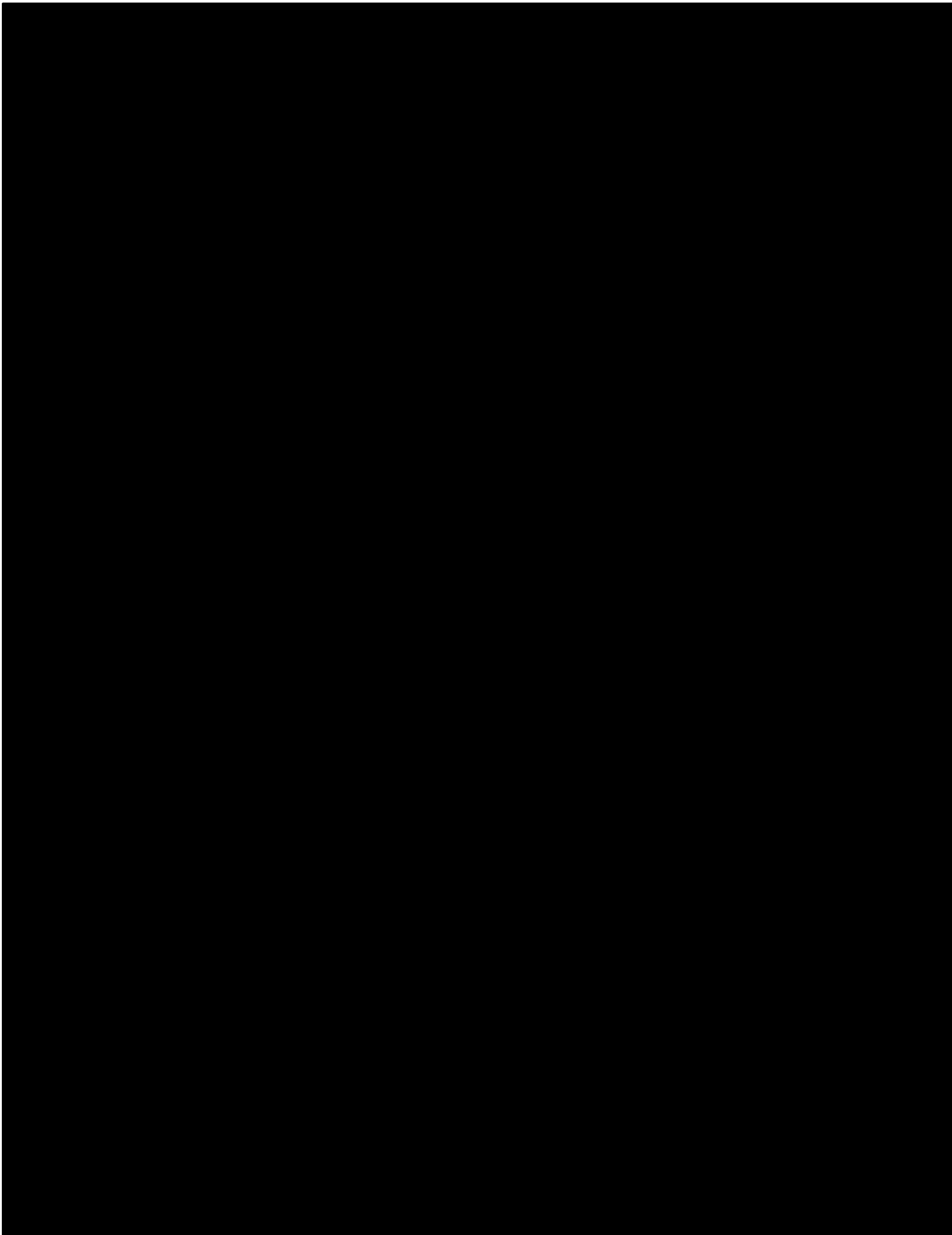


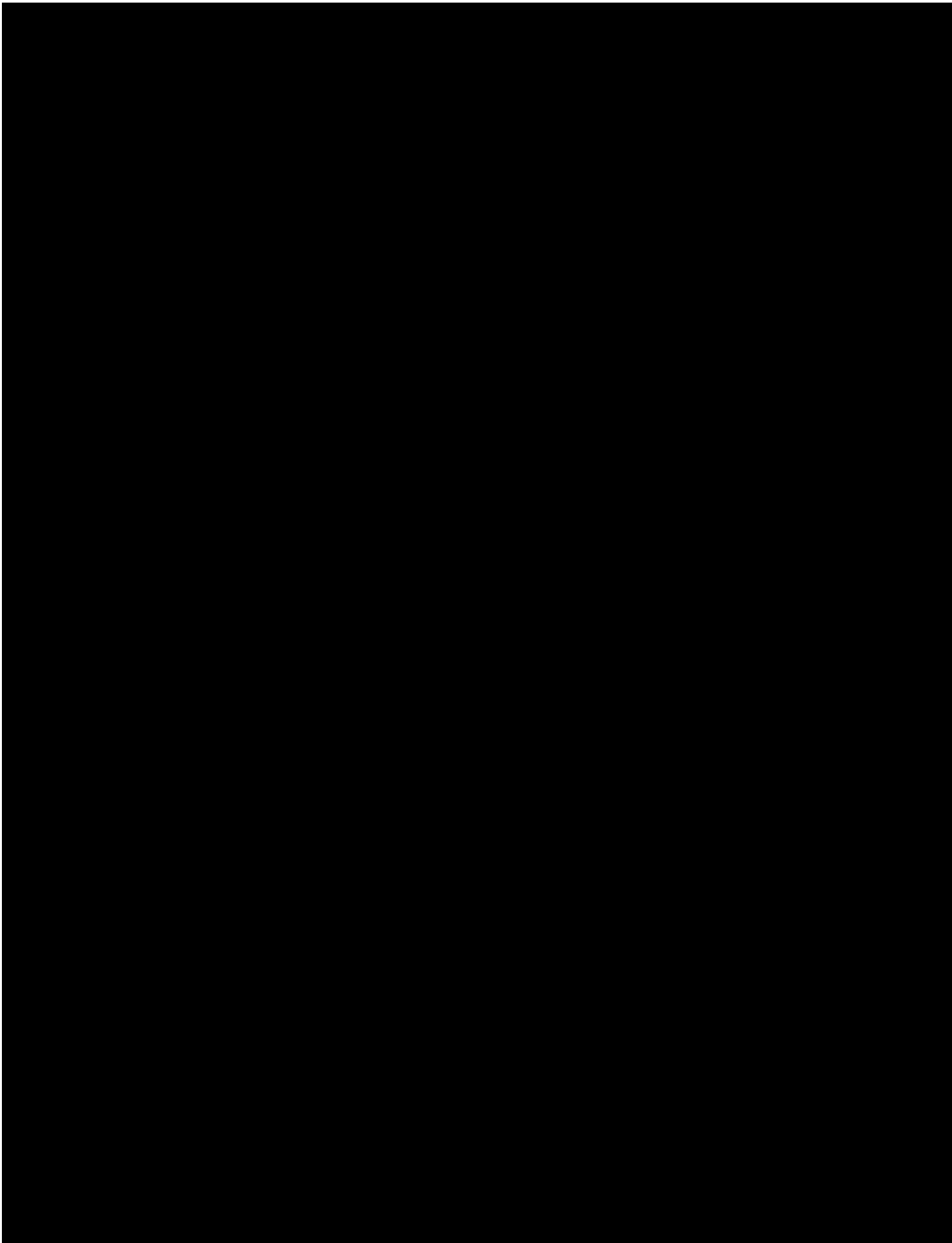


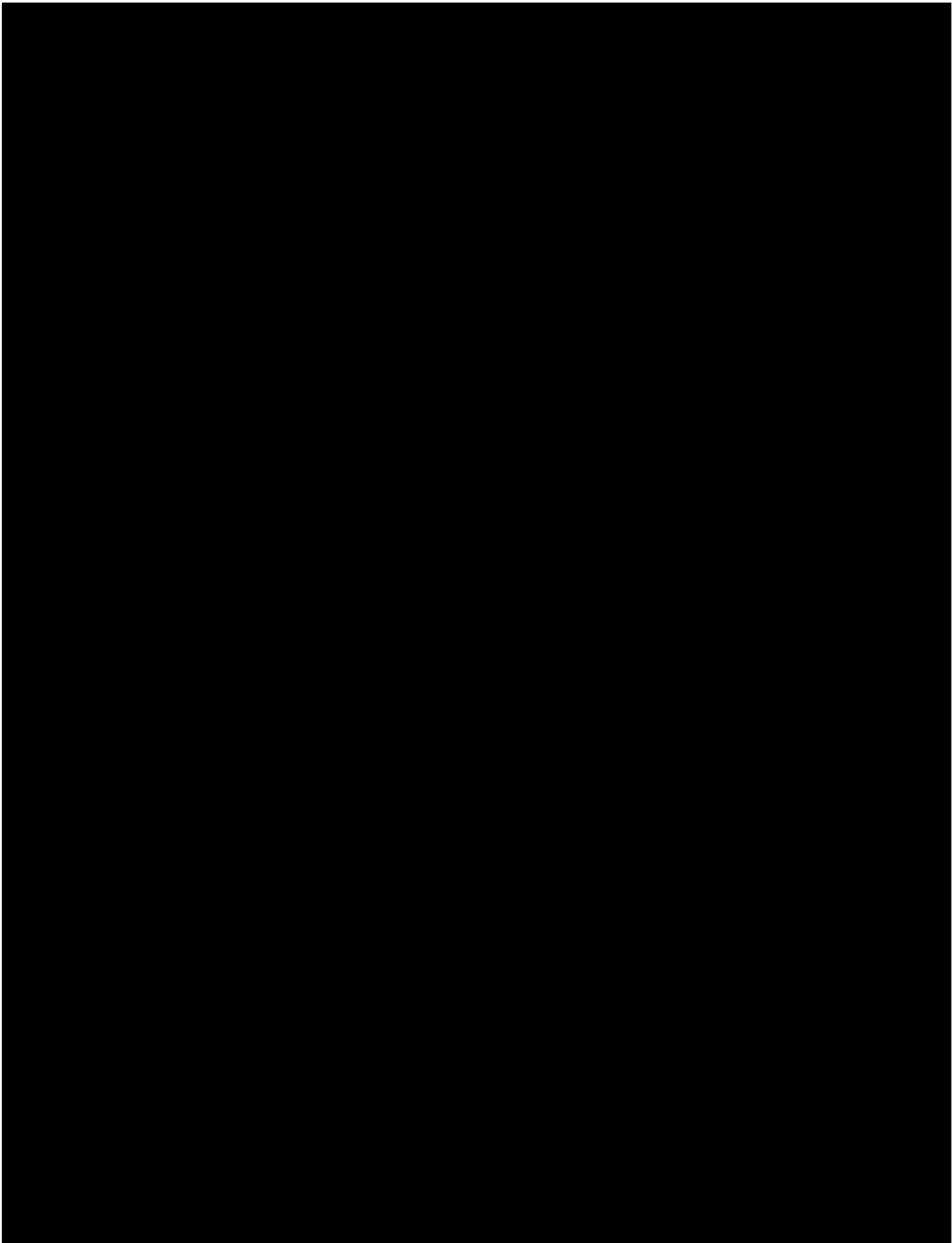


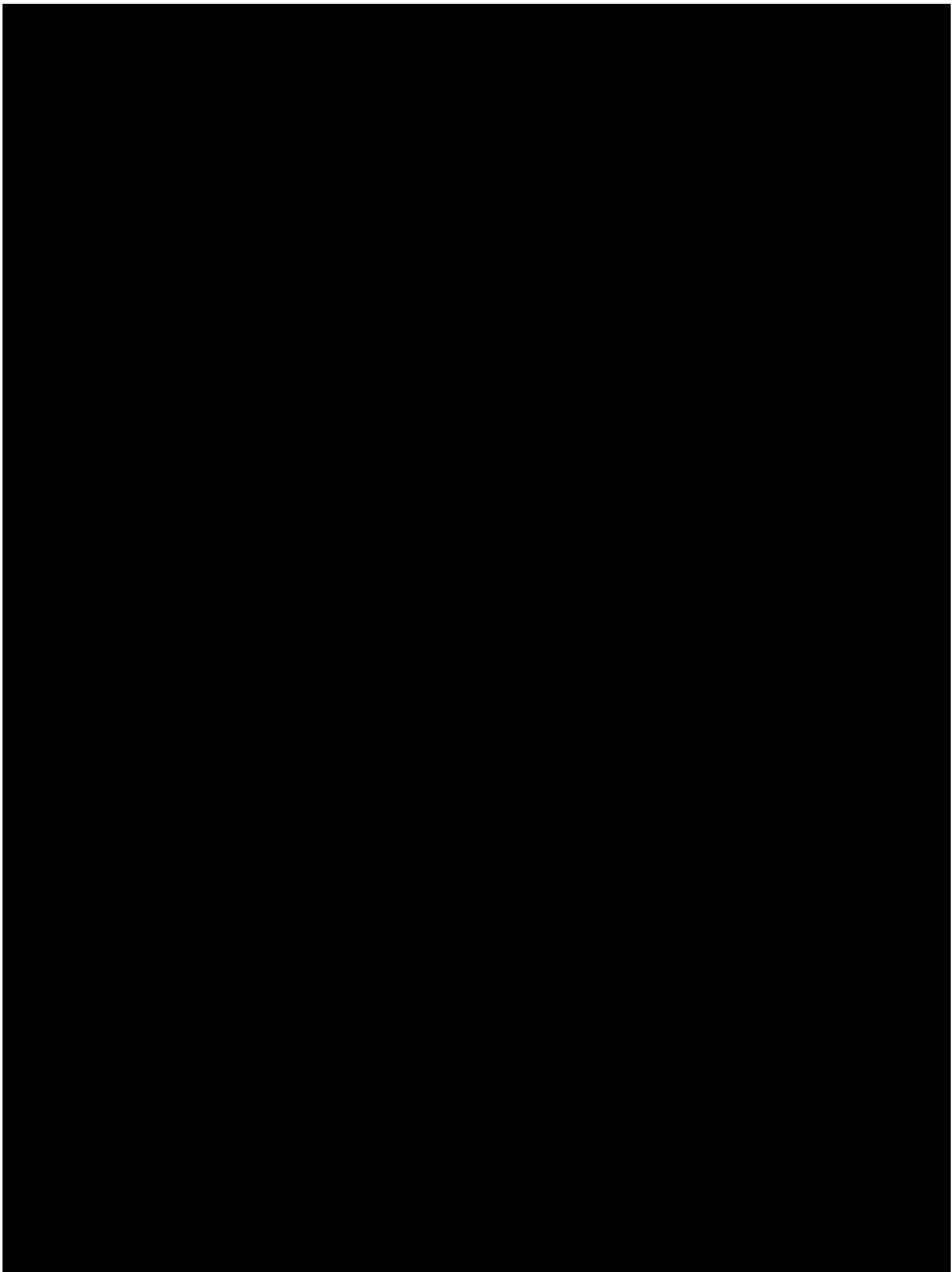


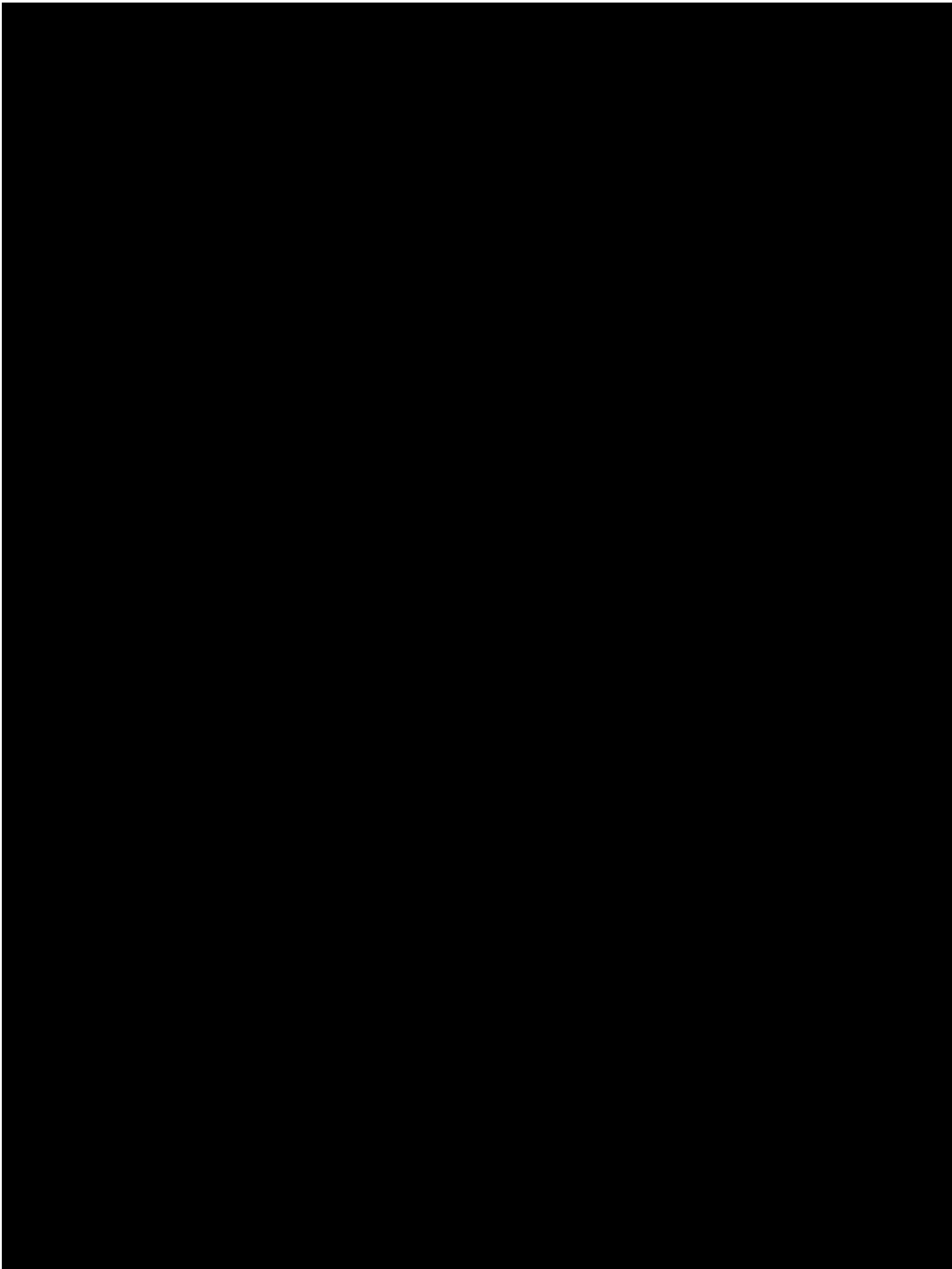


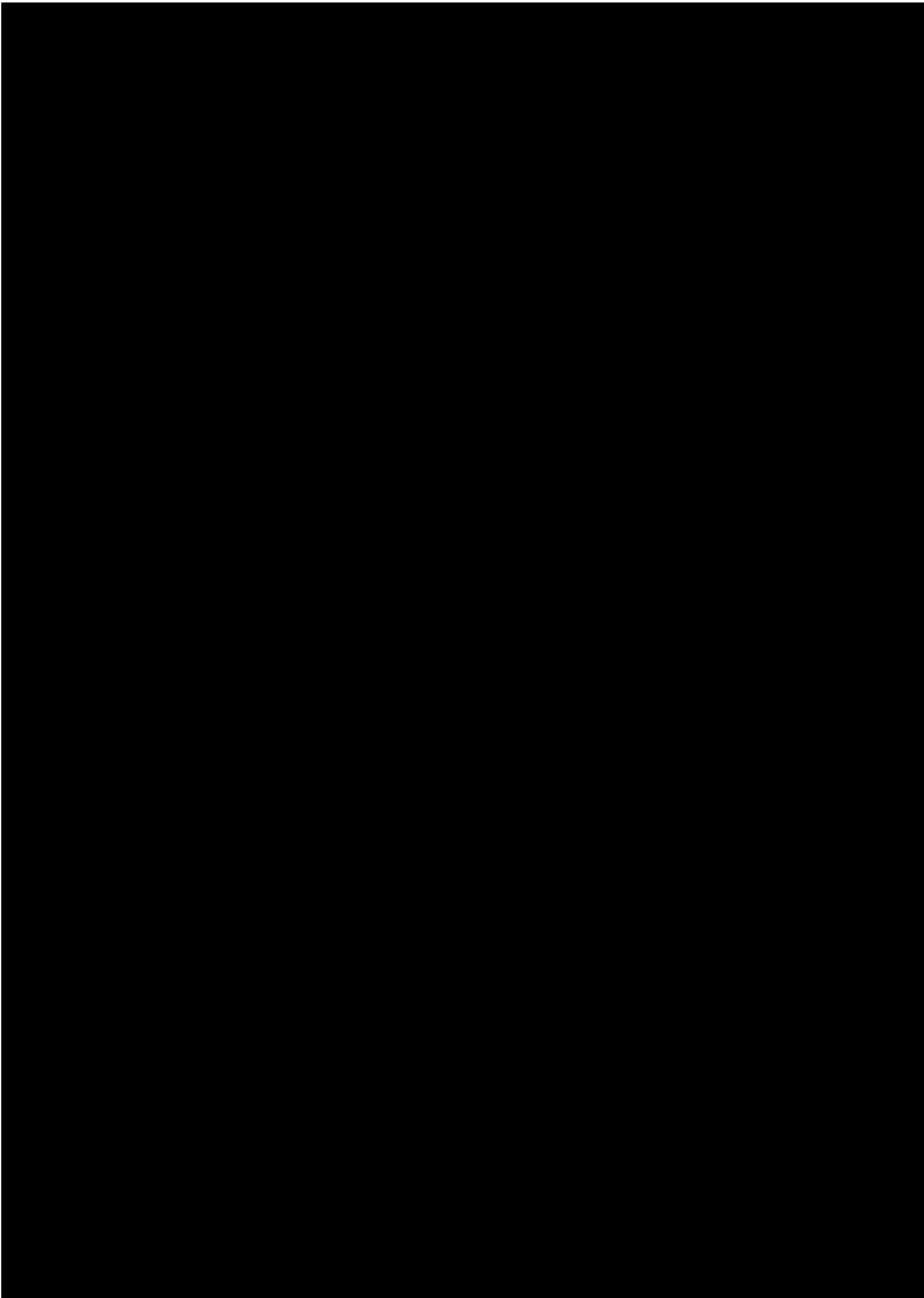


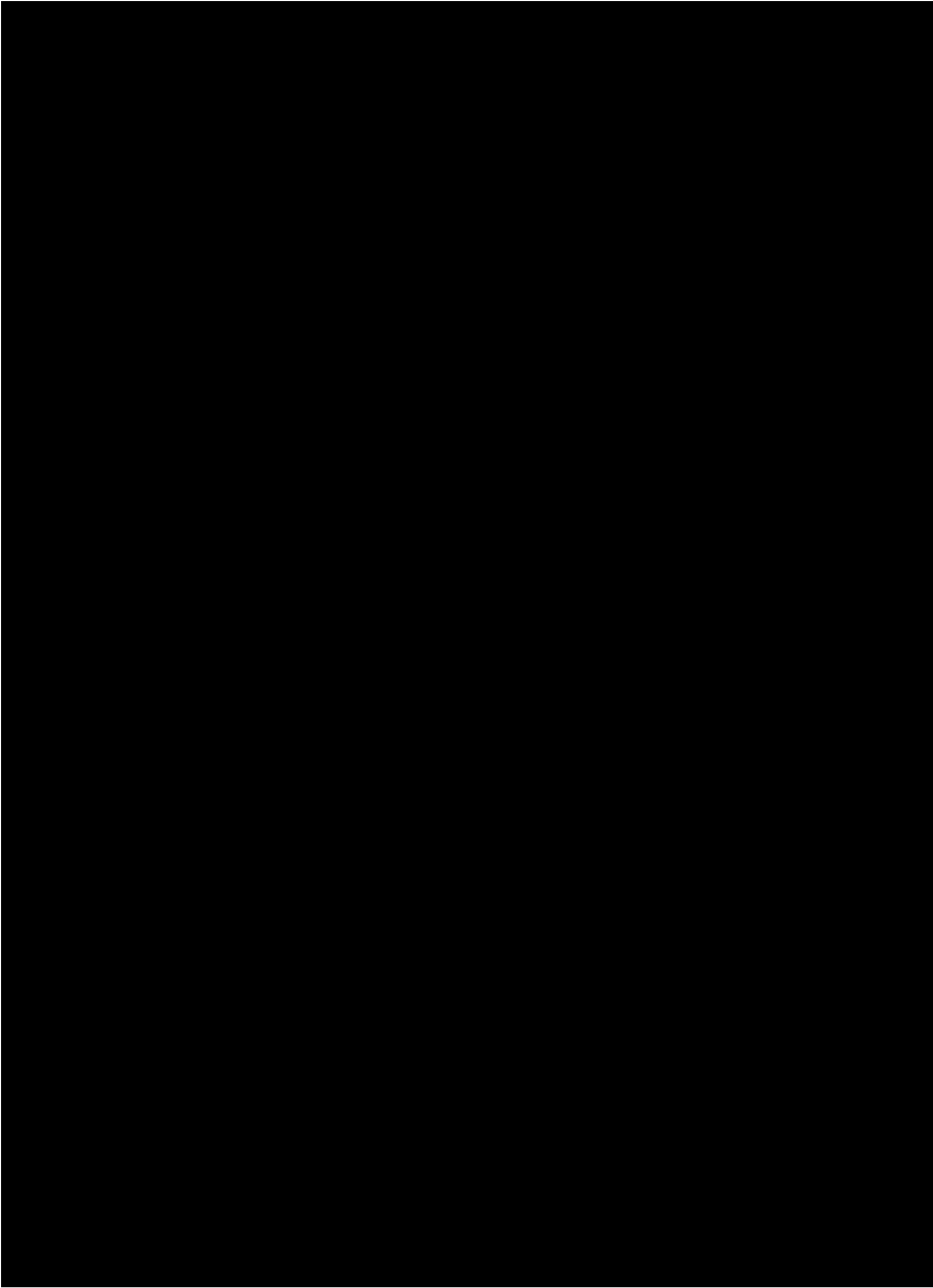


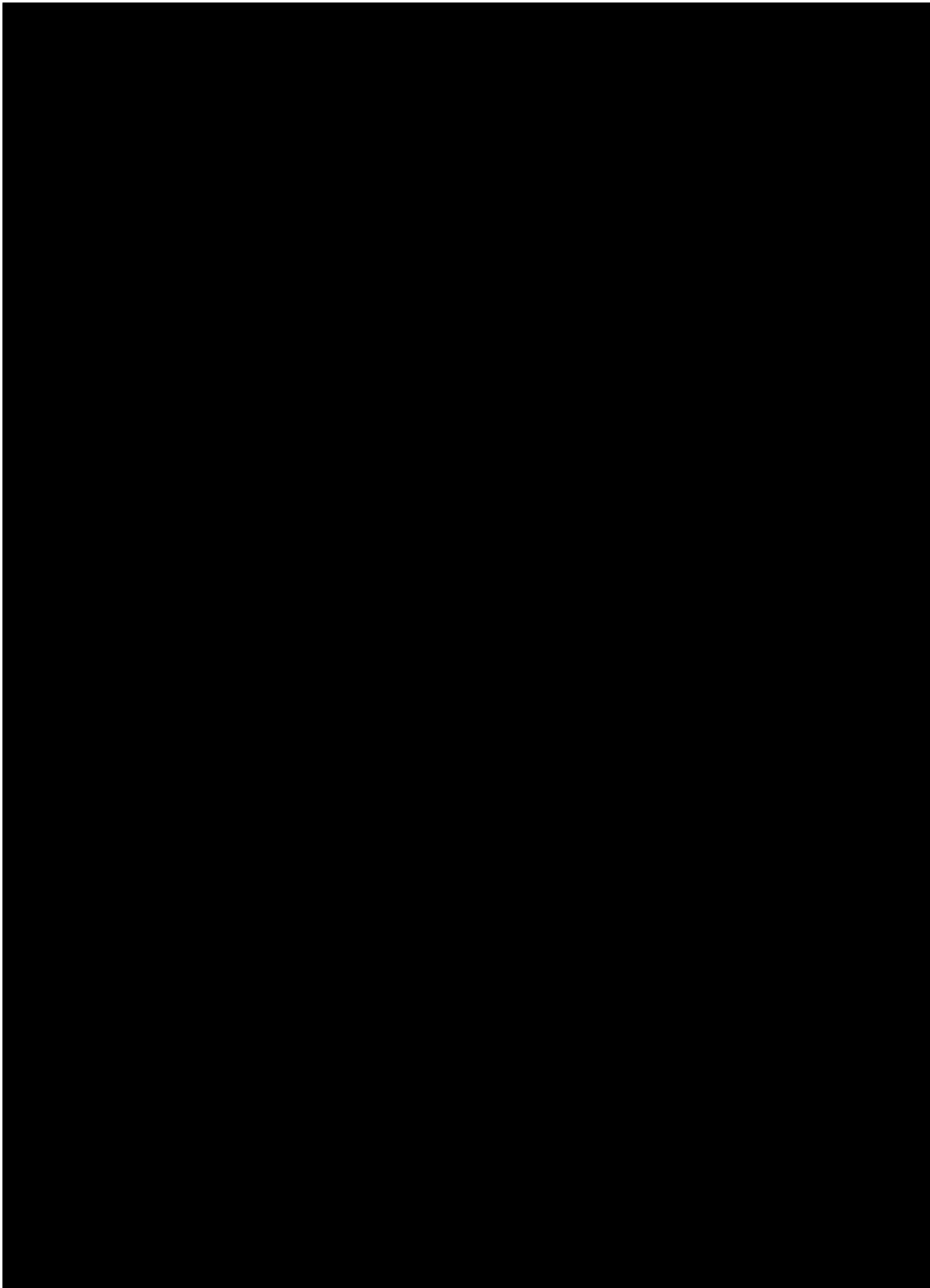


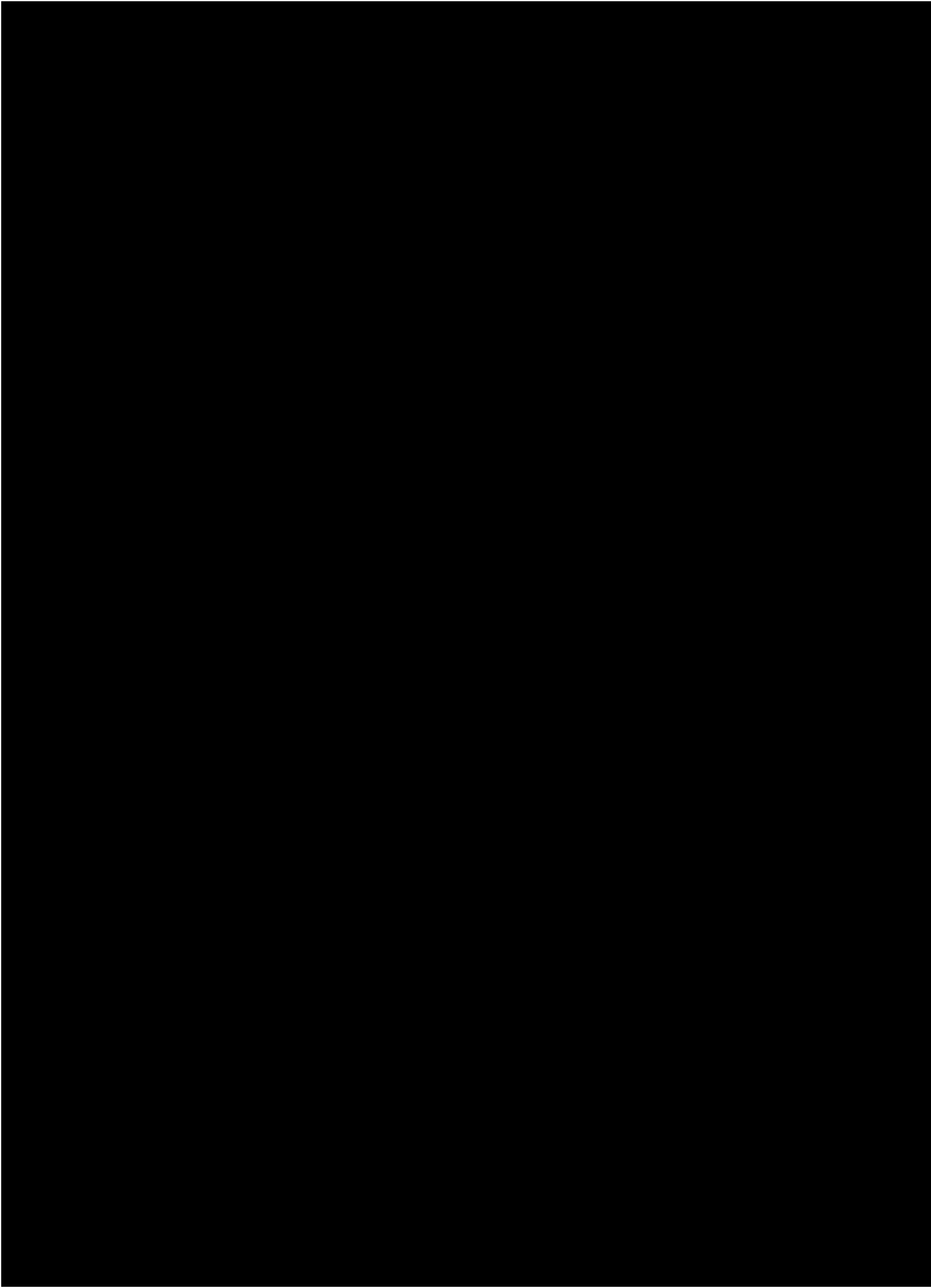


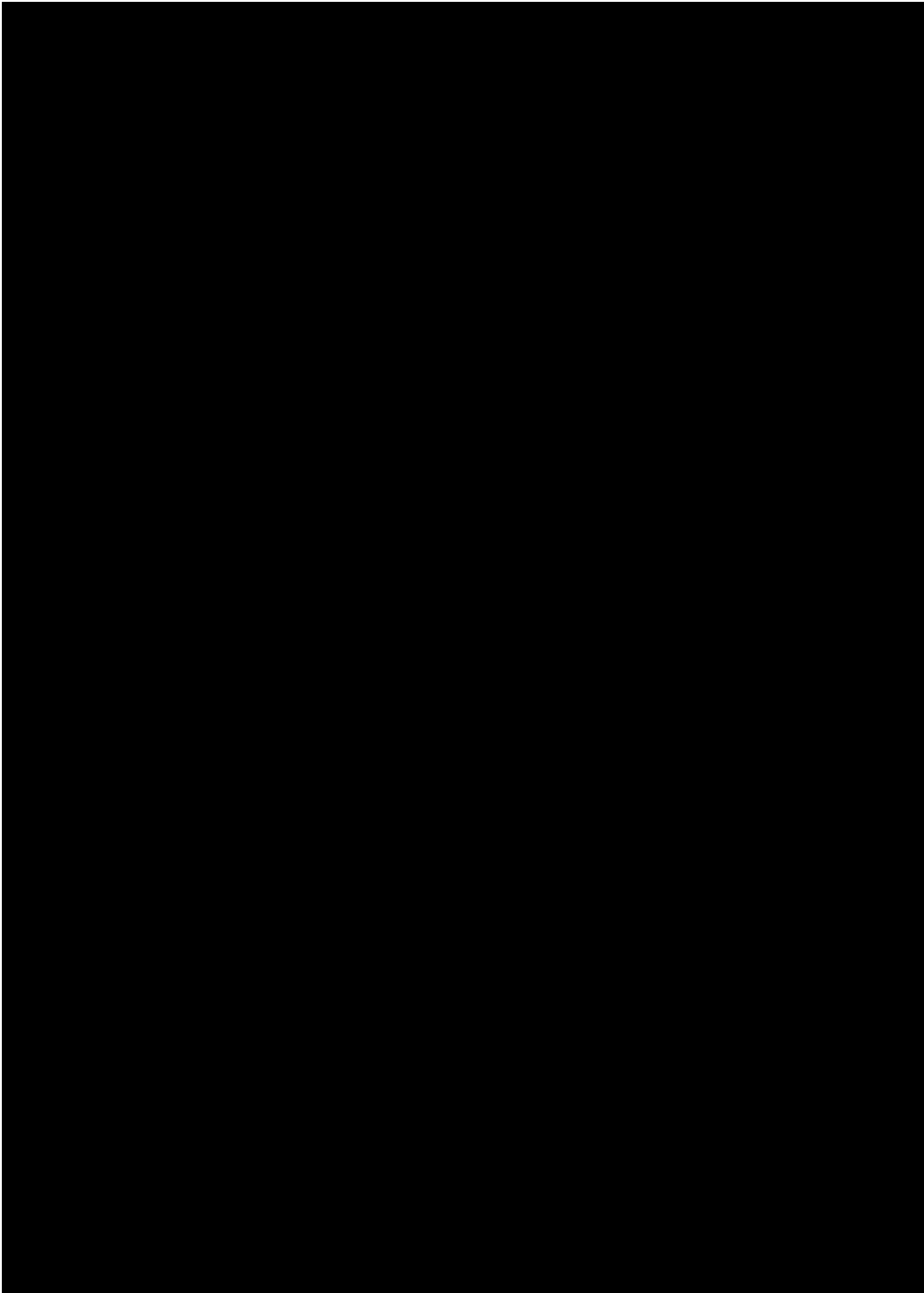


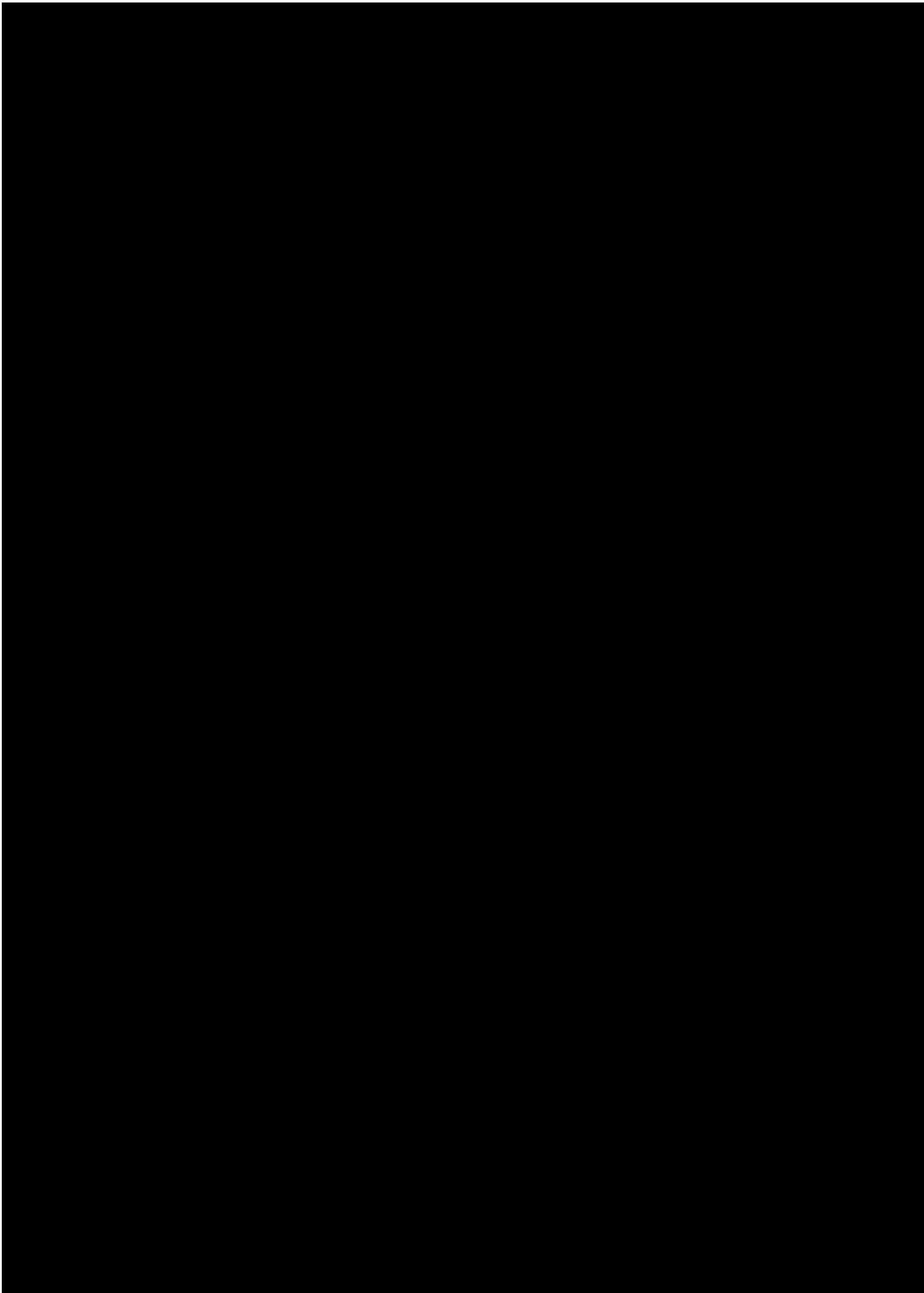


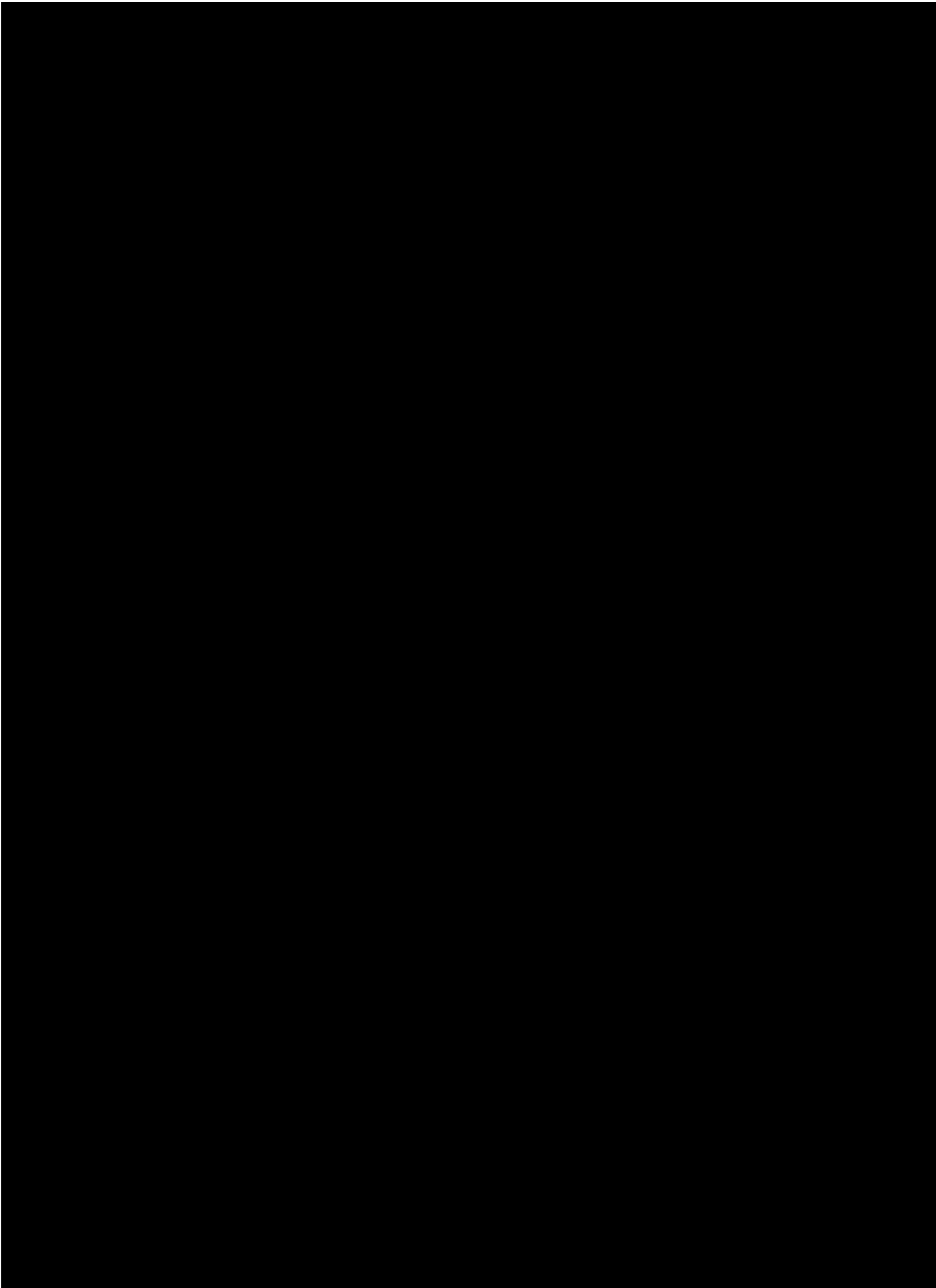


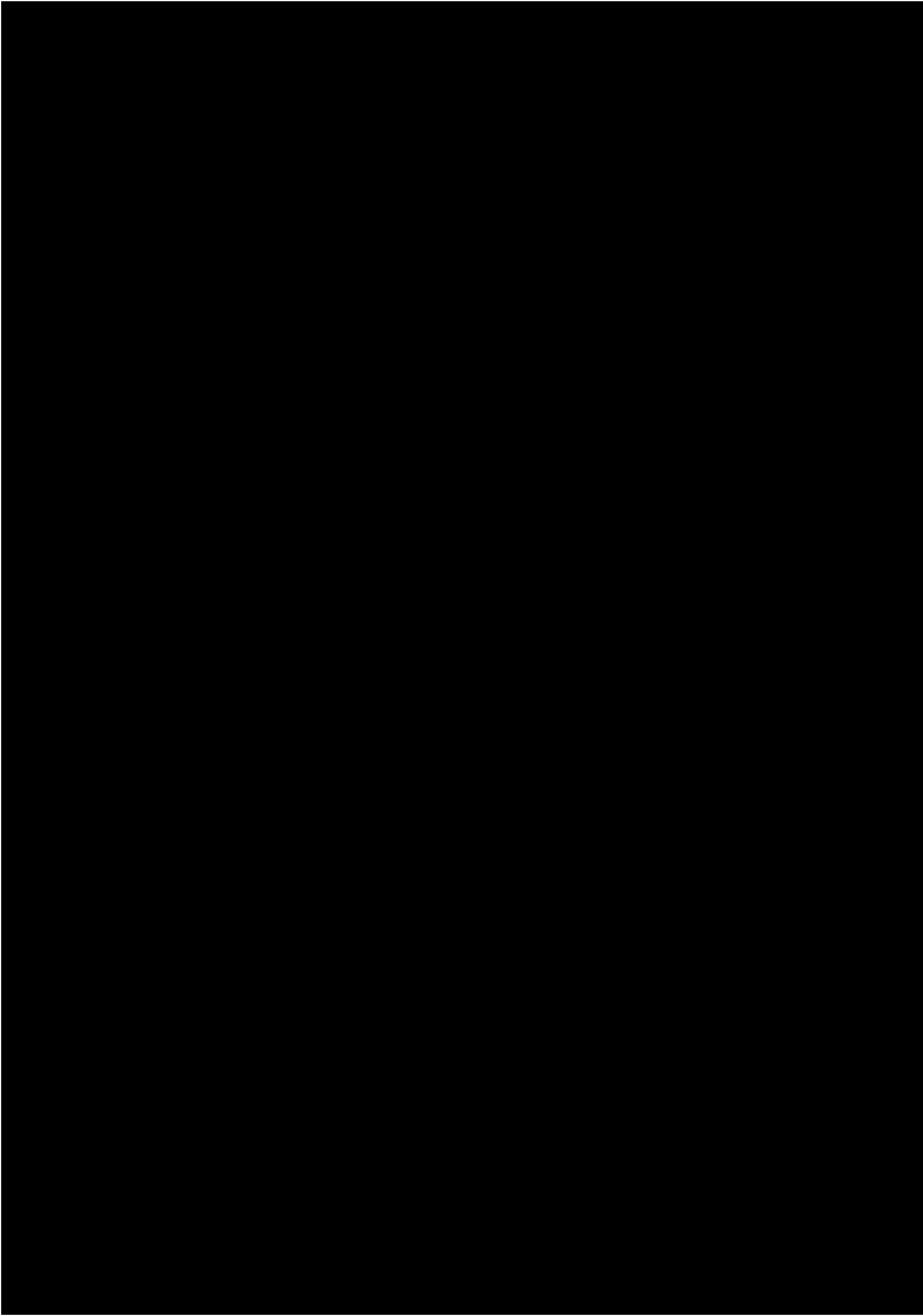












ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

July 9, 2018

Ms. Sherri Robinson
University of Arkansas for Medical Sciences
4301 West Markham Street
Slot 860
Little Rock, Arkansas 72205

RE: ***Sabrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Ms. Robinson,

Enclosed please find a copy of the above-styled claim filed against the University of Arkansas for Medical Services. 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,

A handwritten signature in blue ink, appearing to read "Kathryn Irby", is written over the typed name.

Kathryn Irby

Enclosure
cc: JP Phillips, *counsel for Claimant* (w/o encl.)

Note to Claimant or Claimant's counsel: 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.

Arkansas
State Claims Commission

AUG 10 2018

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 19-0008-CC

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

ANSWER

Comes now Respondent, University of Arkansas for Medical Sciences (UAMS), by and through its undersigned counsel, and for its Answer to the Complaint, states as follows:

1. Respondent admits that fell at UAMS on September 9, 2017.
2. Respondent denies the remaining allegations contained in Claimant's complaint.
3. Respondent specifically denies that it or any of its employees, agents, officials or representatives is liable for any damages as alleged by Claimant.
4. Respondent affirmatively pleads that Claimant was on UAMS premises to provide interpretation services. As such, Claimant's injury should be covered by her employer's workers compensation insurance.
5. Prior to moving forward on this claim before the Commission, Claimant must exhaust her available remedies before other insurers. Ark. Code Ann. § 19-10-302.
6. Claimant's claim should be held in abeyance pending exhaustion of a workers compensation claim.

7. Respondent reserves the right to plead further in this case as may become necessary.

WHEREFORE, having fully answered Claimant's Complaint, Respondent prays that the claim against it be denied and dismissed in its entirety, and for all other relief to which it may be entitled.

Respectfully submitted,

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES,
Respondent

By:




SHERRI L. ROBINSON, #97194
Associate General Counsel
University of Arkansas for Medical
Sciences 4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu

Attorney for Respondent

CERTIFICATE OF SERVICE

I, Sherri L. Robinson, do hereby certify that a copy of the foregoing pleading has been served on claimant herein by mailing a copy of same, by U.S. Mail, postage prepaid, this 8th day of August, 2018, addressed to the following:

Taylor King Law
1306B S. Caraway Rd.
Jonesboro, AR 72401



Sherri L. Robinson

Arkansas
State Claims Commission

AUG 10 2018

RECEIVED



Sherri L. Robinson
Associate General Counsel
Tel.: 501-686-7964
Fax: 501-686-7736

Office of General Counsel
4301 West Markham Street, #860
Little Rock, AR 72205-7199
SLRobinson@uams.edu

August 7, 2018

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol, Suite 410
Little Rock, AR 72201-2823

Re: Westcott vs. UAMS
Case No. 19-1017-CC

Dear Ms. Irby:

Enclosed please find my original and three copies of the following for filing in the above mentioned case:

- UAMS Answer.

Please return the file marked copy of the pleadings in the attached self-addressed stamped envelope. I am also enclosing a disk with the pleadings in word and pdf format.

Let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelly McGhee", written over a horizontal line.

Shelly McGhee
Paralegal for Sherri L. Robinson,
Associate General Counsel

Enc.
cc: Taylor King

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

August 14, 2018

Ms. Sherri L. Robinson
Office of General Counsel
University of Arkansas for Medical Sciences
4302 West Markham Street #860
Little Rock, Arkansas 72205-7199

Re: ***Sebrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Ms. Robinson,

Enclosed please find your file-marked copy of the Answer in the above-referenced claim. If you have any questions, please do not hesitate to contact my office.

Sincerely,


Kathryn Irby

KI/cs

Arkansas
State Claims Commission

OCT 22 2018

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSASRECEIVED
CLAIMANT

SEBRENA WESTCOTT

V.

CLAM NO. 190008-CC

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

CLAIMANT'S INTERROGATORIES AND REQUESTS
FOR PRODUCTION OF DOCUMENTS

COMES NOW the Claimant, Sebrena Westcott, by and through her attorneys, Taylor King Law, and propounds to the Respondent, University of Arkansas for Medical Sciences, the following Interrogatories and Requests for Production of Documents, to be answered under oath and in the manner required by Arkansas law, as follows:

INTERROGATORY NO. 1: Have you, or has anyone acting for you, obtained any medical records or medical bills concerning the Plaintiff from any source other than the Plaintiff's attorneys? If so, identify by name, address, and telephone number the source of said records.

REQUEST FOR PRODUCTION NO. 1: Produced a true, accurate, and authentic copy of any and all medical records and medical bills concerning the Plaintiff in your or your attorney's possession as well as a copy of any and all medical authorizations used to obtain those records.

INTERROGATORY NO. 2: Identify any and all persons to whom you have made any written or recorded statements concerning the incident described in the Plaintiff's Complaint, other than to your attorney.

INTERROGATORY NO. 3: Do you, or does anyone acting for you, have information as to the existence of possible witnesses to the incident referred to in the Plaintiff's Complaint? If

so, provide names and addresses of said witnesses.

REQUEST FOR PRODUCTION NO. 2: Produce a true, accurate, and authentic copy of any and all statements, whether written or recorded, given by any person who claims to have knowledge concerning the incident referred to in the Plaintiff's Complaint.

INTERROGATORY NO. 4: Please state the names and addresses of all witnesses you intend to call at the trial of this matter, and please state whether each will testify as a lay or expert witness.

INTERROGATORY NO. 5: Please describe all exhibits, including all tangible evidence which you may or will introduce into evidence, refer to or utilize in any manner at any time during the course of the trial of this case. Include all photographs, pictures, images, documents and other things you will use as demonstrative tools to convey any information to the jury, regardless of whether these will be submitted into evidence.

REQUEST FOR PRODUCTION NO. 3: Produce a true, accurate, and authentic copy of any and all exhibits, including all tangible evidence which you may or will introduce into evidence, refer to or utilize in any manner at any time during the course of the trial of this case. Include all photographs, pictures, images, documents and other things you will use as demonstrative tools to convey any information to the jury, regardless of whether these will be submitted into evidence.

INTERROGATORY NO. 6: Does the University of Arkansas School for Medical Sciences maintain employee handbooks, rulebooks, guidelines, instructions, or other written or electronic information that describe the procedures for maintaining a clean workplace?

REQUEST FOR PRODUCTION NO. 4 Produce a true, accurate, and authentic copies of any and all materials requested in Interrogatory No. 6, including but not limited to: employee

handbooks, rulebooks, guidelines, instructions, or other written or electronic information that describe the procedures for maintaining a clean restaurant.

INTERROGATORY NO. 7: Do you have liability insurance providing potential indemnification against any judgment the Plaintiff might obtain? State the names of each and every liability carrier providing insurance and the coverage limits. Also indicate whether your policy covers punitive damages.

REQUEST FOR PRODUCTION NO. 5: Produce a true, accurate, and authentic copy of any and all insurance policies, whether primary, excess, or umbrella, which may provide indemnification against any judgment obtained against you in this case.

INTERROGATORY NO. 8: Do you contend that any person, entity, or thing other than yourself contributed to cause the incident, injuries, and/or losses described in the Plaintiff's Complaint. If so, state the factual basis for your contention and identify by name, address, and telephone number each person who has knowledge or claims to have knowledge of any such facts. Also, identify by name, address, telephone number and field of expertise any expert witness you expect to use to support these contentions.

INTERROGATORY NO. 9: If you alleged an affirmative defense in your Answer to Plaintiff's Complaint, please set forth all facts known to you, or anyone acting in your behalf, which you contend support or corroborate each said allegation or defense. Identify by name, address, and telephone number each person known to you who claims to have knowledge regarding any such facts; and identify each and every writing relating to or tending to support each such contention.

REQUEST FOR PRODUCTION NO. 6: Produce a true, accurate, and authentic copy of

and all correspondence, emails, notes, electronic texts, or social media posts you have written, received, sent, or posted involving any aspect of this case or the underlying facts.

REQUEST FOR PRODUCTION NO. 7: Produce a true, accurate, and authentic copy of any and all photographs in your or your attorney's possession which relates in any way to the scene or the subject matter of this action.

INTERROGATORY NO. 10: Please list all KFC / Taco Bell employees who were present the day of the incident and could have witnessed the incident.

INTERROGATORY NO. 11: Please list all managers or supervisors who were on duty or present at the scene of the incident.

INTERROGATORY NO. 12: At the time of the fall, did the KFC / Taco Bell location that is associated with this litigation maintain video or photographic surveillance of any kind?

REQUEST FOR PRODUCTION NO. 8: Produce any and all video recordings in your or your attorney's possession which relates in any way to the scene or the subject matter of this action, including but not limited to, video recordings of the incident.

INTERROGATORY NO. 13: Has any person, other than the Plaintiff, ever tripped, fallen, slipped, or stumbled in the area described in the Plaintiff's Complaint? If so, identify such person or persons by name, address, and telephone number along with the date of the trip, fall, slip, or stumble.

INTERROGATORY NO. 14: Does either University of Arkansas School For Medical Sciences operates maintain documents, accident reports, or other written or electronic records used for memorializing accidents or events involving injuries to customers.

INTERROGATORY NO. 15: Did University of Arkansas School For Medical Sciences create any document, accident report, or other written or electronic record pertaining to or memorializing the incident involving Sebreana Westcott, which is the subject of this litigation.

REQUEST FOR PRODUCTION NO. 9: Please produce any document, accident report, or other written or electronic record pertaining to the incident involving Sebreana Westcott, created by University of Arkansas School For Medical Sciences.

INTERROGATORY NO. 16: Do you contend that you were not properly named in the Complaint and Summons filed in this lawsuit?

INTERROGATORY NO. 17: If you were not properly named, please list and explain the inaccuracies of how you were named.

Respectfully submitted,

Taylor King Law
1306B S. Caraway Road
Jonesboro, AR 71923
Telephone: (870) 246-0505

By: 

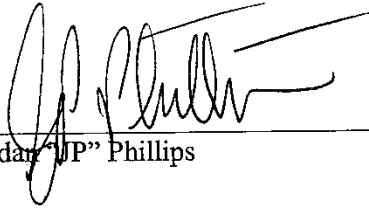
Jordan "JP" Phillips, Bar No. 2015155
Attorney for Claimant

CERTIFICATE OF SERVICE

I, Jordan "JP" Phillips, hereby certify that a copy of the above and foregoing document has been served by placing a copy in the United States Mail with sufficient postage for first class delivery to the Attorneys listed below on this the 17th day of October, 2018:

Sherri L. Robinson
Office of General Counsel
4301 West Markham Street, Suite 860
Little Rock, Arkansas 72201-7199

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol, Suite 410
Little Rock, Arkansas 72201-2823



Jordan "JP" Phillips

PERSONAL INJURY LAWYERS
TAYLOR KING
On Your Side - By Your Side

Please respond to
 320 Main Street
 Arkadelphia, AR 71923
 1-800-CAR-WRECK
 1-800-227-9732
 1-870-246-0505
 Out of State: 1-800-305-0529

Arkansas
 State Claims Commission
 NOV 12 2018
 RECEIVED

November 7, 2018

Sherri L. Robinson
 University of Arkansas for Medical Sciences
 4301 West Markham, Slot 860
 Little Rock, Arkansas 72205

**Re: Sebrena Westcott v University of Arkansas for Medical Sciences
 Arkansas State Claims Commission, Claim No 190008**

Dear Sherri:

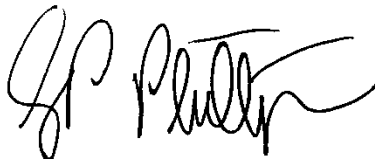
As we discussed a few months ago on the telephone, I believe we may be in a very unique position to resolve this matter without the need for a hearing. The incident that led to my client's injuries occurred at UAMS in Little Rock, and [REDACTED]

[REDACTED] we would only be left with my client's lost wages to deal with.

I have attached additional documentation to support Mrs. Westcott's lost wage claim. The [REDACTED] As you are probably aware, my client serves as a sign language interpreter for the hearing impaired, and without the use of her arm she cannot perform her job duties. My client is willing to negotiate the extent of the lost wage claim in exchange for a quick resolution that would lead to her getting the [REDACTED] so that she may return to work.

If this proposal interest you and your client, please contact me so we can discuss the details further. If there is further documentation that I can provide you to help in your decision, please do not hesitate to contact me.

Regards,



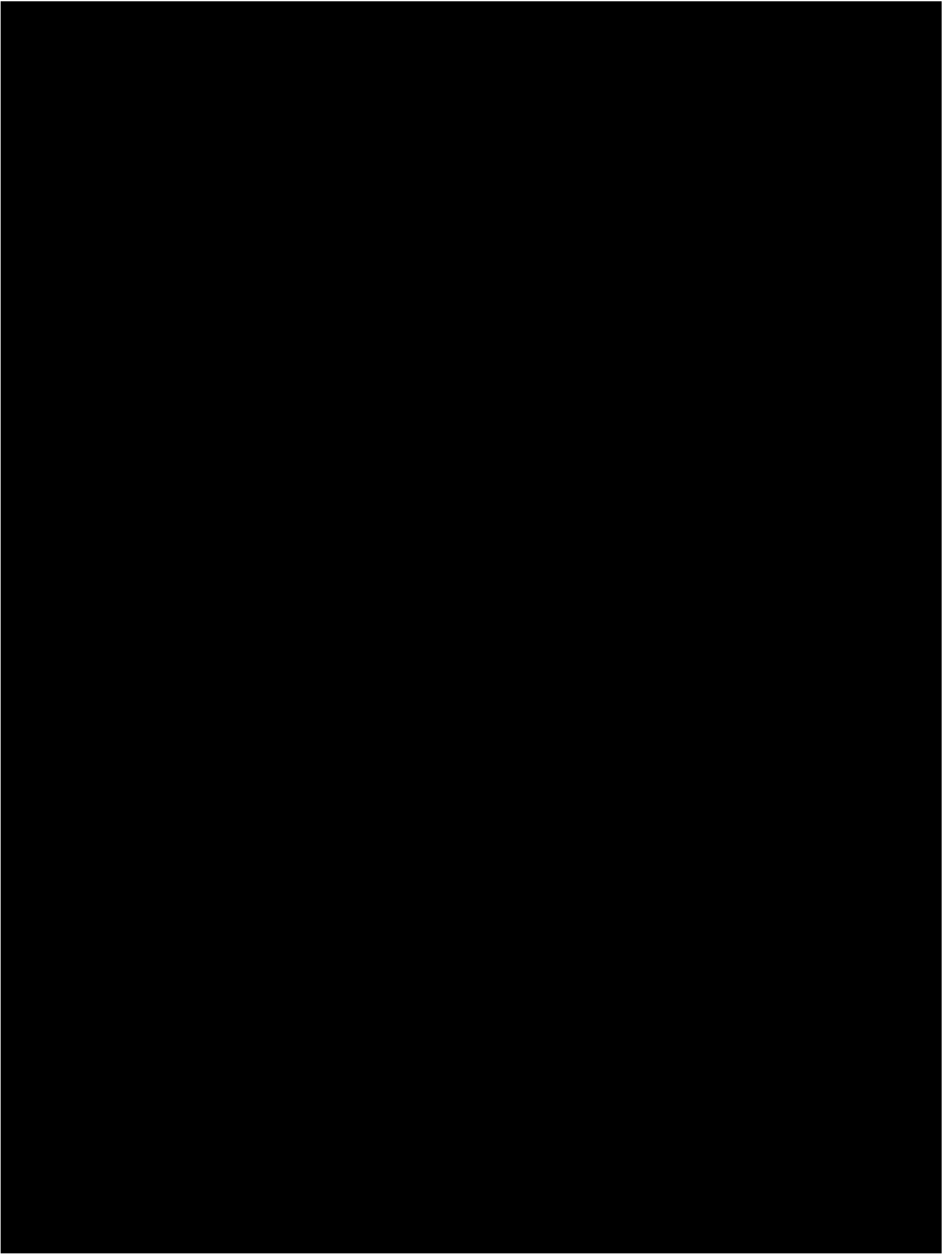
JP Phillips
 Attorney at Law
 P-501-205-8773
 F-501-205-8755
JPPhillips@taylorkinglaw.com

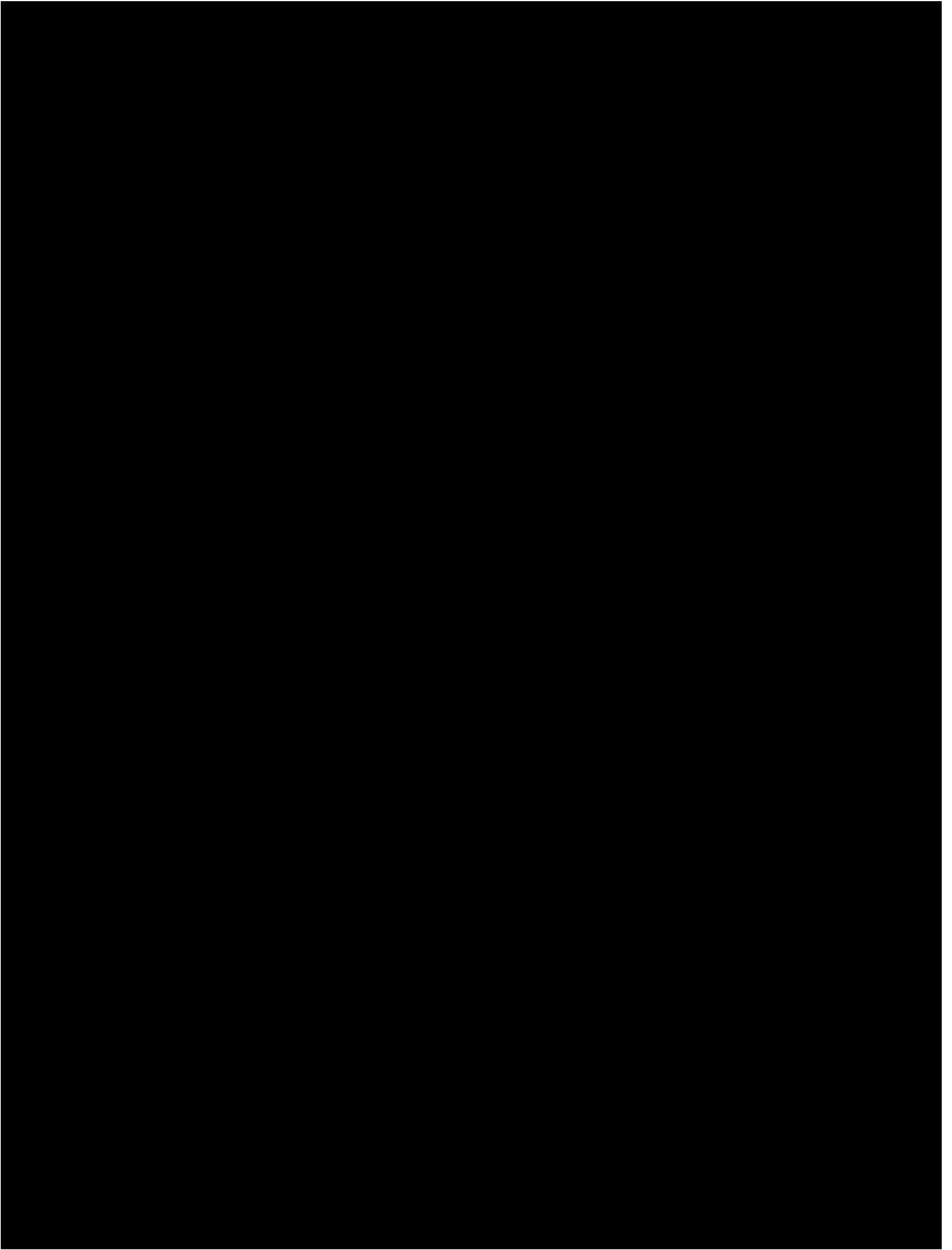
OFFICE LOCATIONS

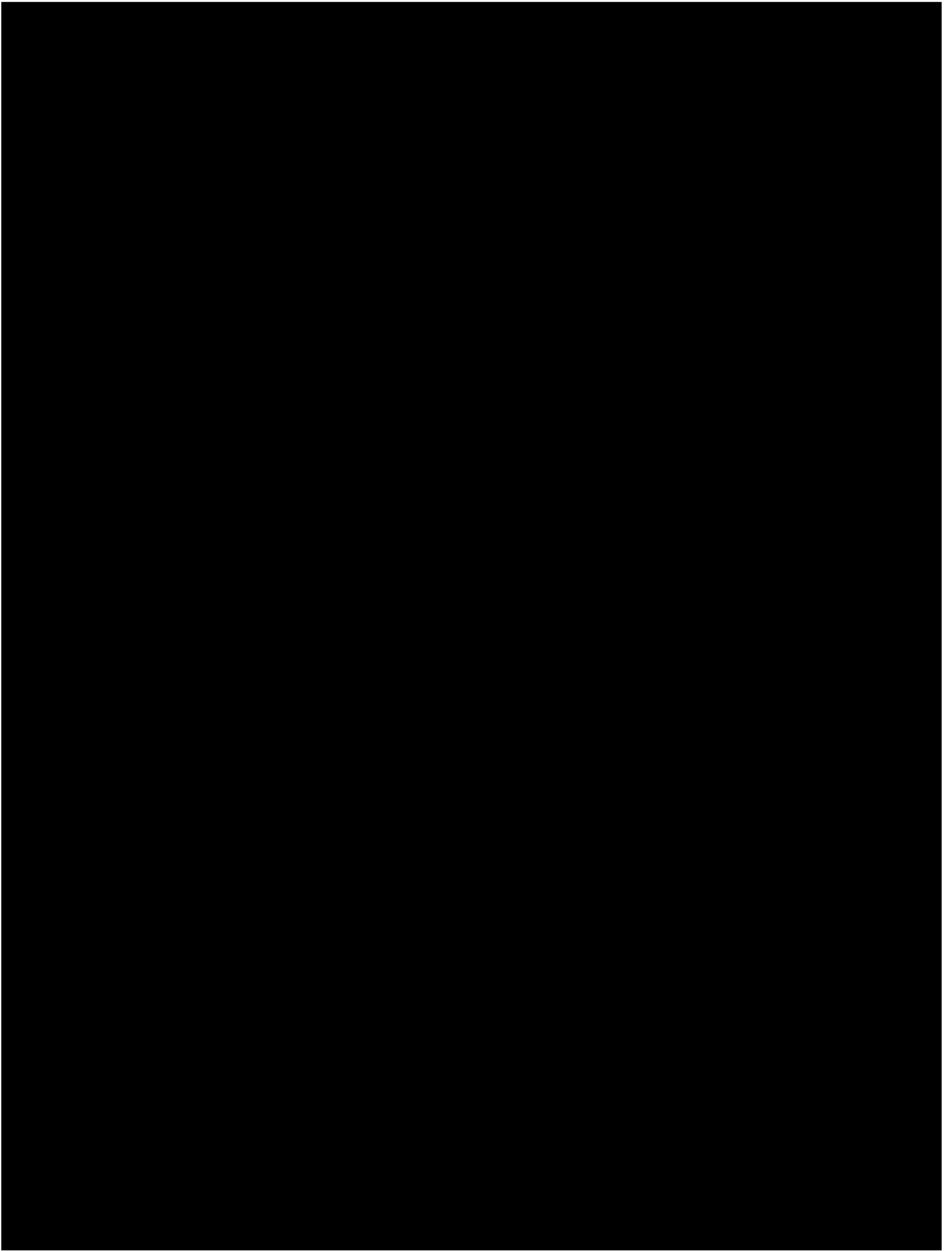
ARKADELPHIA | FORT SMITH | JONESBORO | LITTLE ROCK | SPRINGDALE
www.taylorkinglaw.com

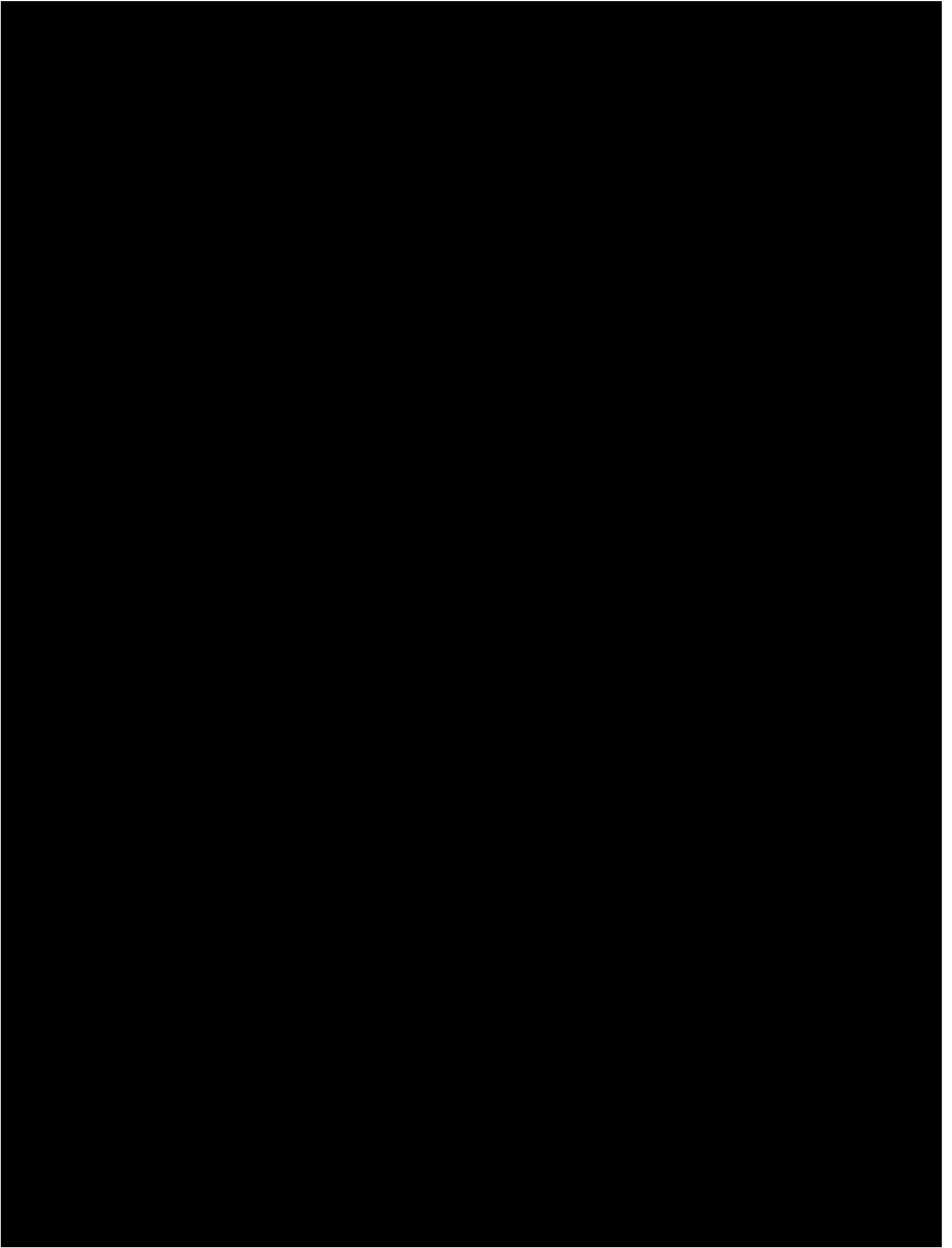
Enclosures

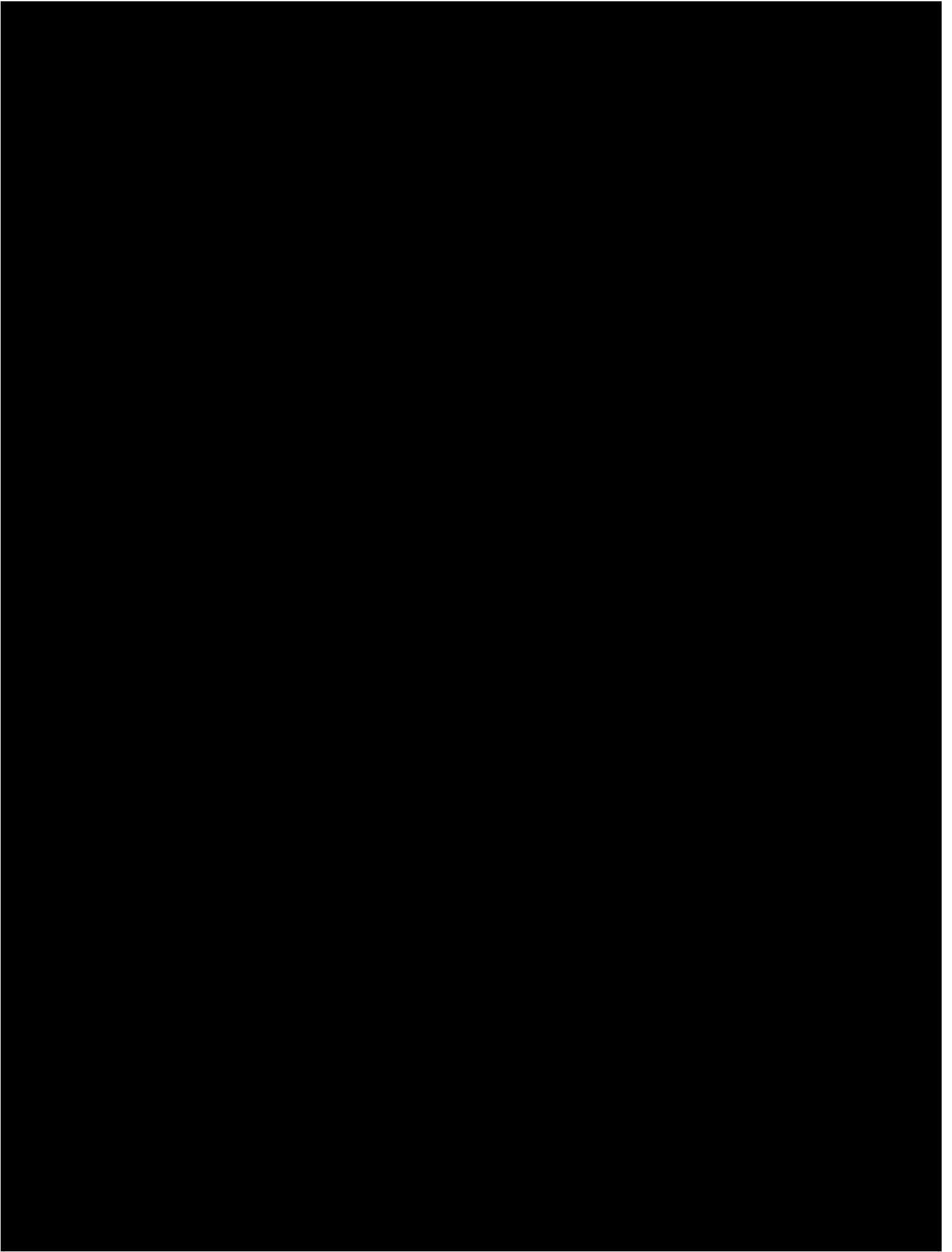
cc: ✓ Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas, 72201-2823
(with enclosures)

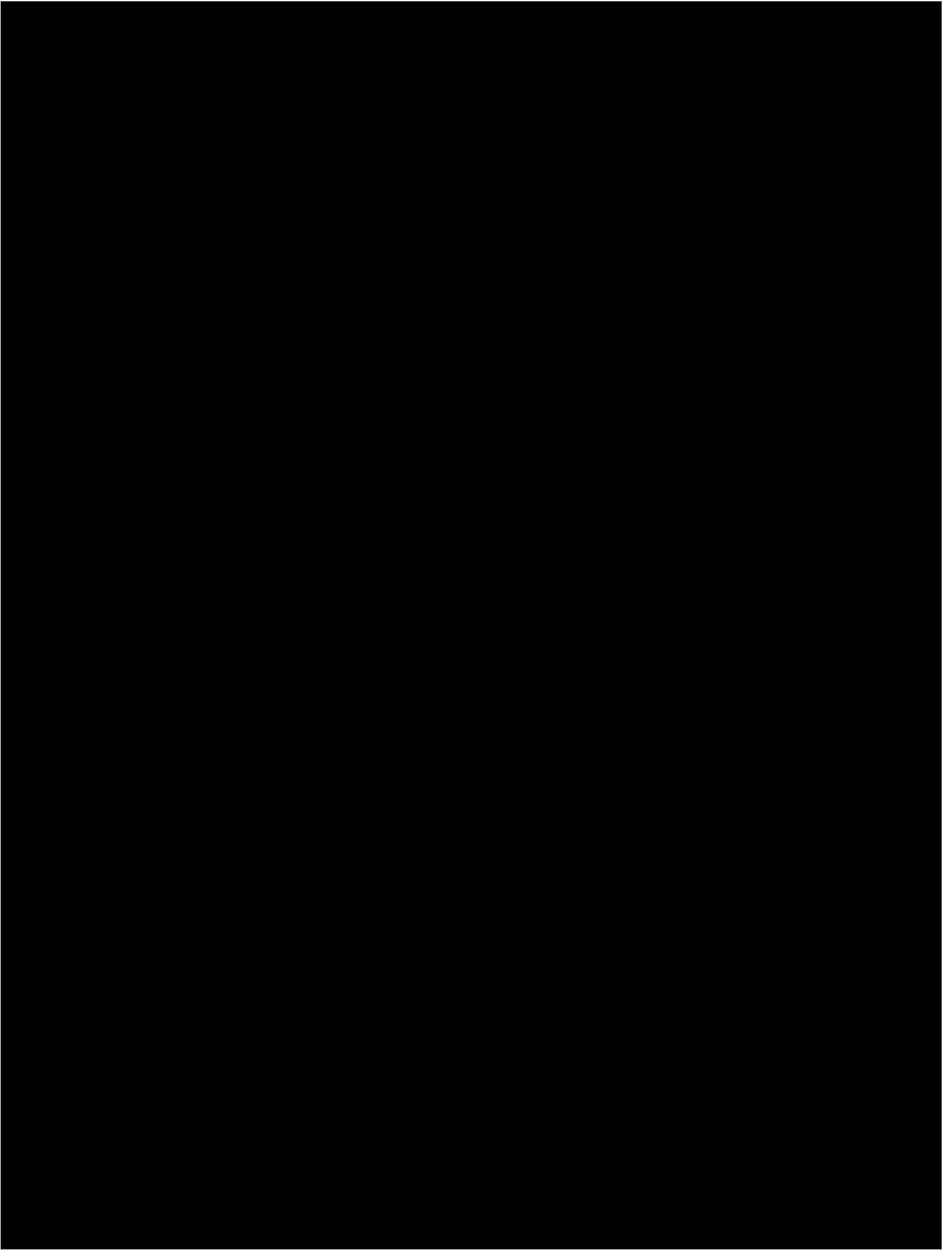


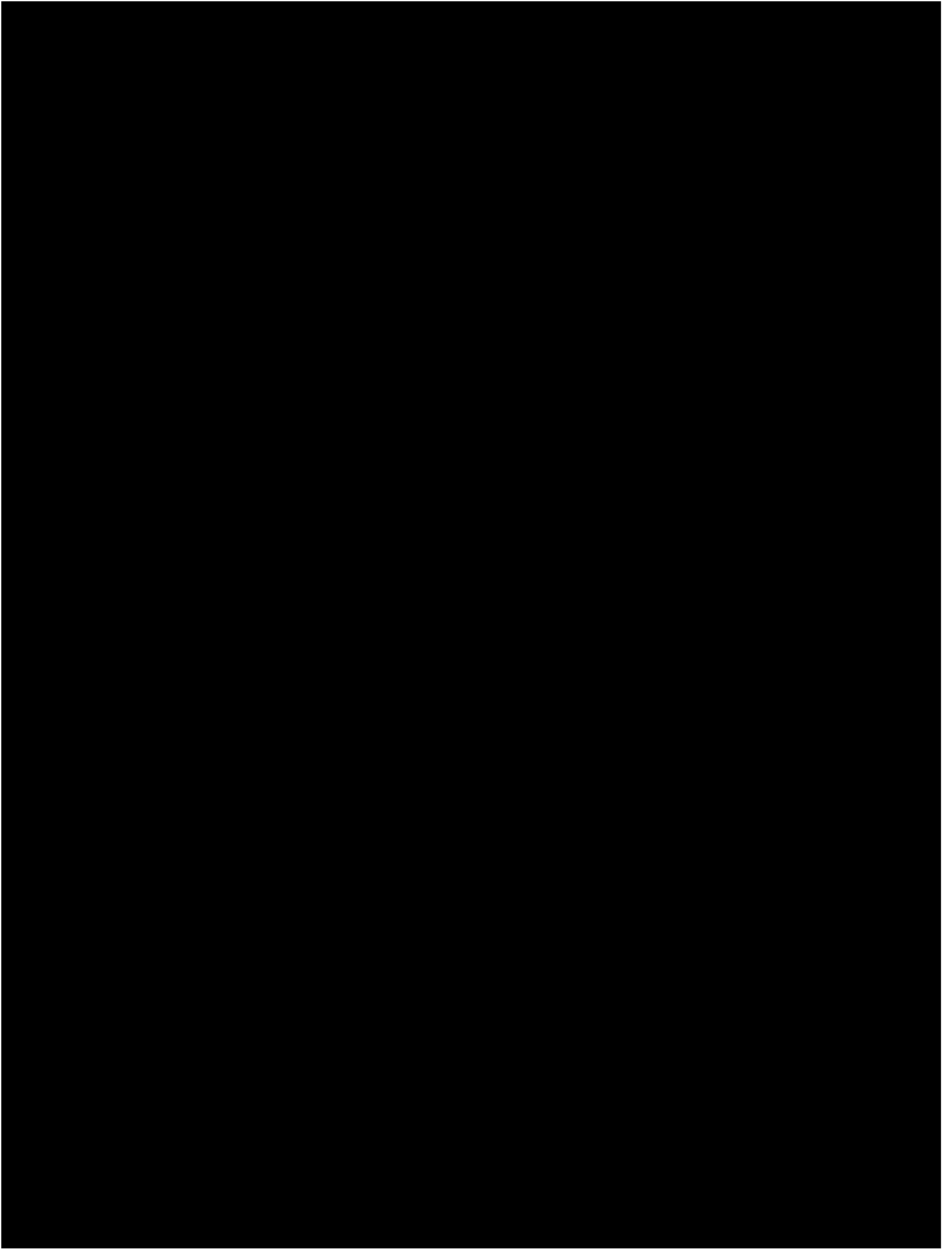


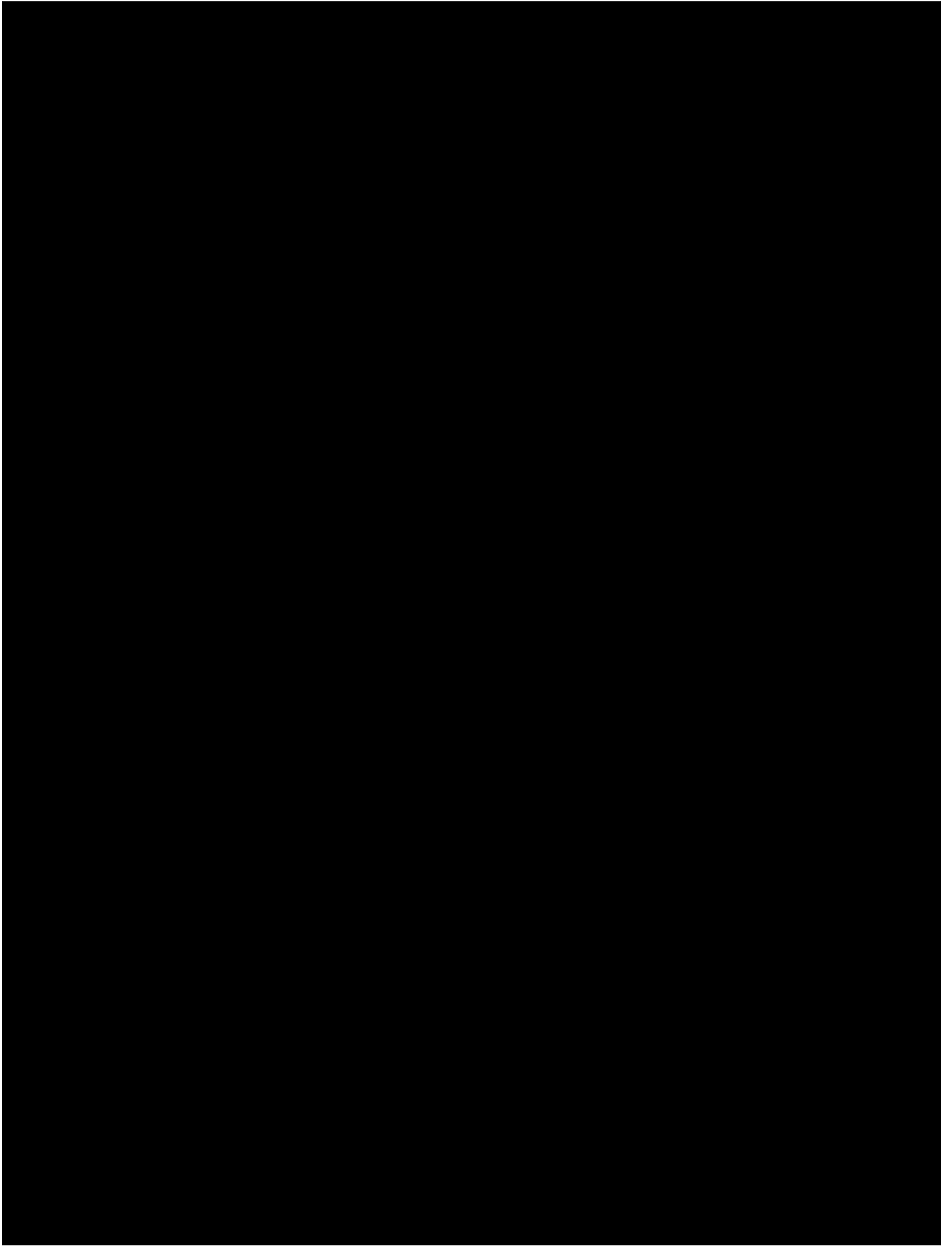


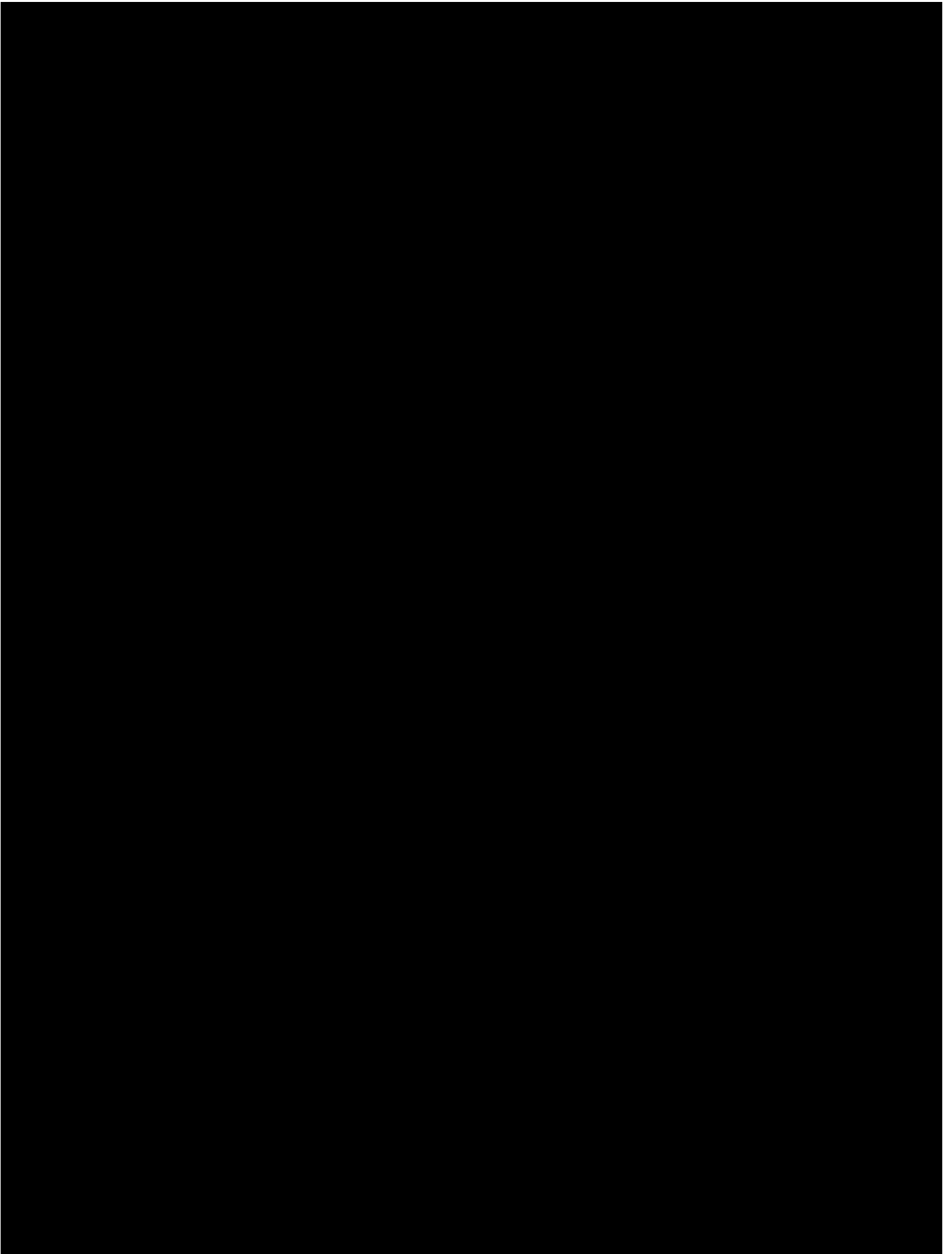












From: [Kathryn Irby](#)
To: ["Jp Phillips"](#)
Cc: [Sherri Robinson](#)
Subject: Westcott v. UAMS, Claim No. 190008 -- info request
Date: Thursday, November 29, 2018 11:14:00 AM

Mr. Phillips,

The Claims Commission has reviewed the answer filed by UAMS in the above-referenced claim and requests additional information from Claimant regarding whether Claimant has or is going to file a workers comp claim related to her injury.

Please advise.

Thanks,
Kathryn Irby

From: [Jp Phillips](#)
To: [Kathryn Irby](#)
Cc: [Kathy Ryan](#)
Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request
Date: Monday, December 3, 2018 11:46:12 AM

Kathryn,

Mrs. Westcott has no workers compensation coverage, so I have no additional documentation to provide. We can supply an affidavit of no coverage signed by Mrs. Westcott if the Commission wants us to.

Thanks,

On Thu, Nov 29, 2018 at 11:15 AM Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

Mr. Phillips,

The Claims Commission has reviewed the answer filed by UAMS in the above-referenced claim and requests additional information from Claimant regarding whether Claimant has or is going to file a workers comp claim related to her injury.

Please advise.

Thanks,

Kathryn Irby

--

JP Phillips

Attorney

Taylor King Law, P.A.

1306 South Caraway Road, Jonesboro Arkansas, 72401

Main: (501) 205 8773 | Fax: (501) 205 8755 | JPPhillips@TaylorKingLaw.com

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TAYLOR KING AND ASSOCIATES ACCEPTS NO LIABILITY FOR ANY DAMAGE CAUSED BY ANY VIRUS TRANSMITTED BY EMAILS.

From: [Robinson, Sherri](#)
To: [Kathryn Irby](#); [Jp Phillips](#)
Cc: [Kathy Ryan](#)
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request
Date: Thursday, December 6, 2018 11:53:11 AM

May 17 is good for me.

Congrats, JP!

Sherri

From: Kathryn Irby [mailto:Kathryn.Irby@arkansas.gov]
Sent: Thursday, December 06, 2018 11:11 AM
To: Jp Phillips <jpphillips@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>
Cc: Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request

JP, a baby is an excellent reason to move around a hearing docket – congratulations on the upcoming addition to your family!

JP and Sherri, I can move the hearing to Friday, May 17?

Thanks,
 Kathryn

From: Jp Phillips <jpphillips@taylorkinglaw.com>
Sent: Wednesday, December 05, 2018 10:38 AM
To: Robinson, Sherri <SLRobinson@uams.edu>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request

Kathryn,

I believe we'll be fine in regard to discovery but I have a baby due in mid-March and I'm bit nervous about a hearing so close to our due date. Could we bump it back a month?

Thanks,

On Tue, Dec 4, 2018 at 10:41 AM Robinson, Sherri <SLRobinson@uams.edu> wrote:

I think that date will be fine. Thanks.

Sherri L. Robinson | Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



From: Kathryn Irby [mailto:Kathryn.Irby@arkansas.gov]
Sent: Tuesday, December 04, 2018 10:35 AM
To: Jp Phillips <jpphillips@taylorkinglaw.com>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request

JP and Sherri, I am setting this claim for hearing on Friday, April 12, 2019. Please let me know if that will not give the parties sufficient time to complete discovery. Otherwise, we will send correspondence confirming the scheduling.

Thanks,
 Kathryn

Kathryn M. Irby
Arkansas State Claims Commission
 101 East Capitol Avenue
 Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Jp Phillips <jpphillips@taylorkinglaw.com>
Sent: Monday, December 03, 2018 11:46 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request

Kathryn,

Mrs. Westcott has no workers compensation coverage, so I have no additional documentation to provide. We can supply an affidavit of no coverage signed by Mrs. Westcott if the Commission wants us to.

Thanks,

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Mr. Phillips,

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Claimant has or is going to file a workers comp claim related to her injury.

Please advise.

Thanks,
Kathryn Irby

--

JP Phillips

Attorney

Taylor King Law, P.A.

1306 South Caraway Road, Jonesboro Arkansas, 72401

Main: (501) 205 8773 | Fax: (501) 205 8755 | JPPhillips@TaylorKingLaw.com

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--

JP Phillips

Attorney

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ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

January 10, 2019

JP Phillips
Taylor King Law
320 Main Street
Arkadelphia, Arkansas 71923

Sherri L. Robinson
University of Arkansas for Medical Sciences
4301 West Markham Street, Slot 860
Little Rock, Arkansas 72205

RE: ***Sebrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Mr. Phillips and Ms. Robinson,

The above-styled claim has been scheduled for hearing beginning at 9:00 a.m. on May 17, 2019. Both parties should submit pre-hearing briefs, witness lists, exhibit lists, and proposed findings of fact and conclusions of law on or before close of business on April 17, 2019. If depositions are taken, both parties should also submit deposition summaries by that date. A copy of these pre-hearing submissions must be provided to the opposing party.

The hearing will be held in the Claims Commission Hearing Room, 101 East Capitol Avenue, Suite 410, Little Rock, Arkansas 72201. Please make every effort to be present outside the Hearing Room at least thirty minutes prior to the scheduled hearing time. All parties should maintain flexible schedules, as hearing times can vary.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Kathryn Irby

ES: csimpkins

From: [Kathryn Irby](#)
To: [Jp Phillips](#)
Cc: [Robinson, Sherri](#); [Kathy Ryan](#)
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request
Date: Monday, May 13, 2019 10:41:00 AM
Attachments: [image001.jpg](#)

Correct, thanks for checking.

Kathryn

From: Jp Phillips <jpphillips@taylorkinglaw.com>
Sent: Monday, May 13, 2019 10:39 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request

Kathryn,

This reminder popped up on my calendar today, just confirming that this claim is officially off of the docket and being held in a abeyance for now.

We are waiting on our official decision from the Municipal Health Fund Appeal hearing, we should have it in a week or two.

On Tue, Feb 26, 2019 at 3:09 PM Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

JP, I don't need a formal motion to continue or to hold in abeyance. Given the parties' agreement, I have removed the claim from the May docket and placed it in abeyance.

Thanks,
Kathryn

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Tuesday, February 26, 2019 12:44 PM
To: Jp Phillips <jpphillips@taylorkinglaw.com>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request

No objection on our end.

Sherri L. Robinson | Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



From: Jp Phillips [<mailto:jpphillips@taylorkinglaw.com>]
Sent: Tuesday, February 26, 2019 11:35 AM
To: Robinson, Sherri <SLRobinson@uams.edu>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request

Kathryn,

I believe we need to pull our hearing off of the docket for now. We have an outside dispute with my client's private health insurance provider regarding the nature of bills and their obligations as an insurance provider. We're in the middle of an informal appeals process, but litigation seems to be likely. I informed Sherri of the unfolding situation a few weeks ago, but wanted to wait until I was certain to contact you about moving the date.

My question is, would you like me to go ahead and file a Motion to Hold in Abeyance with my Motion for Continuance, or wait until an actual lawsuit is filed against her insurance company? Regardless, the hearing date for our insurance appeal isn't until May and that hearing could have a profound effect on the damages we can claim at the Commission hearing, so I believe we need to move the date.

Thanks,

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May 17 is good for me.

Congrats, JP!

Sherri

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 Phone: 501-686-7964 | Fax: 501-686-7736

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To: Jp Phillips <jpphillips@taylorkinglaw.com>
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Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request

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Kathryn M. Irby
Arkansas State Claims Commission
 101 East Capitol Avenue
 Suite 410
 Little Rock, Arkansas 72201

(501) 682-2822

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Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request

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Please advise.

Thanks,
Kathryn Irby

--

JP Phillips
Attorney

Taylor King Law, P.A.
1306 South Caraway Road, Jonesboro Arkansas, 72401
Main: (501) 205 8773 | Fax: (501) 205 8755 | JPPhillips@TaylorKingLaw.com

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--

JP Phillips
Attorney

Taylor King Law, P.A.
1306 South Caraway Road, Jonesboro Arkansas, 72401
Main: (501) 205 8773 | Fax: (501) 205 8755 | JPPhillips@TaylorKingLaw.com

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--

JP Phillips
Attorney

Taylor King Law, P.A.
1920 E. Matthews, Jonesboro Arkansas, 72401
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From: [Kathryn Irby](#)
To: [Jp Phillips](#)
Cc: [Robinson, Sherri](#); [Kathy Ryan](#)
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request
Date: Thursday, November 21, 2019 1:33:00 PM
Attachments: [image001.jpg](#)

JP, just following up on our email from May. Can you give me a status update?

Thanks,
 Kathryn

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Kathryn Irby
Sent: Monday, May 13, 2019 10:41 AM
To: Jp Phillips <jpphillips@taylorkinglaw.com>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request

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We are waiting on our official decision from the Municipal Health Fund Appeal hearing, we should have it in a week or two.

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Kathryn

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Sent: Tuesday, February 26, 2019 12:44 PM
To: Jp Phillips <jpphillips@taylorkinglaw.com>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request

No objection on our end.

Sherri L. Robinson | Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



From: Jp Phillips [<mailto:jpphillips@taylorkinglaw.com>]
Sent: Tuesday, February 26, 2019 11:35 AM
To: Robinson, Sherri <SLRobinson@uams.edu>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Kathy Ryan <kathyryan@taylorkinglaw.com>
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Kathryn,

I believe we need to pull our hearing off of the docket for now. We have an outside dispute with my client's private health insurance provider regarding the nature of bills and their obligations as an insurance provider. We're in the middle of an informal appeals process, but litigation seems to be likely. I informed Sherri of the unfolding situation a few weeks ago, but wanted to wait until I was certain to contact you about moving the date.

My question is, would you like me to go ahead and file a Motion to Hold in Abeyance with my Motion for Continuance, or wait until an actual lawsuit is filed against her insurance company? Regardless, the hearing date for our insurance appeal isn't until May and that hearing could have a profound effect on the damages we can claim at the Commission hearing, so I believe we need to move the date.

Thanks,

On Thu, Dec 6, 2018 at 11:53 AM Robinson, Sherri <SLRobinson@uams.edu> wrote:

May 17 is good for me.

Congrats, JP!

Sherri

From: Kathryn Irby [mailto:Kathryn.Irby@arkansas.gov]

Sent: Thursday, December 06, 2018 11:11 AM

To: Jp Phillips <jpphillips@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>

Cc: Kathy Ryan <kathyryan@taylorkinglaw.com>

Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request

JP, a baby is an excellent reason to move around a hearing docket – congratulations on the upcoming addition to your family!

JP and Sherri, I can move the hearing to Friday, May 17?

Thanks,
Kathryn

From: Jp Phillips <jpphillips@taylorkinglaw.com>

Sent: Wednesday, December 05, 2018 10:38 AM

To: Robinson, Sherri <SLRobinson@uams.edu>

Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Kathy Ryan <kathyryan@taylorkinglaw.com>

Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request

Kathryn,

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Thanks,

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I think that date will be fine. Thanks.

Sherri L. Robinson | Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736

From: Kathryn Irby [mailto:Kathryn.Irby@arkansas.gov]
Sent: Tuesday, December 04, 2018 10:35 AM
To: Jp Phillips <jpphillips@taylorkinglaw.com>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request

JP and Sherri, I am setting this claim for hearing on Friday, April 12, 2019. Please let me know if that will not give the parties sufficient time to complete discovery. Otherwise, we will send correspondence confirming the scheduling.

Thanks,
 Kathryn

Kathryn M. Irby
Arkansas State Claims Commission
 101 East Capitol Avenue
 Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Jp Phillips <jpphillips@taylorkinglaw.com>
Sent: Monday, December 03, 2018 11:46 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Kathy Ryan <kathyryan@taylorkinglaw.com>
Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request

Kathryn,

Mrs. Westcott has no workers compensation coverage, so I have no additional documentation to provide. We can supply an affidavit of no coverage signed by Mrs. Westcott if the Commission wants us to.

Thanks,

On Thu, Nov 29, 2018 at 11:15 AM Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

Mr. Phillips,

The Claims Commission has reviewed the answer filed by UAMS in the above-referenced claim and requests additional information from Claimant regarding whether Claimant has or is going to file a workers comp claim related to her injury.

Please advise.

Thanks,
Kathryn Irby

--

JP Phillips
Attorney

Taylor King Law, P.A.
1306 South Caraway Road, Jonesboro Arkansas, 72401
Main: (501) 205 8773 | Fax: (501) 205 8755 | JPPhillips@TaylorKingLaw.com

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JP Phillips
Attorney

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1306 South Caraway Road, Jonesboro Arkansas, 72401
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From: [Kathryn Irby](#)
To: [Jp Phillips](#); [Robinson, Sherri](#)
Cc: [Kathy Ryan](#)
Subject: RE: Westcott v. UAMS, Claim No. 190008 -- info request
Date: Tuesday, December 10, 2019 12:02:00 PM
Attachments: [image002.jpg](#)

JP, thank you for this information.

Kathryn

From: Jp Phillips <jpphillips@taylorlorkinglaw.com>
Sent: Thursday, December 5, 2019 1:37 PM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>
Cc: Kathy Ryan <kathyryan@taylorlorkinglaw.com>
Subject: Re: Westcott v. UAMS, Claim No. 190008 -- info request

Kathryn and Sherri,

This is a horribly late response to your email, I apologize. My client has [REDACTED]
 [REDACTED]
 [REDACTED] We should have it all in a week or two. Once we have it, I'll do a full supplement to the Commission and we'll be ready to proceed. We may have one deposition to conduct, but nothing that would extend litigation the way Municipal League Appeal did.

Also, the Appeal to the Municipal League Health fund was successful. I will supplement that documentation to the commission at the same time that I supplement the rest.

Thanks, and I hope you all had wonderful Thanksgiving.

On Thu, Nov 21, 2019 at 1:33 PM Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

JP, just following up on our email from May. Can you give me a status update?

Thanks,
 Kathryn

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

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No objection on our end.

Sherri L. Robinson | Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
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 Phone: 501-686-7964 | Fax: 501-686-7736



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Congrats, JP!

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Please advise.

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--

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 Attorney

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JP Phillips

Attorney

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From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Jp Phillips](#)
Cc: [Robinson, Sherri](#); [MCGHEE, SHELLY](#); [ASCC Pleadings](#); [Kathryn Irby](#)
Subject: Sebreana Westcott v. UAMS, Claim No. 190008
Date: Thursday, September 10, 2020 10:18:00 AM
Attachments: [Sebreana Westcott v. UAMS.pdf](#)

Mr. Phillips and Ms. Robinson:

Please see attached. Contact Kathryn Irby with any questions.

Misty Scott
Arkansas State Claims Commission

September 10, 2020

Mr. JP Phillips
Taylor King Law
320 Main Street
Arkadelphia, Arkansas 71923

(via email only)

Re: ***Sebrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Mr. Phillips,

The above-styled claim has been held in abeyance for an extended period of time. Please notify this office in writing by Friday, October 2, 2020, whether the underlying administrative process has been resolved, such that this claim may proceed. If the Claims Commission does not receive a timely response, this claim will be dismissed by the Claims Commission for failure to prosecute.

Sincerely,

Kathryn Irby

ES: msscott

cc: Sherri L. Robinson, *counsel for Respondent*

From: [Jp Phillips](#)
To: [ASCC Pleadings](#)
Cc: [Robinson, Sherri](#); [MCGHEE, SHELLY](#); [Kathryn Irby](#)
Subject: Re: Sebrene Westcott v. UAMS, Claim No. 190008
Date: Wednesday, September 16, 2020 11:13:37 AM
Attachments: [Ltr to Cms Com. proceeding.pdf](#)

The attached notice was mailed to the Claims Commission and Sherri Robinson earlier this week. With mail running a bit slow in some areas, I'm attaching it in this email as well.

Thanks,

On Thu, Sep 10, 2020 at 10:18 AM ASCC Pleadings <ASCCPleadings@arkansas.gov> wrote:

Mr. Phillips and Ms. Robinson:

Please see attached. Contact Kathryn Irby with any questions.

Misty Scott

Arkansas State Claims Commission

--

JP Phillips

Attorney

Taylor King Law, P.A.

1920 E. Matthews, Jonesboro Arkansas, 72401

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320 Main Street
Arkadelphia, AR 71923
1-800-CAR-WRECK
1-800-227-9732
1-800-246-0505
Out of State: 1-800-305-0529

September 14, 2020

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

**Re: Sebrena Westcott vs. University of Arkansas for Medical Sciences
Claim No. 190008**

Dear Mrs. Irby:

The Claimant hereby gives notice that the underlying administrative matters concerning the Municipal Health Fund have been resolved, and the Claimant is ready to proceed with this matter.

Thank you for your assistance.

Sincerely,

Jordan "JP" Phillips
Attorney at Law

JPP/kr

cc: Sherri L. Robinson

From: [Robinson, Sherri](#)
To: [Kathryn Irby](#)
Cc: [Jp Phillips](#); [MCGHEE, SHELLY](#)
Subject: Re: Sebrena Westcott v. UAMS, Claim No. 190008
Date: Friday, September 18, 2020 1:25:21 PM

Ms. Irby,

We have a little bit of discovery to finish, and then I plan to file a dispositive motion.

Thanks.

Sherri Robinson

On Sep 18, 2020, at 1:14 PM, Kathryn Irby <kathryn.irby@arkansas.gov> wrote:

Mr. Phillips and Ms. Robinson,

Thanks for this information. Do the parties still have discovery to complete? Are the parties anticipating filing any dispositive motions? Or can the claim be set for hearing?

Kathryn Irby

From: Jp Phillips <jpPhillips@taylorkinglaw.com>
Sent: Wednesday, September 16, 2020 11:13 AM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: Sebrena Westcott v. UAMS, Claim No. 190008

The attached notice was mailed to the Claims Commission and Sherri Robinson earlier this week. With mail running a bit slow in some areas, I'm attaching it in this email as well.

Thanks,

On Thu, Sep 10, 2020 at 10:18 AM ASCC Pleadings <ASCCPleadings@arkansas.gov> wrote:

Mr. Phillips and Ms. Robinson:

Please see attached. Contact Kathryn Irby with any questions.

Misty Scott
Arkansas State Claims Commission

|

--

JP Phillips

Attorney

Taylor King Law, P.A.

1920 E. Matthews, Jonesboro Arkansas, 72401

Main: (501) 205 8773| Fax: (501) 205 8755 | JPPhillips@TaylorKingLaw.com

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TAYLOR KING AND ASSOCIATES ACCEPTS NO LIABILITY FOR ANY DAMAGE CAUSED BY ANY VIRUS TRANSMITTED BY EMAILS.

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From: [Jp Phillips](#)
To: [Kathryn Irby](#); [Becca Ward](#); [Robinson, Sherri](#)
Subject: Proposed Subpoena
Date: Wednesday, April 14, 2021 1:33:16 PM
Attachments: [Notice of Depo.docx](#)
[Proposed Subpoena Dep Supton.docx](#)
[Notice of Depo.pdf](#)
[Proposed Subpoena Dep Supton.pdf](#)

Ms. Irby,

I have attached a proposed subpoena for your approval, concerning an upcoming deposition. I have also attached a notice of said deposition. I have included both PDF and Word formats for your convenience.

Thank you,

--

JP Phillips

Attorney

Taylor King Law, P.A.

1920 E. Matthews, Jonesboro Arkansas, 72401

Main: (501) 205 8773 | Fax: (501) 205 8755 | JPPhillips@TaylorKingLaw.com

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TAYLOR KING AND ASSOCIATES ACCEPTS NO LIABILITY FOR ANY DAMAGE CAUSED BY ANY VIRUS TRANSMITTED BY EMAILS.

From: [Kathryn Irby](#)
To: [Jp Phillips](#); [Becca Ward](#); [Robinson, Sherri](#)
Subject: RE: Proposed Subpoena
Date: Wednesday, April 14, 2021 2:00:00 PM
Attachments: [Westcott v. UAMS - 120 - Subpoena.pdf](#)

JP, please see attached subpoena.

Thanks,
 Kathryn Irby

From: Jp Phillips <jpphillips@taylorkinglaw.com>
Sent: Wednesday, April 14, 2021 1:32 PM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Becca Ward <beccaward@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>
Subject: Proposed Subpoena

Ms. Irby,

I have attached a proposed subpoena for your approval, concerning an upcoming deposition. I have also attached a notice of said deposition. I have included both PDF and Word formats for your convenience.

Thank you,

--

JP Phillips
 Attorney

Taylor King Law, P.A.
 1920 E. Matthews, Jonesboro Arkansas, 72401
 Main: (501) 205 8773 | Fax: (501) 205 8755 | JPPhillips@TaylorKingLaw.com

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**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

Sebrena Westcott, Claimant

SUBPOENA

v.

CLAIM NO. 190008

University of Arkansas for Medical Sciences, Respondent

TO: Deputy Deondra Gupton

██████████
██████████

YOU ARE COMMANDED to appear via Zoom at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case:

xxx YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case:

April 22, 2021, at 10:00 a.m.
This deposition will take place via Zoom.

YOU ARE COMMANDED, at the time of trial, hearing, or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

YOU ARE COMMANDED, no more than ____ business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents of objects):



Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

April 14, 2021

Date

PROOF OF SERVICE

SERVED ON (Print Name)

DATE

PLACE

MANNER OF SERVICE

SERVED BY (Print Name)

TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

SIGNATURE OF SERVER

ADDRESS OF SERVER

DATE EXECUTED

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Ark. R. Civ. Proc. 45(d), Claims Commission Rule 3.2(d).

A witness subpoenaed in connection with a deposition must be properly served with a subpoena at least five business days prior to a deposition, or within a shorter time if the court so orders. The witness is required to attend a deposition at any place within 100 miles of where he or she resides, is employed, or transacts business in person, or at such other convenient place set by court order. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the deposition. Ark. R. Civ. Proc. 45(e), Claims Commission Rule 3.3.

A subpoena may command the person to whom it is directed to produce for inspection any books, papers, documents, or tangible things designated in the subpoena. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive or to require that the person on whose behalf the subpoena is issued pay the reasonable cost of such production. Ark. R. Civ. Proc. 45(b). The person subpoenaed may also object in writing to inspection or copying of any or all of the designated materials or seek a protective order from the Claims Commission. If a written objection is made within ten days of service of the subpoena or on or before the time specified for compliance if such time is less than ten days, the party causing the subpoena to be issued is not entitled to inspect the materials unless the court so orders. Ark. R. Civ. Proc. 45(e). When a witness fails to attend in obedience to a subpoena or intentionally evades the service of a subpoena by concealment or otherwise, the Claims Commission may enforce the subpoena pursuant to Ark. Code Ann. § 19-10-207(d).

From: [Becca Ward](#)
To: [ASCC Pleadings](#); SLRobinson@uams.edu
Cc: [Kathryn Irby](#); ["Charsie Gordon"](#)
Subject: Sebrena Westcott v. UAMS, Claim No 19008-CC
Date: Thursday, May 6, 2021 4:42:19 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)

Please see attached Claimants' Motion to Substitute Counsel and Proposed Order to Substitute Counsel.

Becca Ward

Litigation Assistant
Taylor King Law, P.A.
320 Main Street | Arkadelphia, AR 71923
Main: (870) 246-0505 | Fax: (870) 246-0529 | TaylorKingLaw.com

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From: [Kathryn Irby](#)
To: [Becca Ward](#); [ASCC Pleadings](#); SLRobinson@uams.edu
Cc: ["Charsie Gordon"](#)
Subject: RE: Sebrena Westcott v. UAMS, Claim No 19008-CC
Date: Monday, May 10, 2021 1:46:00 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)

Ms. Ward, I don't see attachments to your email?

Thanks,
 Kathryn Irby

From: Becca Ward <beccaward@taylorkinglaw.com>
Sent: Thursday, May 6, 2021 4:42 PM
To: [ASCC Pleadings <ASCCPleadings@arkansas.gov>](mailto:ASCCPleadings@arkansas.gov); SLRobinson@uams.edu
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; 'Charsie Gordon' <charsiegordon@taylorkinglaw.com>
Subject: Sebrena Westcott v. UAMS, Claim No 19008-CC

Please see attached Claimants' Motion to Substitute Counsel and Proposed Order to Substitute Counsel.

Becca Ward

Litigation Assistant
 Taylor King Law, P.A.
 320 Main Street | Arkadelphia, AR 71923
 Main: (870) 246-0505 | Fax: (870) 246-0529 | TaylorKingLaw.com

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From: [Becca Ward](#)
To: [Kathryn Irby](#); [ASCC Pleadings](#); SLRobinson@uams.edu
Cc: ["Charsie Gordon"](#)
Subject: RE: Sebrena Westcott v. UAMS, Claim No 19008-CC
Date: Monday, May 10, 2021 2:58:41 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[Order to Substitute Counsel.pdf](#)
[Motion for Extension EOA.pdf](#)

I sincerely apologize. It's been a very long year.

From: Kathryn Irby [mailto:Kathryn.Irby@arkansas.gov]
Sent: Monday, May 10, 2021 1:46 PM
To: Becca Ward <beccaward@taylorkinglaw.com>; [ASCC Pleadings](#) <ASCCPleadings@arkansas.gov>; SLRobinson@uams.edu
Cc: 'Charsie Gordon' <charsiegordon@taylorkinglaw.com>
Subject: RE: Sebrena Westcott v. UAMS, Claim No 19008-CC

Ms. Ward, I don't see attachments to your email?

Thanks,
 Kathryn Irby

From: Becca Ward <beccaward@taylorkinglaw.com>
Sent: Thursday, May 6, 2021 4:42 PM
To: [ASCC Pleadings](#) <ASCCPleadings@arkansas.gov>; SLRobinson@uams.edu
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; 'Charsie Gordon' <charsiegordon@taylorkinglaw.com>
Subject: Sebrena Westcott v. UAMS, Claim No 19008-CC

Please see attached Claimants' Motion to Substitute Counsel and Proposed Order to Substitute Counsel.

Becca Ward
 Litigation Assistant
 Taylor King Law, P.A.
 320 Main Street | Arkadelphia, AR 71923
 Main: (870) 246-0505 | Fax: (870) 246-0529 | TaylorKingLaw.com

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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

CLAM NO. 190008-CC

**UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES**

RESPONDENT

ORDER ON MOTION TO SUBSTITUTE COUNSEL

This cause coming to be heard coming to be heard on the Claimant's Motion to Substitute counsel, due notice having been given and the court being fully advised, IT IS SO ORDERED that Charsie Gordon is substituted as counsel for the Claimant in this cause. Jordan "JP" Phillips is relieved as counsel for the Claimant.

IT IS SO ORDERED.

The Claims Commission

DATE

Prepared by:

/s/Charsie Gordon
Charsie Gordon
Taylor King Law
320 Main Street
Arkadelphia, AR 71923

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

CLAM NO. 190008-CC

**UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES**

RESPONDENT

MOTION FOR SUBSTITUTION AND ENTRY OF APPEARANCE OF COUNSEL

Comes now the Claimant, Sebrena Westcott, by and through her attorneys, Taylor King Law, P.A, and hereby moves for substitution and entry of appearance of new counsel of record, Charsie Gordon, of the law firm of Taylor King Law, as follows:

1. Attorney Jordan “JP” Phillips of the law firm Taylor King Law previously entered an appearance as counsel of record on behalf of the Claimants. Attorney Jordan “JP” Phillips seeks to withdraw as counsel of record. He is no longer working at Taylor King Law.
2. Attorney Charsie Gordon who also is with the law firm of Taylor King Law seeks to enter her appearance and to be substituted as the attorney of record for the Claimant in these proceedings.

WHEREFORE, the Claimant respectfully requests that her motion be granted; that Attorney Jordan “JP” Phillips be permitted to withdraw as the attorney of record for the Claimant, and that Attorney Charsie Gordon be permitted to enter her appearance and be substituted as the attorney of record for the Claimant in this proceeding.

Respectfully submitted,
Claimant

By: /s/Charsie Gordon
Charsie Gordon Bar No. 2016059
Taylor King Law
320 Main St
Arkadelphia, AR 71923
(870) 246-0505
(870) 246-0529 f

CERTIFICATE OF SERVICE

On May 6, 2021, the undersigned attorney hereby certifies that a copy of the foregoing has been served via the United States Postal Service or by electronic mail as applicable, upon the following counsel of record:

Sherri L. Robinson
Sr. Associate General Counsel
University of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, Arkansas 72205
SLRobinson@uams.edu

/s/Charsie Gordon
Charsie Gordon

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

CLAM NO. 190008-CC


**UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES**

RESPONDENT

ORDER ON MOTION TO SUBSTITUTE COUNSEL

This cause coming to be heard coming to be heard on the Claimant's Motion to Substitute counsel, due notice having been given and the court being fully advised, IT IS SO ORDERED that Charsie Gordon is substituted as counsel for the Claimant in this cause. Jordan "JP" Phillips is relieved as counsel for the Claimant.

IT IS SO ORDERED.



The Claims Commission

May 10, 2021

DATE

Prepared by:

/s/Charsie Gordon

Charsie Gordon
Taylor King Law
320 Main Street
Arkadelphia, AR 71923

From: [Kathryn Irby](#)
To: [Becca Ward](#); [ASCC Pleadings](#); SLRobinson@uams.edu
Cc: "Charsie Gordon"
Subject: ORDER: Westcott v. UAMS, Claim No. 190008
Date: Monday, May 10, 2021 3:03:00 PM
Attachments: [Westcott_order_re_sebrena_v_uams_arkansas_state_council.pdf](#)
[image.png](#)
[image.png](#)

Ms. Gordon and Ms. Robinson, please see attached order entered by the Claims Commission.

Thanks,
 Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Becca Ward <beccaward@taylorkinglaw.com>
Sent: Monday, May 10, 2021 2:57 PM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; [ASCC Pleadings](#) <ASCCPleadings@arkansas.gov>; SLRobinson@uams.edu
Cc: 'Charsie Gordon' <charsiegordon@taylorkinglaw.com>
Subject: RE: Sebrena Westcott v. UAMS, Claim No 19008-CC

I sincerely apologize. It's been a very long year.

From: Kathryn Irby [<mailto:Kathryn.Irby@arkansas.gov>]
Sent: Monday, May 10, 2021 1:46 PM
To: Becca Ward <beccaward@taylorkinglaw.com>; [ASCC Pleadings](#) <ASCCPleadings@arkansas.gov>; SLRobinson@uams.edu
Cc: 'Charsie Gordon' <charsiegordon@taylorkinglaw.com>
Subject: RE: Sebrena Westcott v. UAMS, Claim No 19008-CC

Ms. Ward, I don't see attachments to your email?

Thanks,
 Kathryn Irby

From: Becca Ward <beccaward@taylorkinglaw.com>
Sent: Thursday, May 6, 2021 4:42 PM
To: [ASCC Pleadings](#) <ASCCPleadings@arkansas.gov>; SLRobinson@uams.edu

Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; 'Charsie Gordon' <charsiegordon@taylorkinglaw.com>

Subject: Sebrena Westcott v. UAMS, Claim No 19008-CC

Please see attached Claimants' Motion to Substitute Counsel and Proposed Order to Substitute Counsel.

Becca Ward

Litigation Assistant
Taylor King Law, P.A.
320 Main Street | Arkadelphia, AR 71923
Main: (870) 246-0505 | Fax: (870) 246-0529 | TaylorKingLaw.com

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From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Robinson, Sherri](#)
Cc: [MCGHEE, SHELLY](#); [ASCC Pleadings](#); [Kathryn Irby](#)
Subject: CORR: Sebrena Westcott v. UAMS, Claim No. 190008
Date: Wednesday, June 8, 2022 3:33:00 PM
Attachments: [Sebrena Westcott v. UAMS.pdf](#)

Ms. Robinson:

Please see attached. Contact Kathryn Irby with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

June 8, 2022

Ms. Charsie Gordon
Taylor King Law
320 Main Street
Arkadelphia, Arkansas 71923

Ms. Sherri L. Robinson
University of Arkansas for Medical Sciences
4301 West Markham Street, Slot 860
Little Rock, Arkansas 72205

(via email)

Re: ***Sebrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Ms. Gordon and Ms. Robinson,

The above-styled claim has been in discovery for an extended period of time. Please notify this office in writing by Wednesday, June 29, 2022, as to the status of discovery. If the Claims Commission does not receive a timely response, this claim will be set for hearing as soon as is practicable.

Sincerely,

Kathryn Irby

ES: msscott

From: [Robinson, Sherri](#)
To: [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: [MCGHEE, SHELLY](#); [Charsie](#)
Subject: RE: CORR: Sebrena Westcott v. UAMS, Claim No. 190008
Date: Thursday, June 9, 2022 12:57:26 PM
Attachments: [image.png](#)

Based on my current schedule, I could have it filed by July 15.

Sherri

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, June 9, 2022 9:52 AM
To: Robinson, Sherri <SLRobinson@uams.edu>; [ASCC Pleadings](mailto:ASCCPleadings@arkansas.gov) <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcgee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>
Subject: RE: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Robinson, thanks for this information. Assuming that Ms. Gordon agrees that discovery is complete, when does UAMS intend to file its MSJ?

Kathryn

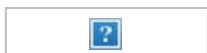
From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Thursday, June 9, 2022 9:11 AM
To: [ASCC Pleadings](mailto:ASCCPleadings@arkansas.gov) <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcgee@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie <charsiegordon@taylorkinglaw.com>
Subject: RE: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Irby:

Based on an email exchange with Ms. Gordon in January, I believe that discovery is complete. I have added Ms. Gordon to this email so she can confirm that. If Ms. Gordon confirms that discovery is complete, UAMS intends to file a Motion for Summary Judgment prior to a hearing.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



From: Misty Scott <Misty.Scott@arkansas.gov> **On Behalf Of** ASCC Pleadings
Sent: Wednesday, June 8, 2022 3:33 PM
To: Robinson, Sherri <SLRobinson@uams.edu>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>;
Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Robinson:

Please see attached. Contact Kathryn Irby with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

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From: [Charsie Gordon](#)
To: [Robinson, Sherri](#)
Cc: [Kathryn Irby](#); [ASCC Pleadings](#); [MCGHEE, SHELLY](#)
Subject: Re: CORR: Sebrena Westcott v. UAMS, Claim No. 190008
Date: Friday, June 10, 2022 11:05:55 AM
Attachments: [image001.png](#)

Discovery is complete.

Thanks,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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On Thu, Jun 9, 2022 at 12:57 PM Robinson, Sherri <SLRobinson@uams.edu> wrote:

Based on my current schedule, I could have it filed by July 15.

Sherri

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, June 9, 2022 9:52 AM
To: Robinson, Sherri <SLRobinson@uams.edu>; [ASCC Pleadings <ASCCPleadings@arkansas.gov>](mailto:ASCCPleadings@arkansas.gov)
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>
Subject: RE: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Robinson, thanks for this information. Assuming that Ms. Gordon agrees that discovery is complete, when does UAMS intend to file its MSJ?

Kathryn

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Sent: Thursday, June 9, 2022 9:11 AM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie <charsiegordon@taylorlaw.com>
Subject: RE: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Irby:

Based on an email exchange with Ms. Gordon in January, I believe that discovery is complete. I have added Ms. Gordon to this email so she can confirm that. If Ms. Gordon confirms that discovery is complete, UAMS intends to file a Motion for Summary Judgment prior to a hearing.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham, Slot #860

Little Rock, AR 72205

Phone: 501-686-7964 | Fax: 501-686-7736



From: Misty Scott <Misty.Scott@arkansas.gov> **On Behalf Of** ASCC Pleadings
Sent: Wednesday, June 8, 2022 3:33 PM
To: Robinson, Sherri <SLRobinson@uams.edu>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; ASCC Pleadings

<ASCCPleadings@arkansas.gov>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Robinson:

Please see attached. Contact Kathryn Irby with any questions.

Thank you,

Misty

Misty Scott

Arkansas State Claims Commission

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From: [Kathryn Irby](#)
To: [Charsie Gordon](#); [Robinson, Sherri](#)
Cc: [ASCC Pleadings](#); [MCGHEE, SHELLY](#)
Subject: RE: CORR: Sebrena Westcott v. UAMS, Claim No. 190008
Date: Friday, June 10, 2022 11:12:00 AM
Attachments: [image002.png](#)

Thank you both for this information. I will note in the file that UAMS will be filing a MSJ by July 15.

Kathryn

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, June 10, 2022 11:03 AM
To: Robinson, Sherri <SLRobinson@uams.edu>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Discovery is complete.

Thanks,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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On Thu, Jun 9, 2022 at 12:57 PM Robinson, Sherri <SLRobinson@uams.edu> wrote:

Based on my current schedule, I could have it filed by July 15.

Sherri

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, June 9, 2022 9:52 AM
To: Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>
Subject: RE: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Robinson, thanks for this information. Assuming that Ms. Gordon agrees that discovery is complete, when does UAMS intend to file its MSJ?

Kathryn

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Thursday, June 9, 2022 9:11 AM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie <charsiegordon@taylorlaw.com>
Subject: RE: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Irby:

Based on an email exchange with Ms. Gordon in January, I believe that discovery is complete. I have added Ms. Gordon to this email so she can confirm that. If Ms. Gordon confirms that discovery is complete, UAMS intends to file a Motion for Summary Judgment prior to a hearing.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



From: Misty Scott <Misty.Scott@arkansas.gov> **On Behalf Of** ASCC Pleadings
Sent: Wednesday, June 8, 2022 3:33 PM
To: Robinson, Sherri <SLRobinson@uams.edu>
Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: CORR: Sebrena Westcott v. UAMS, Claim No. 190008

Ms. Robinson:

Please see attached. Contact Kathryn Irby with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

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From: [Robinson, Sherri](#)
To: [ASCC Pleadings](#)
Cc: [Kathryn Irby](#); [MCGHEE, SHELLY](#); [Charsie](#)
Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment
Date: Friday, June 24, 2022 2:17:10 PM
Attachments: [image001.png](#)
[Westcott v. UAMS, Claim No. 190008 - UAMS MCJ.pdf](#)
[MCJ Exhibit 1 - Sabrena Westcott Fall.mp4](#)
[Westcott v. UAMS, Claim No. 190008 - UAMS MCJ Brief.pdf](#)

Dear Director Irby,

Attached please find the Motion for Summary Judgment and Brief in Support on behalf of UAMS for filing in the above referenced case. I am serving a copy of the filing on Ms. Gordon via this email as well.

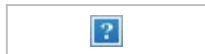
Please note that Exhibit 1 is a separate attachment as it is a video file. If you have any trouble receiving it via email, please let me know and I will deliver a copy on a flash drive.

Please do not hesitate to contact me if you need anything further.

Thank you for your assistance in this matter.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

RESPONDENT'S MOTION FOR SUMMARY JUDGMENT

Comes now Respondent, University of Arkansas for Medical Sciences (UAMS), by and through its undersigned counsel, and for its Motion for Summary Judgment, states as follows:

1. There are no genuine issues of material fact in dispute in this matter, and UAMS is entitled to summary judgment.
2. Claimant cannot establish that UAMS was negligent.
3. The following exhibits are offered in support of the motion:
 - a. Exhibit 1 – Video of fall
 - b. Exhibit 2 – Declaration of Sonja Hart
 - c. Exhibit 3 – Insurance appeal decision
4. The grounds for this motion are more fully set forth in a brief in support filed contemporaneously with the motion.

WHEREFORE, Respondent respectfully requests that the Commission grant its motion for summary judgment and for all other relief to which it may be entitled.

Respectfully submitted,

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES,
Respondent

By:



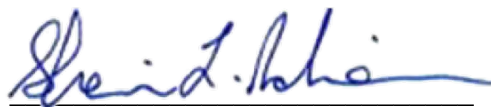
SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
Univ. of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu

Attorney for Respondent

CERTIFICATE OF SERVICE

I, Sherri L. Robinson, do hereby certify that a copy of the foregoing pleading was served on claimant herein by emailing a copy of same this 24th day of June, 2022 to the following:

Charsie Gordon
Taylor King Law, P.A.
charsiegordon@taylorkinglaw.com



Sherri L. Robinson

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

Comes now Respondent, University of Arkansas for Medical Sciences (UAMS), by and through its undersigned counsel, and for its Brief In Support of Motion for Summary Judgment, states as follows:

Statement of Facts.

The relevant facts to this matter are very brief and indisputable. UAMS admits that Sabrena Westcott fell in the entryway of the UAMS emergency room (ER) on September 16, 2017 when she tripped on a rug. (Complaint). Westcott's fall was captured on video which shows that less than one minute before Westcott fell, another gentleman walked into the entryway kicking up the rug slightly. (Respondent's Exhibit 1 - Video footage). Approximately 45 seconds after the first man walked through, a second man walked through the entryway with no problem. (Id.). Only 12 seconds after the second man walked through the entryway, Westcott walked in and the toe of her right foot kicked up the rug causing her to fall on her face and arms suffering injuries. (Id.). The police officer assigned to the security desk of the ER and another officer immediately attended to Westcott as did ER personnel. (Complaint, attachments, pp. 2-3 – UAMS Incident Report). UAMS is not aware of other falls in this area in the three years prior to Westcott's fall. (Exhibit 2 – Declaration of Sonja Hart).

Argument.

Rule 56(c)(2) of the Arkansas Rules of Civil Procedure states that summary judgment

shall be rendered forthwith if the pleadings, depositions, answers to interrogatories and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law on the issues specifically set forth in the motion.

Ark. R. Civ. P. 56(c)(2). See also *Martin v. Hallum*, 2010 Ark. App. 193 at 10, 374 S.W.3d 152, 159. The evidence is to be viewed by the court in the light most favorable to the non-moving party. *Id.* Nonetheless, “an adverse party may not rest on mere allegations or denials of his pleadings, but his response, by affidavits or as otherwise provided by this rule, must set forth specific facts showing that there is a genuine issue for trial.” Ark. R. Civ. P. 56(e). “[T]he opposing party must meet proof with proof and demonstrate the existence of a material issue of fact.” *Spear v. City of Fordyce*, 351 Ark. 305, 309, 92 S.W.3d 38, 41 (2002).

“Negligence is defined as the failure to do something which a reasonably careful person would do, or the doing of something which a reasonably careful person would not do, under circumstances similar to those shown by the evidence.” *Scully v. Middleton*, 295 Ark. 603, 604-605, 751 S.W.2d 5, 5-6 (1988) (citation omitted). To recover on an action for negligence, Westcott must show that UAMS owed her a duty, breached that duty and the breach caused her harm. *Lloyd v. Pier West Property Owners Assoc.*, 2015 Ark. App. 487, 4, 470 S.W.3d 293, 297 (citation omitted).

Duty of care is an essential element of a negligence claim. *Locke v. Continental Cas. Co.*, 2013 Ark. App. 690, at 3, 2013 WL 6097990 (citation omitted). Here, assuming for the purposes of this motion only that Westcott was a business invitee as suggested by her Complaint, UAMS “had a duty to use ordinary care in maintaining its premises in a reasonably safe condition. *House v. Wal-Mart Stores, Inc.*, 316 Ark. 221, 223, 872 S.W.2d 52, 52 (1994). This duty applies, however, only when the danger is foreseeable. *Benson v. Shuler Drilling Co.*, 316 Ark. 101, 112, 871 S.W.3d 552, 558 (1994). There is no duty to guard against merely possible, as opposed to probable, harm. *Ethyl Corp. v. Johnson*, 345 Ark. 476, 481-82, 49 S.W.3d 644, 648 (2001).” *Id.* (emphasis added). The simple fact that Westcott fell on UAMS property “does not give rise to an inference of negligence.” See *House v. Wal-Mart Stores, Inc.*, *supra* (citation omitted) (emphasis added). See also, *AutoZone v. Horton*, 87 Ark. App. 349, 354, 192 S.W.3d 291, 295 (2004).

Locke v. Continental Cas. Co. and *AutoZone v. Horton* are two Arkansas trip and fall cases that are instructive in this matter. In the *AutoZone* case, the plaintiff tripped on “an unsecured doormat that protruded above the surface of an abutted doormat” as she entered the store and fell on her face and shoulder causing injuries. *AutoZone*, 87 Ark. App. at 350, 192 S.W.3d at 293. Two former employees of AutoZone testified that while they had seen the mats curl up and even tripped on the mats themselves, they had never seen a customer trip on the mats. *Id.* at 352, 192 S.W.3d at 293. The Court of Appeals found the plaintiff did not present substantial evidence to establish AutoZone knew the mats were a “tripping hazard,” and AutoZone did not breach its duty of care. *Id.* at 355, 192 S.W.3d at 296.

In *Locke*, the plaintiff tripped over exposed bolts from a broken sign on a sidewalk in front of Jefferson Regional Medical Center while going to visit a patient in the ER. *Locke*, 2013 Ark. App. at 1-2. The Court found that the plaintiff did not present admissible evidence of when the bolts became exposed, that the hospital knew of and disregarded the exposed bolts, or that the hospital was negligent in using a sign that when broken led to exposed bolts. *Id.* at 4-6. Citing the same standards as *AutoZone*, the Arkansas Court of Appeals concluded, “we cannot say the hospital had a duty to guard against the particular harm that befell Locke.” *Id.* at 6-7.

Here, UAMS had a legal duty to use ordinary care to protect business invitees from tripping on the rug if there was proof that it either knew or, or by the exercise of reasonable care could have discovered, the existence of the kicked-up rug before Westcott fell. *Locke*, supra at 4. Based on the timing between Westcott’s fall and the kicking up of the rug by another visitor, UAMS did not know and could not have known or foreseen the potential danger. There is no evidence that the rug was placed “in any way other than a reasonable manner.” *See AutoZone*, 87 Ark. App. at 354, 192 S.W.3d at 295.

In fact, the video shows that the rug was fine only one-minute prior Westcott’s arrival, and even after kicked up by a visitor, another individual walked through the area with no problem. (Exhibit 1). Moreover, while the presence of a rug could possibly (i.e., may or may not) lead to harm, it does not rise to the required level of probable (i.e., likely) harm articulated by the Arkansas Supreme Court.¹ Here, two individuals walked through before Westcott and did not fall. Additionally,

¹ See Merriam-Webster Dictionary (<https://www.merriam-webster.com/>) for definitions of possible versus probable.

UAMS is not aware of any other falls in this area for the three years prior to Westcott's fall; thus, Westcott cannot establish that UAMS knew or should have known the rug was a tripping hazard. (Id.).

Conclusion.

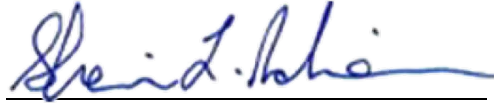
Westcott cannot establish that UAMS was negligent in this matter. Westcott's fall, while regrettable, was caused by another visitor kicking up the rug less than one minute before Westcott passed through; and accordingly, it was not foreseeable by UAMS. While UAMS does not believe that a discussion of damages is a necessary component of its case for summary judgment, it notes that Westcott's medical bills were covered in full by the Municipal Health Benefit Program. (See Exhibit 3). Consistent with the decisions in *Lock* and *Auto Zone*, UAMS was not negligent and is entitled to summary judgment.

WHEREFORE, Respondent requests that the Commission grant its motion for summary judgment and for all other relief to which it may be entitled.

Respectfully submitted,

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES,
Respondent

By:



SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
Univ. of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu

Attorney for Respondent

CERTIFICATE OF SERVICE

I, Sherri L. Robinson, do hereby certify that a copy of the foregoing pleading was on claimant herein by emailing a copy of same this 24th day of June, 2022, to the following:

Charsie Gordon
Taylor King Law, P.A.
charsiegordon@taylorkinglaw.com



Sherri L. Robinson

**RESPONDENT'S EXHIBIT 1
IS SEPARATE ATTACHMENT TO FILING
MSJ EXHIBIT 1 – VIDEO OF FALL**

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

DECLARATION OF SONJA HART

I, Sonja Hart, being over eighteen years of age and of sound mind, do hereby declare under penalty of perjury, as follows:

1. I am the Assistant Director in the Office of Health and Safety (OHS) at the University of Arkansas for Medical Sciences (UAMS). In this position, one of my job duties is to investigate visitor and employee falls that occur on our campus.

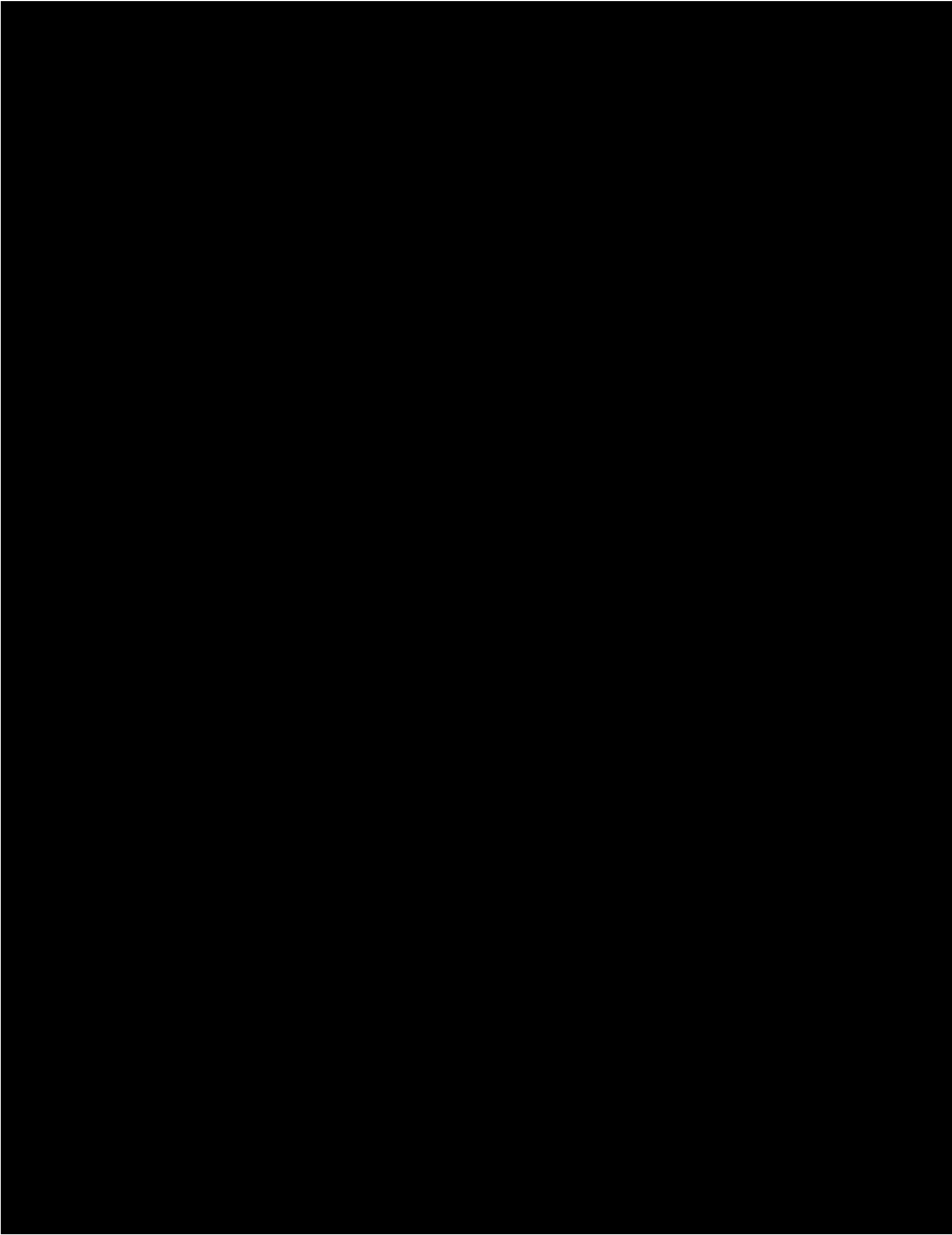
2. When I am notified of a fall on the UAMS campus, I immediately look to see if there is video footage of the area where the fall occurred.

3. Sabrena Westcott fell in the entryway of the UAMS emergency room (ER) on September 16, 2017. When I was notified of the fall, I watched the video footage and preserved the portion that included Ms. Westcott's fall as well as a minute prior to that which shows another person kicking up the rug.

4. I searched the OHS investigation records for other falls in ER entryway for the three years prior to Ms. Westcott's incident, and there are no other incidents of which we are aware.


SONJA HART

June 24, 2022
DATE



From: [Charsie Gordon](#)
To: [ASCC Pleadings](#)
Cc: [Robinson, Sherri](#); [Kathryn Irby](#); [MCGHEE, SHELLEY](#); [Katie Davis](#)
Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ
Date: Friday, July 15, 2022 9:40:18 AM
Attachments: [image.png](#)
[Exhibit A - Sabrena Westcott.mp4](#)
[Pl's Resp to Defendant's Exhibits B-D.pdf](#)

Director Irby,

Attached please find our Response for the Motion for Summary Judgment with a Brief in Support on behalf of Ms. Westcott for filing in the above referenced case. I am serving a copy to Ms. Robinson via this email as well.

Please note that Exhibit A is a separate attachment due to it being a video file. If you need anything further please let me know.

Have a nice weekend everyone.

Sincerely,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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On Fri, Jun 24, 2022 at 3:07 PM ASCC Pleadings <ASCCPleadings@arkansas.gov> wrote:

Received.

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Friday, June 24, 2022 2:17 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>
Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

Dear Director Irby,

Attached please find the Motion for Summary Judgment and Brief in Support on behalf of UAMS for filing in the above referenced case. I am serving a copy of the filing on Ms. Gordon via this email as well.

Please note that Exhibit 1 is a separate attachment as it is a video file. If you have any trouble receiving it via email, please let me know and I will deliver a copy on a flash drive.

Please do not hesitate to contact me if you need anything further.

Thank you for your assistance in this matter.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham, Slot #860

Little Rock, AR 72205

Phone: 501-686-7964 | Fax: 501-686-7736



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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

PLAINTIFF

v.

NO. 190008

**UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES**

RESPONDENT

**PLAINTIFF'S RESPONSE TO MOTION FOR SUMMARY JUDGMENT WITH
SUPPORTING BRIEF**

Comes now the Plaintiff, Sebrena Westcott, by and through her attorneys, Taylor King Law, and for her Response to Defendant's Motion for Summary Judgment, states as follow:

1. Plaintiff denies Defendant, University of Arkansas for Medical Sciences ("UAMS") is entitled to Summary judgment as a matter of law.
2. Plaintiff states that there is a sufficient question of material fact that requires a denial of Defendant's motion.
3. In support of her Response, Plaintiff adopts and incorporates her supporting Brief filed within and as part of Plaintiff's Response to Summary Judgment as follows:

Exhibits

Plaintiff's Exhibit A: Video Footage

Plaintiff's Exhibit B: Affidavit of Sebrena Westcott

Plaintiff's Exhibit C: Letter from Taylor King Law to UAMS

Plaintiff's Exhibit D: Affidavit of Taylor McKenzie Morehead

Factual Background

The relevant facts substantially differ from the Defendant's version. Sebreana Westcott went to the UAMS located at 4301 Markham Street in Little Rock, Arkansas on or September 16, 2017. (Complaint). Upon entering the building, she passed through the Emergency Room doorway, and tripped on a rug which was lying askew at the entrance (*Id.*) The fall was captured on video as well as a short clip about 40 seconds before that. (Plaintiff's Exhibit A- Video Footage). This slip caused severe injuries and missed time from work. (Complaint). On the day in question, Ms. Westcott had on closed-toe black shoes and did not see the rug disturbed. (Plaintiff's Exhibit B-Affidavit of Sebreana Westcott).

The video shows a man walking into the entryway about 10 seconds into the footage. (Plaintiff's Exhibit A- Video Footage). The automatic door was already opened, and the rug was already disturbed and lying askew over the threshold of the door. (*Id.*) The first gentleman did not disturb the rug but was fortunate enough to only catch his foot on it. (*Id.*) The second gentleman walked in about 51 seconds into the footage, and it appears his foot brushed the already disturbed rug as well. (*Id.*) Lastly, Ms. Westcott walks in about 10-12 seconds after that and encounters the same hazard but was more unfortunate than the other two gentleman and tripped and fell on the rug that was disturbed over the threshold. (*Id.*) The rug was already a hazard and disturbed over the threshold the entirety of the video, as seen by the automatic door remaining open the entire time of the video. (*Id.*; Plaintiff's Exhibit B- Affidavit of Sebreana Westcott). Officers Deondra Gupton and Lindsey Liddie were present inside in view of the fall at the ER metal detector desk and assisted Ms. Westcott afterwards. (Incident Report).

Argument

A property owner has a general duty to exercise ordinary care to maintain the premises in a

reasonably safe condition for the benefit of invitees. *Mankey v. Wal-Mart Stores, Inc.*, 314 Ark. 14, 858 S.W.2d 85 (1993). To establish a prima facie case of negligence, appellant must show that he sustained damages, that the defendants were negligent, and that such negligence was a proximate cause of his damages. *Morehart v. Dillard Dep't Stores*, 322 Ark. 290, 908 S.W.2d 331 (1995).

The issues in this Response to Defendant's Motion for Summary Judgment are whether Ms. Westcott has shown that there is an issue of material fact as to whether the mat on Defendant's entrance floor when Ms. Westcott fell was there due to Defendant's negligence, or whether the mat had been on the floor for such a length of time that appellees knew or reasonably should have known of its presence and failed to use ordinary care to remove it. *See, e.g. Boykin v. Mr. Tidy Car Wash, Inc.*, 294 Ark. 182, 741 S.W.2d 270 (1987). Summary judgment is not proper where evidence reveals aspects from which inconsistent hypotheses might reasonably be drawn and reasonable minds might differ. *Flentje v. First Nat'l Bank of Wynne*, 340 Ark. 563, 11 S.W.3d 531 (2000). All proof must be viewed in the light most favorable to the nonmoving party, and any doubts must be resolved against the moving party. *Mashburn v. Meeker Sharkey Fin. Group, Inc.*, 339 Ark. 411, 5 S.W.3d 469 (1999).

Evidence does exist on the record to show that there is a genuine issue of material fact. The Defendant argues *Locke v. Continental Cas. Co.* and *AutoZone v. Horton*. In *AutoZone*, the court found that there was not substantial evidence that AutoZone had knowledge that the mats constituted a "tripping hazard." 87 Ark. App. At 355, 192 S.W.3d at 296. The Plaintiff also testified that she observed the mats to be flat and smooth and saw nothing unusual. *Id.*

The present case has more evidence than mere testimony from the Plaintiff, and most importantly we have actual video footage of the incident. The video footage shows the door was

open the whole time, and the rug was already disturbed and a hazard. (Plaintiff's Exhibit A: Video Footage). The rug had disabled the door sensor keeping it from being able to close. *Id.* The door remaining opening and not closing should have created a reasonable anticipation that something was wrong and there may be a dangerous or hazardous condition. We do not know how long this door remained opened before Ms. Westcott fell. We requested the entire day of the incident, however, were only provided a little over a minute's worth of video. (Plaintiff's Exhibit C: Letter from Taylor King Law to UAMS). *AutoZone* is not comparable to our case at hand due to substantially more evidence being available to be considered. The video footage alone, survives Summary Judgment.

Secondly, in *AutoZone* the Plaintiff's testimony opened the door for an open and obvious, but in our case the Defendant is blaming the first gentleman on the video for creating the hazard, not open and obvious. Either argument is incorrect and notwithstanding the present case. The hazard was there before either gentleman walked into the entryway, UAMS should have known and should have perceived or foreseen a potential danger when the door was failing to close.

In *Shrum v. Southern Farm Cas. Ins. Co.*, 321 Ark.151, 848 S.W.2d 395 (1993), a business invitee entered the bathroom of the appellee, where a plastic container of soap was kept on the sink. The employee's bore a responsibility to clean and maintain the bathroom. *Id.* The supervising agent had inspected the bathroom prior to the slip. *Id.* After the Appellant entered the bathroom, he washed his hands and slipped, discovering that where he had been standing, there was a soapy substance on the floor. *Id.* The supervising agent and the Appellant both denied having spilled the soap on the floor. *Id.* The Arkansas Supreme Court reversed the trial court's order granting the Appellee's motion for summary judgment. *Id.* After viewing the facts in the light most favorable to the Appellant, the non-moving party, the Court determined that it could reasonably be inferred

that upon inspection of the bathroom, the soap on the floor was overlooked, or the soap was seen but failed to be removed. *Id.*

Presently, Ms. Westcott entered the doorway of the Defendant as a business invitee. UAMS bore a responsibility to inspect the entrance and maintain it, especially an entryway that is so highly trafficked. The automatic door not closing should have been noticed and inspected, this was UAMS' responsibility to do so. The rug and door were overlooked or seen and failed to be fixed.

The Defendant argues similarities in *Locke v. Continental Cas. Co.* as they did in *AutoZone*. Locke presented no evidence that the potential for exposed bolts was foreseeable. *Locke v. Continental Cas. Co.*, 2013 Ark. App. 690, at 3, 2013 WL 6097990. The Court found that the plaintiff did not present admissible evidence to prove the case. *Id.* at 4-6.

Just like what was argued by the Defendant while referencing *AutoZone*, *Locke* was also based on a lack of evidence. Again, we have more than mere testimony as is *AutoZone* and *Locke*. As previously stated, *Locke* is not comparable to our case at hand due to substantially more evidence being available to be considered. The video footage alone, creates question of fact.

In viewing the facts favorably to Ms. Westcott one could conclude that the mat was on the floor at all times that day, until her fall when it was removed. Failure to inspect the entrance once the automatic door started failing to close is evidence of negligence. A reasonable conclusion could be made that the first gentleman fortunately avoided falling on the skewed and hazardous rug that was already present when he walked through the entryway, unlike Ms. Westcott's disastrous fate. Same goes for the second gentleman as well, he brushed his toe but was the lucky one. These are genuine issues of material fact that should be heard.

Conclusion

Defendant's Motion for Summary Judgment is improper. For each of the aforementioned facts and application of the law herein set forth, there are genuine issues of material fact still at hand. Another visitor did not kick up the rug and create a hazard less than a minute before Ms. Westcott passed through; the hazard was already present. Furthermore, there the rulings made in *AutoZone* or *Locke* are inconsistent and not relevant to Ms. Westcott's case due. Lastly, Defendant also states that all of Ms. Westcott's medical bills have been paid. This is false. Balances are still owed. (See Plaintiff's Exhibit D- Affidavit of Taylor McKenzie Morehead).

WHEREFORE, Sebrena Westcott, prays that Defendant's Motion for Summary Judgment be denied.

Respectfully submitted,

SEBRENA WESTCOTT, PLAINTIFF

By:



Charsie Gordon, Ark. Bar No. 2016059
TAYLOR KING & ASSOCIATES, P.A.
820 West 3rd Street
Little Rock, Arkansas 72201
charsiegordon@taylorkinglaw.com

CERTIFICATE OF SERVICE

I, Charsie Gordon, hereby certify that a copy of the above and foregoing document has been served by email to the Attorney listed below on July 15, 2022.

SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
Univ. of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu
Attorney for Respondent



Charsie Gordon

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

PLAINTIFF

v.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

AFFIDAVIT OF SEBRENA WESTCOTT

BEFORE ME, the undersigned authority on this day personally appeared SEBRENA WESTCOTT, who being first duly sworn, deposed and stated as follows:

"My name is Sebrena Westcott. I am over eighteen (18) years of age. I currently reside at

[REDACTED] have never been convicted of a crime and am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.


On September 16, 2017, I entered the entryway of the University of Arkansas for Medical Sciences (UAMS) Emergency Room. While entering the first automatic door, I tripped and fell on the rug and suffered great injuries. I had on black closed-toe flat shoes.

I have viewed the brief 1:05 (minute: second) video that has been provided to my attorney. The automatic door remained opened for the entirety of the video showing that the rug was already disturbed over the threshold keeping the automatic door sensor from activating and closing.



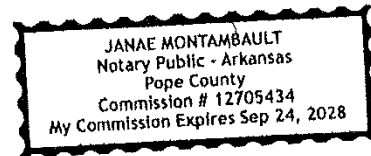
The first gentleman encounters the disturbed rug but was fortunate enough to only hang his foot up without falling. He did not create this hazard, it was already there. The second gentlemen walked in and barely misses catching his foot as well, in fact it looks like he brushed it.

The rug is disturbed and a hazard the entirety of the video and someone should have noticed the door not shutting. I was the unfortunate one, due to no fault of my own, to encounter this hazard and suffer severe injuries due to this incident. I did not see the rug was disturbed before I fell. Also, all of my medical bills have not need paid. Balances are still owed."

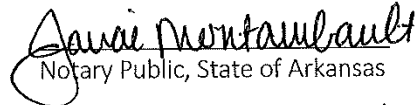

Sebrana Westcott

State of Arkansas AR))

County of Pope))



SUBSCRIBED AND SWORN TO before me on this 16th of July, 2022.


Notary Public, State of Arkansas

My Commission Expires: 9/24/2028

PERSONAL INJURY LAWYERS
TAYLOR KING
On Your Side - By Your Side

Please respond to
 320 Main Street
 Arkadelphia, AR 71923
 1-800-CAR-WRECK
 1-800-227-9732
 1-870-246-0505
 Out of State: 1-800-305-0529

October 9, 2017

Re: My Client: Sebrena Westcott
 Your Insured: UAMS Medical Center – Little Rock
 Date of Incident: 9/16/2017

To Whom It May Concern:

As you may be aware, my firm represents Sebrena Westcott. She suffered personal injuries as a result from a slip & fall incident which occurred on 9/16/2017 in UAMS- Little Rock.

We specifically request that the following evidence be maintained and preserved and not be destroyed, modified, altered, repaired, or changed in any manner. We further request that you immediately print and save on paper any of the electronic records requested below, in addition to preserving the electronic records as set forth below. The items you are required to save include:

1. Any videos from the date of the accident from the location (UAMS–Little Rock).
2. Witness statements from the incident;
3. A list of employees at work at the time of the incident;
4. Any photographs from the incident;
5. Any incident reports; and
6. Any other items associated in any way with the incident or other evidence.

If the business practices of either you or your employees, agents, contractors, carriers, bailees, or other non-parties who possess materials reasonably anticipated to be subject to discovery in this matter involve the routine destruction, recycling, relocation, or mutation of such materials, you should, to the extent practicable for the pendency of this matter, either halt such business processes; sequester or remove such material from the business process; or arrange for the preservation of original documents, data, and tangible things, including electronic data and systems, as set out below.

Failure to preserve and retain the electronic data identified in this notice may constitute spoliation of evidence and could result in claims for damages, as well as evidentiary and monetary sanctions.



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www.taylorkinglaw.com

In order to assure that your obligation to preserve documents is met, please immediately forward a copy of this letter to all persons and entities with custodial responsibility for the items referred to in this letter.

Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to call.

Sincerely,

Mark Pearson
Attorney at Law

MP/la

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

PLAINTIFF

v.

NO. 190008

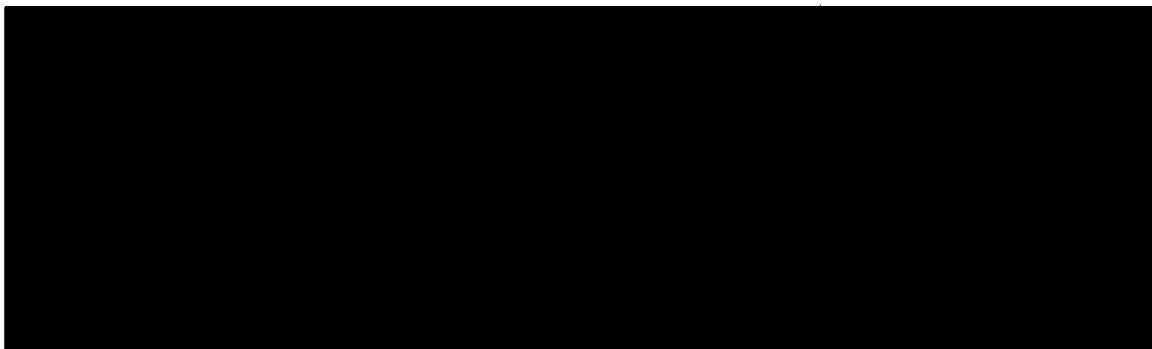
UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

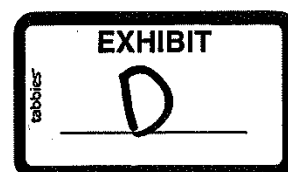
AFFIDAVIT OF TAYLOR MCKENZIE MOREHEAD

BEFORE ME, the undersigned authority on this day personally appeared TAYLOR MCKENZIE MOREHEAD, who being first duly sworn, deposed and stated as follows:

"My name is Taylor McKenzie Morehead. I am over eighteen (18) years of age. I currently am a current employee of Taylor King Law. I have never been convicted of a crime and am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.



Taylor McKenzie Morehead
Taylor McKenzie Morehead



State of Arkansas))

County of Clark))

SUBSCRIBED AND SWORN TO before me on this 6 of July, 2022.



Gaysha Adams
Notary Public, State of Arkansas

My Commission Expires: June 14, 2025

From: [Kathryn Irby](#)
To: [Charsie Gordon](#); [ASCC Pleadings](#)
Cc: [Robinson, Sherri](#); [MCGHEE, SHELLY](#); [Katie Davis](#)
Subject: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008
Date: Friday, July 15, 2022 10:57:00 AM
Attachments: [Westcott v. UAMS, Claim No. 190008 - Hearing Itt \(MSJ\).pdf](#)
[image.png](#)

Ms. Gordon, I can confirm receipt of your response to the pending MSJ.

Ms. Gordon and Ms. Robinson, please see attached hearing letter. The Zoom invitation can be found in the attached letter and is also set out below.

Thanks,
Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings
Time: Oct 13, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting
<https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzIiDWFd6b2I3dz09>

Meeting ID: 876 9310 2786
Passcode: KjpZ0x
One tap mobile
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+19294362866,,87693102786#,,,,*798674# US (New York)

Dial by your location

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- +1 312 626 6799 US (Chicago)
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 876 9310 2786
Passcode: 798674

Find your local number: <https://us06web.zoom.us/j/kb98UHJcK>

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, July 15, 2022 9:40 AM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ

Director Irby,

Attached please find our Response for the Motion for Summary Judgment with a Brief in Support on behalf of Ms. Westcott for filing in the above referenced case. I am serving a copy to Ms. Robinson via this email as well.

Please note that Exhibit A is a separate attachment due to it being a video file. If you need anything further please let me know.

Have a nice weekend everyone.

Sincerely,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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On Fri, Jun 24, 2022 at 3:07 PM ASCC Pleadings <ASCCPleadings@arkansas.gov> wrote:

Received.

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Friday, June 24, 2022 2:17 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie

<charsiegordon@taylorkinglaw.com>

Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

Dear Director Irby,

Attached please find the Motion for Summary Judgment and Brief in Support on behalf of UAMS for filing in the above referenced case. I am serving a copy of the filing on Ms. Gordon via this email as well.

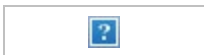
Please note that Exhibit 1 is a separate attachment as it is a video file. If you have any trouble receiving it via email, please let me know and I will deliver a copy on a flash drive.

Please do not hesitate to contact me if you need anything further.

Thank you for your assistance in this matter.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



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ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

July 15, 2022

Ms. Charsie Gordon
Taylor King Law
320 Main Street
Arkadelphia, Arkansas 71923

(via email)

Ms. Sherri L. Robinson
University of Arkansas for Medical Sciences
4301 West Markham Street, Slot 860
Little Rock, Arkansas 72205

(via email)

Re: ***Sebrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Ms. Gordon and Ms. Robinson,

The Claims Commission has scheduled a hearing on UAMS' pending motion for summary judgment for **Thursday, October 13, 2022**, beginning at 9:00 a.m. All parties will attend via Zoom. The Zoom invitation is enclosed herein.

As this is a motion hearing, no prehearing documents are requested.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Kathryn Irby

ES: kmirby

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Oct 13, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzlDWFd6b2I3dz09>

Meeting ID: 876 9310 2786

Passcode: KjpZ0x

One tap mobile

+16469313860,,87693102786#,,,,*798674# US

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Dial by your location

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+1 346 248 7799 US (Houston)

Meeting ID: 876 9310 2786

Passcode: 798674

Find your local number: <https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzlDWFd6b2I3dz09>

From: [Robinson, Sherri](#)
To: [Kathryn Irby](#); [Charsie Gordon](#); [ASCC Pleadings](#)
Cc: [MCGHEE, SHELLY](#); [Katie Davis](#)
Subject: RE: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008
Date: Friday, July 15, 2022 11:05:37 AM
Attachments: [image.png](#)

Ms. Irby,

I am on vacation during the week of October 10. Can we possibly move the hearing to the November schedule?

Thanks.

Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Friday, July 15, 2022 10:58 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

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Thanks,
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Kathryn Irby
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 101 East Capitol Avenue, Suite 410
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 (501) 682-2822

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From: Charsie Gordon <charsiegordon@taylorlaw.com>

Sent: Friday, July 15, 2022 9:40 AM

To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>;

MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katedavis@taylorlaw.com>

Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ

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Please note that Exhibit A is a separate attachment due to it being a video file. If you need anything further please let me know.

Have a nice weekend everyone.

Sincerely,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>

Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

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Please do not hesitate to contact me if you need anything further.

Thank you for your assistance in this matter.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences

4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



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From: [Kathryn Irby](#)
To: [Robinson, Sherri](#); [Charsie Gordon](#); [ASCC Pleadings](#)
Cc: [MCGHEE, SHELLY](#); [Katie Davis](#)
Subject: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008
Date: Friday, July 15, 2022 11:13:00 AM
Attachments: [Westcott v. UAMS - 20008 - Rescheduled hearing ltr \(MSJ\).pdf](#)
[image.png](#)

I can move it to December 15. Please see attached. New Zoom invite included in the attached letter and also set out below. Thanks!

Kathryn

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Dec 15, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87233982936?pwd=WWtCY3k1c2VKblVuaDNueHA5NTY3Zz09>

Meeting ID: 872 3398 2936

Passcode: 09QZ2p

One tap mobile

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+13126266799,,87233982936#,,,,*460453# US (Chicago)

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+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

Meeting ID: 872 3398 2936

Passcode: 460453

Find your local number: <https://us06web.zoom.us/j/87233982936?pwd=WWtCY3k1c2VKblVuaDNueHA5NTY3Zz09>

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Friday, July 15, 2022 11:05 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie Gordon

<charsiegordon@taylorkinglaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: RE: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Irby,

I am on vacation during the week of October 10. Can we possibly move the hearing to the November schedule?

Thanks.

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



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Subject: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

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Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

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Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ

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Have a nice weekend everyone.

Sincerely,

Charsie


Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

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Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>

Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

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Respectfully,

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ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

July 15, 2022

Ms. Charsie Gordon
Taylor King Law
320 Main Street
Arkadelphia, Arkansas 71923

(via email)

Ms. Sherri L. Robinson
University of Arkansas for Medical Sciences
4301 West Markham Street, Slot 860
Little Rock, Arkansas 72205

(via email)

Re: ***Sebrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Ms. Gordon and Ms. Robinson,

Due to a scheduling conflict for UAMS, the Claims Commission has rescheduled the hearing on UAMS' pending motion for summary judgment for **Thursday, December 15, 2022**, beginning at 9:00 a.m. All parties will attend via Zoom. The Zoom invitation is enclosed herein.

As this is a motion hearing, no prehearing documents are requested.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Kathryn Irby

ES: kmirby

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Dec 15, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87233982936?pwd=WWtCY3k1c2VKblVuaDNueHA5NTY3Zz09>

Meeting ID: 872 3398 2936

Passcode: 09QZ2p

One tap mobile

+13017158592,,87233982936#,,,,*460453# US (Washington DC)

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Dial by your location

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Meeting ID: 872 3398 2936

Passcode: 460453

Find your local number: <https://us06web.zoom.us/j/87233982936?pwd=WWtCY3k1c2VKblVuaDNueHA5NTY3Zz09>

From: [Robinson, Sherri](#)
To: [Charsie Gordon](#); [Kathryn Irby](#)
Cc: [ASCC Pleadings](#); [MCGHEE, SHELLY](#); [Katie Davis](#)
Subject: RE: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008
Date: Friday, July 15, 2022 12:03:12 PM
Attachments: [image002.png](#)

Thank you! That works for me as well.

Sherri

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, July 15, 2022 11:26 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: Re: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

Dec. 15 works for me. Thanks.

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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On Fri, Jul 15, 2022 at 11:13 AM Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

I can move it to December 15. Please see attached. New Zoom invite included in the attached letter and also set out below. Thanks!

Kathryn

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Dec 15, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87233982936?pwd=WWtCY3k1c2VKblVuaDNueHA5NTY3Zz09>

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+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

Meeting ID: 872 3398 2936

Passcode: 460453

Find your local number: <https://us06web.zoom.us/j/kbkUOWW4wI>

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Friday, July 15, 2022 11:05 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie Gordon

<charsiegordon@taylorkinglaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: RE: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Irby,

I am on vacation during the week of October 10. Can we possibly move the hearing to the November schedule?

Thanks.

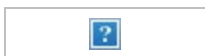
Sherri L. Robinson | Sr. Associate General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham, Slot #860

Little Rock, AR 72205

Phone: 501-686-7964 | Fax: 501-686-7736



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Friday, July 15, 2022 10:58 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
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Ms. Gordon, I can confirm receipt of your response to the pending MSJ.

Ms. Gordon and Ms. Robinson, please see attached hearing letter. The Zoom invitation can be found in the attached letter and is also set out below.

Thanks,
 Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings
 Time: Oct 13, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting
<https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzIDWFd6b2I3dz09>

Meeting ID: 876 9310 2786
 Passcode: KjpZ0x
 One tap mobile
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 +19294362866,,87693102786#,,,,*798674# US (New York)

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+1 346 248 7799 US (Houston)

Meeting ID: 876 9310 2786

Passcode: 798674

Find your local number: <https://us06web.zoom.us/j/87693102786>

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>

Sent: Friday, July 15, 2022 9:40 AM

To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ

Director Irby,

Attached please find our Response for the Motion for Summary Judgment with a Brief in Support on behalf of Ms. Westcott for filing in the above referenced case. I am serving a copy to Ms. Robinson via this email as well.

Please note that Exhibit A is a separate attachment due to it being a video file. If you need anything further please let me know.

Have a nice weekend everyone.

Sincerely,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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Received.

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Sent: Friday, June 24, 2022 2:17 PM

To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>

Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

Dear Director Irby,

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Please do not hesitate to contact me if you need anything further.

Thank you for your assistance in this matter.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



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From: [Kathryn Irby](#)
To: [Robinson, Sherri](#); [Charsie Gordon](#)
Cc: [MCGHEE, SHELLY](#); [Katie Davis](#)
Subject: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008
Date: Tuesday, October 25, 2022 2:53:00 PM
Attachments: [Westcott v. UAMS - 190008 - Hearing Rescheduled letter \(motion\).pdf](#)
[image.png](#)

Ms. Gordon and Ms. Robinson, please see attached hearing rescheduling letter. Let me know if there are any questions.

Thanks,
 Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Kathryn Irby
Sent: Friday, July 15, 2022 11:13 AM
To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon <charsiegordon@taylorkinglaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcgee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

I can move it to December 15. Please see attached. New Zoom invite included in the attached letter and also set out below. Thanks!

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Topic: Claims Commission -- hearings
 Time: Dec 15, 2022 09:00 AM Central Time (US and Canada)

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Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: RE: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Irby,

I am on vacation during the week of October 10. Can we possibly move the hearing to the November schedule?

Thanks.

Sherri L. Robinson | Sr. Associate General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham, Slot #860

Little Rock, AR 72205

Phone: 501-686-7964 | Fax: 501-686-7736



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Sent: Friday, July 15, 2022 10:58 AM

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<ASCCPleadings@arkansas.gov>

Cc: Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie

Davis <katiedavis@taylorkinglaw.com>

Subject: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

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Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

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Passcode: KjpZ0x

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Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ

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Please note that Exhibit A is a separate attachment due to it being a video file. If you need anything further please let me know.

Have a nice weekend everyone.

Sincerely,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

Dear Director Irby,

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Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences
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Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



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ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

October 25, 2022

Ms. Charsie Gordon
Taylor King Law
320 Main Street
Arkadelphia, Arkansas 71923

(via email)

Ms. Sherri L. Robinson
University of Arkansas for Medical Sciences
4301 West Markham Street, Slot 860
Little Rock, Arkansas 72205

(via email)

Re: ***Sebrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Ms. Gordon and Ms. Robinson,

Due to an internal scheduling conflict, the Claims Commission has rescheduled the hearing on UAMS' pending motion for summary judgment for **Friday, February 10, 2023**, beginning at 9:00 a.m. All parties will attend via Zoom. The new Zoom invitation is enclosed herein.

As this is a motion hearing, no prehearing documents are requested.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Kathryn Irby

ES: kmirby

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Feb 10, 2023 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87579091104?pwd=bkRDL2lFUnZUclhSUE8wS2ZLOGVpZz09>

Meeting ID: 875 7909 1104

Passcode: 6EPTmJ

One tap mobile

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+13126266799,,87579091104#,,, *124942# US (Chicago)

Dial by your location

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+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

Meeting ID: 875 7909 1104

Passcode: 124942

Find your local number: <https://us06web.zoom.us/j/kd3oe4TIYF>

From: [Kathryn Irby](#)
To: [Charsie Gordon](#)
Subject: RE: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008
Date: Tuesday, January 17, 2023 1:38:00 PM
Attachments: [image001.png](#)
[image002.png](#)

I see what you mean, and thank you for bringing the vague language to my attention. That sentence is intended to mean that a representative for each party should be in attendance via Zoom. Whether your client is present is up to you and your client, but the Commission will not be taking testimony.

Thanks,
 Kathryn Irby

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Tuesday, January 17, 2023 1:09 PM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

Thank you. Just wanted to be sure since the hearing noticed stated all parties.



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Tuesday, January 17, 2023 1:01 PM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Subject: RE: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Gordon, as this is a motion hearing, the Claims Commission will not be taking testimony.

Thanks,
 Kathryn Irby

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Tuesday, January 17, 2023 10:17 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Irby,

Will my client need to be present for the hearing?

Thanks,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

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Sent: Tuesday, October 25, 2022 2:53 PM

To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon
<charsiegordon@taylorkinglaw.com>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Gordon and Ms. Robinson, please see attached hearing rescheduling letter. Let me know if there are any questions.

Thanks,

Kathryn Irby

Kathryn Irby

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-2822

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Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

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+1 669 900 6833 US (San Jose)

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Passcode: 460453

Find your local number: <https://us06web.zoom.us/u/kbkU0WW4wl>

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Sent: Friday, July 15, 2022 11:05 AM

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Sent: Friday, July 15, 2022 10:58 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Gordon, I can confirm receipt of your response to the pending MSJ.

Ms. Gordon and Ms. Robinson, please see attached hearing letter. The Zoom invitation can be found in the attached letter and is also set out below.

Thanks,
Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings
Time: Oct 13, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzIDWFd6b2l3dz09>

Meeting ID: 876 9310 2786

Passcode: KjpZ0x

One tap mobile

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+19294362866,,87693102786#,,,,*798674# US (New York)

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+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

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Meeting ID: 876 9310 2786

Passcode: 798674

Find your local number: <https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzIDWFd6b2l3dz09>

From: Charsie Gordon <charsiegordon@taylorlaw.com>

Sent: Friday, July 15, 2022 9:40 AM

To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>;
MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorlaw.com>

Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ

Director Irby,

Attached please find our Response for the Motion for Summary Judgment with a Brief in Support on behalf of Ms. Westcott for filing in the above referenced case. I am serving a copy to Ms. Robinson via this email as well.

Please note that Exhibit A is a separate attachment due to it being a video file. If you need anything further please let me know.

Have a nice weekend everyone.

Sincerely,

Charsie

Charsie Gordon
Attorney at Law | Taylor King Law



820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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On Fri, Jun 24, 2022 at 3:07 PM ASCC Pleadings <ASCCPleadings@arkansas.gov> wrote:

Received.

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Friday, June 24, 2022 2:17 PM

To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>

Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

Dear Director Irby,

Attached please find the Motion for Summary Judgment and Brief in Support on behalf of UAMS for filing in the above referenced case. I am serving a copy of the filing on Ms. Gordon via this email as well.

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Please do not hesitate to contact me if you need anything further.

Thank you for your assistance in this matter.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



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From: [Charsie Gordon](#)
To: [Robinson, Sherri](#); [Kathryn Irby](#)
Cc: [MCGHEE, SHELLY](#); [Katie Davis](#)
Subject: Re: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008
Date: Tuesday, January 31, 2023 3:07:24 PM
Attachments: [image002.png](#)

The 9th works for me as well.

Thanks,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Tuesday, January 31, 2023 2:54 PM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie Gordon <charsiegordon@taylorkinglaw.com>

Cc: MCGHEE, SHELLY <SMcgee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: RE: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

Ms. Irby,

That date is fine with UAMS.

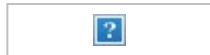
Sherri L. Robinson | Sr. Associate General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham, Slot #860

Little Rock, AR 72205

Phone: 501-686-7964 | Fax: 501-686-7736



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>

Sent: Tuesday, January 31, 2023 1:25 PM

To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon <charsiegordon@taylorkinglaw.com>

Cc: MCGHEE, SHELLY <SMcgee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

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Ms. Gordon and Ms. Robinson, due to a scheduling issue, the Claims Commission has moved this hearing from **February 10 to February 9, 2023**. It is scheduled for 9am, although there are a number of motions in various claims set at that same time. A new Zoom invitation is below. Please log on no later than 8:55am for a quick sound check.

If the February 9 date is unworkable for either party, please let me know, and I'll move this hearing to the next available docket slot.

Thanks,
Kathryn Irby

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Feb 9, 2023 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/83991263511?pwd=RVpRbjRwWHI3UnRUZXlTbk9vZUtNUT09>

Meeting ID: 839 9126 3511

Passcode: x9RGig

One tap mobile

+13126266799,,83991263511#,,, *974920# US (Chicago)

+16469313860,,83991263511#,,, *974920# US

Dial by your location

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+1 305 224 1968 US

+1 309 205 3325 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US
 +1 669 444 9171 US
 +1 669 900 6833 US (San Jose)
 +1 689 278 1000 US

Meeting ID: 839 9126 3511

Passcode: 974920

Find your local number: <https://us06web.zoom.us/j/kbKzYxltX7>

From: Kathryn Irby

Sent: Tuesday, October 25, 2022 2:54 PM

To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon
 <charsiegordon@taylorkinglaw.com>

Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Gordon and Ms. Robinson, please see attached hearing rescheduling letter. Let me know if there are any questions.

Thanks,
 Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Kathryn Irby

Sent: Friday, July 15, 2022 11:13 AM

To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon
 <charsiegordon@taylorkinglaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

I can move it to December 15. Please see attached. New Zoom invite included in the attached letter and also set out below. Thanks!

Kathryn

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Dec 15, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87233982936?pwd=WWtCY3k1c2VKblVuaDNueHA5NTY3Zz09>

Meeting ID: 872 3398 2936

Passcode: 09QZ2p

One tap mobile

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+1 929 436 2866 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

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Meeting ID: 872 3398 2936

Passcode: 460453

Find your local number: <https://us06web.zoom.us/j/87233982936?pwd=WWtCY3k1c2VKblVuaDNueHA5NTY3Zz09>

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Friday, July 15, 2022 11:05 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie Gordon

<charsiegordon@taylorkinglaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>

Subject: RE: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Irby,

I am on vacation during the week of October 10. Can we possibly move the hearing to the November schedule?

Thanks.

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Friday, July 15, 2022 10:58 AM
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Subject: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

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Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

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Topic: Claims Commission -- hearings
 Time: Oct 13, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzIDWFd6b2l3dz09>

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Passcode: KjpZ0x

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+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)
 Meeting ID: 876 9310 2786
 Passcode: 798674
 Find your local number: <https://us06web.zoom.us/j/87693102786>

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, July 15, 2022 9:40 AM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>;
 MCGHEE, SHELLEY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ

Director Irby,

Attached please find our Response for the Motion for Summary Judgment with a Brief in Support on behalf of Ms. Westcott for filing in the above referenced case. I am serving a copy to Ms. Robinson via this email as well.

Please note that Exhibit A is a separate attachment due to it being a video file. If you need anything further please let me know.

Have a nice weekend everyone.

Sincerely,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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On Fri, Jun 24, 2022 at 3:07 PM ASCC Pleadings <ASCCPleadings@arkansas.gov> wrote:

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To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>

Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

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Attached please find the Motion for Summary Judgment and Brief in Support on behalf of UAMS for filing in the above referenced case. I am serving a copy of the filing on Ms. Gordon via this email as well.

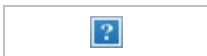
Please note that Exhibit 1 is a separate attachment as it is a video file. If you have any trouble receiving it via email, please let me know and I will deliver a copy on a flash drive.

Please do not hesitate to contact me if you need anything further.

Thank you for your assistance in this matter.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



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From: [Kathryn Irby](#)
To: [Robinson, Sherri](#)
Cc: [Charsie Gordon](#)
Subject: RE: Question for Westcott hearing
Date: Wednesday, February 8, 2023 10:52:00 AM
Attachments: [image002.png](#)

Sherri, the commissioners have the video exhibits attached to your MSJ and Claimant's response.

Thanks,
 Kathryn

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Wednesday, February 8, 2023 10:50 AM
To: Kathryn Irby <kathryn.irby@arkansas.gov>
Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Subject: Question for Westcott hearing

Good morning, Kathryn,

I have a quick question regarding the hearing in the Sebreana Westcott case tomorrow. Both Charsie and I submitted the video of Ms. Westcott's fall to the Commission. The video is 1 minute and 5 seconds. Will the Commissioners have watched it already, or do I need to have the video ready to play during the hearing?

Also, I will have a law clerk attending with me, and I thought it would be easier to send you his name in case you need it for the minutes. His name is Abijah Kratochvil.

Thanks.

Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



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From: [Kathryn Irby](#)
To: [Charsie Gordon](#); [Robinson, Sherri](#)
Cc: [MCGHEE, SHELLY](#); [Katie Davis](#)
Subject: RE: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008
Date: Thursday, February 9, 2023 9:05:00 AM
Attachments: [image001.png](#)

No worries – we can see you, but we cannot hear you.

Kathryn

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Thursday, February 9, 2023 9:00 AM
To: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: Re: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

I seem to be having some computer issues. I apologize.



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

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Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: Re: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

The 9th works for me as well.

Thanks,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

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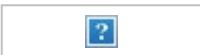
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Subject: RE: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

Ms. Irby,

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Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
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Subject: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

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Passcode: x9RGig

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+16469313860,,83991263511#,,,,*974920# US

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+1 305 224 1968 US

+1 309 205 3325 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

Meeting ID: 839 9126 3511

Passcode: 974920

Find your local number: <https://us06web.zoom.us/j/83991263511?pwd=RVpRbjRwWHI3UnRUZXJTbk9vZUtNUT09>

From: Kathryn Irby

Sent: Tuesday, October 25, 2022 2:54 PM

To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon

<charsiegordon@taylorkinglaw.com>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

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Thanks,
 Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

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Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: HEARING RESCHEDULED: Westcott v. UAMS, Claim No. 190008

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Kathryn

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Meeting ID: 872 3398 2936
 Passcode: 09QZ2p
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 +1 669 444 9171 US
 +1 669 900 6833 US (San Jose)

Meeting ID: 872 3398 2936

Passcode: 460453

Find your local number: <https://us06web.zoom.us/j/87233982936>

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Friday, July 15, 2022 11:05 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie Gordon

<charsiegordon@taylorlaw.com>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorlaw.com>

Subject: RE: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Irby,

I am on vacation during the week of October 10. Can we possibly move the hearing to the November schedule?

Thanks.

Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>

Sent: Friday, July 15, 2022 10:58 AM

To: Charsie Gordon <charsiegordon@taylorlaw.com>; ASCC Pleadings
 <ASCCPleadings@arkansas.gov>

Cc: Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorlaw.com>

Subject: HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008

Ms. Gordon, I can confirm receipt of your response to the pending MSJ.

Ms. Gordon and Ms. Robinson, please see attached hearing letter. The Zoom invitation can be found in the attached letter and is also set out below.

Thanks,
Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings
Time: Oct 13, 2022 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzIDWFd6b2I3dz09>

Meeting ID: 876 9310 2786

Passcode: KjpZ0x

One tap mobile

+16469313860,,87693102786#,,,,*798674# US

+19294362866,,87693102786#,,,,*798674# US (New York)

Dial by your location

+1 646 931 3860 US

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 876 9310 2786

Passcode: 798674

Find your local number: <https://us06web.zoom.us/j/87693102786?pwd=ZnNoOXU5b1p0a3VlKzIDWFd6b2I3dz09>

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>

Sent: Friday, July 15, 2022 9:40 AM

To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; MCGHEE, SHELLY <SMcGhee@uams.edu>; Katie Davis <katiedavis@taylorkinglaw.com>
Subject: Re: Sabrena Westcott v. UAMS, Claim No. 190008 - Westcott's Resp to D's MSJ

Director Irby,

Attached please find our Response for the Motion for Summary Judgment with a Brief in Support on behalf of Ms. Westcott for filing in the above referenced case. I am serving a copy to Ms. Robinson via this email as well.

Please note that Exhibit A is a separate attachment due to it being a video file. If you need anything further please let me know.

Have a nice weekend everyone.

Sincerely,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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On Fri, Jun 24, 2022 at 3:07 PM ASCC Pleadings <ASCCPleadings@arkansas.gov> wrote:

Received.

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Friday, June 24, 2022 2:17 PM

To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcGhee@uams.edu>; Charsie <charsiegordon@taylorkinglaw.com>

Subject: Sabrena Westcott v. UAMS, Claim No. 190008 - UAMS Motion for Summary Judgment

Dear Director Irby,

Attached please find the Motion for Summary Judgment and Brief in Support on behalf of UAMS for filing in the above referenced case. I am serving a copy of the filing on Ms. Gordon via this

email as well.

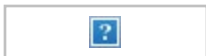
Please note that Exhibit 1 is a separate attachment as it is a video file. If you have any trouble receiving it via email, please let me know and I will deliver a copy on a flash drive.

Please do not hesitate to contact me if you need anything further.

Thank you for your assistance in this matter.

Respectfully,

Sherri L. Robinson | Sr. Associate General Counsel
University of Arkansas for Medical Sciences
4301 W. Markham, Slot #860
Little Rock, AR 72205
Phone: 501-686-7964 | Fax: 501-686-7736



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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**SEBRENA WESTCOTT****CLAIMANT****V.****CLAIM NO. 190008****UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES****RESPONDENT****ORDER**

Now before the Arkansas State Claims Commission (the “Claims Commission”) is the motion filed by the University of Arkansas for Medical Sciences (UAMS or the “Respondent”) for summary judgment as to the claim of Sebrena Westcott (the “Claimant”). At the hearing on February 9, 2023, Charsie Gordon appeared on behalf of Claimant, and Sherri L. Robinson appeared on Respondent’s behalf. Based upon a review of the motion, the arguments therein and by the parties at hearing, and the law of the State of Arkansas, the Claims Commission hereby finds as follows:

1. On July 2, 2018, Claimant filed her claim seeking \$15,000 in damages after she tripped on a rug in the doorway of Respondent’s emergency room and sustained injuries.
2. Respondent filed an answer denying liability.
3. Respondent subsequently filed the instant motion for summary judgment, arguing that Claimant cannot prove the required elements of a negligence claim because her fall “was caused by another visitor kicking up the rug less than one minute before Westcott passed through,” such that Claimant’s fall was not foreseeable to Respondent. *See* Respondent’s Brief in Support of the Motion for Summary Judgment at p. 5. In support of its motion, Respondent attached the video of the fall, a declaration of Assistant Director in the Respondent’s Office of Health and Safety Sonja Hart, and a letter stating that Claimant’s medical bills were covered in full by the Municipal Health Benefit Program.

4. Claimant responded, arguing that the video shows that the “rug was already disturbed and lying askew over the threshold of the door” when the two men walked through the doorway prior to Claimant. *See* Claimant’s Response at p. 2. Claimant noted that while footage of the “entire day of the incident” was requested, Claimant received “a little over a minute’s worth of video.”

5. At the hearing, Respondent argued that *AutoZone v. Horton*, 87 Ark. App. 349, 192 S.W.3d 291 (2004), is directly on point to this matter. Respondent also argued that the video is the best evidence and that Ms. Hart’s declaration is unrefuted.

6. Claimant responded, arguing that there are spoliation issues with the video and that the hazard was already there when the two men came through the doorway before Claimant.

7. Respondent replied, arguing that conclusory allegations are insufficient to create a question of fact to defeat summary judgment. Respondent also argued that there is no doubt that the first man created the issue with the rug in the doorway.

8. Pursuant to Rule 56(c)(2), summary judgment is appropriate when there are no genuine issues as to any material fact, and the moving party is entitled to judgment as a matter of law. *See Hisaw v. State Farm Mut. Auto Ins. Co.*, 353 Ark. 668, 122 S.W.3d 1 (2003). Summary judgment motions are subject to a shifting burden, in that once the moving party has made a *prima facie* showing of entitlement to summary judgment, “the burden then shifts to the nonmoving party to show that material questions of fact remain.” *Flentje v. First Nat’l Bank of Wynne*, 340 Ark. 563, 569, 11 S.W.3d 531, 536 (2000). Summary judgment is useful “when there is no real issue of fact to be decided.” *Hughes W. World, Inc. v. Westmoore Mfg Co.*, 269 Ark. 300, 301, 601 S.W.2d 826, 826 (1980).

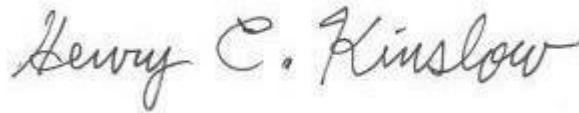
9. The Claims Commission finds that there are genuine issues of material fact regarding the video, such that summary judgment is not appropriate at this time.

10. Respondent's motion for summary judgment is DENIED, and this claim will be set for hearing.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dexter Booth



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow



ARKANSAS STATE CLAIMS COMMISSION
Paul Morris, Chair

DATE: March 27, 2023

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(a)(1). 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(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: [Robinson, Sherri](#); [MCGHEE, SHELLY](#)
Cc: [Charsie Gordon](#)
Subject: ORDER: Westcott v. UAMS, Claim No. 190008
Date: Monday, March 27, 2023 9:16:00 AM
Attachments: [Westcott - 190008 - hearing - order.pdf](#)

Ms. Gordon and Ms. Robinson, please see attached order. Once you've had an opportunity to review the order, will the parties please confer and let me know how long they expect will be required for a hearing on this claim? I will need that information before I can add this claim to the hearing docket.

Thanks,
Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

From: [Kathryn Irby](#)
To: [Robinson, Sherri](#); [Charsie Gordon](#); [MCGHEE, SHELLY](#)
Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008
Date: Tuesday, March 28, 2023 8:45:00 AM
Attachments: [image002.png](#)

Sherri, thanks for this information. If you and Ms. Gordon will have a conversation in the next few weeks what, if any, live testimony, will be needed, that will allow the parties to give me a more specific time needed. If only two hours is needed, I'll be able to schedule this hearing sooner than if an entire day is needed.

Thanks,
 Kathryn

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Monday, March 27, 2023 1:34 PM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

Director Irby,

Currently, I am available for a hearing beginning in December 2023 and into early 2024 (I checked through March). Based on the evidence in this matter, a hearing should not take more than 2 hours as much of the information is uncontested. Prior to hearing, I will work with Ms. Gordon to produce a statement of undisputed facts so that we can streamline the matter for the Commission.

Sincerely,

Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Monday, March 27, 2023 10:35 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: ORDER: Westcott v. UAMS, Claim No. 190008

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This message came from outside your organization.

I do not see us needing more than one day.

Thanks,

Charsie

**Charsie Gordon**

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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From: Kathryn Irby <Kathryn.Irby@arkansas.gov>

Sent: Monday, March 27, 2023 10:28 AM

To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>

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Charsie, before I can send any dates, I need for the parties to confer about how long each side will need for the hearing.

That said, we're looking at late 2023 or early 2024 right now. The Commission docket is very, very full.

Kathryn

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Sent: Monday, March 27, 2023 10:26 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: Re: ORDER: Westcott v. UAMS, Claim No. 190008

My schedule is pretty full. I will need dates June or later.

Thanks.

Charsie



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Attorney at Law | Taylor King Law

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From: Kathryn Irby <Kathryn.Irby@arkansas.gov>

Sent: Monday, March 27, 2023 9:16 AM

To: Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>

Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>

Subject: ORDER: Westcott v. UAMS, Claim No. 190008

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Thanks,
Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

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From: [Kathryn Irby](#)
To: [Robinson, Sherri](#); [Charsie Gordon](#); [MCGHEE, SHELLY](#)
Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008
Date: Monday, April 10, 2023 11:17:00 AM
Attachments: [image002.png](#)

Sherri, thanks for this information.

Sherri and Charsie, I have moved this claim to my list of to-be-scheduled 2024 hearings. As soon as I have my hearing schedule set for 2024, I'll start getting these set. I expect it will be sometime this summer.

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Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

Kathryn,

I am not available in November. Charsie and I are conferring to see if we can get a good idea of the time needed for a hearing.

Sherri

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Saturday, April 8, 2023 11:20 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

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Sherri and Charsie, I know Sherri mentioned December 2023 in her email, but I have an opening in the docket on November 8, 2023. If this works for both parties, I will get a hearing letter sent out next week.

Kathryn

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>

Sent: Friday, April 7, 2023 1:56 PM

To: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: Re: ORDER: Westcott v. UAMS, Claim No. 190008

Director Irby,

I will agree that it should not take more than a few hours.

Everyone have a nice weekend.

Charsie



Charsie Gordon

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Date: Tuesday, April 11, 2023 3:10:00 PM
Attachments: [image002.png](#)

Appreciate this help. I will be back in touch once I have a hearing date for you.

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From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Monday, April 10, 2023 11:18 AM
To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

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820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Monday, March 27, 2023 1:34 PM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

Director Irby,

Currently, I am available for a hearing beginning in December 2023 and into early 2024 (I checked through March). Based on the evidence in this matter, a hearing should not take more than 2 hours as much of the information is uncontested. Prior to hearing, I will work with Ms. Gordon to produce a statement of undisputed facts so that we can streamline the matter for the Commission.

Sincerely,

Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860
 Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Monday, March 27, 2023 10:35 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: ORDER: Westcott v. UAMS, Claim No. 190008

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I do not see us needing more than one day.

Thanks,

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

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Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

Charsie, before I can send any dates, I need for the parties to confer about how long each side will need for the hearing.

That said, we're looking at late 2023 or early 2024 right now. The Commission docket is very, very full.

Kathryn

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Subject: Re: ORDER: Westcott v. UAMS, Claim No. 190008

My schedule is pretty full. I will need dates June or later.

Thanks.

Charsie

Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010



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Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Subject: ORDER: Westcott v. UAMS, Claim No. 190008

Ms. Gordon and Ms. Robinson, please see attached order. Once you've had an opportunity to review the order, will the parties please confer and let me know how long they expect will be required for a hearing on this claim? I will need that information before I can add this claim to the hearing docket.

Thanks,
 Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

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From: [Kathryn Irby](#)
To: [Robinson, Sherri](#); [Charsie Gordon](#); [MCGHEE, SHELLY](#)
Subject: CLAIM HEARING SCHEDULED: Westcott v. UAMS, Claim No. 190008
Date: Thursday, August 10, 2023 3:06:00 PM
Attachments: [image.png](#)
[Westcott v. UAMS - 190008 - hearing sched ltr.pdf](#)

Charsie and Sherri, please see attached hearing letter and Zoom invitation.

Thanks,
 Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Tuesday, April 11, 2023 3:11 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon
 <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

Appreciate this help. I will be back in touch once I have a hearing date for you.

Kathryn

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Tuesday, April 11, 2023 11:41 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie Gordon
 <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

Kathryn,

Charsie and I have conferred and agree that 2 hours will be good, and we will work together to streamline things for the Commission.

Sherri

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Monday, April 10, 2023 11:18 AM
To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon

<charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

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Sherri, thanks for this information.

Sherri and Charsie, I have moved this claim to my list of to-be-scheduled 2024 hearings. As soon as I have my hearing schedule set for 2024, I'll start getting these set. I expect it will be sometime this summer.

Thanks,
Kathryn

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Monday, April 10, 2023 10:04 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Charsie Gordon <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

Kathryn,

I am not available in November. Charsie and I are conferring to see if we can get a good idea of the time needed for a hearing.

Sherri

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>

Sent: Saturday, April 8, 2023 11:20 AM

To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: RE: ORDER: Westcott v. UAMS, Claim No. 190008

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Sherri and Charsie, I know Sherri mentioned December 2023 in her email, but I have an opening in the docket on November 8, 2023. If this works for both parties, I will get a hearing letter sent out next week.

Kathryn

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, April 7, 2023 1:56 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; Kathryn Irby <Kathryn.Irby@arkansas.gov>;
 MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: ORDER: Westcott v. UAMS, Claim No. 190008

Director Irby,

I will agree that it should not take more than a few hours.

Everyone have a nice weekend.

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 **F:** (501) 229-7010

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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Sherri L. Robinson | Sr. Associate General Counsel
 University of Arkansas for Medical Sciences
 4301 W. Markham, Slot #860

Little Rock, AR 72205
 Phone: 501-686-7964 | Fax: 501-686-7736



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Subject: Re: ORDER: Westcott v. UAMS, Claim No. 190008

My schedule is pretty full. I will need dates June or later.

Thanks.

Charsie



Charsie Gordon

Attorney at Law | Taylor King Law

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ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

August 10, 2023

Ms. Charsie Gordon
Taylor King Law
320 Main Street
Arkadelphia, Arkansas 71923

(via email)

Ms. Sherri L. Robinson
University of Arkansas for Medical Sciences
4301 West Markham Street, Slot 860
Little Rock, Arkansas 72205

(via email)

Re: ***Sebrena Westcott v. University of Arkansas for Medical Sciences***
Claim No. 190008

Dear Ms. Gordon and Ms. Robinson,

The Claims Commission has scheduled a two-hour hearing on the above-referenced claim for **Friday, January 19, 2024**, beginning at 9:00 a.m. All parties will attend via Zoom. If either party objects to the Zoom format, a written objection must be submitted via email (kathryn.irby@arkansas.gov) or mail no later than August 16, 2023. The Zoom invitation is enclosed.

The following prehearing materials are due by December 22, 2023:

- Each party's list of witnesses who will testify live at the hearing or via deposition;
- Each party's list of exhibits that may be introduced at the hearing;
- Deposition transcripts if any deposition testimony will be submitted in lieu of live testimony;
- Prehearing briefs if either party would like to submit for Commission review; and
- Subpoena requests (absent a showing of good cause, the Commission will not issue subpoenas for requests received after the prehearing material deadline).

To the extent that either party intends to file a motion of any kind, absent a showing of good cause, the motion must be submitted in sufficient time to allow the motion to be fully briefed pursuant to the Arkansas Rules of Civil Procedure by December 22, 2023.

Please note that a copy of any filing must be served upon the opposing party in accordance with the Arkansas Rules of Civil Procedure.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Kathryn Irby

ES: kmirby

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Jan 19, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/85350621789?pwd=MmlYZmYrajg1VTlLVzBMN3hrcUN0UT09>

Meeting ID: 853 5062 1789

Passcode: D8HHRg

One tap mobile

+13126266799,,85350621789#,,, *408463# US (Chicago)

+16469313860,,85350621789#,,, *408463# US

Dial by your location

• +1 312 626 6799 US (Chicago)

• +1 646 931 3860 US

Meeting ID: 853 5062 1789

Passcode: 408463

Find your local number: <https://us06web.zoom.us/j/kck4S1YGtn>

From: [Robinson, Sherri](#)
To: [ASCC Pleadings](#)
Cc: [Charsie Gordon](#); [MCGHEE, SHELLY](#)
Subject: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS
Date: Thursday, December 21, 2023 1:46:46 PM
Attachments: [image.png](#)
[Westcott v. UAMS, Claim No. 190008 - Joint Stipulations of Fact.pdf](#)
[Westcott v. UAMS, Claim No. 190008 - UAMS Witness and Exhibit List.pdf](#)
[Westcott v. UAMS, Claim No. 190008 - UAMS Pre-Hearing Brief.pdf](#)

Dear Director Irby,

Attached are the following Pre-Hearing Filings in the above referenced case: (1) Joint Stipulations of Fact; (2) UAMS Witness and Exhibit List; and (3) UAMS Pre-Hearing Brief. Please do not hesitate to contact me if you have any questions.

Thank you for your assistance and Happy Holidays.

Respectfully,

Sherri L. Robinson

Sr. Associate General Counsel
 Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860
 Little Rock, AR 72205-7199
 Main: 501-686-7964; Mitel: 10648
 Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHealth.com



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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

JOINT STIPULATIONS OF FACT

Come now Claimant, Sebrena Westcott, and Respondent, University of Arkansas for Medical Sciences (UAMS), by and through their respective attorneys, and for Joint Stipulations of Fact, state as follows:

1. Sabrena Westcott fell in the entryway of the UAMS emergency room (ER) on September 16, 2017 when she tripped on a rug.
2. Westcott's fall was captured on video.
3. The police officer assigned to the security desk of the ER and another officer immediately attended to Westcott as did ER personnel.

4.

5.

6.

7.

8. UAMS is not aware of other falls in this area in the three years prior to Westcott's fall.
9. The parties stipulate to the authentication of the video.

Respectfully submitted,

SEBRENA WESTCOTT, Claimant

By:

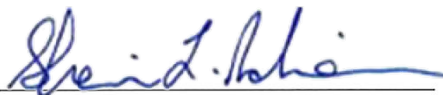


Charsie Gordon, #2016059
TAYLOR KING & ASSOCIATES, P.A.
820 West 3rd Street
Little Rock, AR 72201
charsiegordon@taylorkinglaw.com

and

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES,
Respondent

By:



SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
Univ. of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

**RESPONDENT'S WITNESS AND EXHIBIT LISTS FOR
HEARING SCHEDULED ON JANUARY 19, 2024**

Comes now Respondent, University of Arkansas for Medical Sciences (UAMS), by and through its undersigned counsel, and for its Witness and Exhibit Lists, states as follows:

Witness List

1. Sonja Hart, Assistant Director in the Office of Health and Safety at UAMS.


Exhibit List

1. Video clip of Ms. Westcott's trip and fall.
2. Video clip of Ms. Hart's testing of the automatic doors.
3. Correspondence with counsel regarding payment of medical bills [REDACTED].
4. Medical records if not stipulated to by the parties.

Respectfully submitted,

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES,
Respondent

By:



SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
Univ. of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu

Attorney for Respondent

CERTIFICATE OF SERVICE

I, Sherri L. Robinson, do hereby certify that a copy of the foregoing pleading was served on claimant herein by emailing a copy of same this 21st day of December, 2023 to the following:

Charsie Gordon
Taylor King Law, P.A.
charsiegordon@taylorkinglaw.com



Sherri L. Robinson

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

RESPONDENT'S PRE-HEARING BRIEF

Comes now Respondent, University of Arkansas for Medical Sciences (UAMS), by and through its undersigned counsel, and for its Pre-Hearing Brief, states as follows:

Summary of Facts and Expected Testimony.

Sabrina Westcott's trip and fall on the rug in the entryway of the UAMS emergency room (ER) on September 16, 2017 was an unfortunate accident. The video footage of the incident is the best evidence of this accident. Westcott's fall was captured on video which shows that less than one minute before she fell, another gentleman walked into the entryway kicking up the rug slightly. Approximately 45 seconds after the first man walked through, a second man walked through the entryway with no problem. Only 12 seconds after the second man walked through the entryway, Westcott walked in and the toe of her right foot kicked up the rug

_____.

Sonja Hart, Assistant Director in the Office of Health and Safety at UAMS, will testify that UAMS is not aware of other falls in this area in the three years prior to Westcott's fall. Additionally, Ms. Hart will testify that she conducted testing of the door to see if the rug across the automatic door threshold would cause the door to stay open as argued by Claimant's counsel in response to summary judgment. Ms.

Hart will testify that only locking the doors open would keep the doors open as they were when Westcott fell. Westcott has no evidence that UAMS should have been on notice that there was a slight bump in the rug that could cause someone to trip and no evidence that UAMS was negligent in maintaining the emergency room entryway.

Summary of Applicable Law.

To recover on an action for negligence, Westcott must show that UAMS owed her a duty, breached that duty and the breach caused her harm. *Lloyd v. Pier West Property Owners Assoc.*, 2015 Ark. App. 487, 4, 470 S.W.3d 293, 297 (citation omitted). Westcott was a business invitee; thus, UAMS “had a duty to use ordinary care in maintaining its premises in a reasonably safe condition.” *House v. Wal-Mart Stores, Inc.*, 316 Ark. 221, 223, 872 S.W.2d 52, 52 (1994). This duty applies, however, only when the danger is foreseeable. *Benson v. Shuler Drilling Co.*, 316 Ark. 101, 112, 871 S.W.3d 552, 558 (1994). There is no duty to guard against merely possible, as opposed to probable, harm. *Ethyl Corp. v. Johnson*, 345 Ark. 476, 481-82, 49 S.W.3d 644, 648 (2001).” *Id.* (emphasis added). The simple fact that Westcott fell on UAMS property “does not give rise to an inference of negligence.” *See House v. Wal-Mart Stores, Inc.*, supra (citation omitted) (emphasis added). *See also, AutoZone v. Horton*, 87 Ark. App. 349, 354, 192 S.W.3d 291, 295 (2004). “The burden of proof is always on the party asserting negligence, as negligence is never presumed.” *AutoZone v. Horton*, 87 Ark. App. at 354, 192 S.W.3d 291, 295 (citation omitted).

Locke v. Continental Cas. Co. and *AutoZone v. Horton* are two Arkansas trip and fall cases that are instructive in this matter. In the *AutoZone* case, the plaintiff tripped

“after her foot was caught in an unsecured doormat that protruded above the surface of an abutted doormat” as she entered the store, and she fell on her face and shoulder causing injuries. *AutoZone*, 87 Ark. App. at 350, 192 S.W.3d at 293. Two former employees of AutoZone testified that while they had seen the mats curl up and even tripped on the mats themselves, they had never seen a customer trip on the mats. *Id.* at 352, 192 S.W.3d at 293. The Court of Appeals found the plaintiff did not present substantial evidence to establish AutoZone knew the mats were a “tripping hazard,” and AutoZone did not breach its duty of care. *Id.* at 355, 192 S.W.3d at 296.

In *Locke*, the plaintiff tripped over exposed bolts from a broken sign on a sidewalk in front of Jefferson Regional Medical Center while going to visit a patient in the ER. *Locke*, 2013 Ark. App. at 1-2. The Court found that the plaintiff did not present admissible evidence of when the bolts became exposed, that the hospital knew of and disregarded the exposed bolts, or that the hospital was negligent in using a sign that when broken led to exposed bolts. *Id.* at 4-6. Citing the same standards as *AutoZone*, the Arkansas Court of Appeals concluded, “we cannot say the hospital had a duty to guard against the particular harm that befell Locke.” *Id.* at 6-7.

Here, UAMS had a legal duty to use ordinary care to protect business invitees from tripping on the rug if there was proof that it either knew or, or by the exercise of reasonable care could have discovered, the existence of the kicked-up rug before Westcott fell. *Locke*, supra at 4. Based on the timing between Westcott’s fall and the kicking up of the rug by another visitor, UAMS did not know and could not have known or foreseen the potential danger. There is no evidence that the rug was placed

“in any way other than a reasonable manner.” See *AutoZone*, 87 Ark. App. at 354, 192 S.W.3d at 295.

The video shows that the rug was fine only one-minute prior Westcott’s arrival. Even after kicked up by a visitor, another individual walked through the area with no problem. Moreover, while the presence of a rug could possibly (i.e., may or may not) lead to harm, it does not rise to the required level of probable (i.e., likely) harm articulated by the Arkansas Supreme Court.¹ Here, two individuals walked through before Westcott and did not fall. Additionally, UAMS is not aware of any other falls in this area for the three years prior to Westcott’s fall, and Westcott has no evidence to the contrary.

Damages.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Conclusion.

Westcott maintains the burden throughout this proceeding to prove by a preponderance of the evidence that UAMS was negligent and therefore liable for her

¹ See Merriam-Webster Dictionary (<https://www.merriam-webster.com/>) for definitions of possible versus probable.


damages. Westcott cannot meet that burden. Westcott's fall, while regrettable, was caused by another visitor kicking up the rug less than one minute before Westcott passed through; and accordingly, it was not foreseeable by UAMS. As a result, UAMS is entitled to judgment in this matter.

WHEREFORE, Respondent requests that the Commission find in favor of UAMS and for all other relief to which it may be entitled.

Respectfully submitted,

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES,
Respondent

By:



SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
Univ. of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu

Attorney for Respondent

CERTIFICATE OF SERVICE

I, Sherri L. Robinson, do hereby certify that a copy of the foregoing was served on claimant herein by emailing a copy of same this 21st day of December, 2023, to the following:

Charsie Gordon
Taylor King Law, P.A.
charsiegordon@taylorkinglaw.com



Sherri L. Robinson

From: [Charsie Gordon](#)
To: [Robinson, Sherri](#); [ASCC Pleadings](#)
Cc: [MCGHEE, SHELLY](#); [Bobby Wheeler](#); [Kathryn Irby](#)
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS
Date: Friday, December 22, 2023 2:09:17 PM
Attachments: [image.png](#)
[Witness and Exhibit List for Westcott.pdf](#)

Please see attached Witness and Exhibit List for the Plaintiff. Let me know if you have any questions or need anything else.

I hope everyone has a great holiday.

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Thursday, December 21, 2023 1:46 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcgee@uams.edu>
Subject: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Dear Director Irby,

Attached are the following Pre-Hearing Filings in the above referenced case: (1) Joint Stipulations of Fact; (2) UAMS Witness and Exhibit List; and (3) UAMS Pre-Hearing Brief. Please do not hesitate to contact me if you have any questions.

Thank you for your assistance and Happy Holidays.

Respectfully,

Sherri L. Robinson

Sr. Associate General Counsel
 Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860
 Little Rock, AR 72205-7199
 Main: 501-686-7964; Mitel: 10648
 Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHealth.com



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unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Charsie Gordon | Attorney

Phone: (501) 712-2543
Email: charsiegordon@taylorkinglaw.com
Address: 820 West Third Street, Little Rock, AR,
72201



taylorkinglaw.com



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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

PLAINTIFF'S WITNESS AND EXHIBIT LIST

Comes now the Plaintiff, Sebrene Westcott, by and through her attorneys, Taylor King Law, and for her Witness and Exhibit List states as follow:

Witness List

1. Sebrene Westcott, Plaintiff

Exhibit List

1. Injury pictures of Plaintiff;
2. Video of Incident;
3. Lost wages documents, including tax information;
4. Work excuse from doctor;
5. Medical Records and Bills related to her injuries;
6. Debt Collection letter for UAMS balance;
7. Any exhibit listed by Plaintiff or Defendant previously presented or used in their respective discovery responses and Motions;
8. Plaintiff reserves the right to use any exhibit Defendant presents at trial.

Respectfully submitted,

SEBRENA WESTCOTT, PLAINTIFF

By:

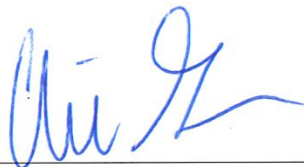


Charsie Gordon, Ark. Bar No. 2016059
TAYLOR KING & ASSOCIATES, P.A.
820 West 3rd Street
Little Rock, Arkansas 72201
charsiegordon@taylorkinglaw.com

CERTIFICATE OF SERVICE

I, Charsie Gordon, hereby certify that a copy of the above and foregoing document has been served by email to the Attorney listed below on December 22, 2023.

SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
Univ. of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu
Attorney for Respondent



Charsie Gordon

From: [Charsie Gordon](#)
To: [Kathryn Irby](#); [Robinson, Sherri](#); [ASCC Pleadings](#)
Cc: [MCGHEE, SHELLY](#)
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS
Date: Thursday, January 18, 2024 10:48:43 AM
Attachments: [image002.png](#)

Director Irby,

I am unfortunately still stuck at my house due to the weather. I have been unable to get my car out of my neighborhood all week. I had hopes for today but was unsuccessful. I have access to limited resources at home, and therefore am asking to reschedule our hearing tomorrow. I apologize for any inconvenience. Please let me know the next availability you have for the hearing.

Again, I apologize for any inconvenience.

Thanks,

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Wednesday, December 27, 2023 8:22 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcgee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Received on 12/22/2023, thanks.

Kathryn Irby

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, December 22, 2023 2:09 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcgee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Please see attached Witness and Exhibit List for the Plaintiff. Let me know if you have any questions or need anything else.

I hope everyone has a great holiday.

Charsie

Charsie Gordon

Attorney at Law | Taylor King Law

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charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Thursday, December 21, 2023 1:46 PM

To: ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

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Thank you for your assistance and Happy Holidays.

Respectfully,

Sherri L. Robinson

Sr. Associate General Counsel

Office of General Counsel

University of Arkansas for Medical Sciences

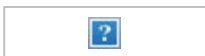
4301 W. Markham St., #860

Little Rock, AR 72205-7199

Main: 501-686-7964; Mitel: 10648

Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHealth.com



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Charsie Gordon | Attorney

Phone: (501) 712-2543
 Email: charsiegordon@taylorkinglaw.com
 Address: 820 West Third Street, Little Rock, AR,
 72201

Logo


taylorkinglaw.com


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Arkansas
State Claims Commission

FEB 14 2024

RECEIVED



Sherri L. Robinson
Sr. Associate General Counsel
Tel.: 501-686-7608
Fax: 501-686-7736

Office of General Counsel
4301 West Markham Street, #860
Little Rock, AR 72205-7199
SLRobinson@uams.edu

February 13, 2024

HAND DELIVERY

Hon. Kathryn Irby, Director
Arkansas State Claims Commission
101 E. Capitol Ave., Suite 410
Little Rock, AR 72201-3823

Re: *Sebrena Westcott v. UAMS*, Claim No. 190008

Dear Director Irby:

Enclosed is a flash drive with UAMS Exhibits 2-4 for the hearing scheduled in the Westcott matter for February 23, 2024. For convenience, these exhibits are:

2. Video clip of Sonja Hart's testing of the automatic doors
3. Correspondence with counsel regarding payment of medical bills [REDACTED]
4. Medical records if not stipulated to by the parties

UAMS Exhibit 1 is the video clip of Ms. Westcott's fall which was previously provided to the Commission with UAMS's Motion for Summary Judgment filed on June 24, 2022. Both videos are very brief, and I would like to play them during UAMS witness Sonja Hart's testimony.

Please let me know if I need to provide any additional information prior to the hearing.

Respectfully,

Sherri L. Robinson
Sr. Associate General Counsel

Encl.

cc: Ms. Charsie Gordon

From: [Charsie Gordon](#)
To: [Robinson, Sherri](#)
Subject: Re: Westcott hearing
Date: Monday, December 11, 2023 10:29:23 AM
Attachments: [image001.png](#)

This Message Is From an External Sender

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To my knowledge all medicals bills have been submitted.

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Monday, December 11, 2023 10:16 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Subject: RE: Westcott hearing

Ok. Thanks.

UAMS will object to any medical bills that have not been previously submitted [REDACTED] for consideration, so I wanted to see if you know whether any of these bills will fall into that category.

Sherri

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Monday, December 11, 2023 10:13 AM
To: Robinson, Sherri <SLRobinson@uams.edu>
Subject: Re: Westcott hearing

This Message Is From an External Sender

This message came from outside your organization.

Sherri,

I am unsure of that. Those are just balances shown for all bills related to her treatment. I do not receive anything that detailed, and balances you have to make phone calls for.

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Wednesday, December 6, 2023 11:41 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Subject: RE: Westcott hearing

Thanks, Charsie. Can you tell me if the amounts listed were incurred before or [REDACTED] decision in May 2019?

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Wednesday, December 6, 2023 9:39 AM
To: Robinson, Sherri <SLRobinson@uams.edu>
Subject: Re: Westcott hearing

This Message Is From an External Sender

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Sherri,

Thanks,

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Monday, December 4, 2023 12:57 PM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Subject: Westcott hearing

Good afternoon, Charsie,

I have started working on a Joint Stipulation of Facts for us to present to the Commission. Can you please update discovery regarding Ms. Westcott's medical bills? Based on the [REDACTED]. I seem to recall you stating that there were some outstanding. Can you please send me the total owed as well as breakdown of the amounts?

Thanks.

Sherri L. Robinson

Sr. Associate General Counsel
Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860
Little Rock, AR 72205-7199
Main: 501-686-7964; Mitel: 10648
Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHHealth.com



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Charsie Gordon | Attorney

Phone: (501) 712-2543
Email: charsiegordon@taylorkinglaw.com
Address: 820 West Third Street, Little Rock, AR, 72201

Logo



taylorkinglaw.com



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Charsie Gordon | Attorney

Phone: **(501) 712-2543**
Email: **charsiegordon@taylorkinglaw.com**
Address: **820 West Third Street, Little Rock, AR,
72201**



taylorkinglaw.com



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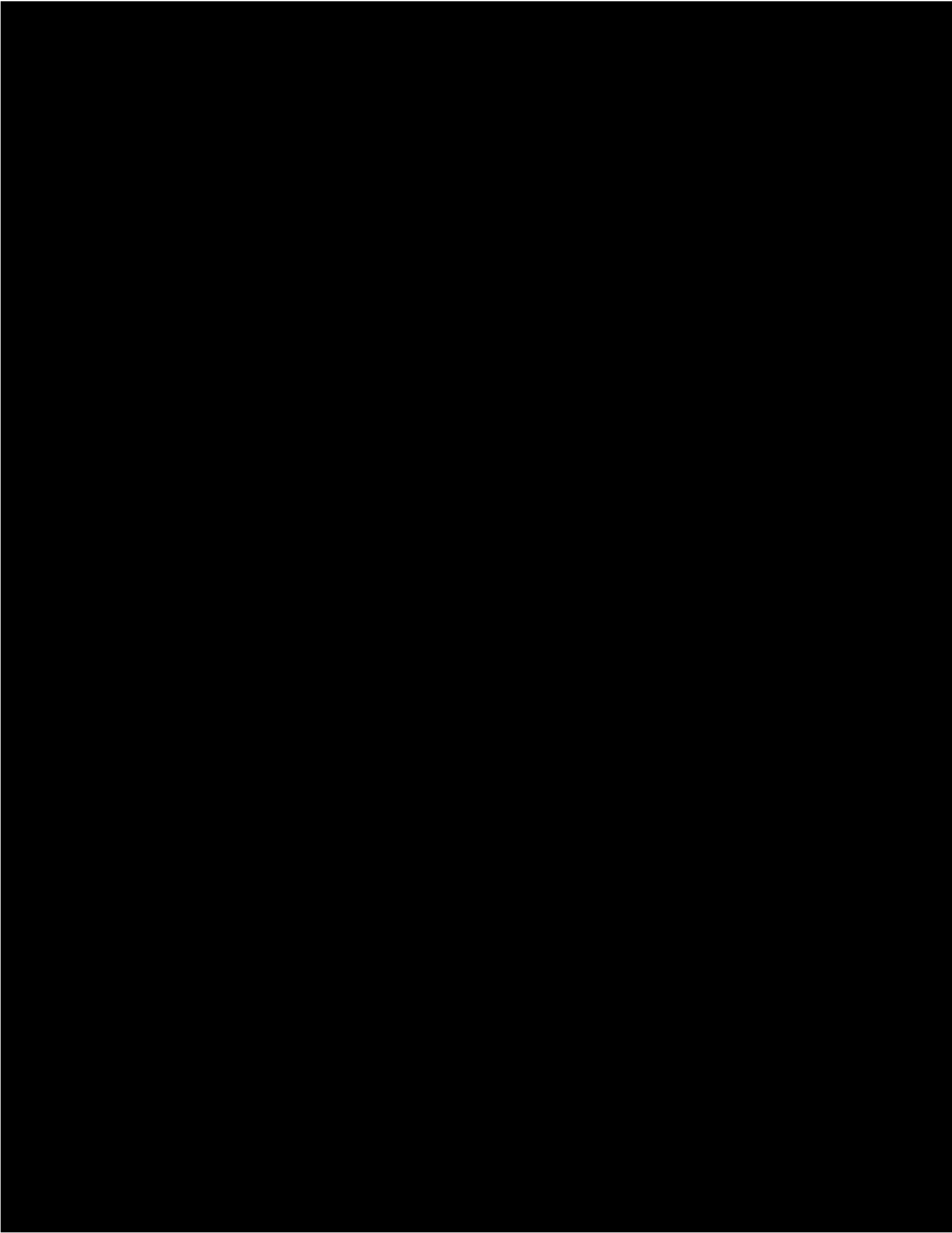




































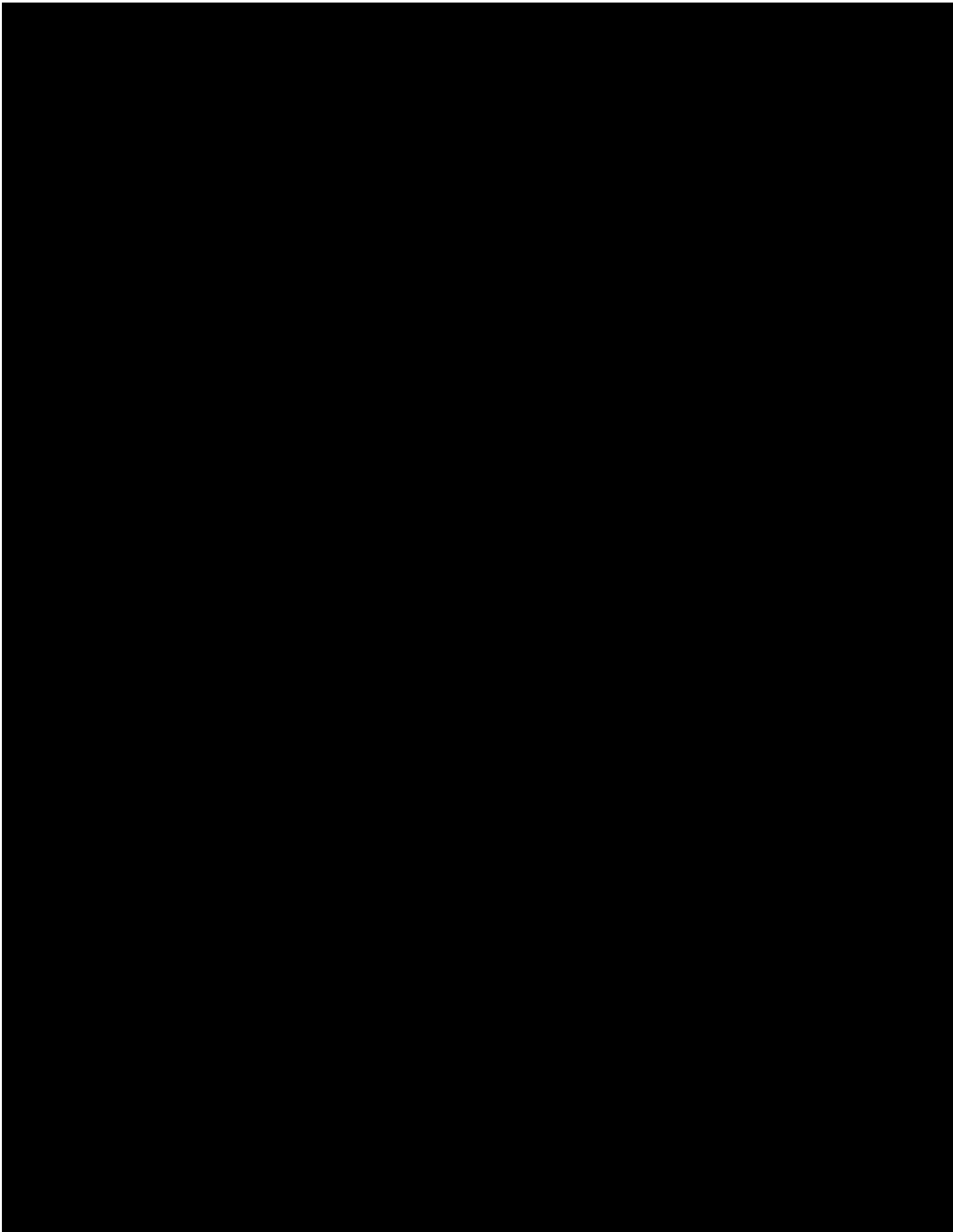








































From: [Robinson, Sherri](#)
To: [Charsie Gordon](#)
Cc: [Kathryn Irby](#); [MCGHEE, SHELLY](#)
Subject: Re: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008
Date: Tuesday, February 20, 2024 7:30:27 AM
Attachments: [image002.png](#)

It works for UAMS too.

Sherri

On Feb 19, 2024, at 4:27 PM, Charsie Gordon
 <charsiegordon@taylorkinglaw.com> wrote:

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<!--[if !((ie)|(mso))]->

This Message Is From an External Sender

This message came from outside your organization.

<!--[endif]->

That date will work. Thanks.

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501) 712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Monday, February 19, 2024 2:11 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon
 <charsiegordon@taylorkinglaw.com>
Cc: MCGHEE, SHELLY <SMcgee@uams.edu>
Subject: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

Charsie and Sherri, my panel for next Friday has had some unexpected conflicts arise on that day, such that I will not have a quorum at the hearing. However, my panel can be available the following week on Friday, March 1 beginning at noon. I am moving this

hearing to that date. Please advise ASAP if that date will not work (although I realize that today is a state holiday, so I am not expecting anyone to respond today). Apologies for this inconvenience.

Thanks,
Kathryn

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Kathryn Irby Kathryn.Irby@arkansas.gov
Sent: Friday, February 16, 2024 10:36 AM
To: Robinson, Sherri SLRobinson@uams.edu; Charsie Gordon
charsiegordon@taylorlaw.com
Cc: MCGHEE, SHELLY SMcGhee@uams.edu
Subject: NEW ZOOM INVITATION: Westcott v. UAMS, Claim No. 190008

Charsie and Sherri, below is the new Zoom invitation for February 23. Let me know if there are any questions.

Charsie, if you can send me your exhibits ahead of time, that would be helpful so that the commissioners have them and can pull them up on their computers. You're welcome to use the "share screen" feature on Zoom, too.

Thanks,
Kathryn

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings
 Time: Feb 23, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting
<https://us06web.zoom.us/j/82875819369?pwd=sAx2mzuxWUxcBcDIqyfpWzDupBsl6k.1>

Meeting ID: 828 7581 9369
 Passcode: 2bnrVV

One tap mobile

+13126266799,,82875819369#,,,,*978668# US (Chicago)

+16469313860,,82875819369#,,,,*978668# US

Dial by your location

- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)

Meeting ID: 828 7581 9369

Passcode: 978668

Find your local number: <https://us06web.zoom.us/j/82875819369>

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Thursday, January 18, 2024 12:40 PM

To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Kathryn Irby
<Kathryn.Irby@arkansas.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

UAMS is available February 23.

Thanks.

Sherri

From: Robinson, Sherri
Sent: Thursday, January 18, 2024 12:35 PM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

I have no objection to rescheduling. I am available on the morning of February 23 but not the afternoon. Also, I will need to confirm that date with my witness.

Sherri L. Robinson

Sr. Associate General Counsel
Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860
Little Rock, AR 72205-7199
Main: 501-686-7964; Mitel: 10648
Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHHealth.com

<image001.png>

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Thursday, January 18, 2024 11:23 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

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That date works for me.

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From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, January 18, 2024 11:21 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

I have room on the February 23 docket. Is that a workable option for both parties?

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, January 18, 2024 11:17 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Charsie, this weather is proving to be difficult for sure. I will get this one rescheduled.

Sherri, if you object to this rescheduling, please let me know as soon as possible.

Kathryn

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Thursday, January 18, 2024 10:49 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Director Irby,

I am unfortunately still stuck at my house due to the weather. I have been unable to get my car out of my neighborhood all week. I had hopes for today but was unsuccessful. I have access to limited resources at home, and therefore am asking to reschedule our hearing tomorrow. I apologize for any inconvenience. Please let me know the next availability you have for the hearing.

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Thanks,

Charsie

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Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Received on 12/22/2023, thanks.

Kathryn Irby

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, December 22, 2023 2:09 PM
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Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

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Charsie

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charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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Sent: Thursday, December 21, 2023 1:46 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY
 <SMcGhee@uams.edu>
Subject: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Dear Director Irby,

Attached are the following Pre-Hearing Filings in the above referenced case: (1) Joint Stipulations of Fact; (2) UAMS Witness and Exhibit List; and (3) UAMS Pre-Hearing Brief. Please do not hesitate to contact me if you have any questions.

Thank you for your assistance and Happy Holidays.

Respectfully,

Sherri L. Robinson

Sr. Associate General Counsel
 Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860
 Little Rock, AR 72205-7199
 Main: 501-686-7964; Mitel: 10648
 Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHealth.com

<image001.png>

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Charsie Gordon | Attorney

Phone: (501) 712-2543
 Email: charsiegordon@taylorkinglaw.com
 Address: 820 West Third Street, Little Rock, AR,
 72201



taylorkinglaw.com



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From: [Kathryn Irby](#)
To: [Robinson, Sherri](#); [Charsie Gordon](#)
Cc: [MCGHEE, SHELLY](#)
Subject: MARCH 1 ZOOM INVITATION: Westcott v. UAMS, Claim No. 190008
Date: Tuesday, February 20, 2024 1:09:00 PM

Charsie and Sherri, here is a new Zoom invitation for March 1. Please log in a few minutes before noon.

Thanks,
 Kathryn Irby

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Hearings
 Time: Mar 1, 2024 12:00 PM Central Time (US and Canada)

Join Zoom Meeting
<https://us06web.zoom.us/j/81455874969?pwd=axA0lk8n5OUZ6lgTp4iKB3CZ3K1oGO.1>

Meeting ID: 814 5587 4969
 Passcode: kbe7x4

One tap mobile
 +13126266799,,81455874969#,,,,*111734# US (Chicago)
 +16469313860,,81455874969#,,,,*111734# US

Dial by your location

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- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US

- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US

Meeting ID: 814 5587 4969

Passcode: 111734

Find your local number: <https://us06web.zoom.us/j/kcwKghuaW>

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Tuesday, February 20, 2024 7:30 AM

To: Charsie Gordon <charsiegordon@taylorkinglaw.com>

Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: Re: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

It works for UAMS too.

Sherri

On Feb 19, 2024, at 4:27 PM, Charsie Gordon <charsiegordon@taylorkinglaw.com> wrote:

This Message Is From an External Sender

This message came from outside your organization.

That date will work. Thanks.

Charsie

Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 F: (501) 712-2543

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

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Sent: Monday, February 19, 2024 2:11 PM

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<charsiegordon@taylorlaw.com>
Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>
Subject: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

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Thanks,
Kathryn

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Kathryn Irby Kathryn.Irby@arkansas.gov
Sent: Friday, February 16, 2024 10:36 AM
To: Robinson, Sherri SLRobinson@uams.edu; Charsie Gordon
charsiegordon@taylorlaw.com
Cc: MCGHEE, SHELLY SMcGhee@uams.edu
Subject: NEW ZOOM INVITATION: Westcott v. UAMS, Claim No. 190008

Charsie and Sherri, below is the new Zoom invitation for February 23. Let me know if there are any questions.

Charsie, if you can send me your exhibits ahead of time, that would be helpful so that the commissioners have them and can pull them up on their computers. You're welcome to use the "share screen" feature on Zoom, too.

Thanks,
Kathryn

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings
 Time: Feb 23, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82875819369?pwd=sAx2mzuxWUxcBcDIqyfpWzDupBsl6k.1>

Meeting ID: 828 7581 9369

Passcode: 2bnrVV

One tap mobile

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+16469313860,,82875819369#,,,,*978668# US

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- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)

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Passcode: 978668

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From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Thursday, January 18, 2024 12:40 PM

To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of

UAMS

UAMS is available February 23.

Thanks.

Sherri

From: Robinson, Sherri

Sent: Thursday, January 18, 2024 12:35 PM

To: Charsie Gordon <charsiegordon@taylorlaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>

Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

I have no objection to rescheduling. I am available on the morning of February 23 but not the afternoon. Also, I will need to confirm that date with my witness.

Sherri L. Robinson

Sr. Associate General Counsel

Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860

Little Rock, AR 72205-7199

Main: 501-686-7964; Mitel: 10648

Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHHealth.com

<image001.png>

From: Charsie Gordon <charsiegordon@taylorlaw.com>

Sent: Thursday, January 18, 2024 11:23 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>

Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

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charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, January 18, 2024 11:21 AM
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Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

I have room on the February 23 docket. Is that a workable option for both parties?

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, January 18, 2024 11:17 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Charsie, this weather is proving to be difficult for sure. I will get this one rescheduled.

Sherri, if you object to this rescheduling, please let me know as soon as possible.

Kathryn

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Thursday, January 18, 2024 10:49 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Director Irby,

I am unfortunately still stuck at my house due to the weather. I have been unable to get my car out of my neighborhood all week. I had hopes for today but was unsuccessful. I have access to limited resources at home, and therefore am asking to reschedule our hearing tomorrow. I apologize for any inconvenience. Please let me know the next availability you have for the hearing.

Again, I apologize for any inconvenience.

Thanks,

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
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charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Wednesday, December 27, 2023 8:22 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Received on 12/22/2023, thanks.

Kathryn Irby

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, December 22, 2023 2:09 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Please see attached Witness and Exhibit List for the Plaintiff. Let me know if you have any questions or need anything else.

I hope everyone has a great holiday.

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501) 712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Thursday, December 21, 2023 1:46 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcgee@uams.edu>
Subject: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Dear Director Irby,

Attached are the following Pre-Hearing Filings in the above referenced case: (1) Joint Stipulations of Fact; (2) UAMS Witness and Exhibit List; and (3) UAMS Pre-Hearing Brief. Please do not hesitate to contact me if you have any questions.

Thank you for your assistance and Happy Holidays.

Respectfully,

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<image001.png>

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From: [Charsie Gordon](#)
To: [Kathryn Irby](#); [Robinson, Sherri](#)
Cc: [MCGHEE, SHELLY](#); [Bobby Wheeler](#); [Malorie Gilmer](#)
Subject: Re: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008
Date: Wednesday, February 28, 2024 11:38:13 AM
Attachments: [image.png](#)
[Letter to UAMS.pdf](#)

Please see attached letter and below link. Let me know if there are any issues.

<https://api.140905006327.genesisapi.com/v1/share/s/zcfDhtNzPL6u2N8naYOQNn-I0OXHA28F68RklvJpBp0>

Sincerely,

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
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Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

That date will work. Thanks.

Charsie

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Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

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Topic: Claims Commission -- hearings
 Time: Feb 23, 2024 09:00 AM Central Time (US and Canada)

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UAMS is available February 23.

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Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

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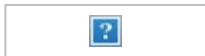
Sherri L. Robinson

Sr. Associate General Counsel
Office of General Counsel

University of Arkansas for Medical Sciences

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Charsie Gordon

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To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcgee@uams.edu>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Director Irby,

I am unfortunately still stuck at my house due to the weather. I have been unable to get my car out of my neighborhood all week. I had hopes for today but was unsuccessful. I have access to limited resources at home, and therefore am asking to reschedule our hearing tomorrow. I apologize for any inconvenience. Please let me know the next availability you have for the hearing.

Again, I apologize for any inconvenience.

Thanks,

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Wednesday, December 27, 2023 8:22 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Received on 12/22/2023, thanks.

Kathryn Irby

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, December 22, 2023 2:09 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Please see attached Witness and Exhibit List for the Plaintiff. Let me know if you have any questions or need anything else.

I hope everyone has a great holiday.

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
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 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Thursday, December 21, 2023 1:46 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY <SMcGhee@uams.edu>
Subject: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Dear Director Irby,

Attached are the following Pre-Hearing Filings in the above referenced case: (1) Joint Stipulations of Fact; (2) UAMS Witness and Exhibit List; and (3) UAMS Pre-Hearing Brief. Please do not hesitate to contact me if you have any questions.

Thank you for your assistance and Happy Holidays.

Respectfully,

Sherri L. Robinson

Sr. Associate General Counsel
Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860
Little Rock, AR 72205-7199
Main: 501-686-7964; Mitel: 10648
Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHealth.com



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Charsie Gordon | Attorney

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Arkadelphia, AR 71923
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1-800-227-9732
1-870-246-0505
Out of State: 1-800-305-0529

February 28, 2024

Hon. Kathryn Irby, Director-Arkansas State Claims Commission
101 E. Capitol Ave., Suite 410
Little Rock, AR 72201

Sherri Robinson-Office of General Counsel
4301 W. Markham Street, #860
Little Rock, AR 72205

Re: Sebrena Westcott v. UAMS; Claim No. 190008

Please see attached link with Westcott's Exhibits A-U for the hearing scheduled March 1, 2024.
For convenience, the exhibits are:

- A. Video Footage of Incident
- B. Westcott, Sebrena- Injury Pic 1
- C. Westcott, Sebrena- Injury Pic 2
- D. Westcott, Sebrena- Injury Pic 3
- E. Westcott, Sebrena- Injury Pic 4
- F. Westcott, Sebrena- Injury Pic 5
- G. Westcott, Sebrena- Injury Pic 6
- H. Westcott, Sebrena- [REDACTED]
- I. Westcott, Sebrena- [REDACTED]
- J. Westcott, Sebrena- [REDACTED]
- K. Westcott, Sebrena- [REDACTED]
- L. Westcott, Sebrena- [REDACTED]
- M. Westcott, Sebrena- [REDACTED]
- N. Westcott, Sebrena- Lost wages
- O. Westcott, Sebrena- Return to Work
- P. Westcott, Sebrena- Signed Affidavit
- Q. Signed Affidavit- Morehead
- R. Westcott, Sebrena- Report
- S. Westcott, Sebrena- [REDACTED]
- T. Westcott, Sebrena- [REDACTED]
- U. Westcott, Sebrena- [REDACTED]

Please let me know if you need anything else prior to the hearing Friday.

Sincerely yours,

/s/ CG

Charsie Gordon
Attorney at Law

OFFICE LOCATIONS

ARKADELPHIA | WEST MEMPHIS | NORTH LITTLE ROCK | SPRINGDALE | JONESBORO | FORT SMITH

www.taylorkinglaw.com













██████ - Bill







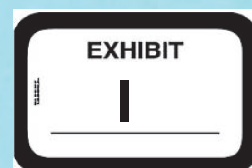








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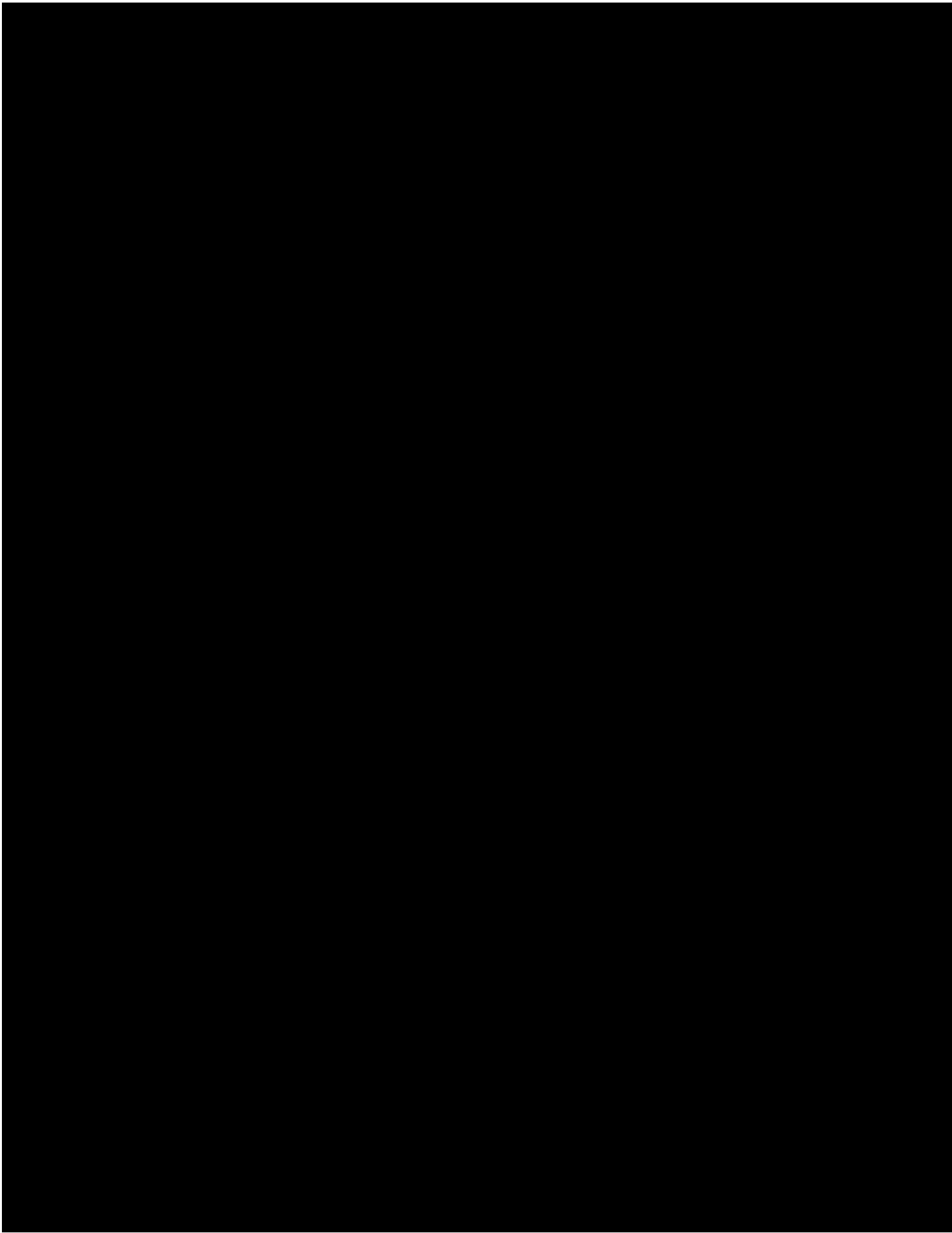


























































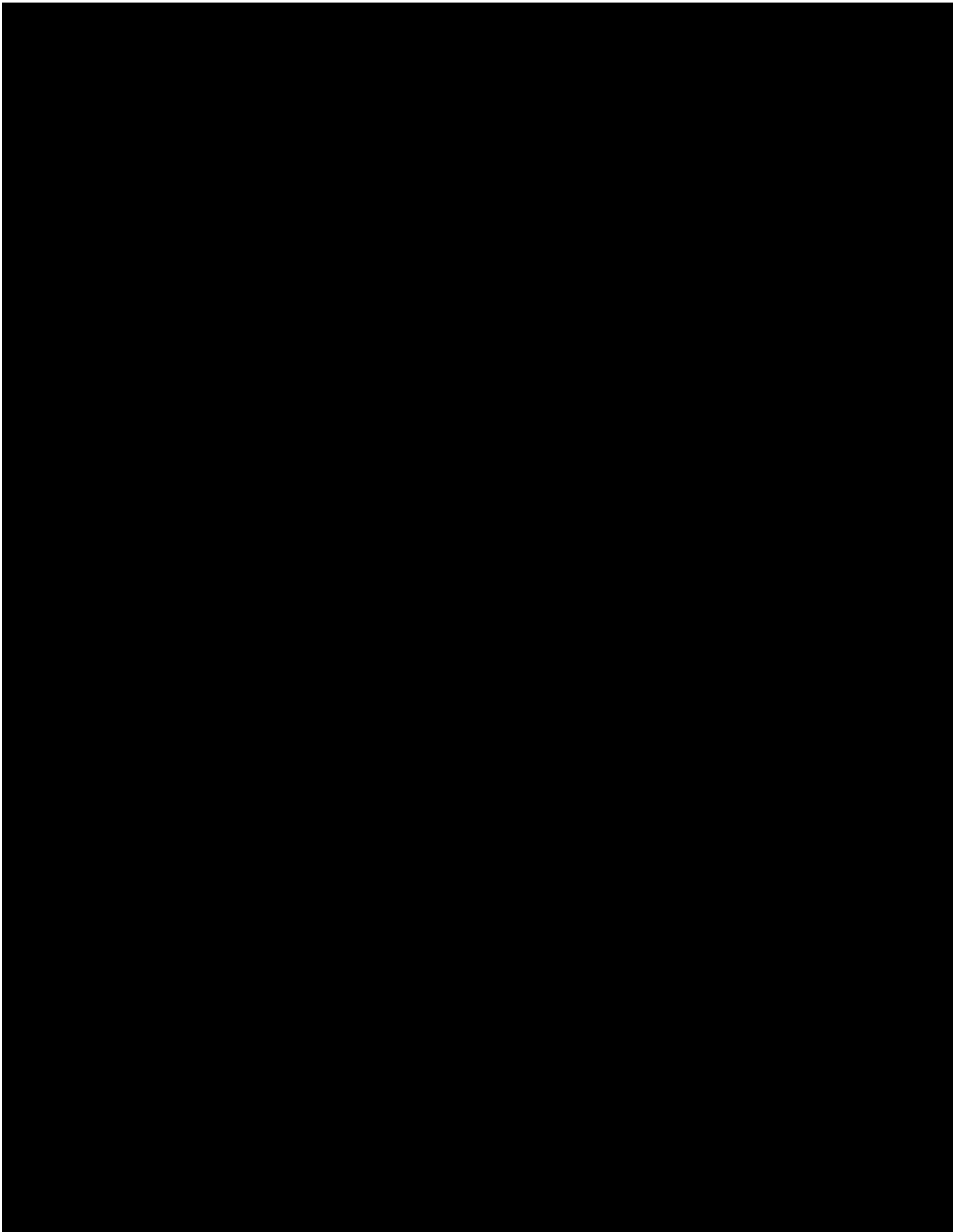




















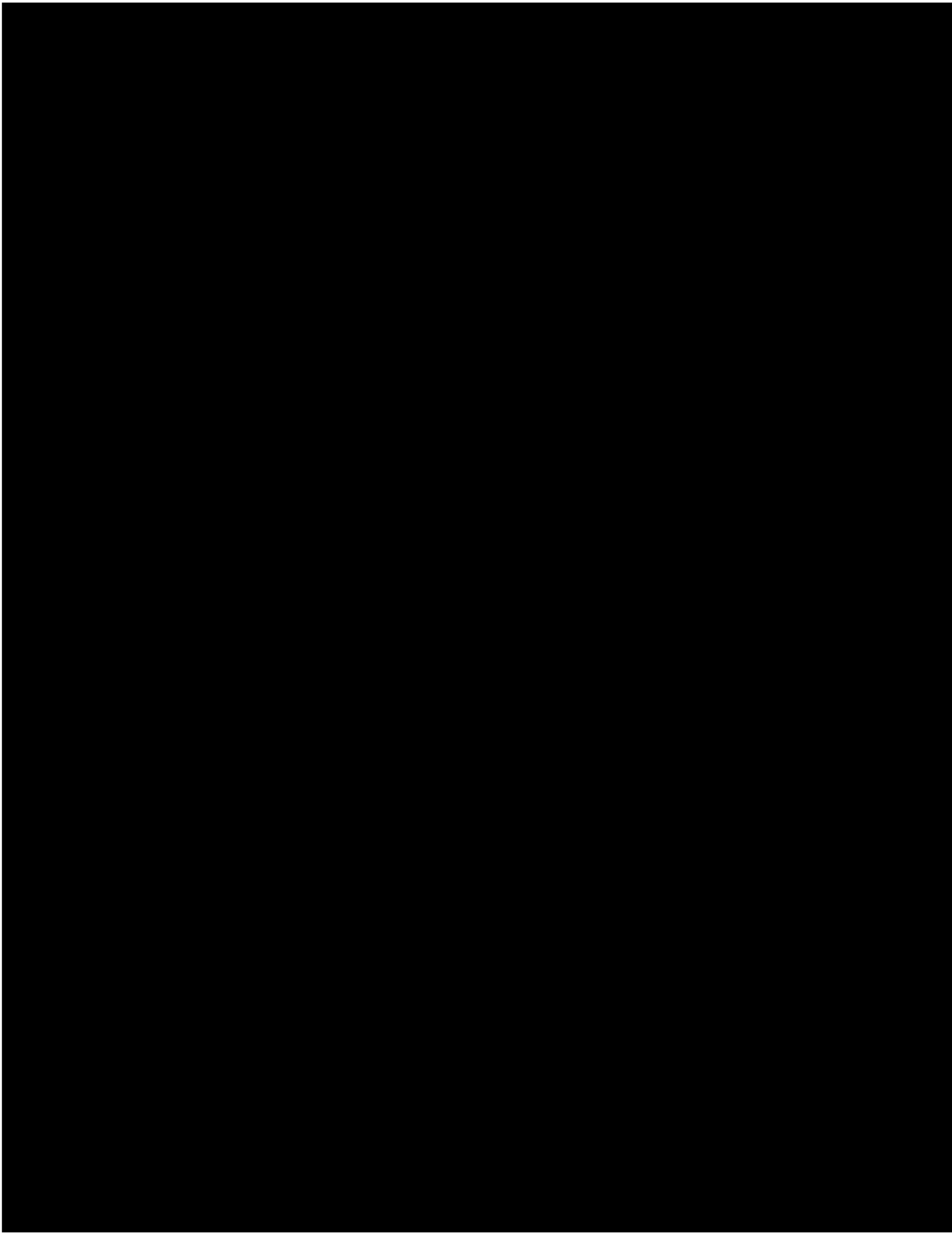














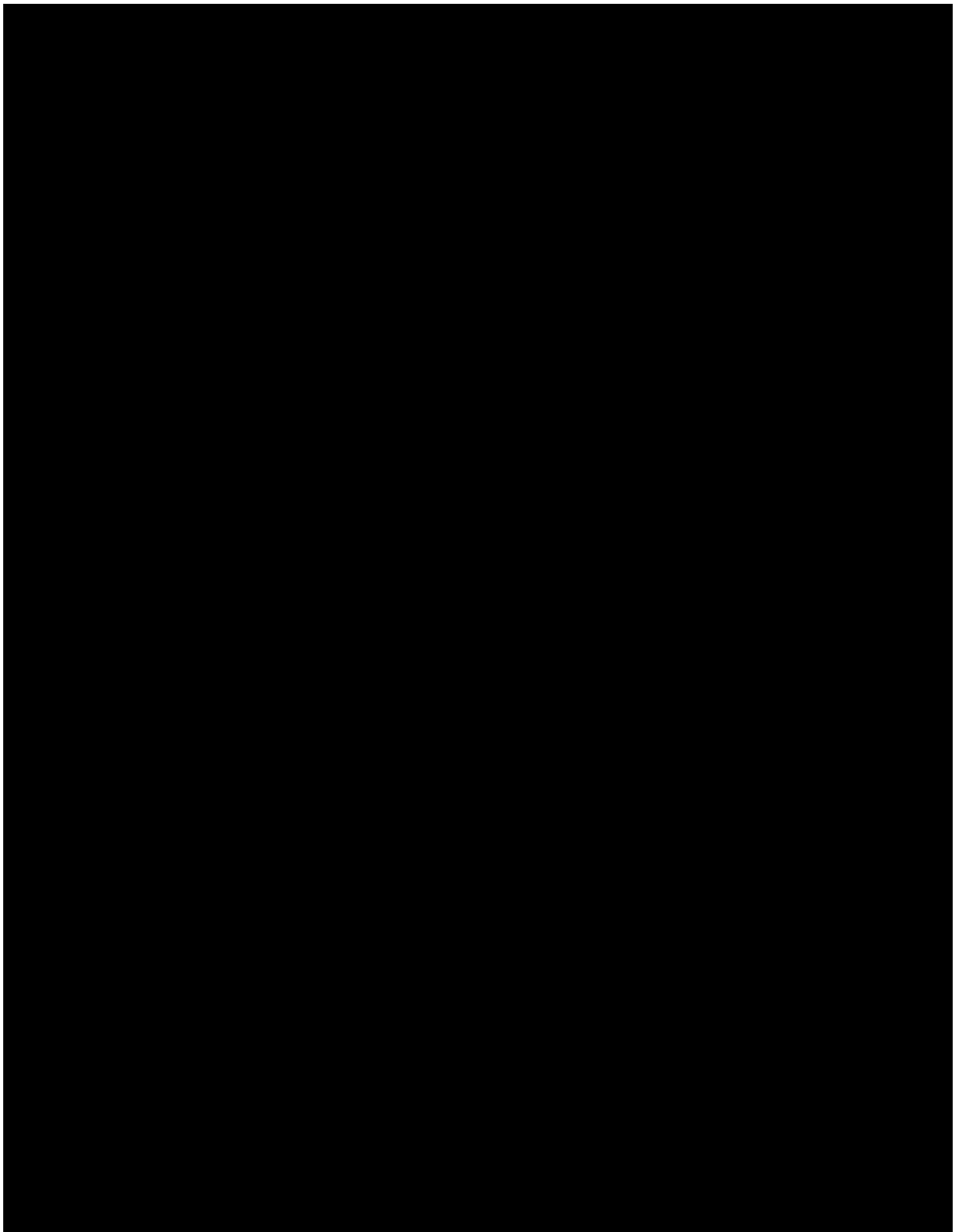


































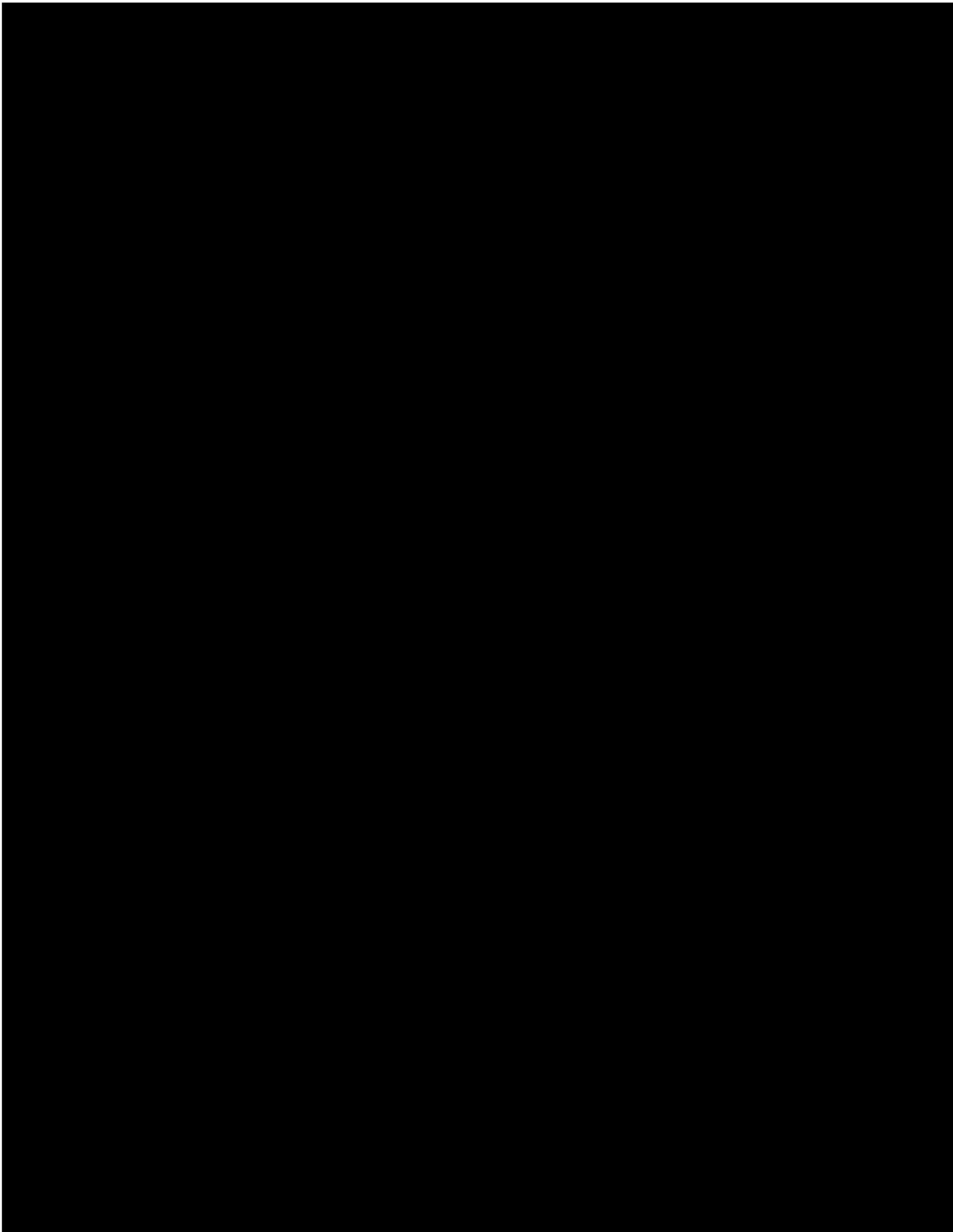








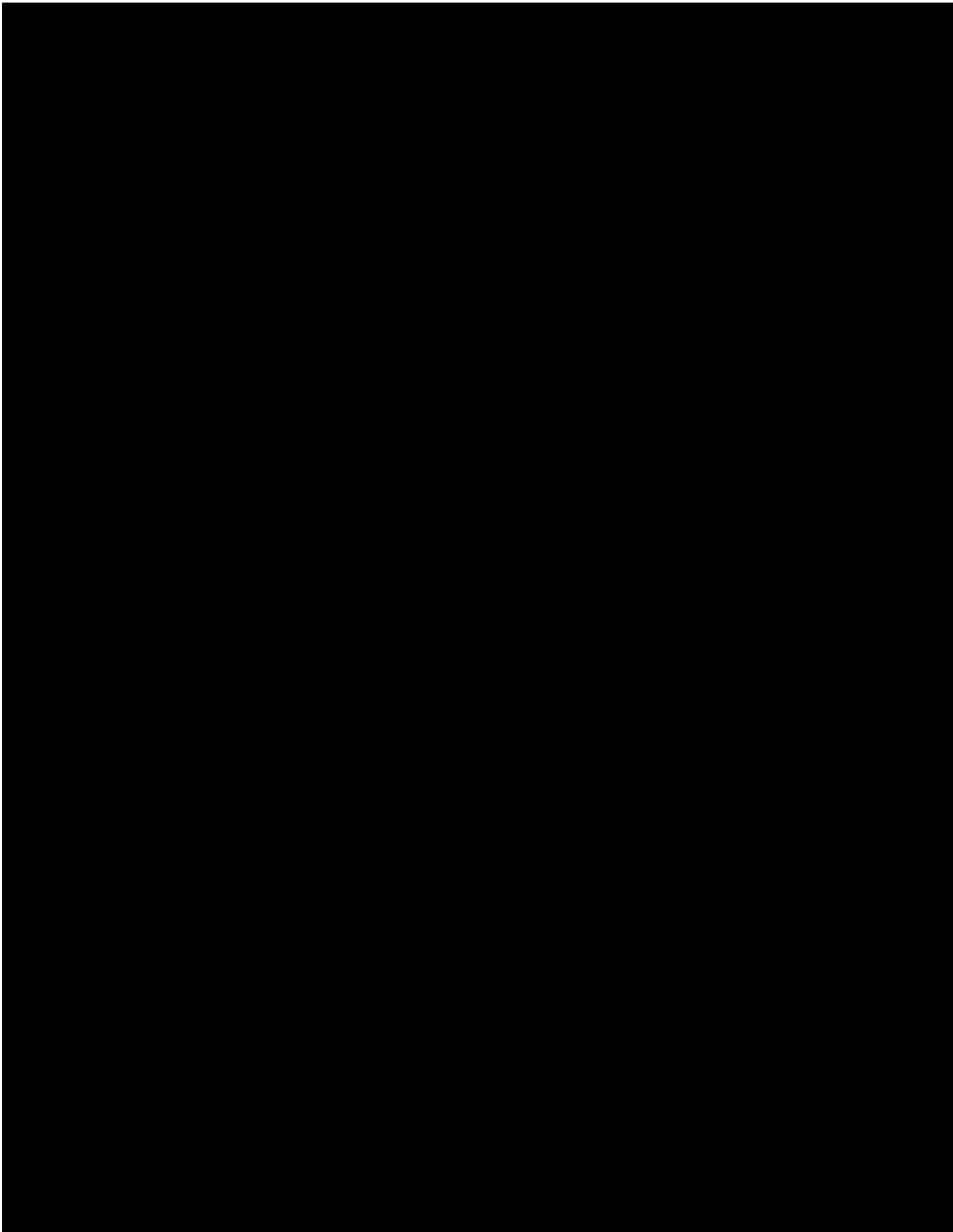












































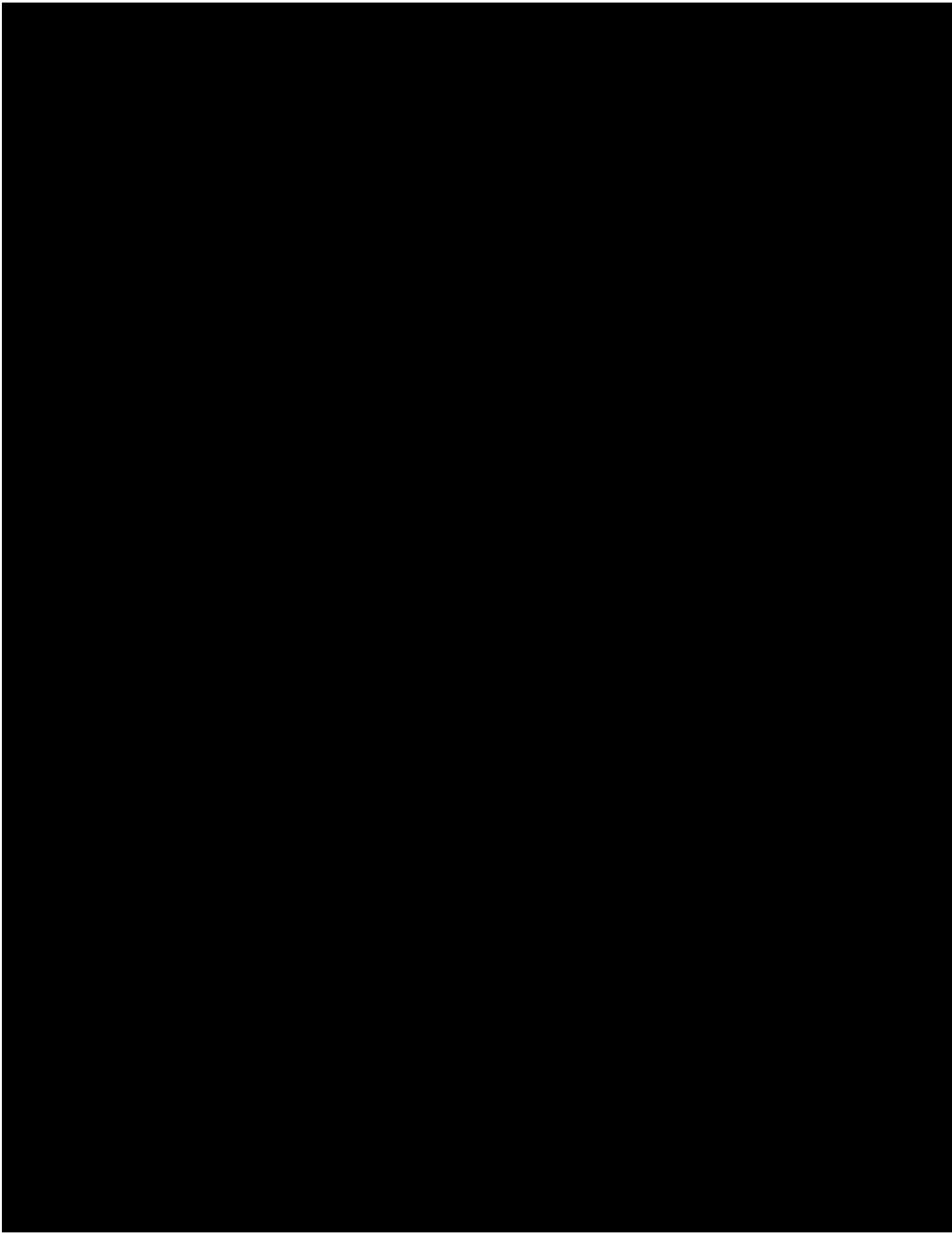














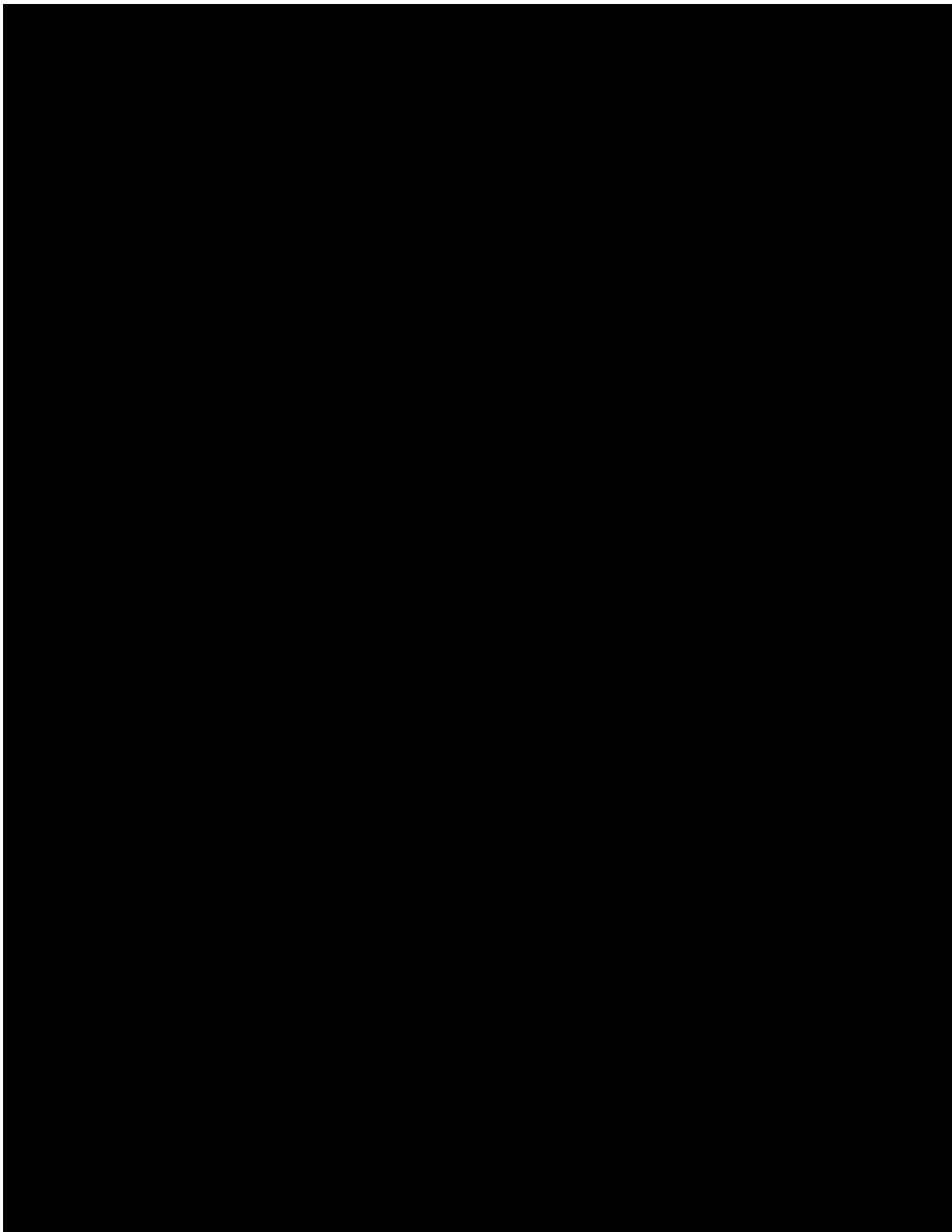








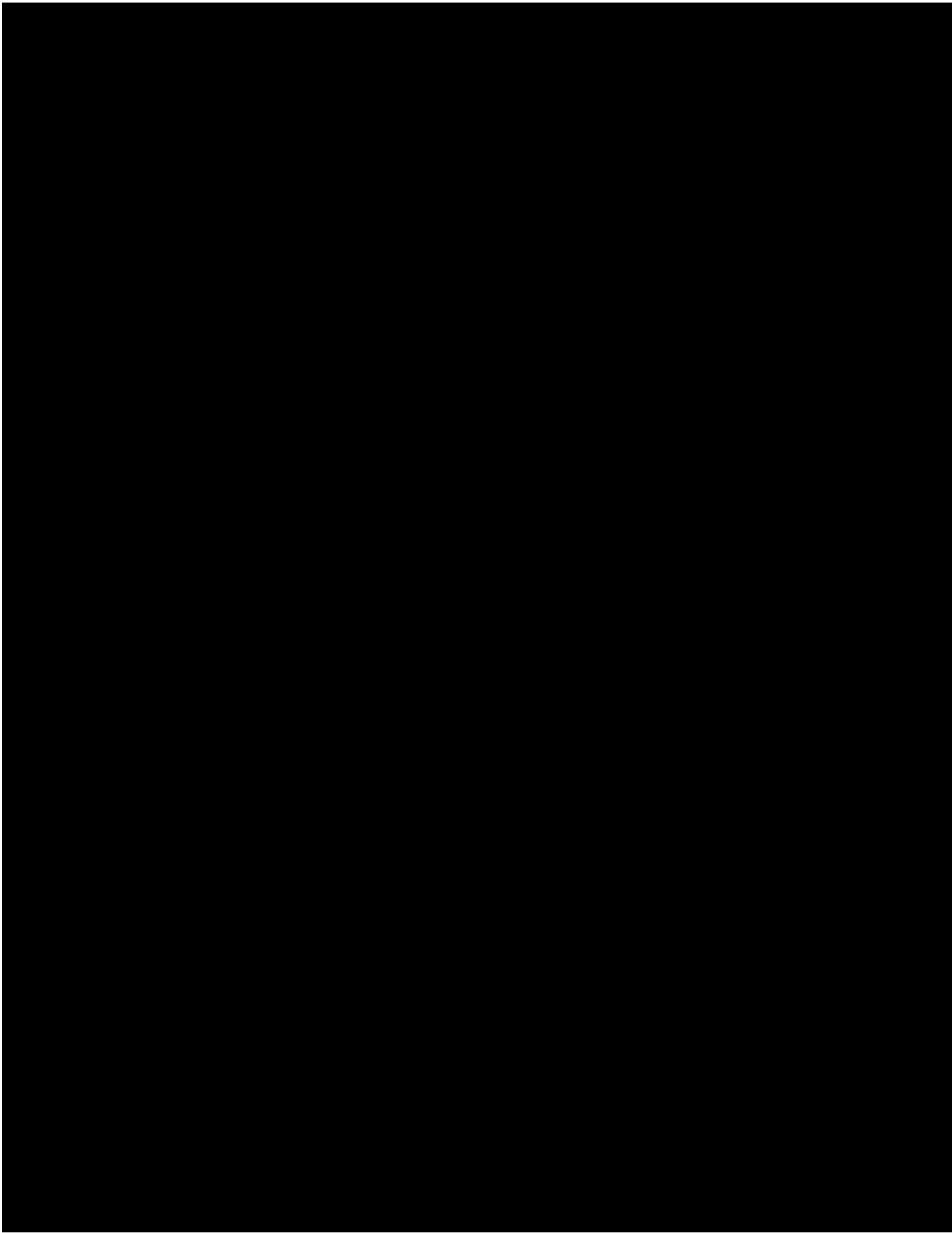








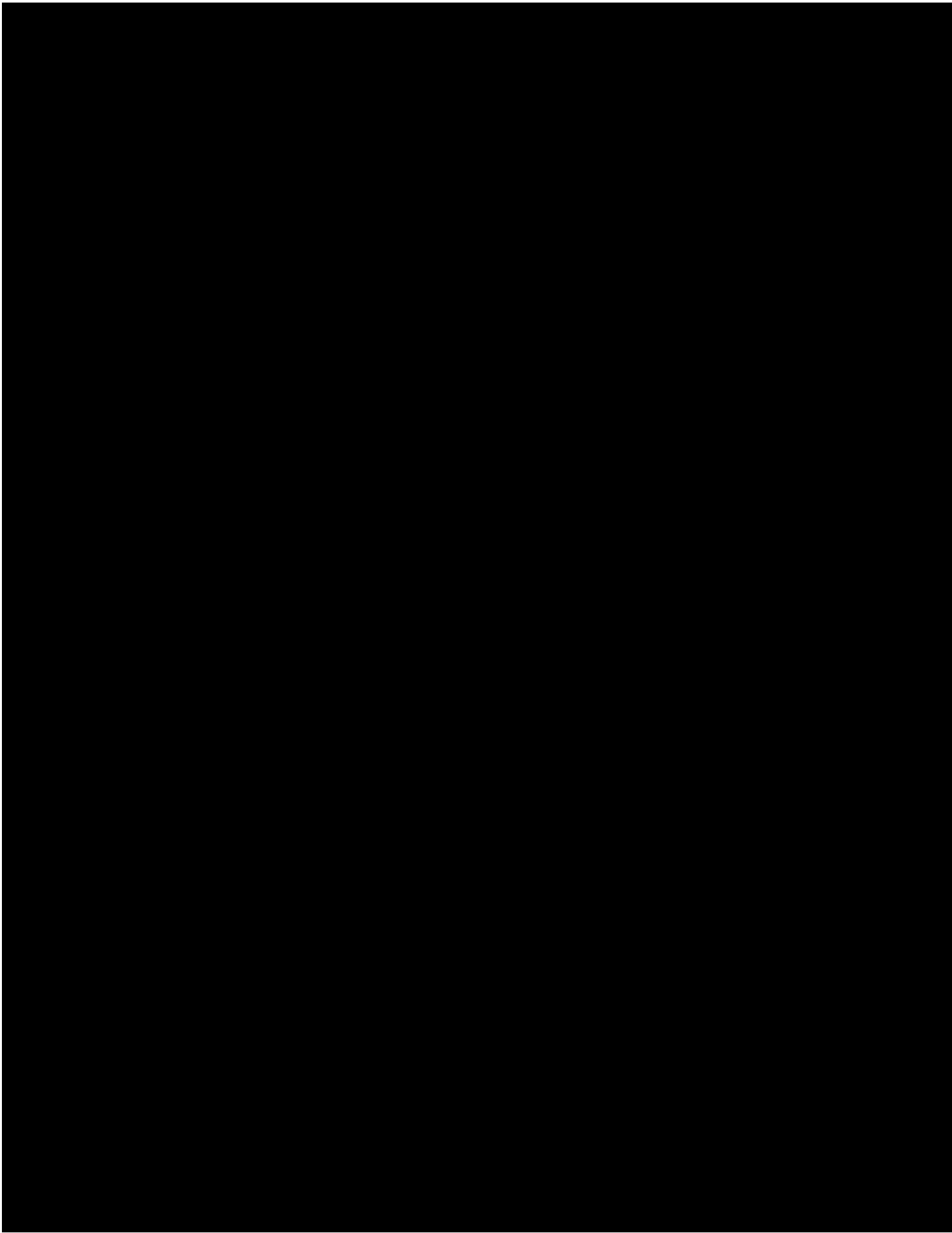










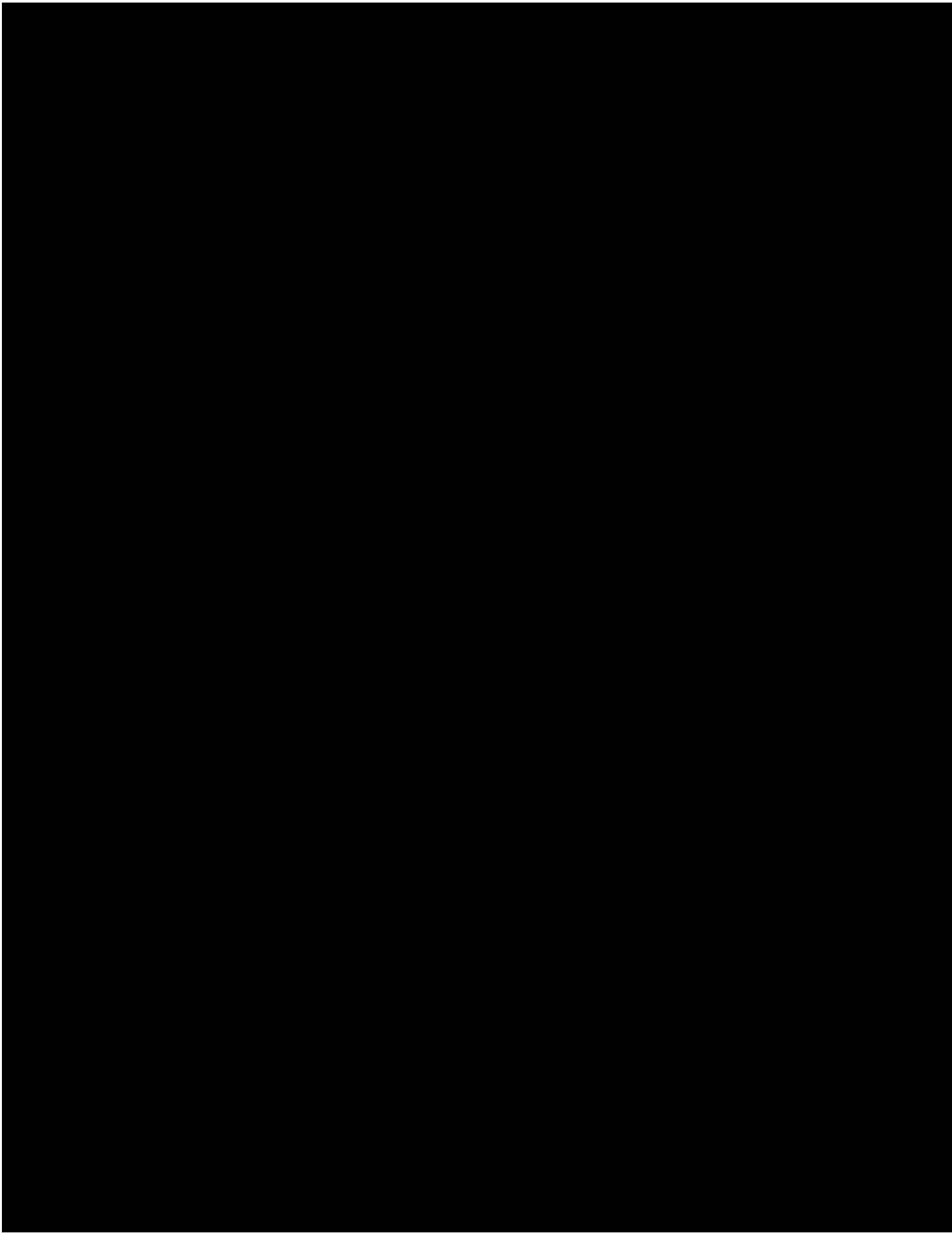










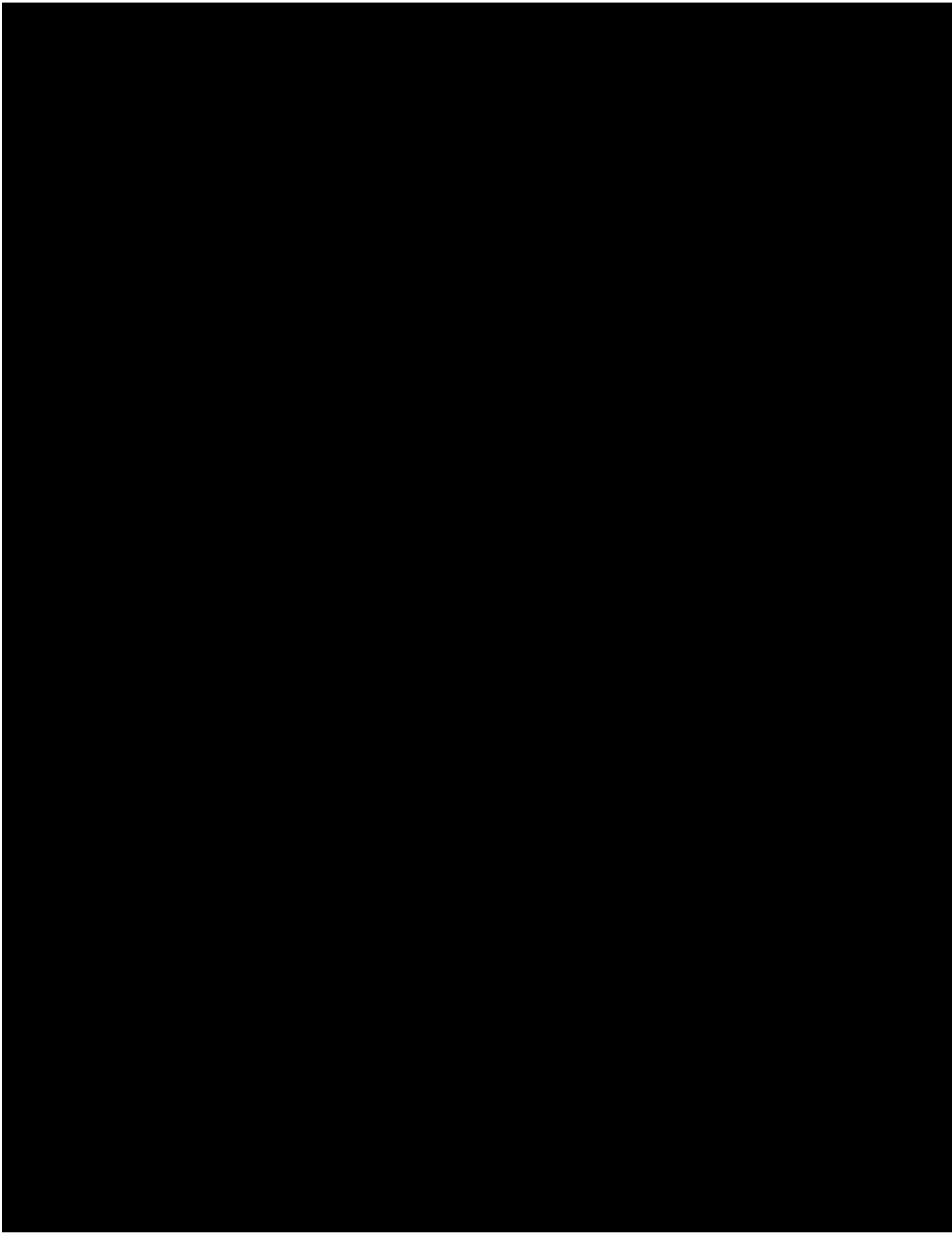






















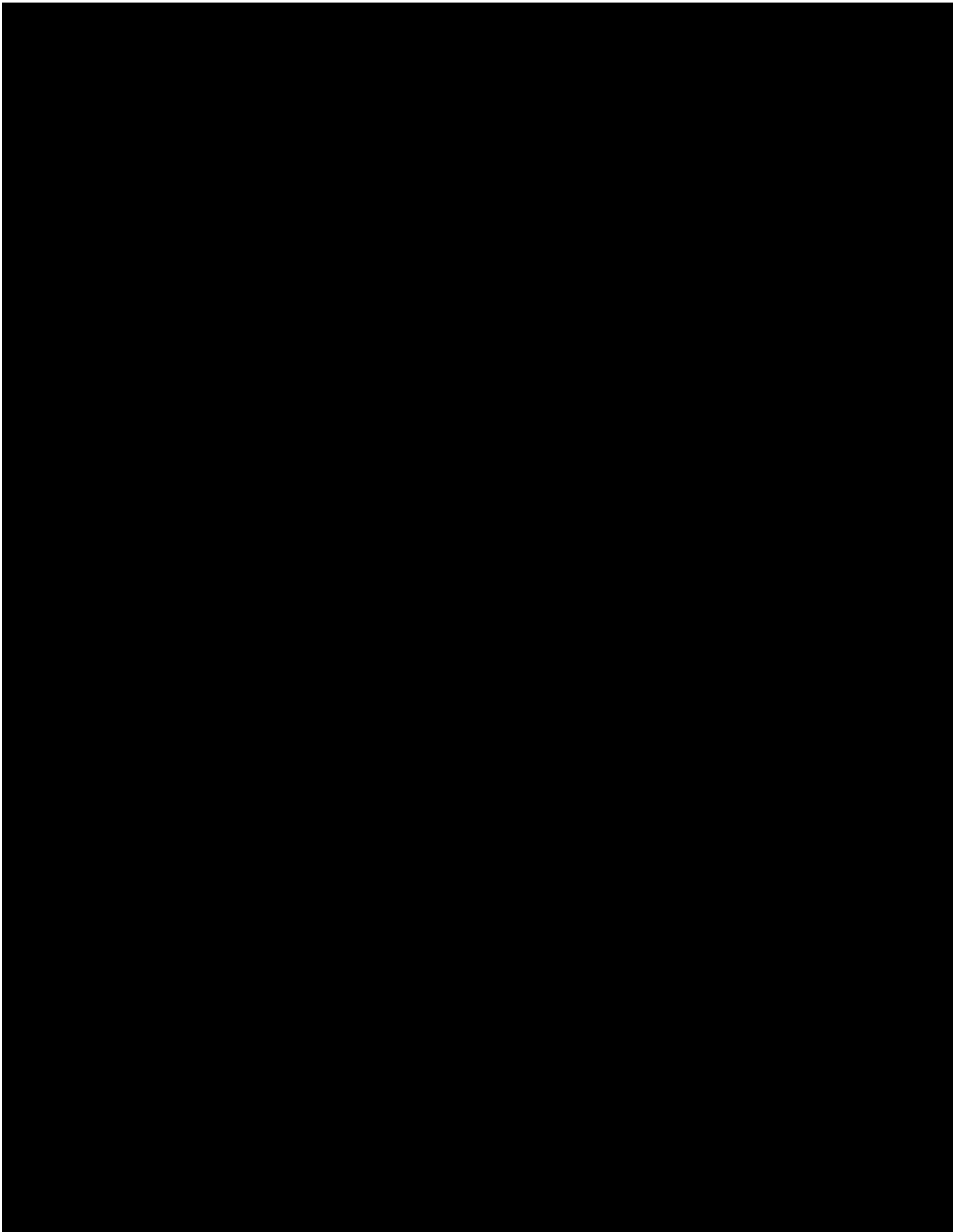








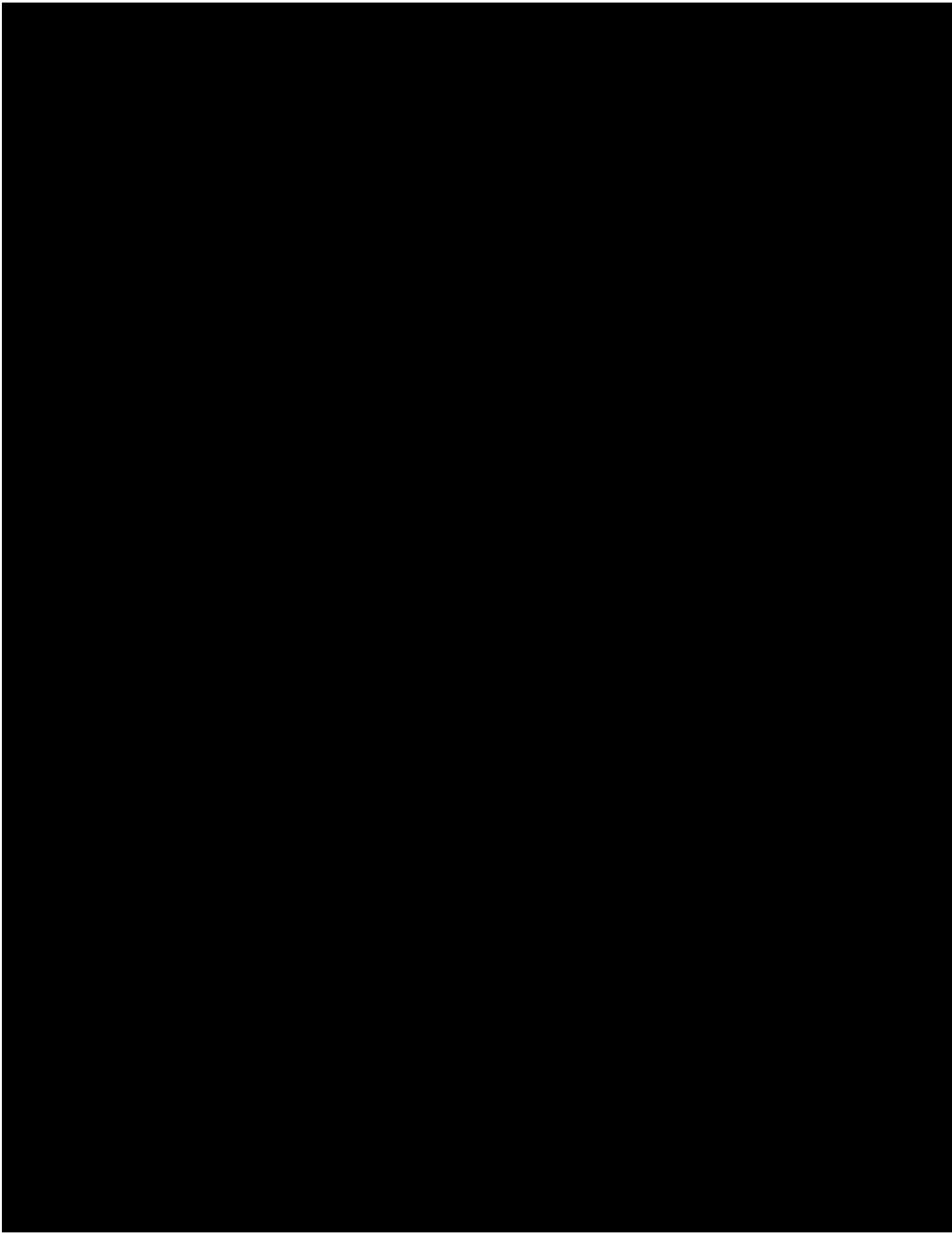




































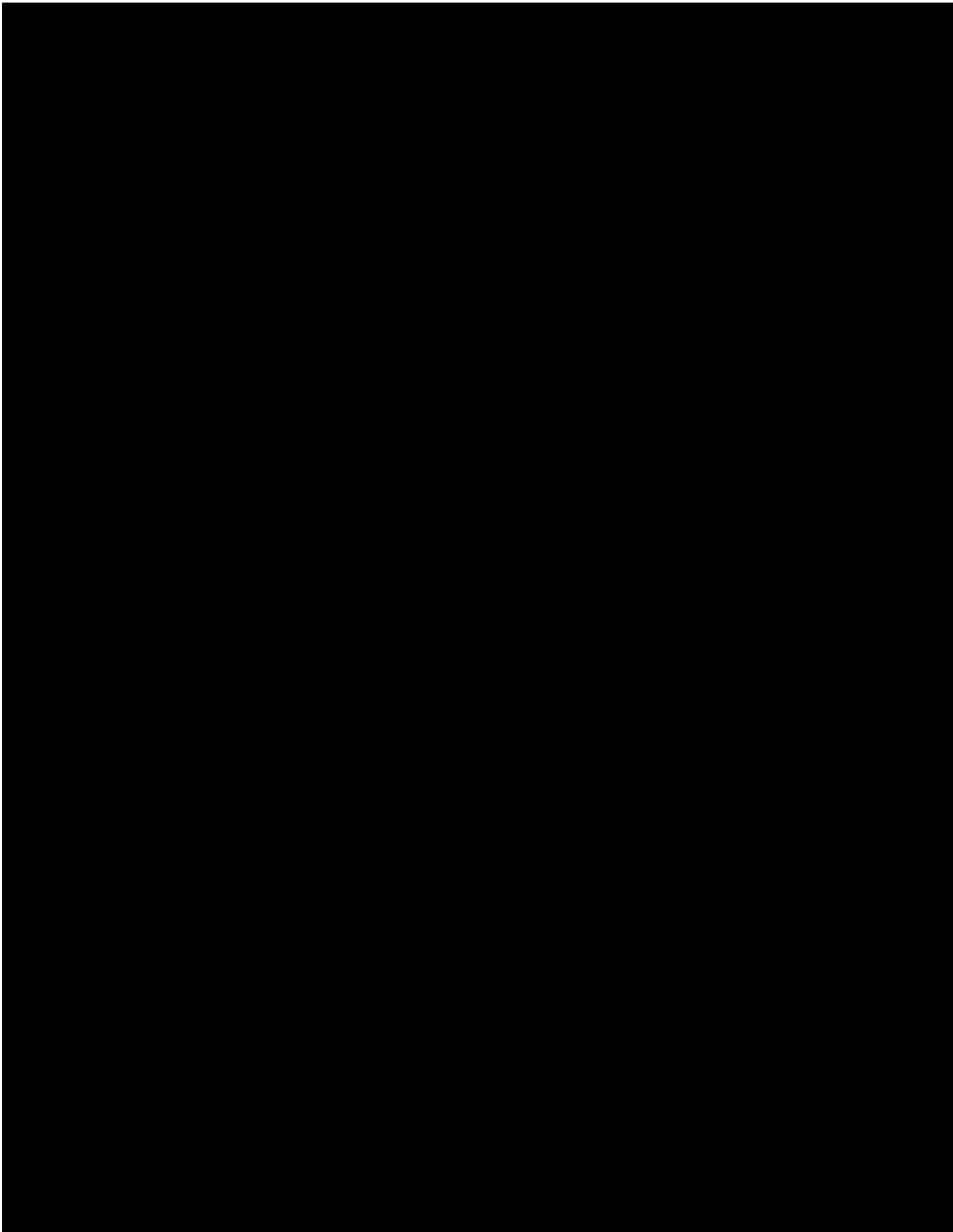
















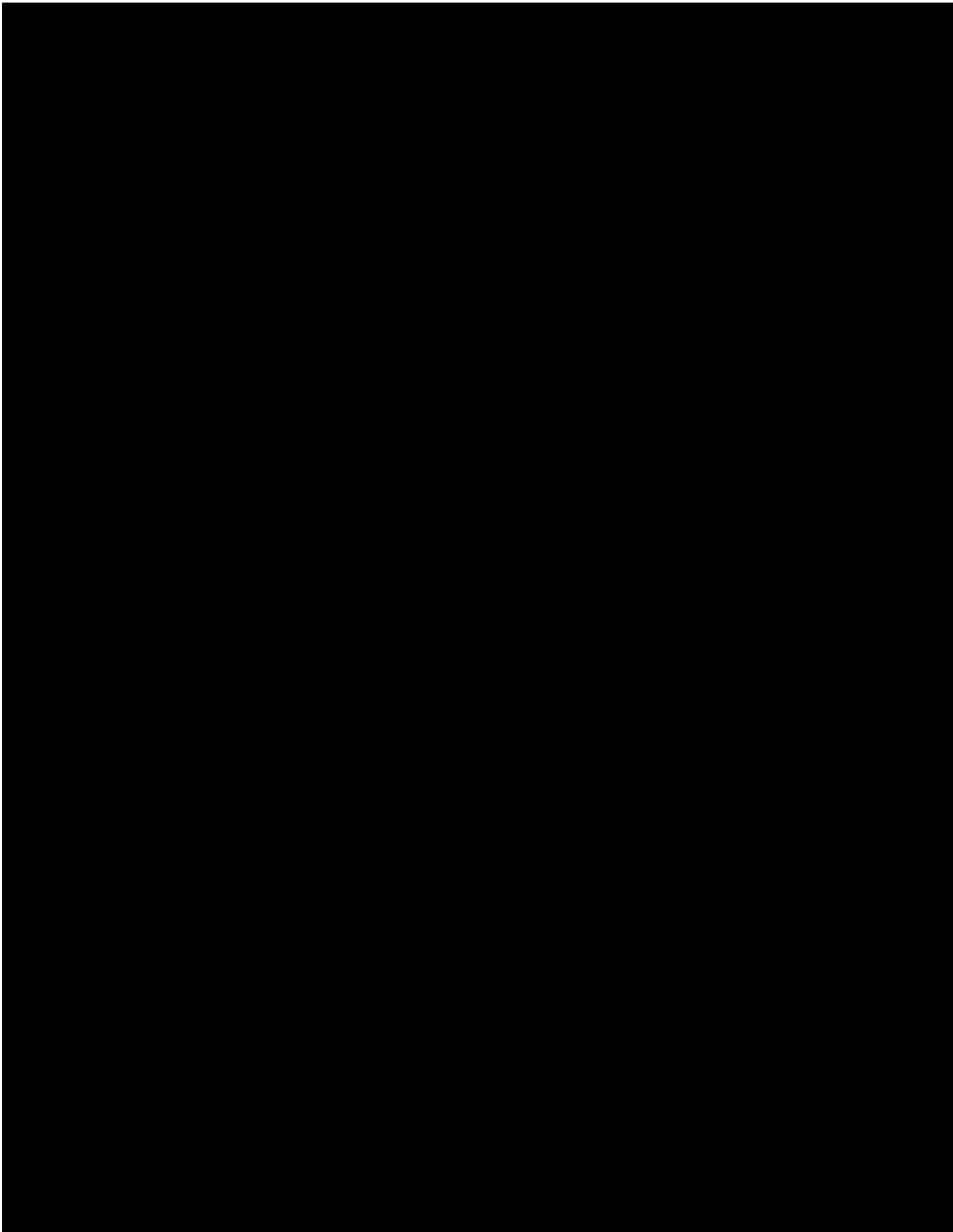














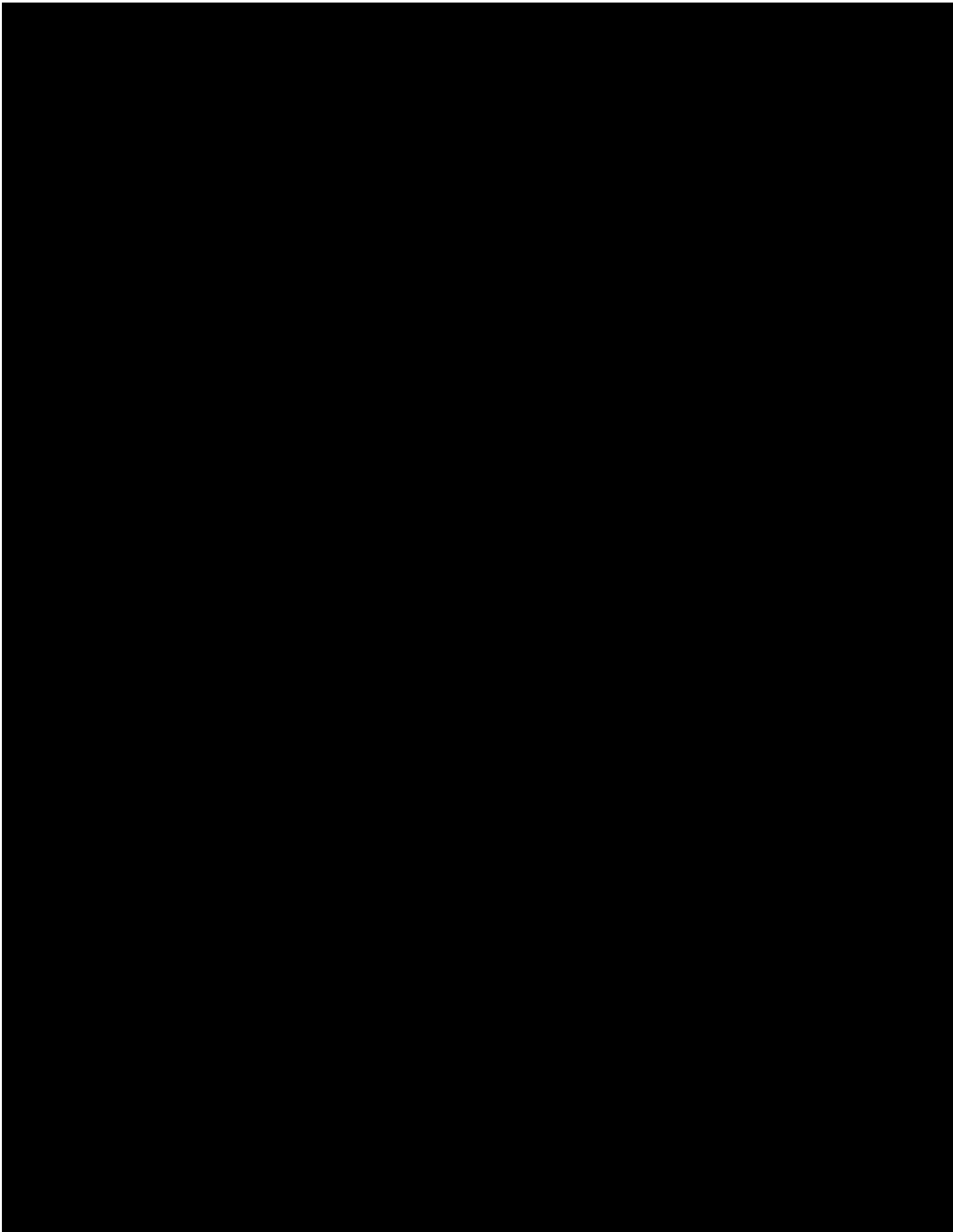






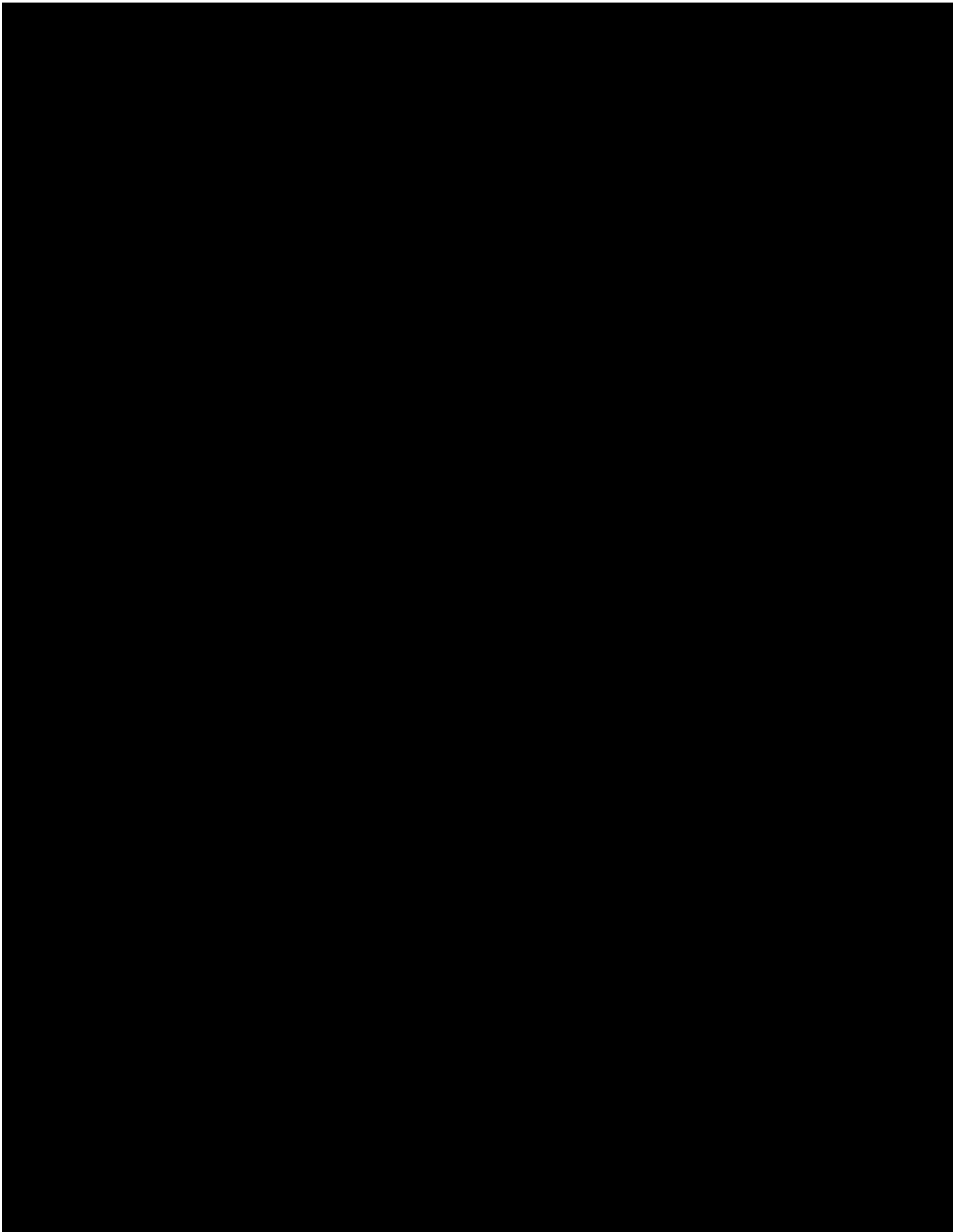








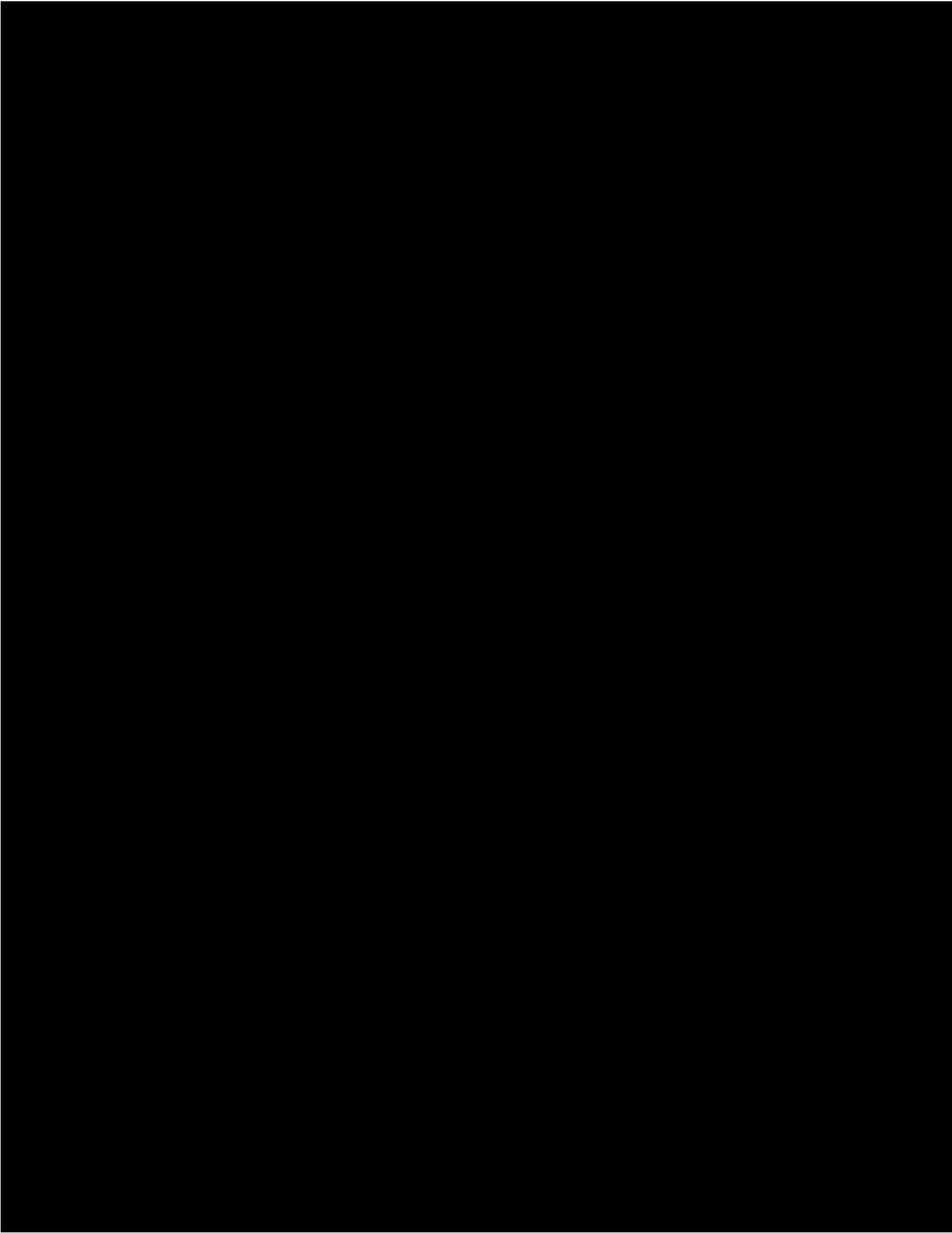














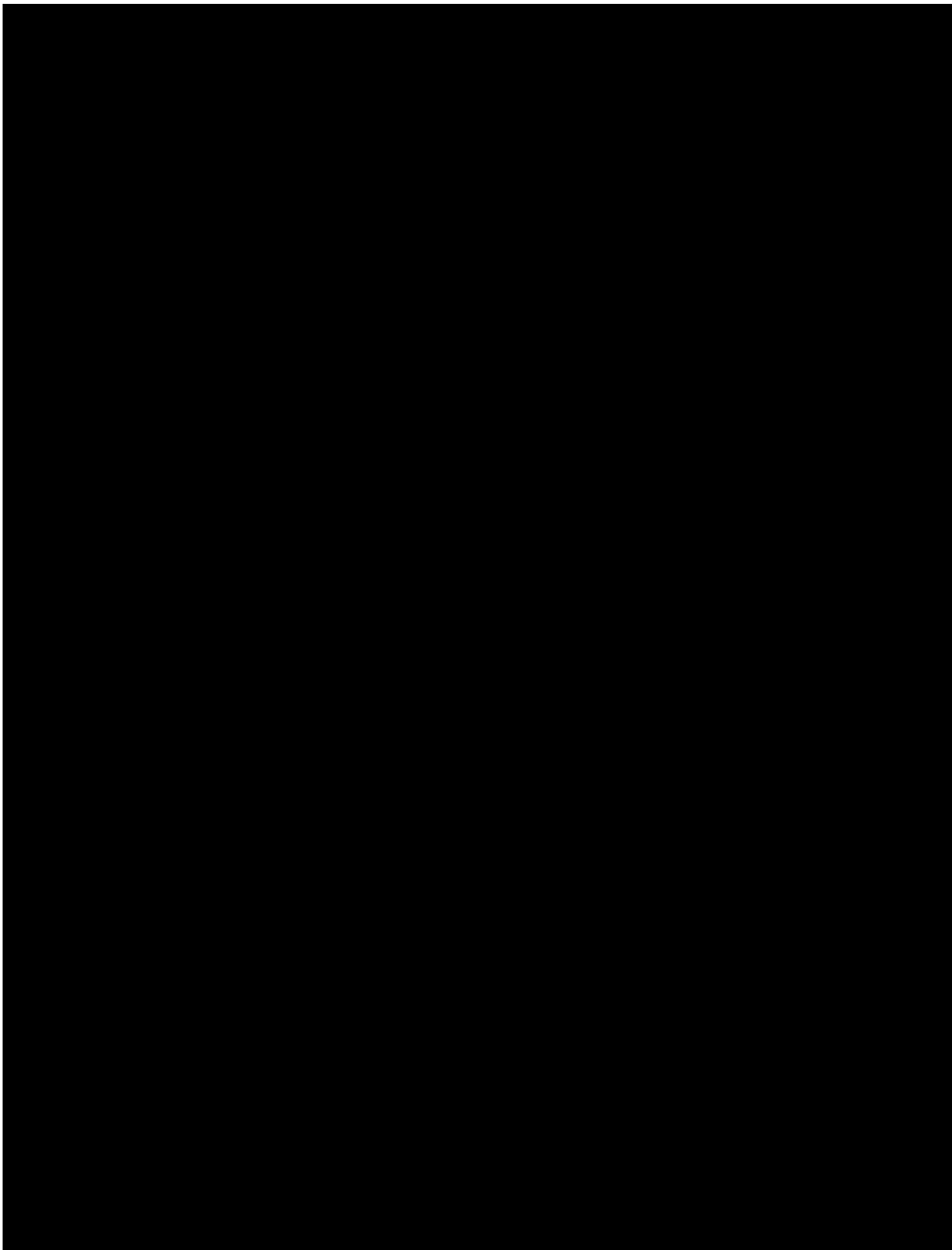


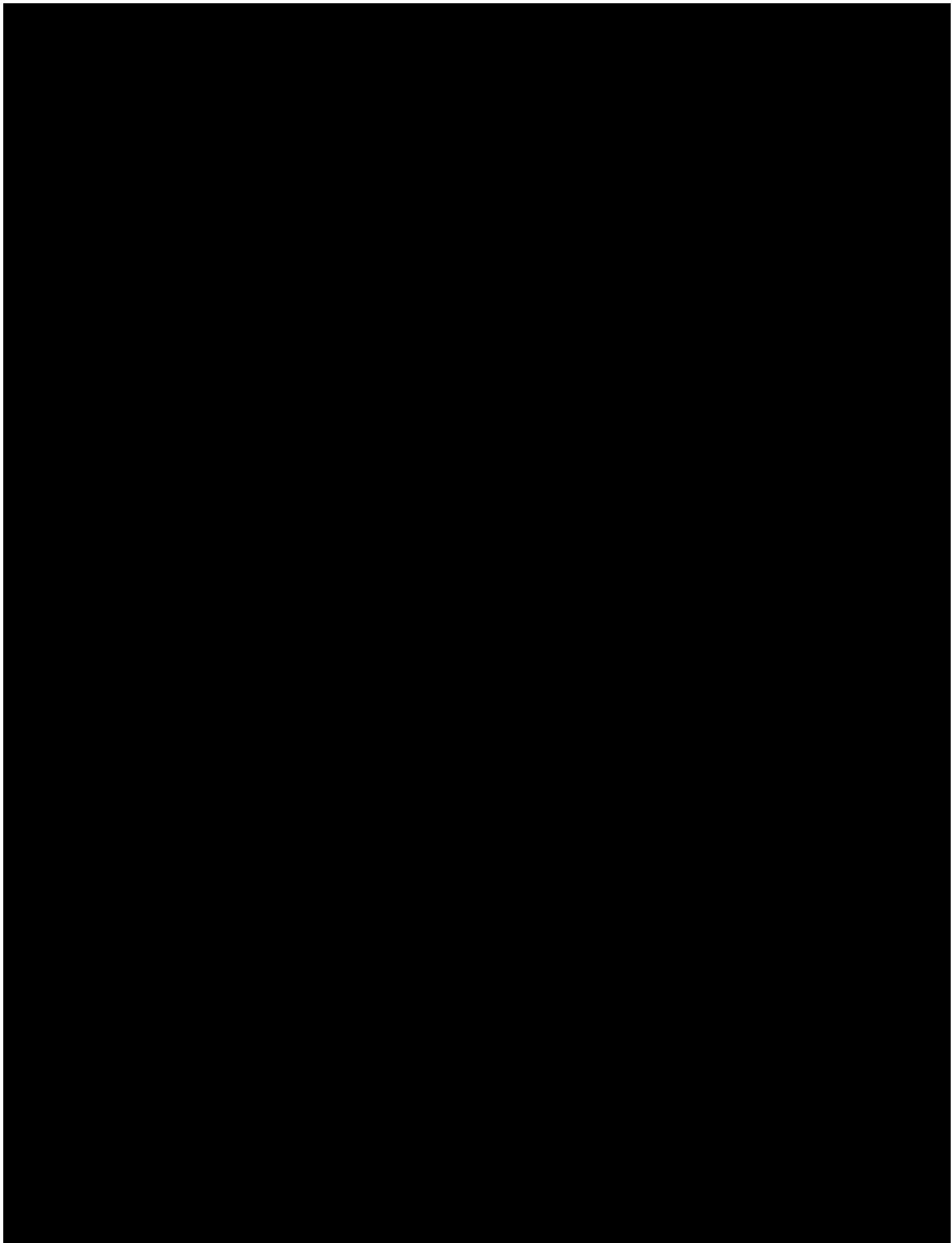


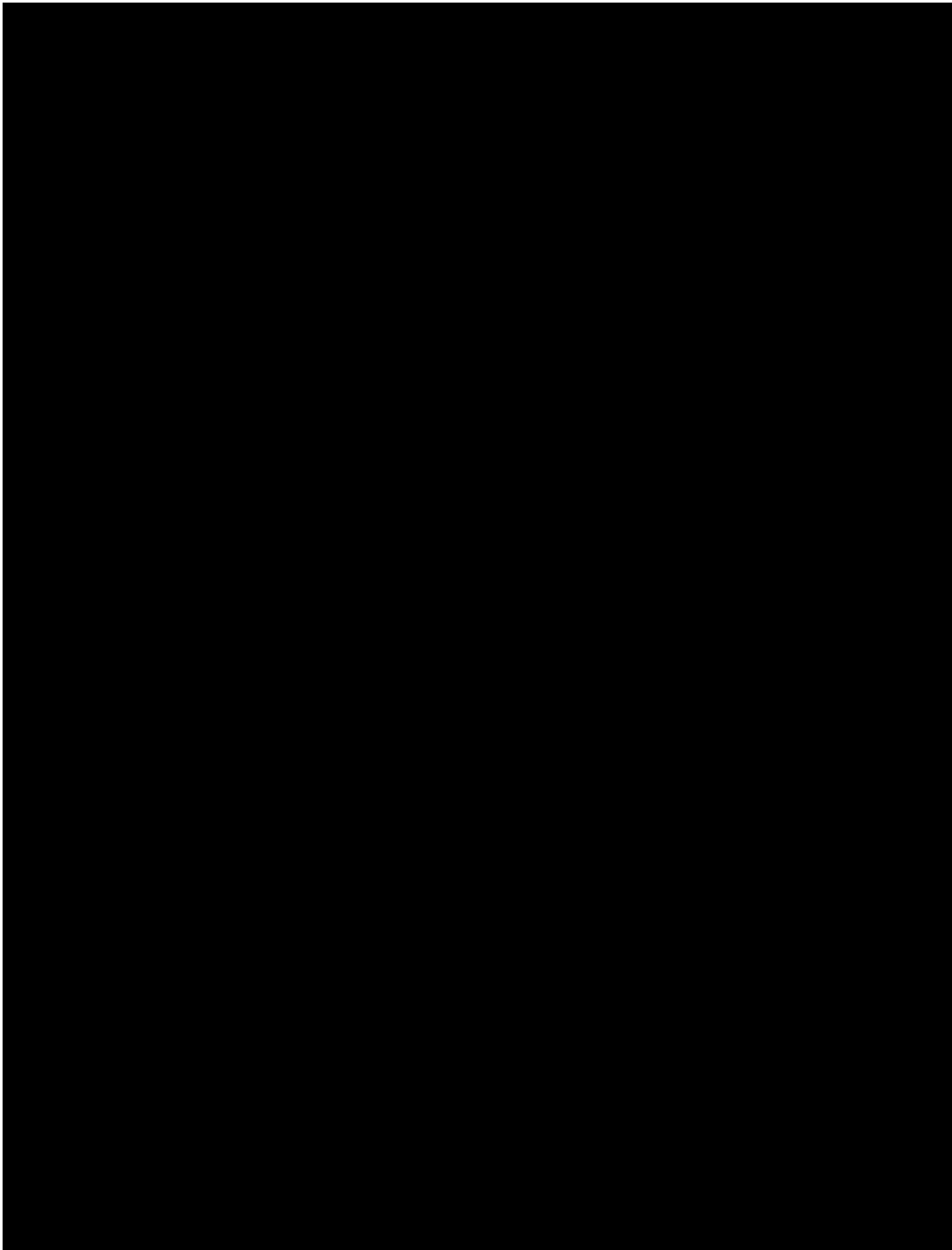


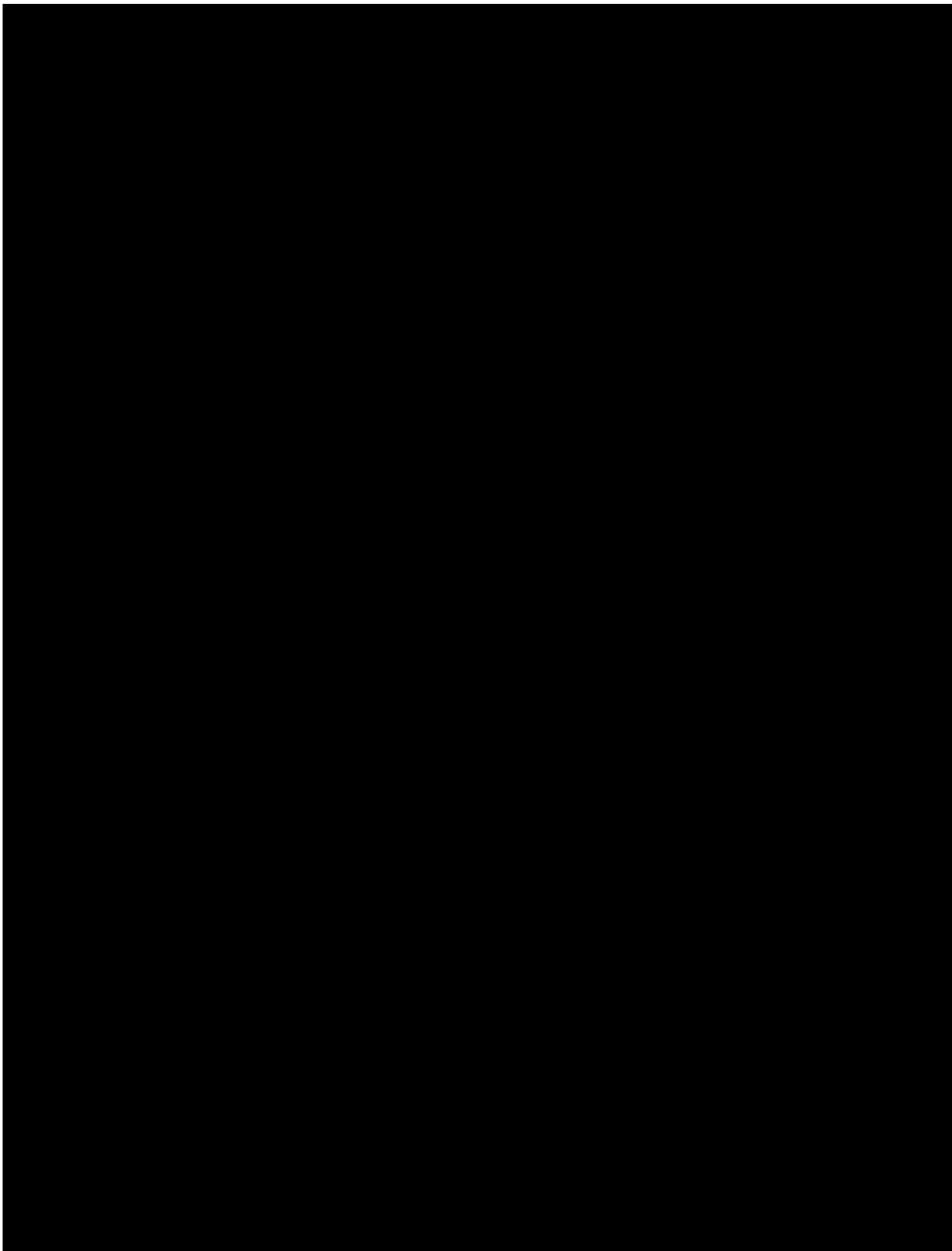
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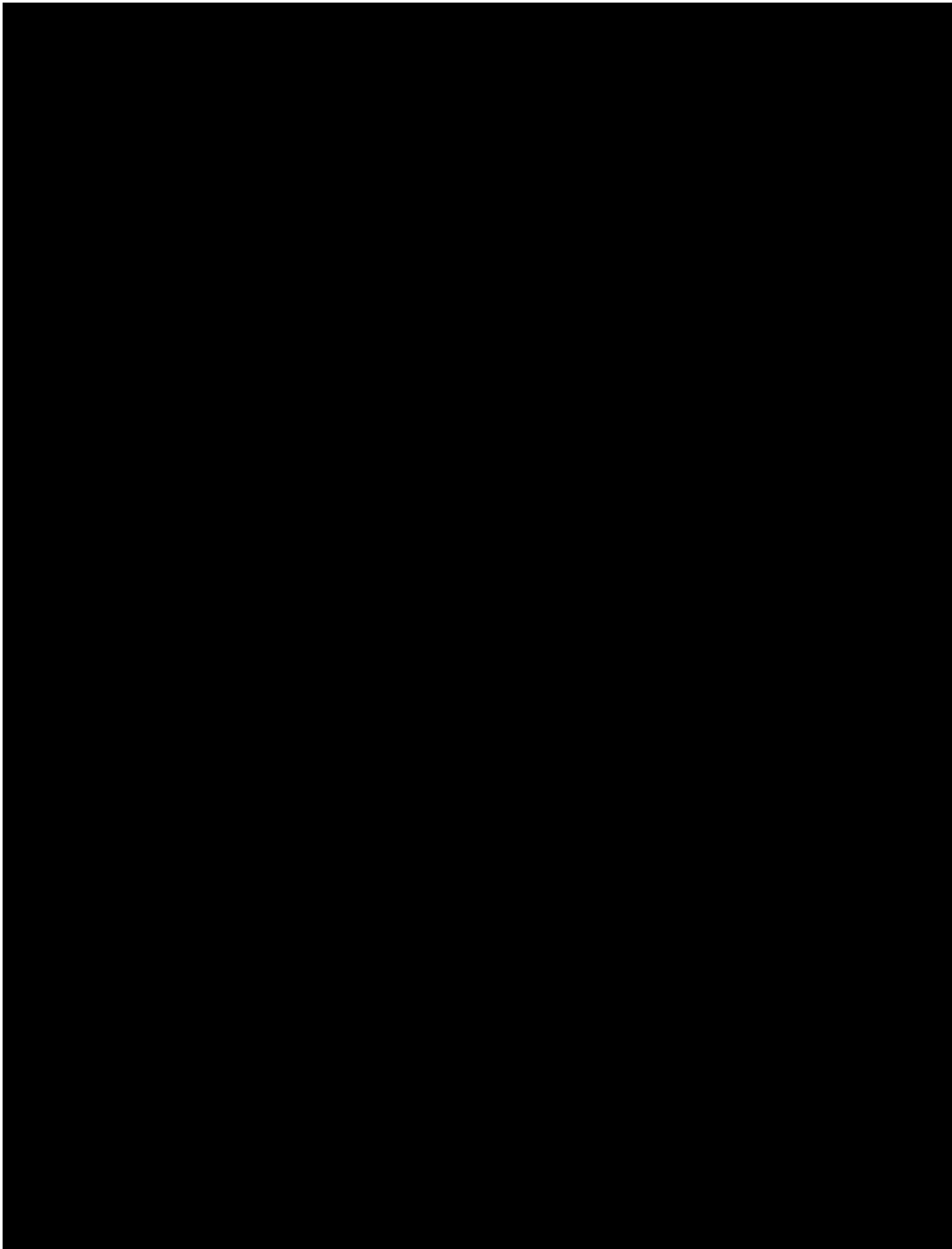


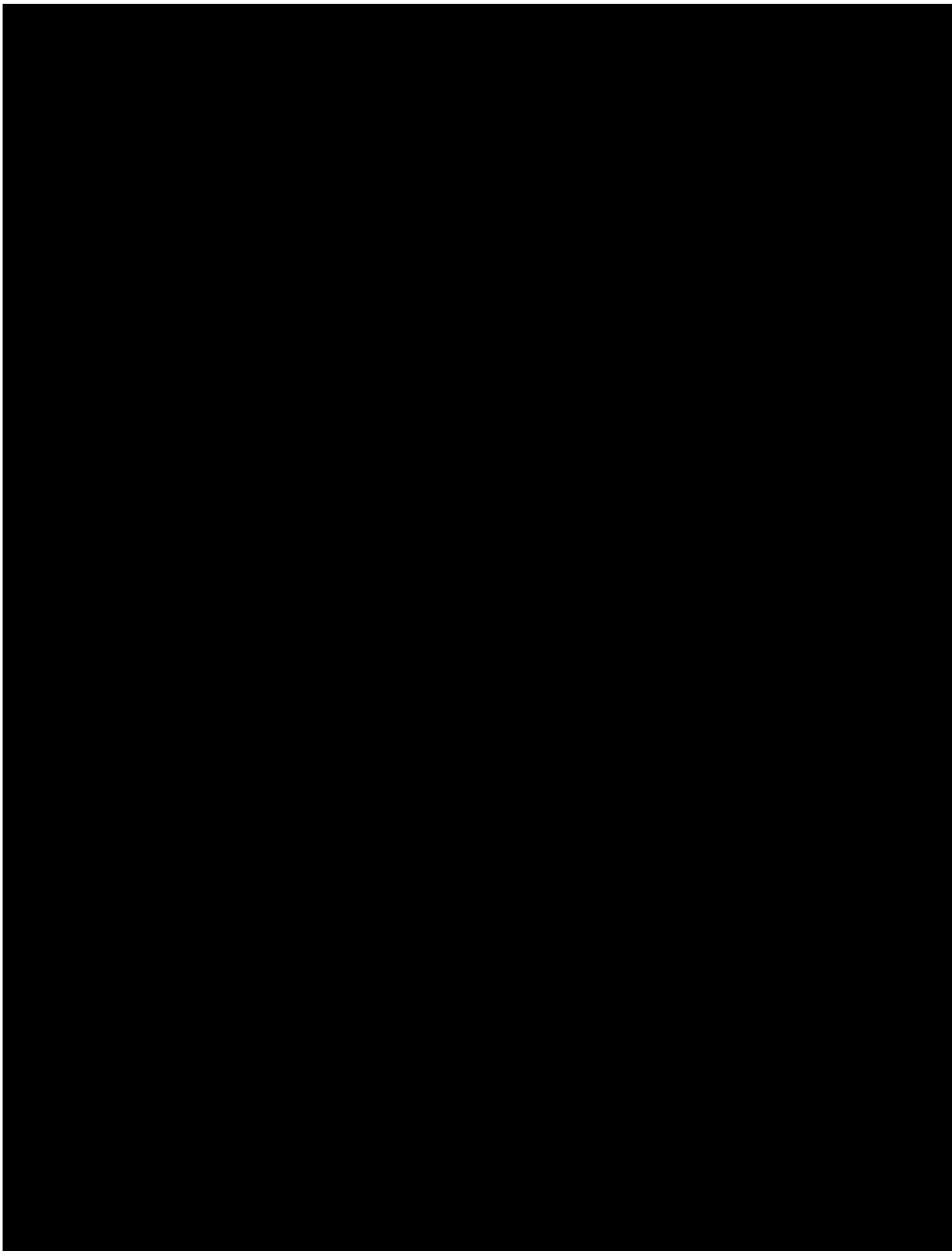












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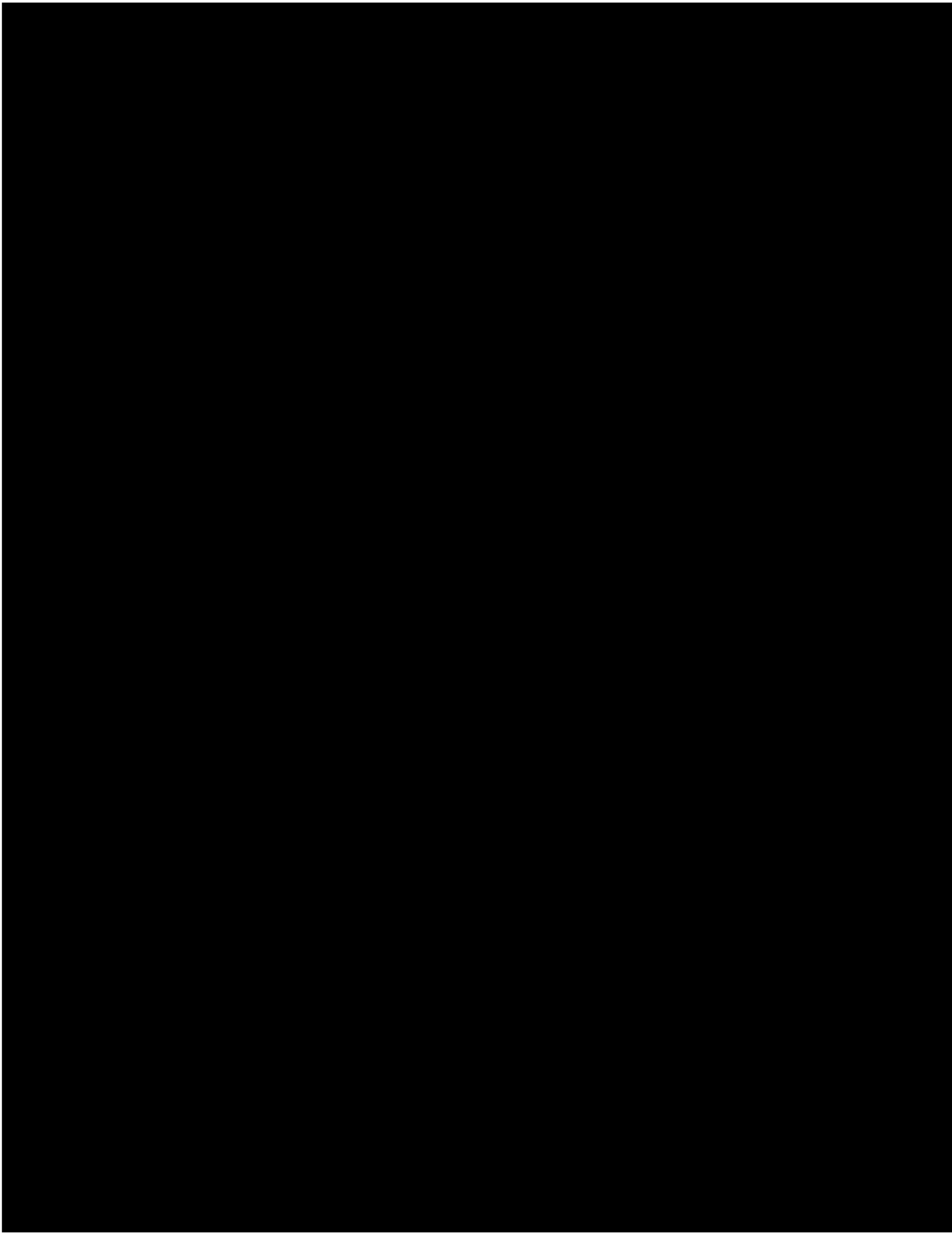










































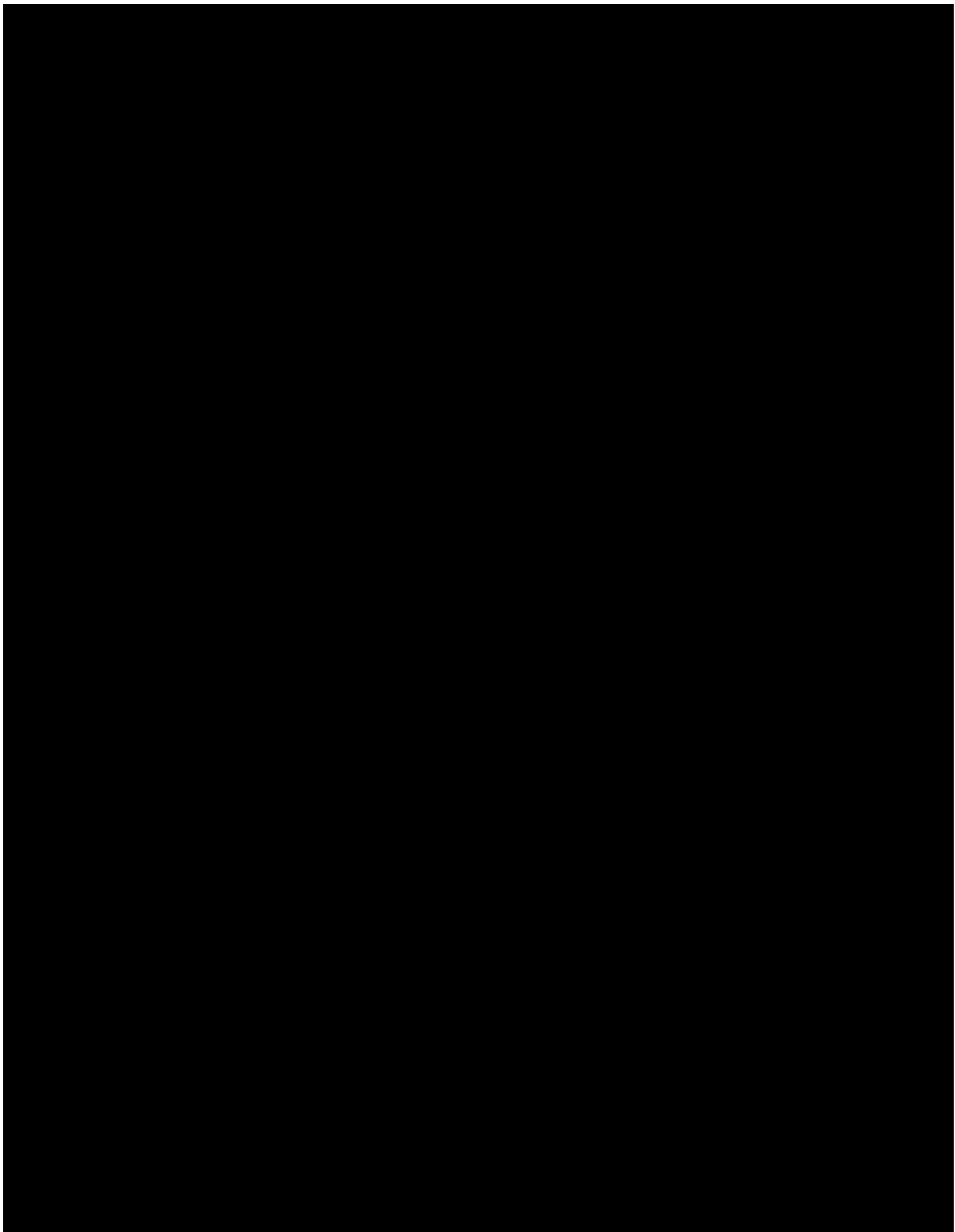








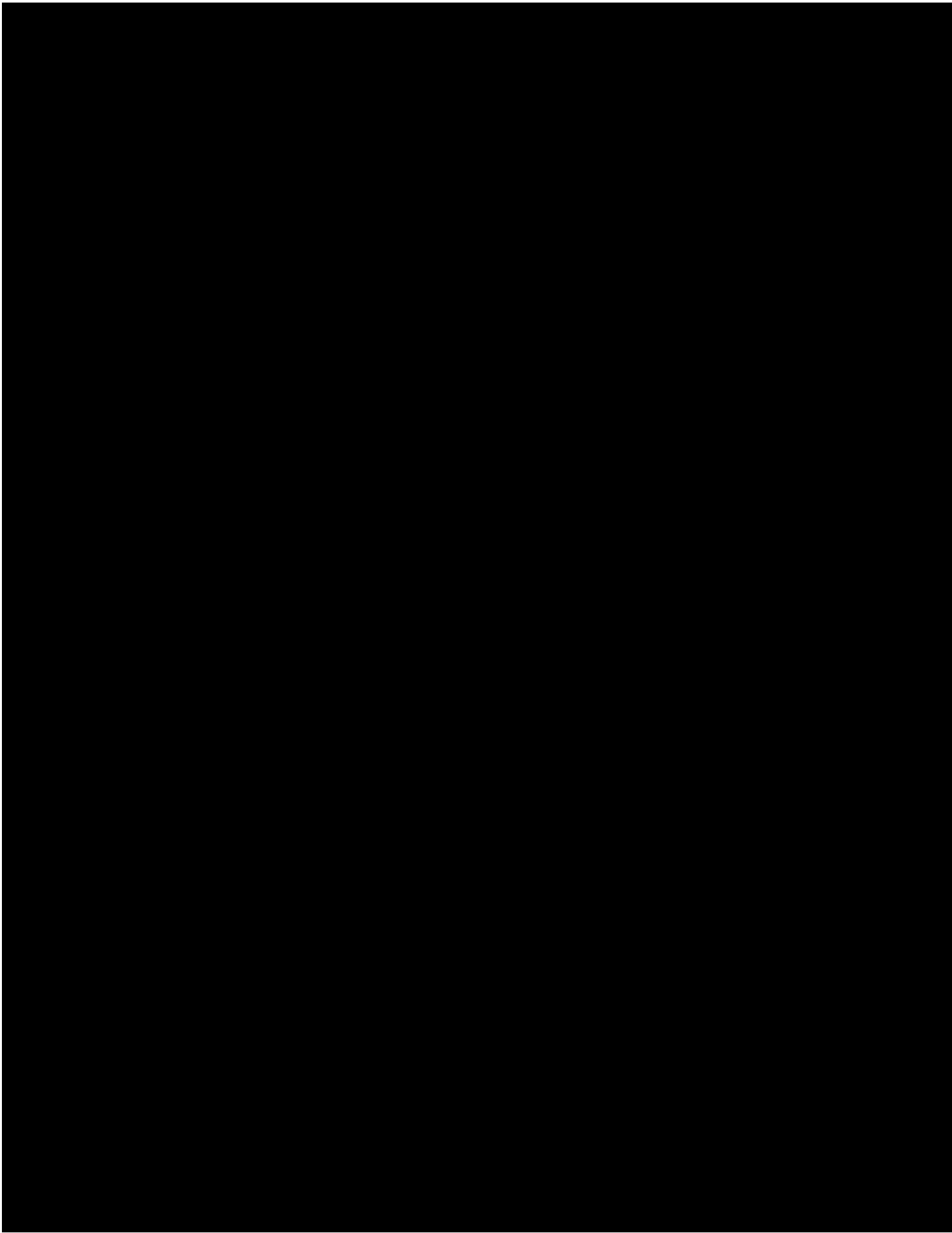










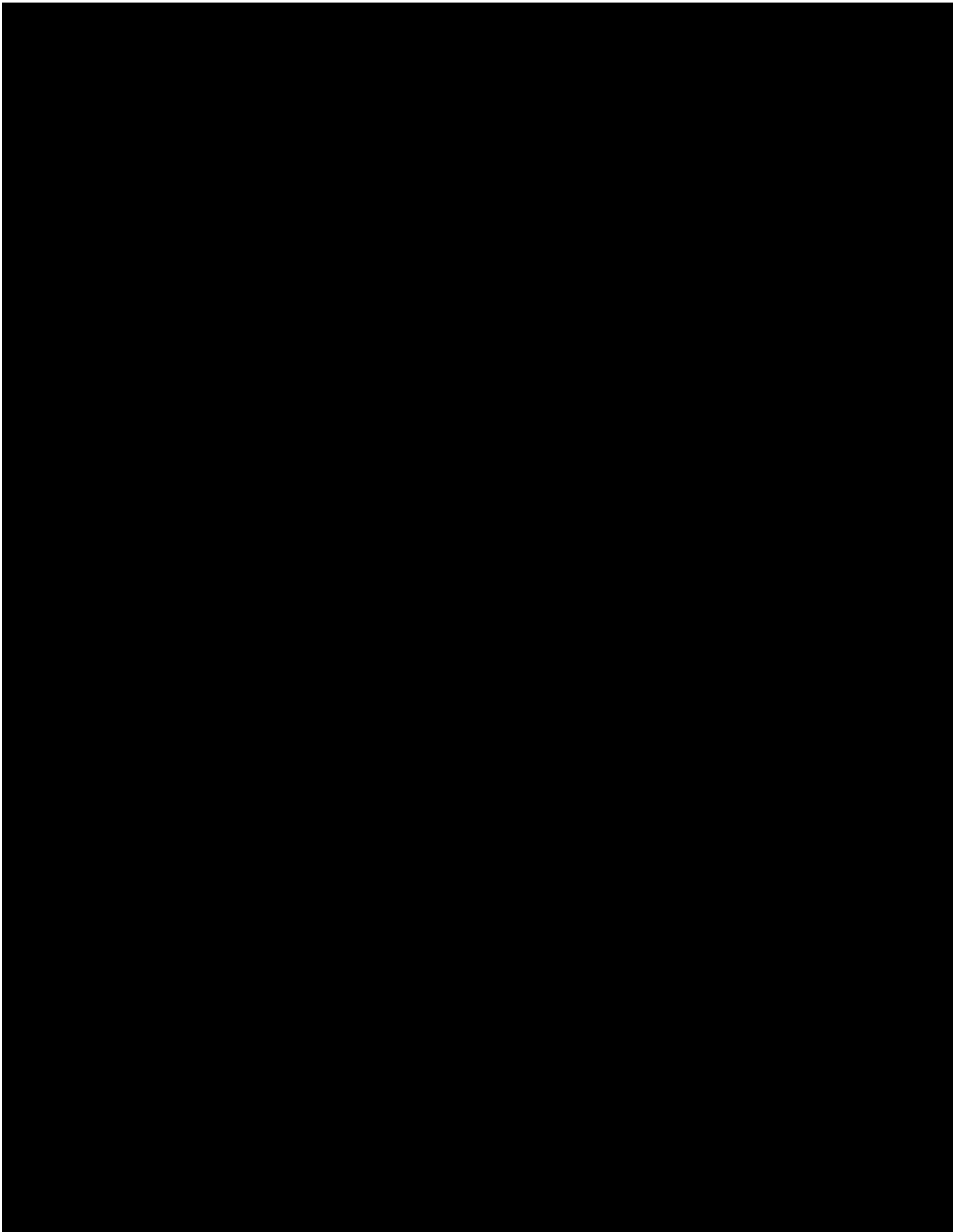
























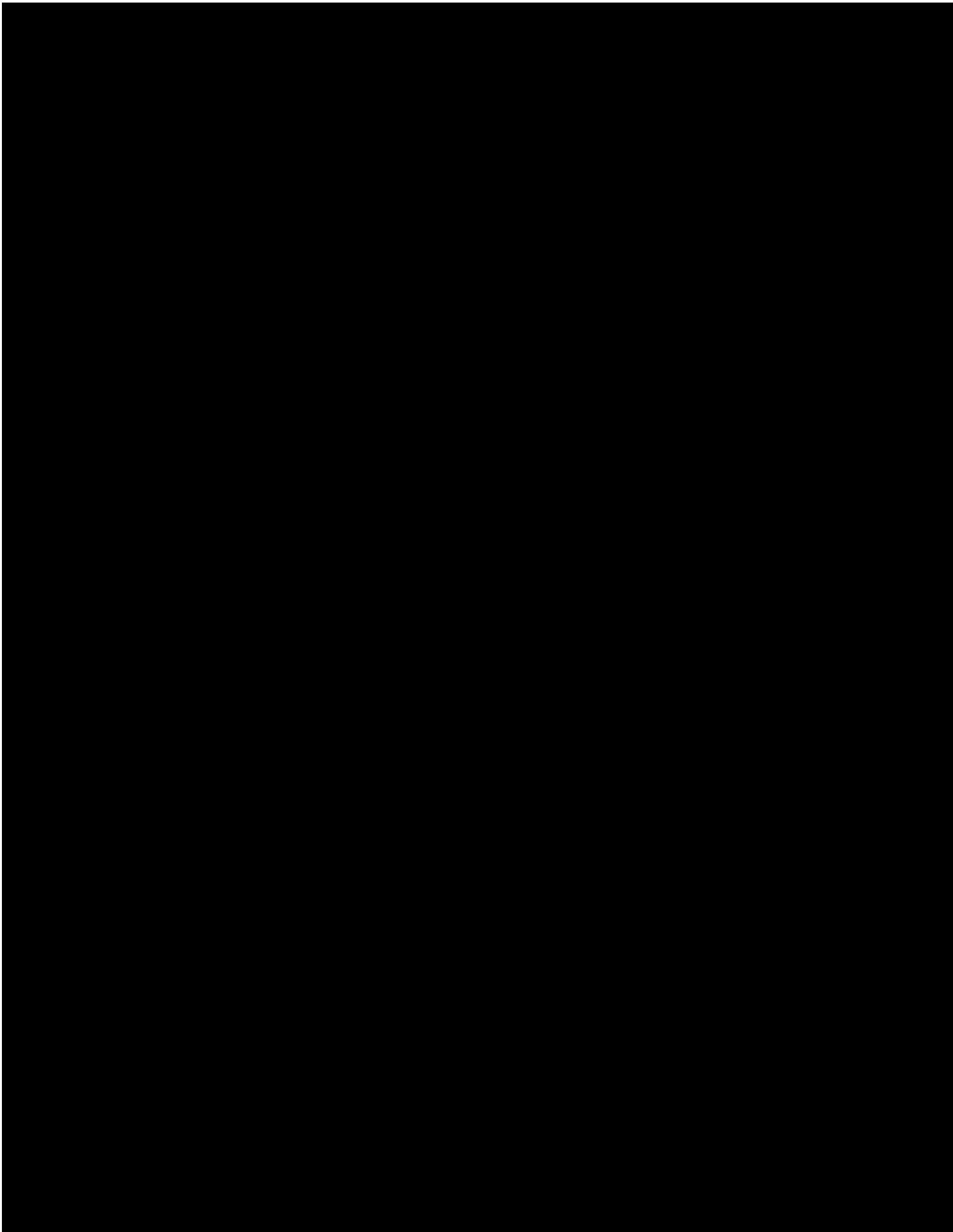






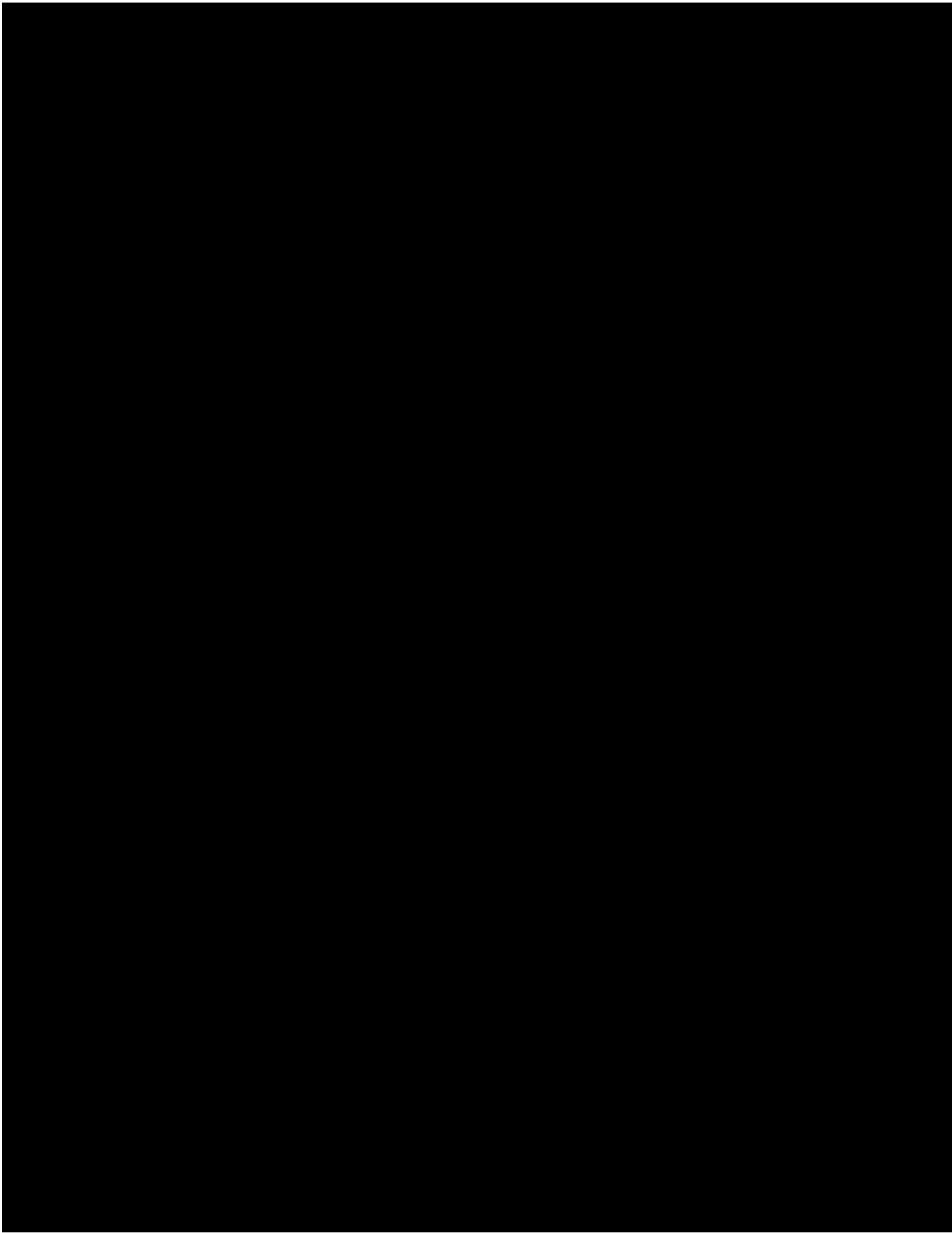


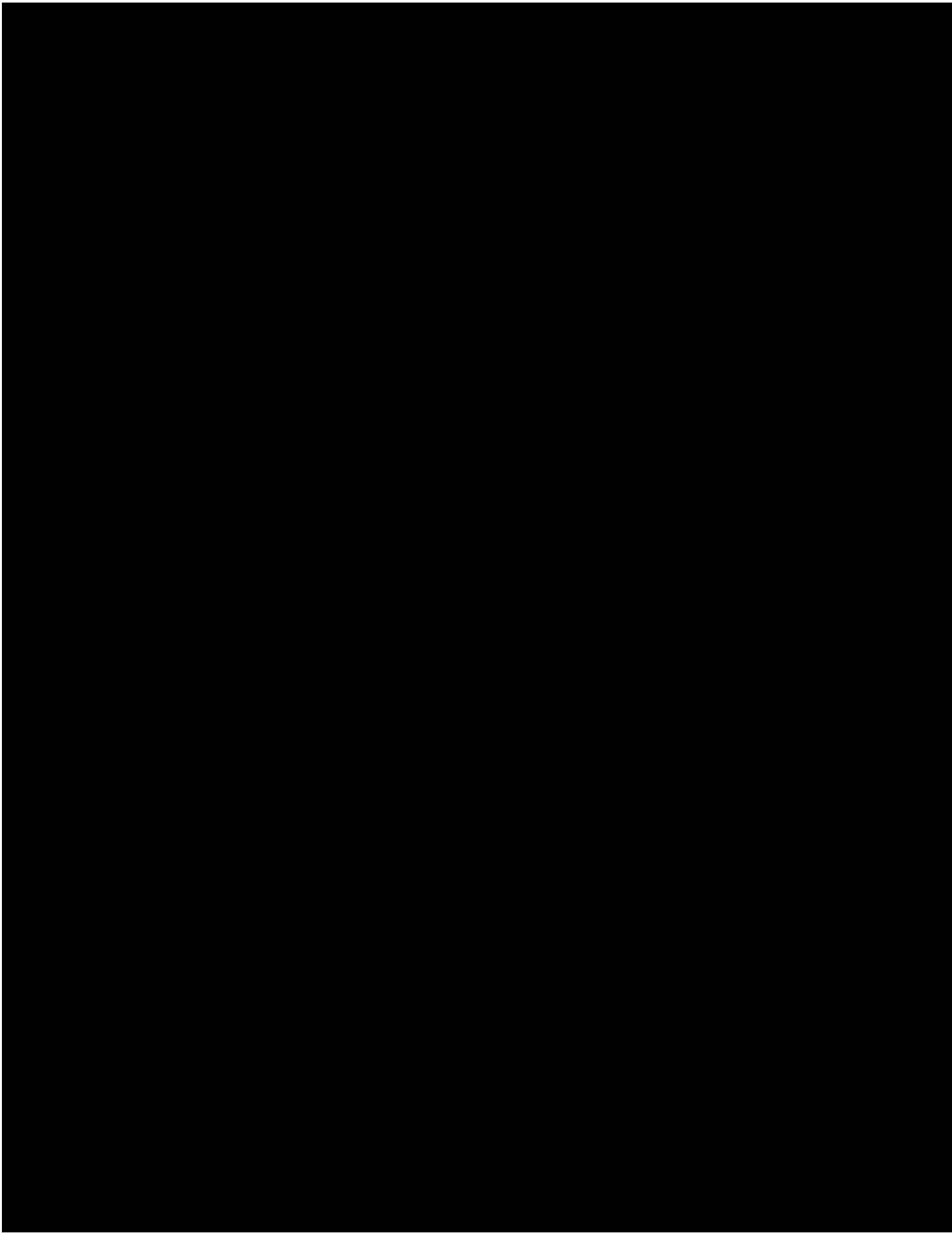




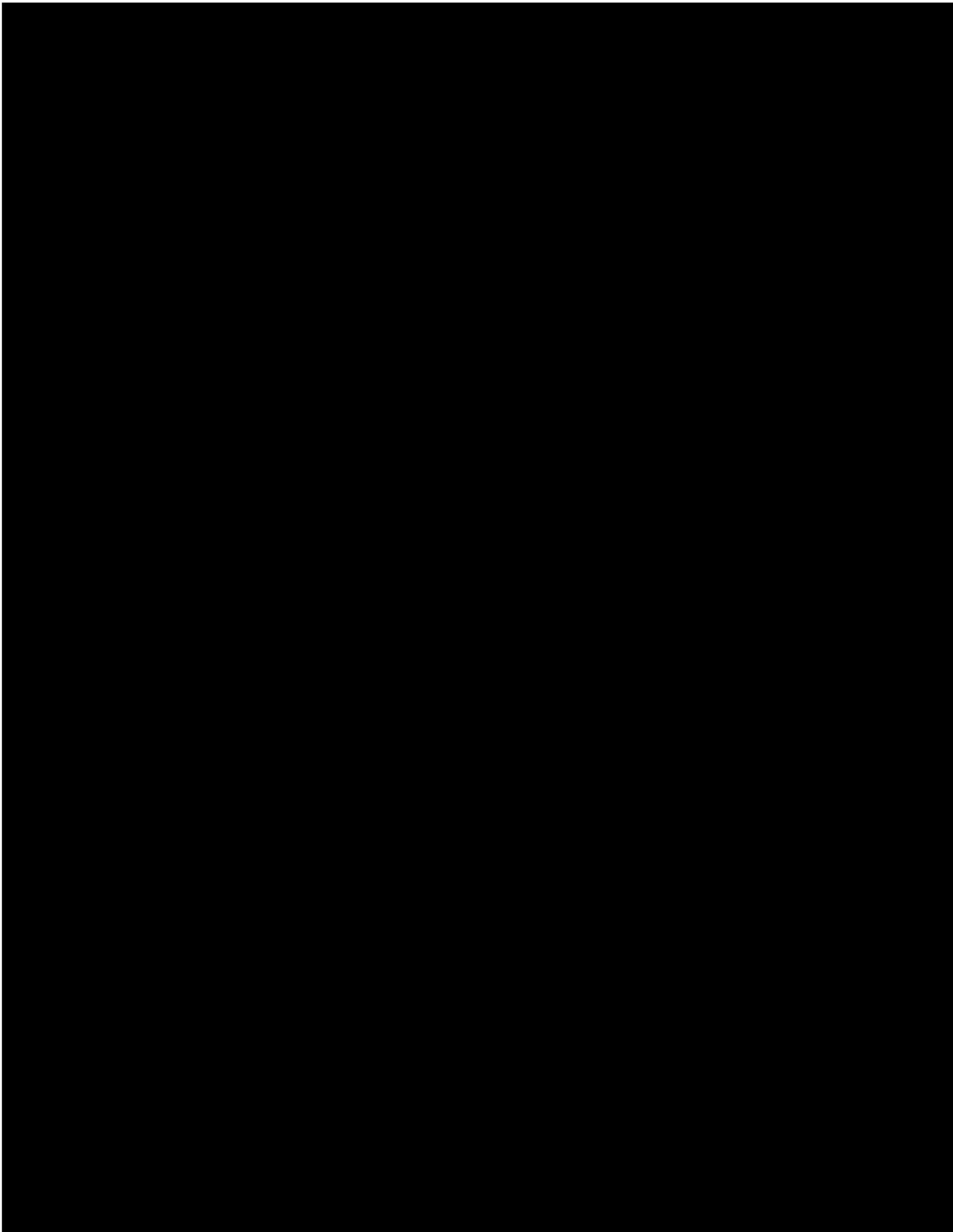




























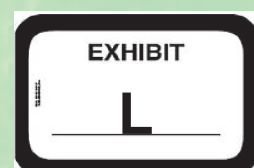


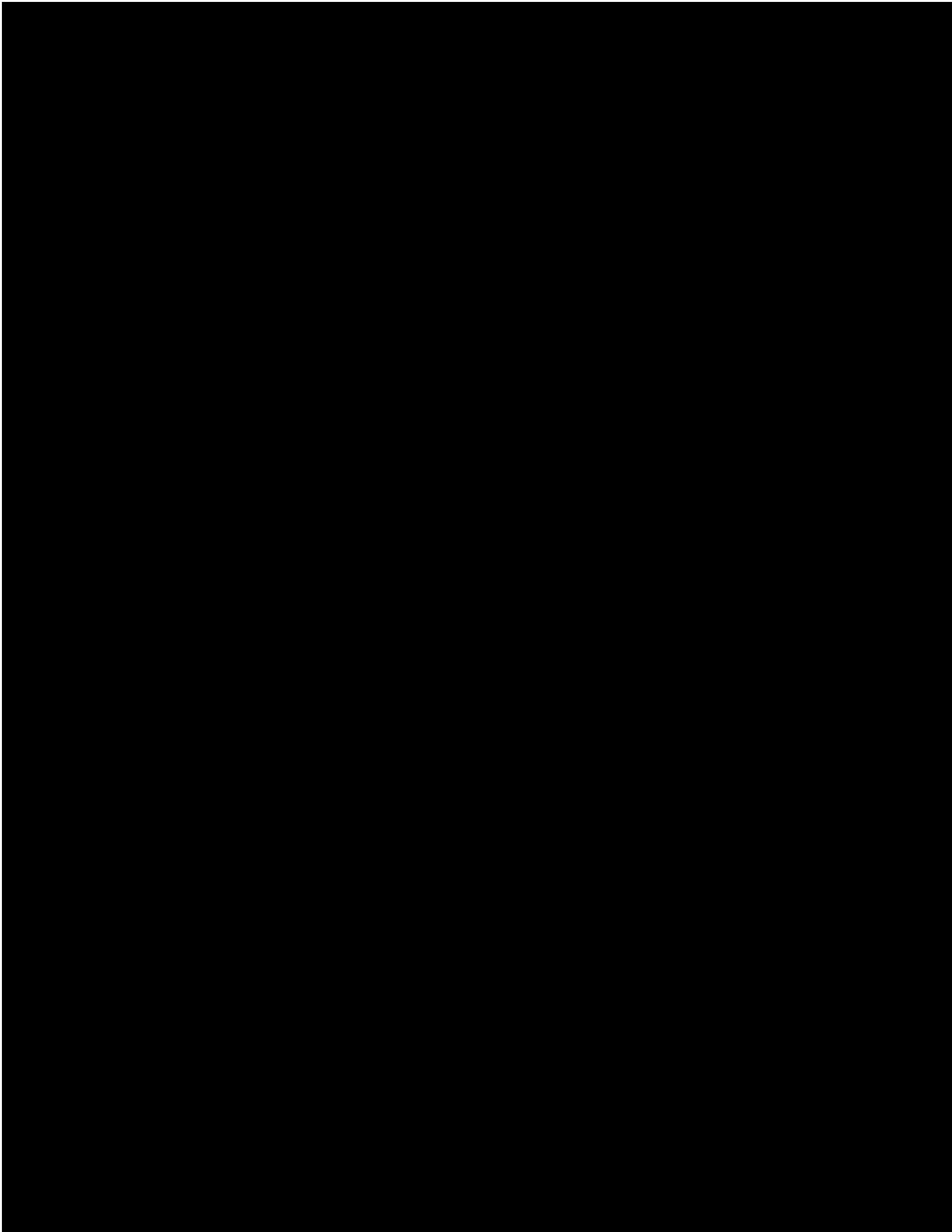


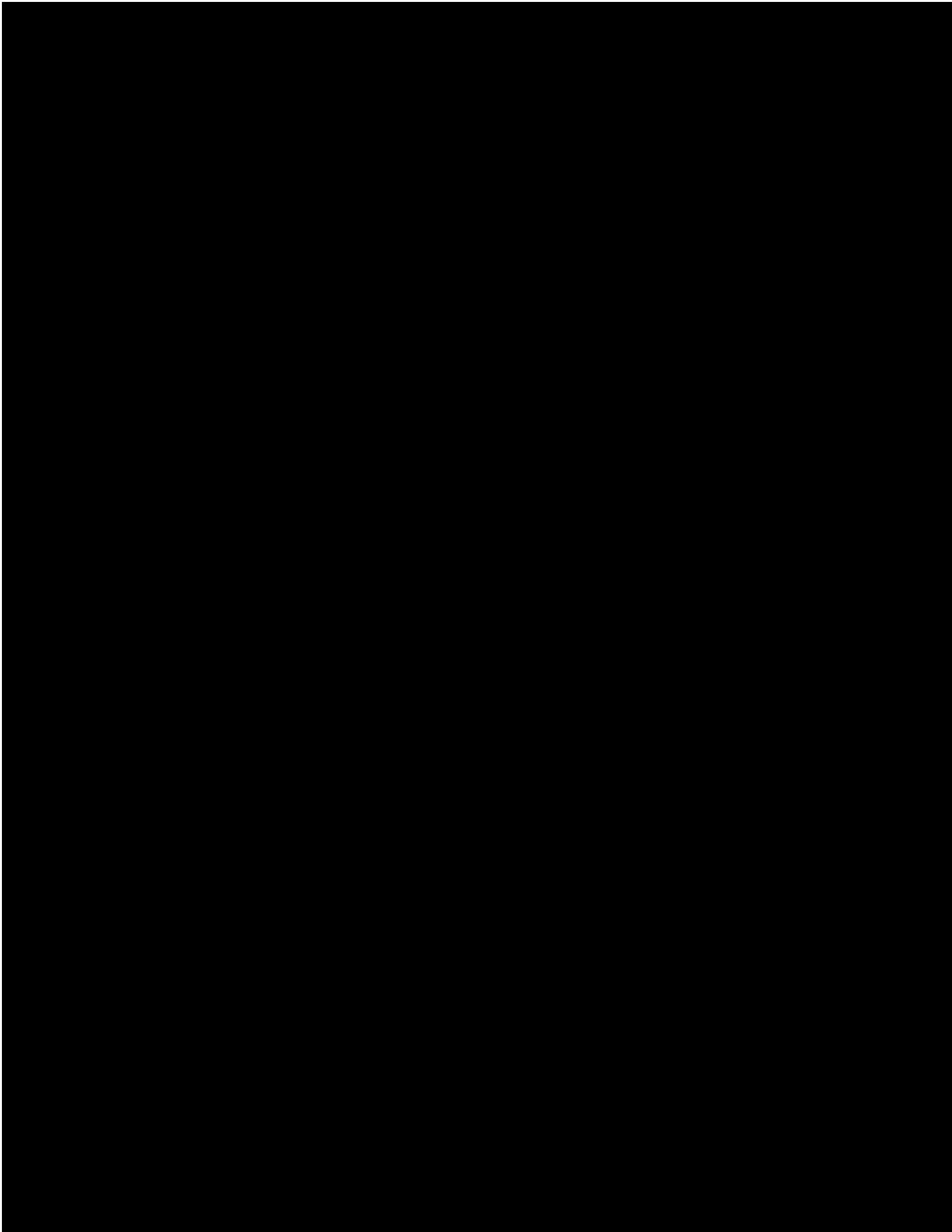


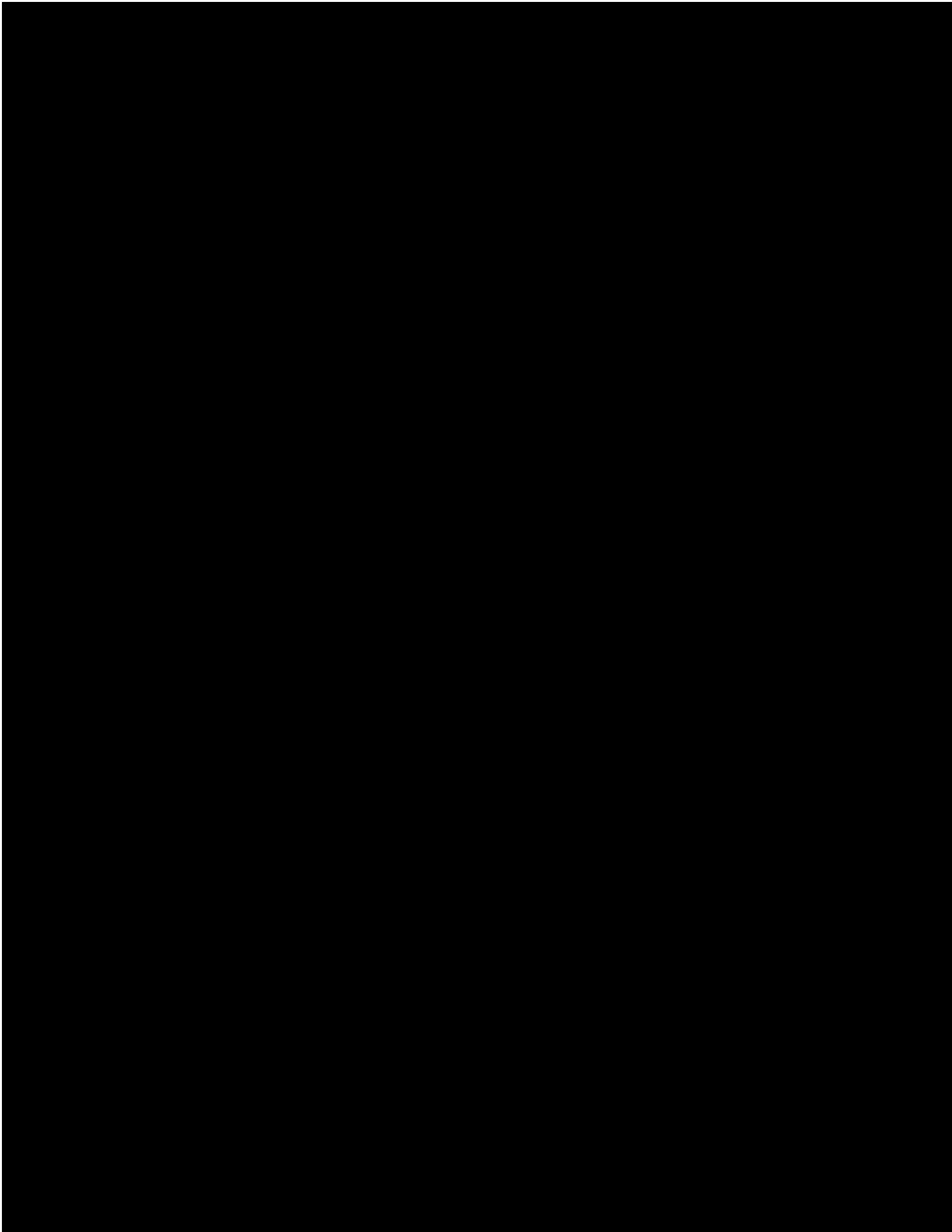


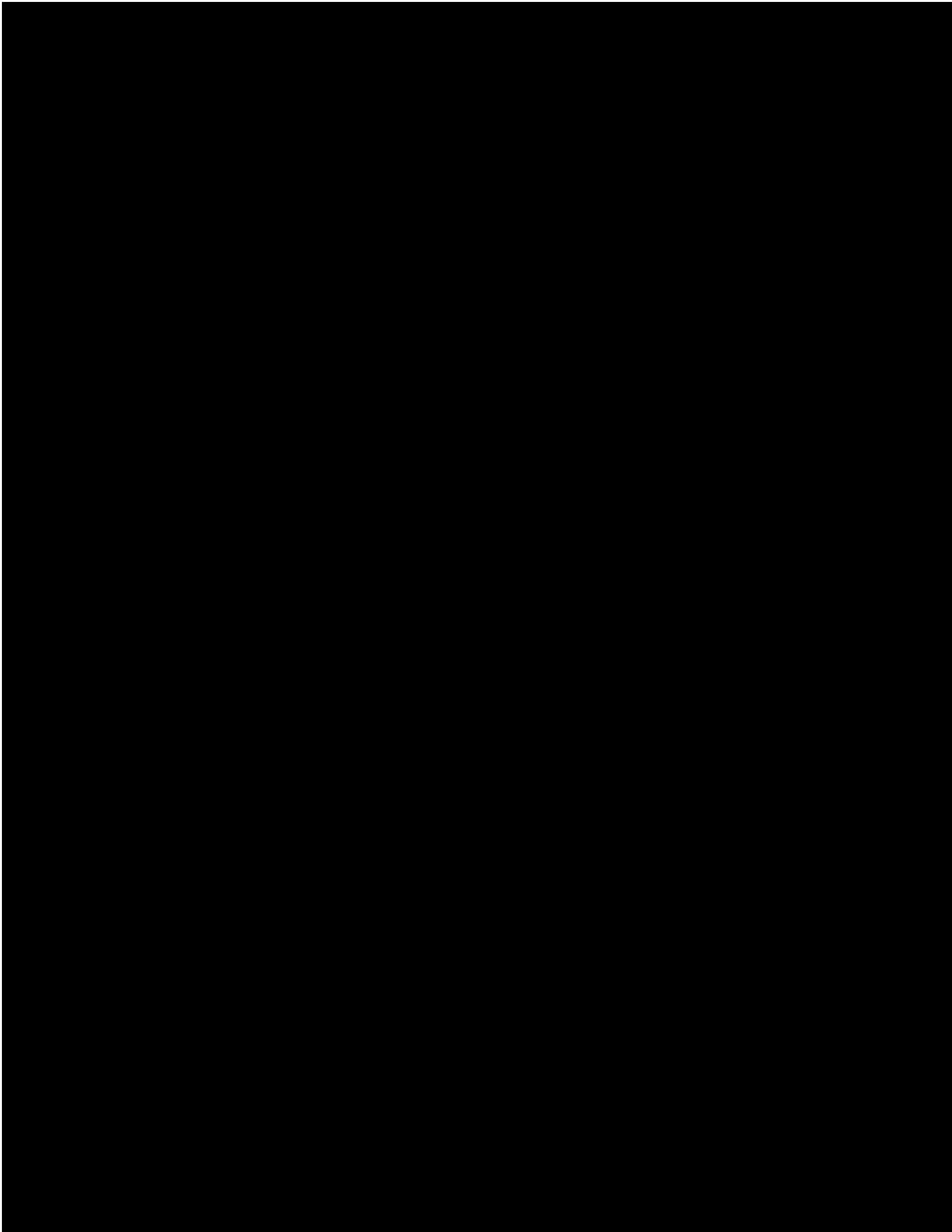
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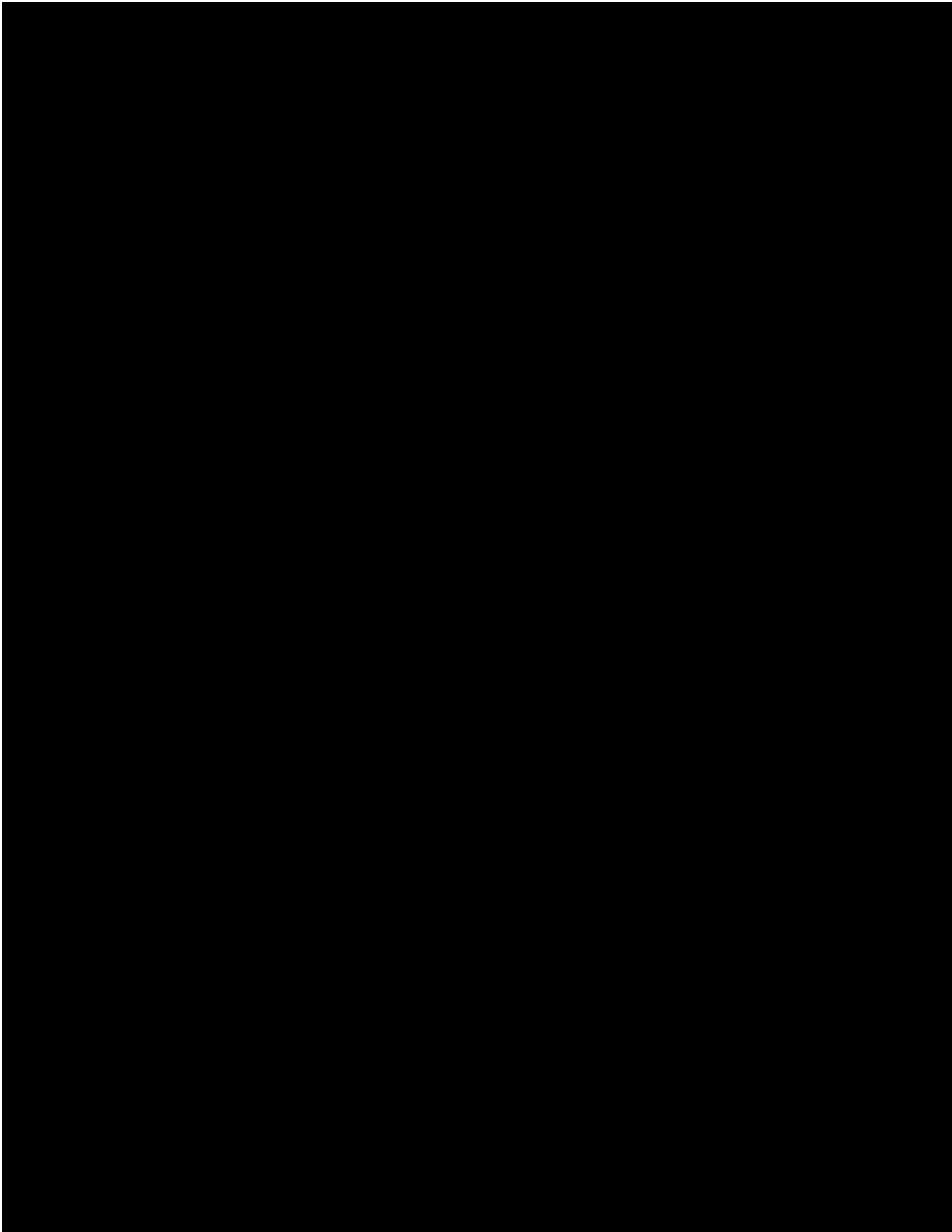












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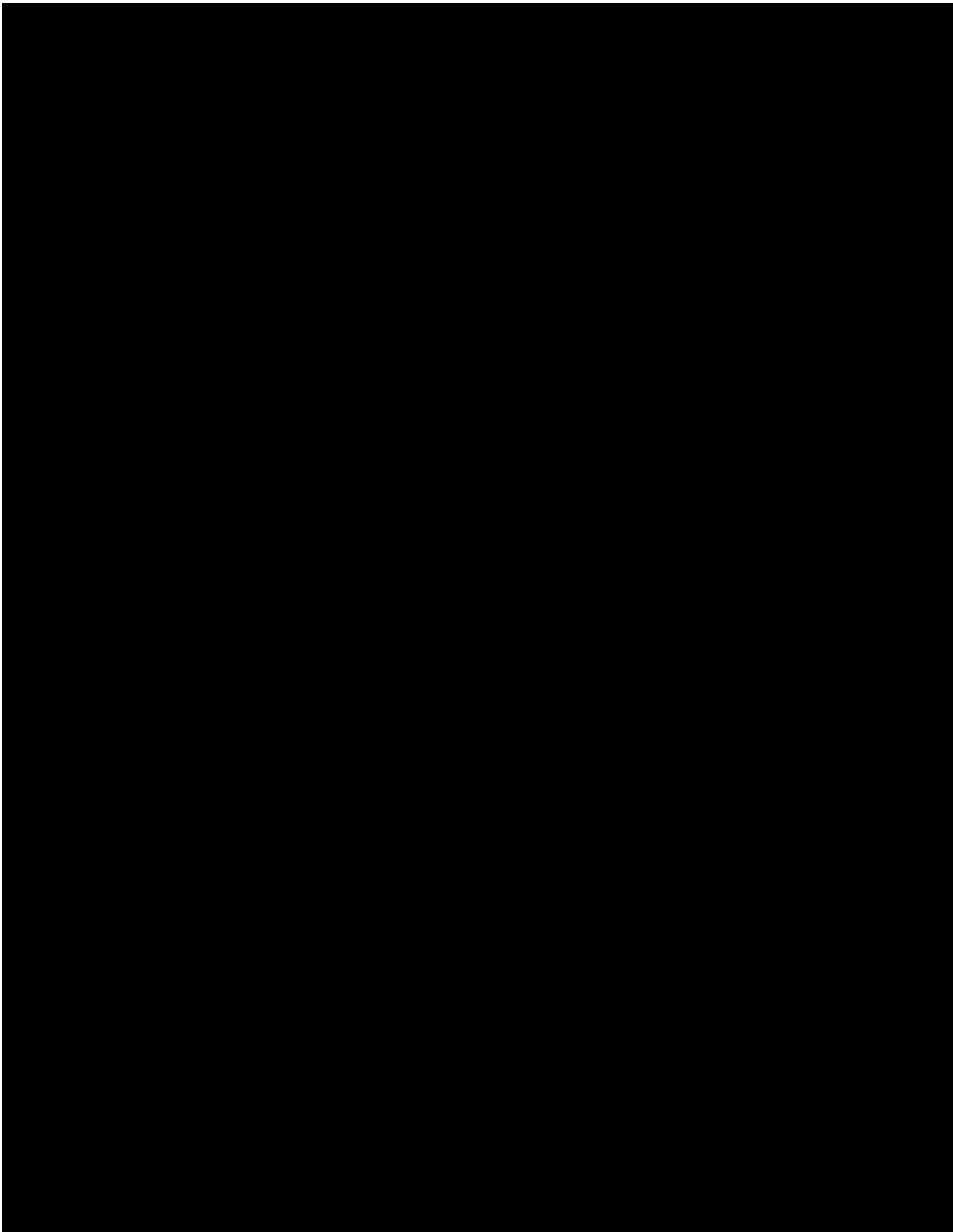


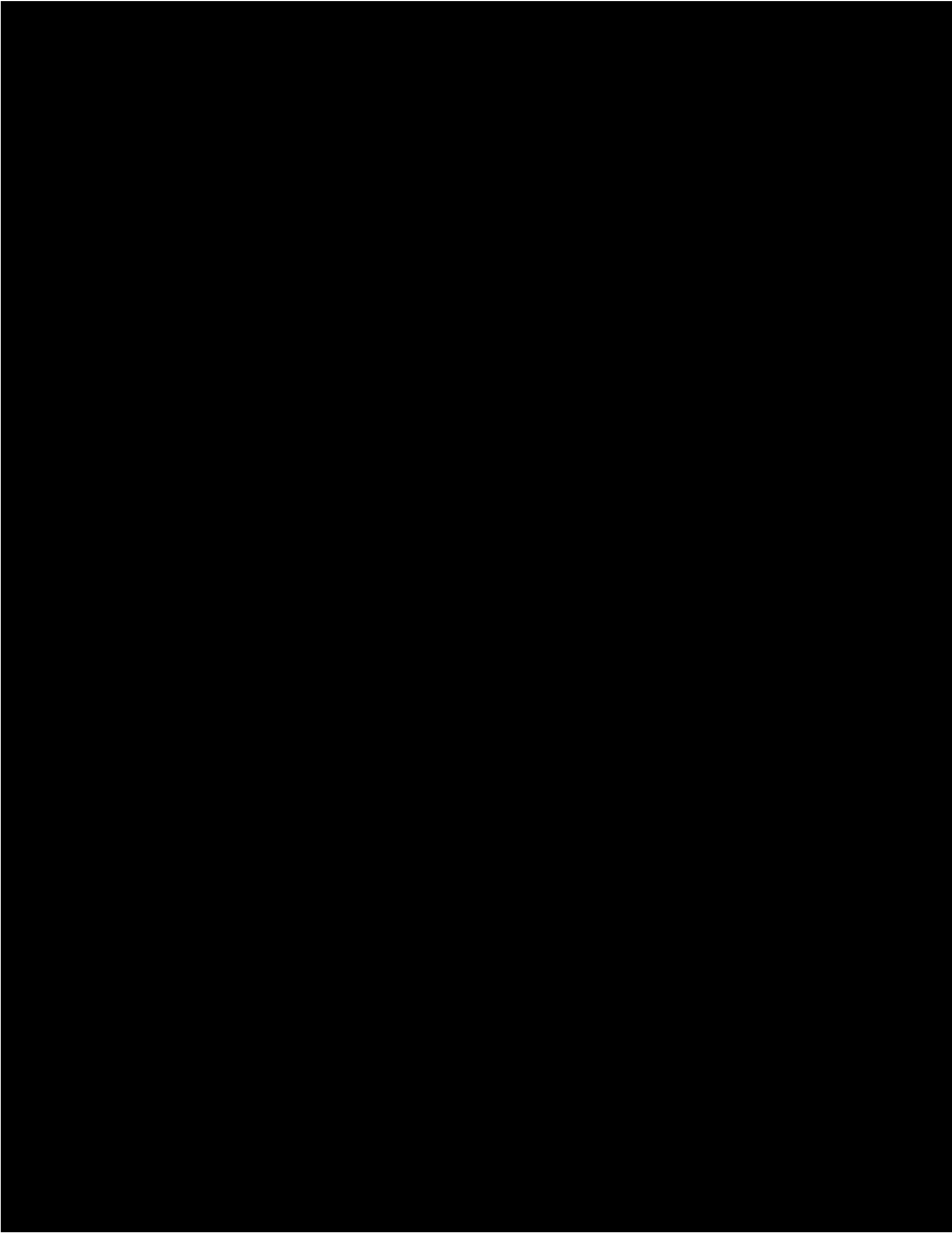


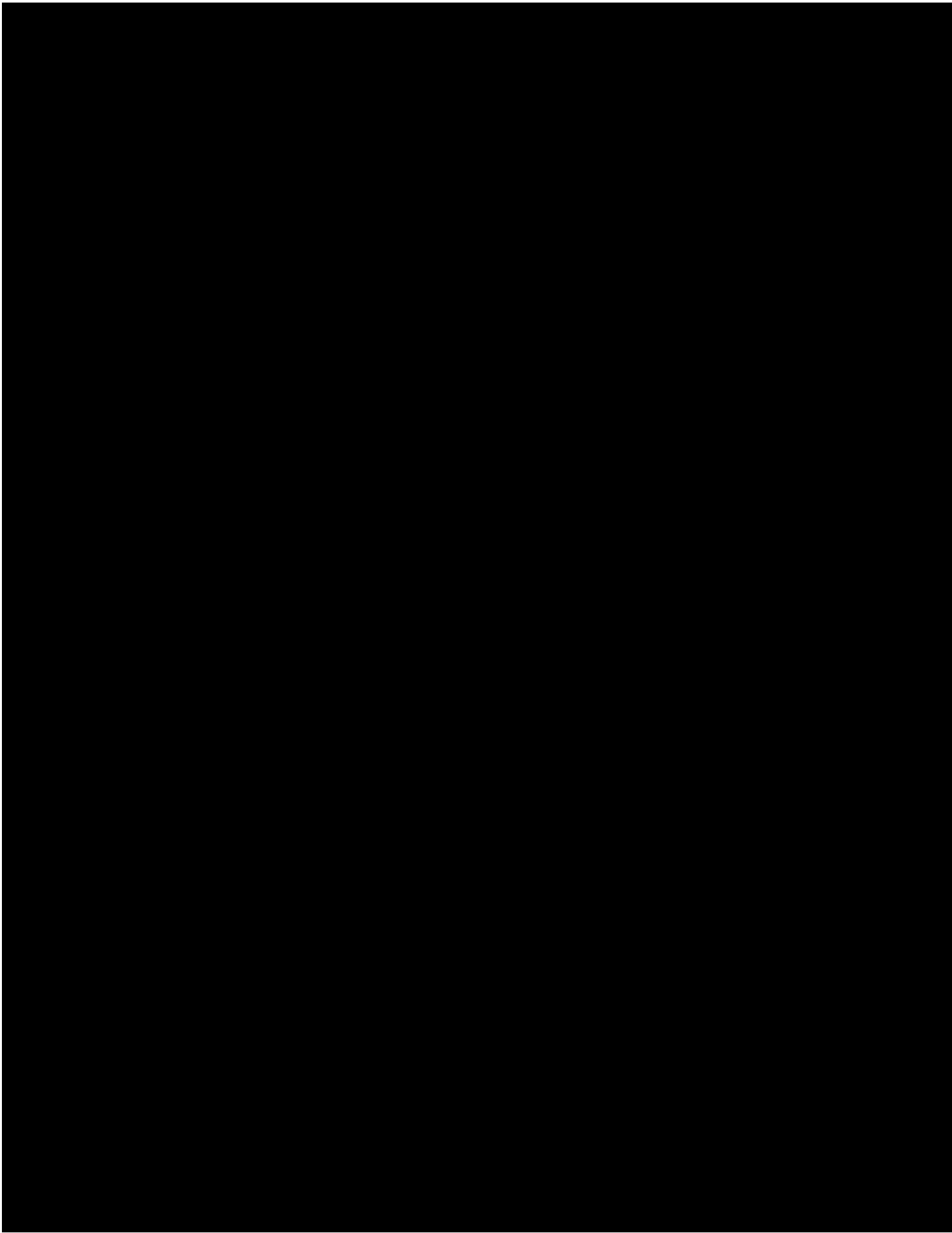










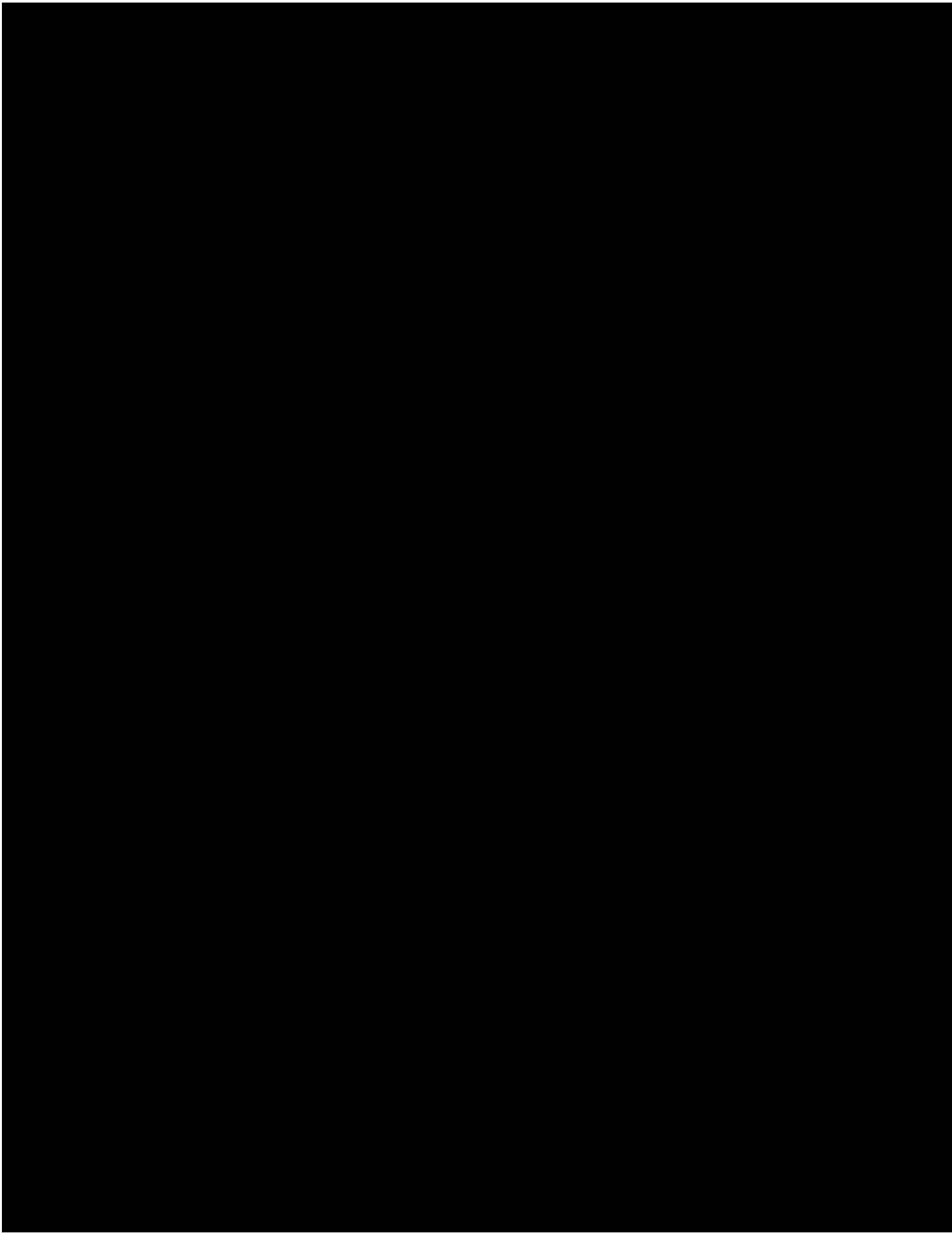




















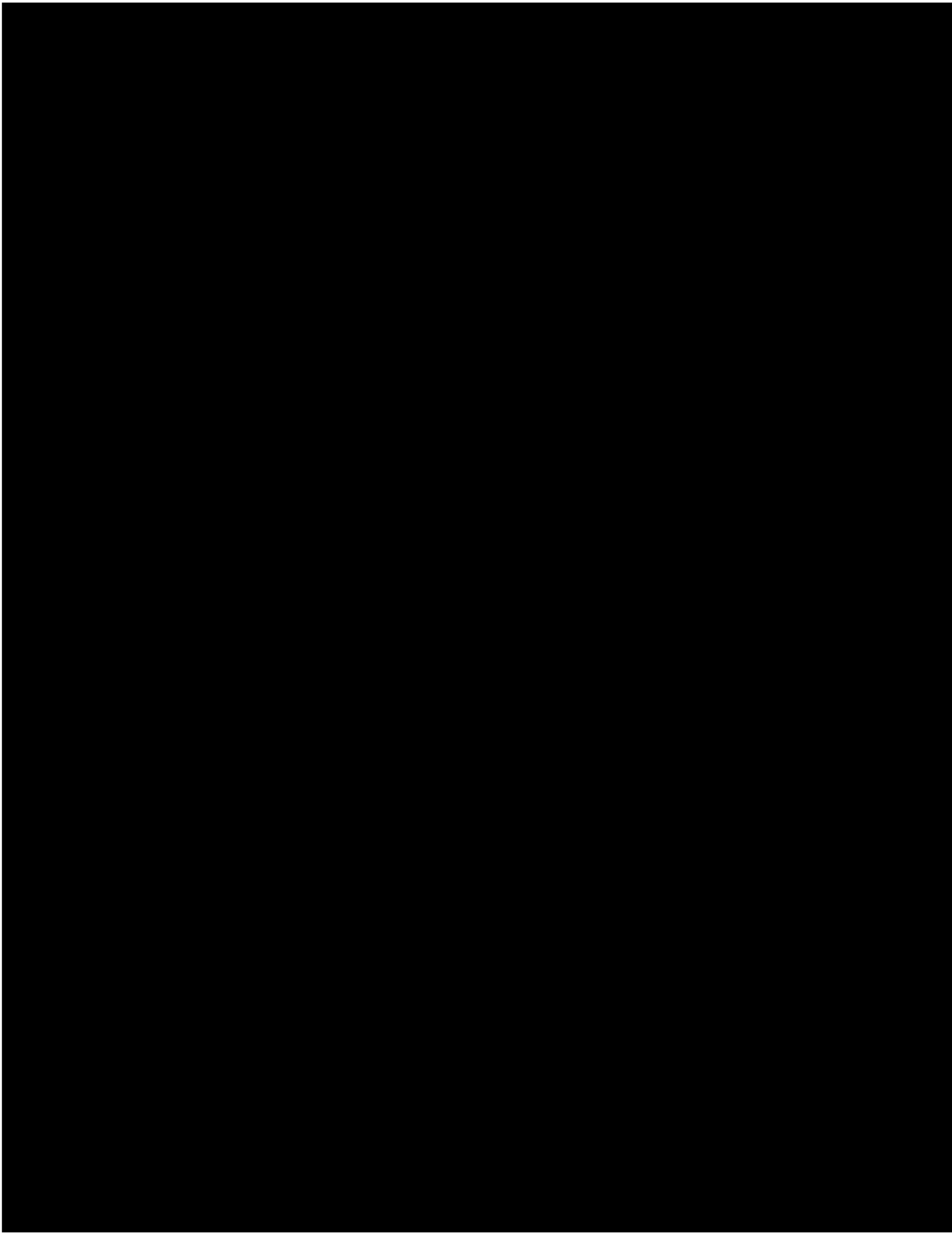










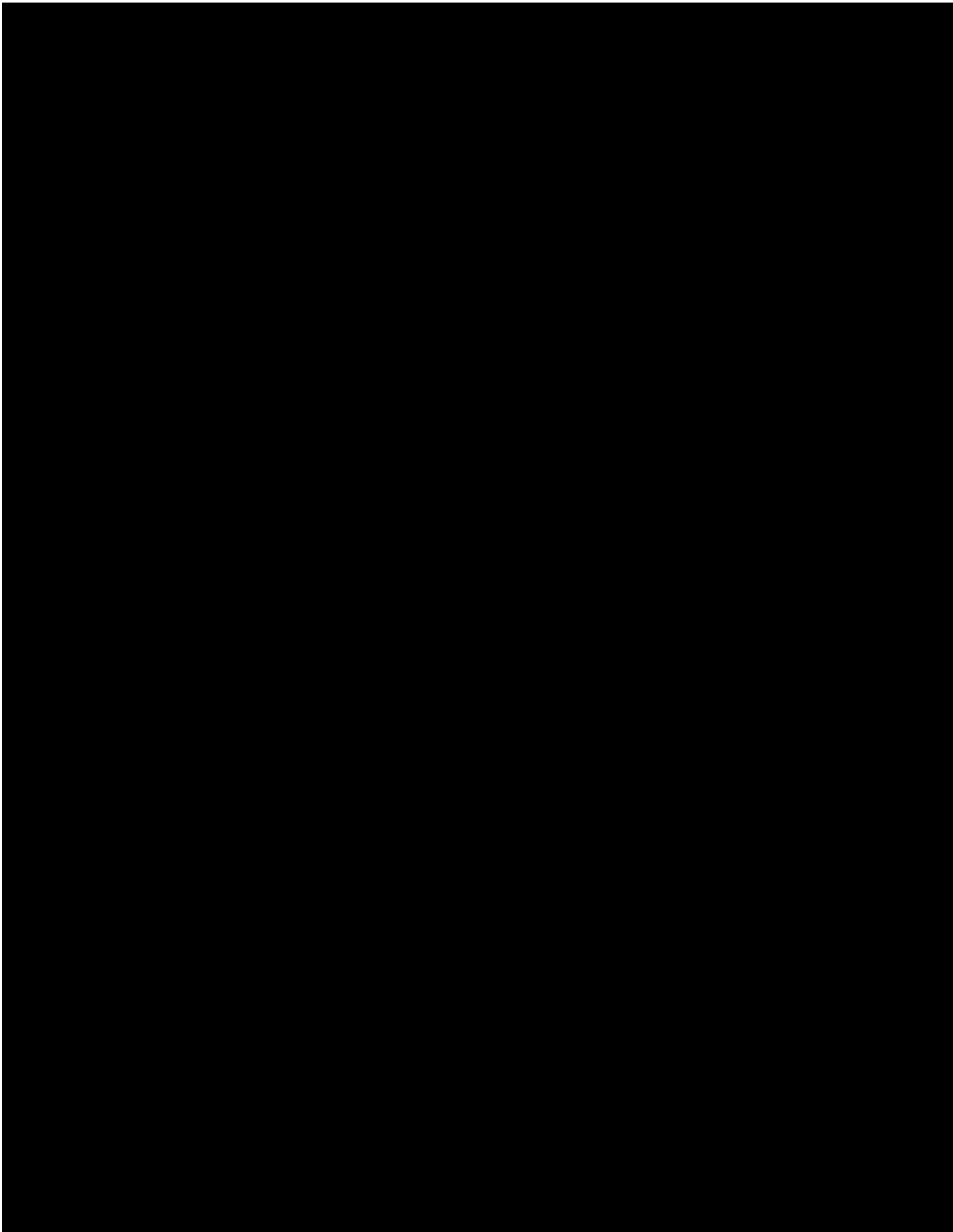










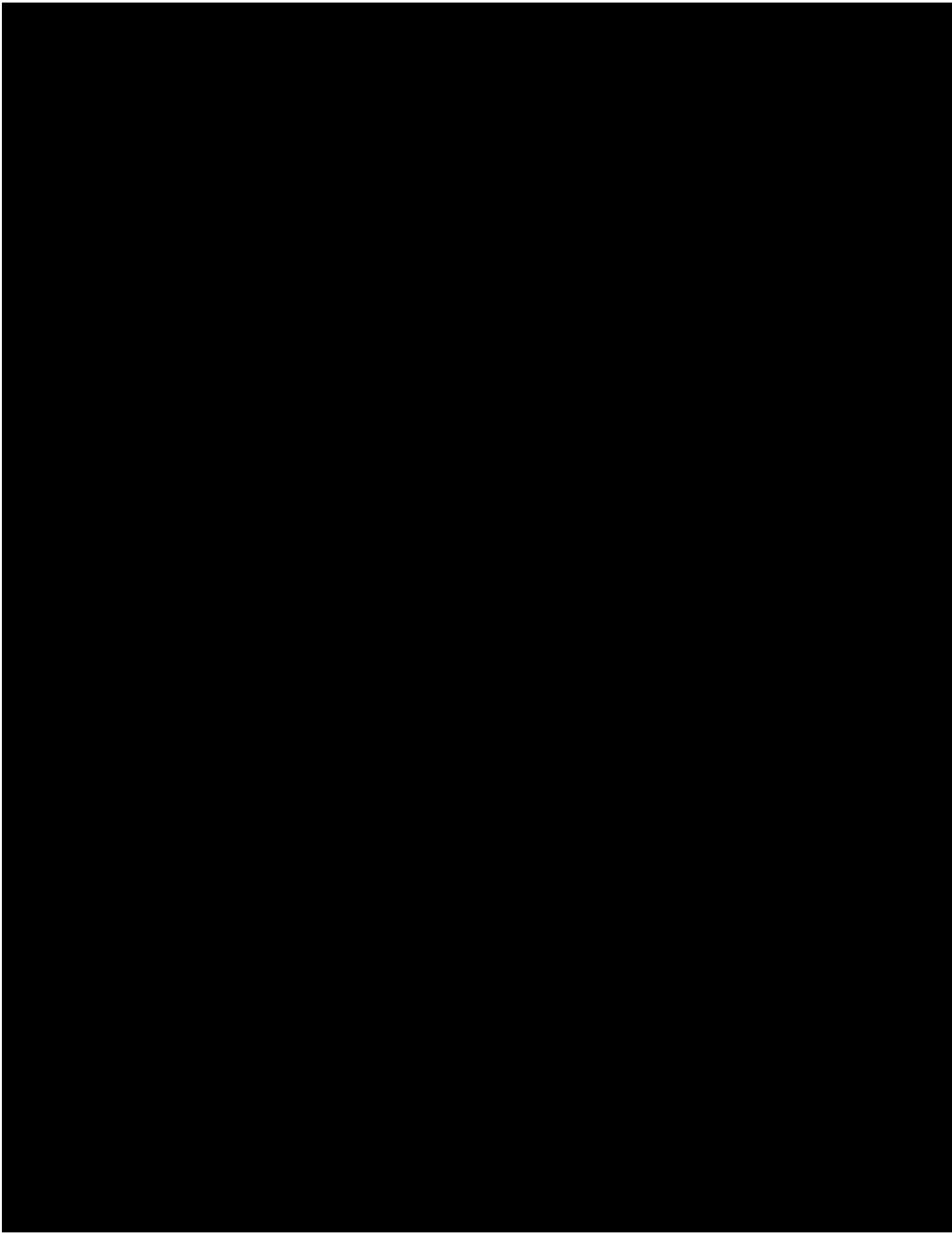






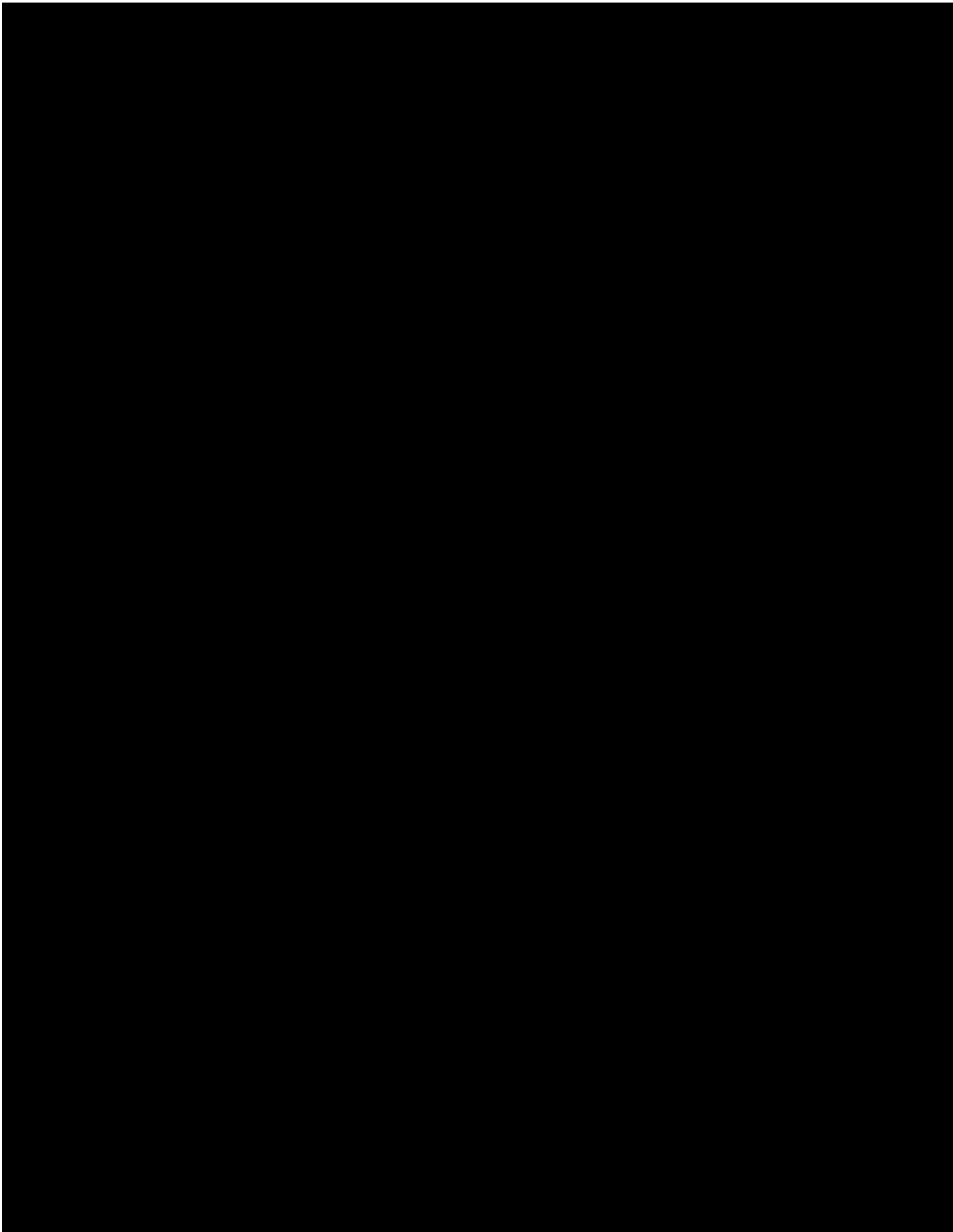














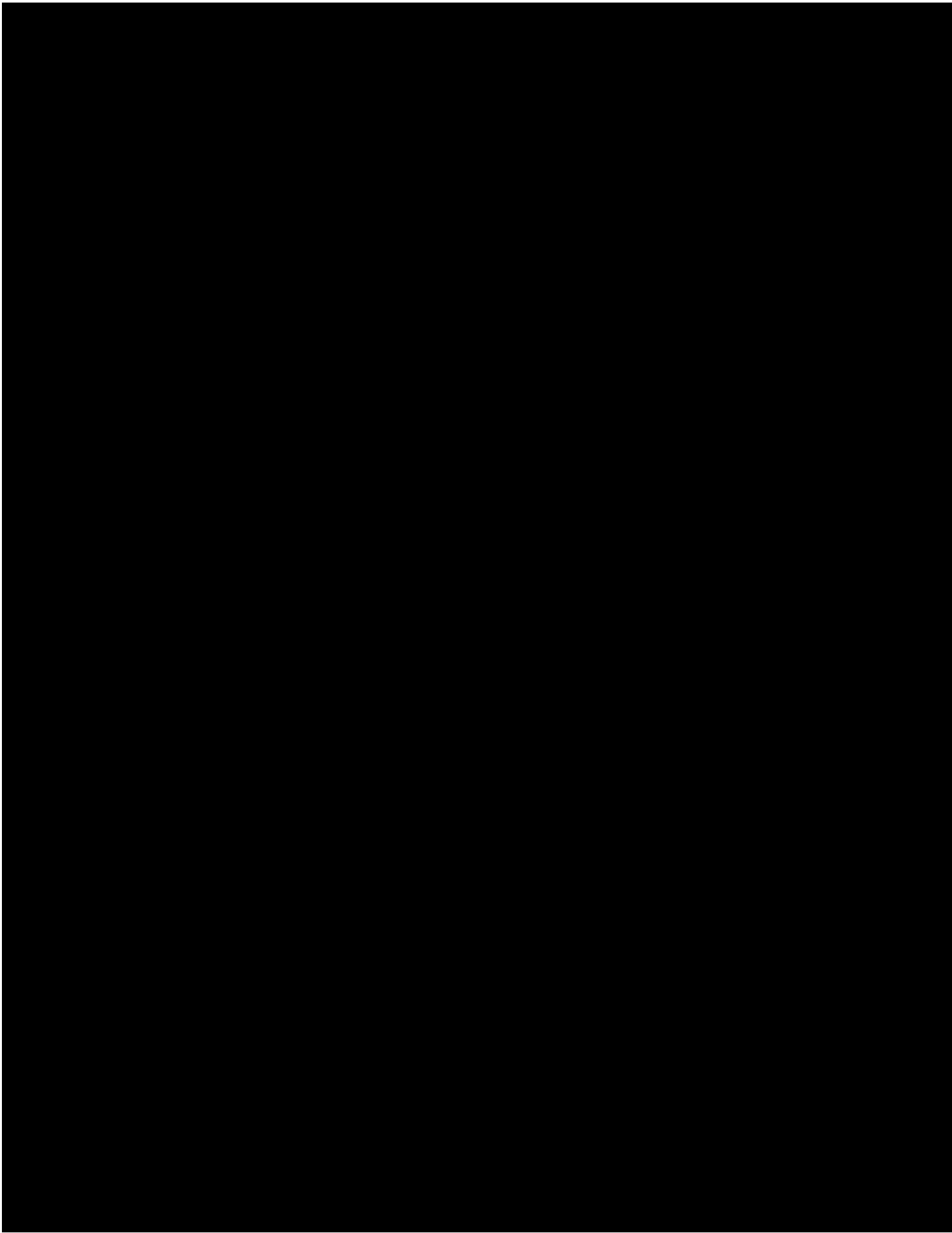










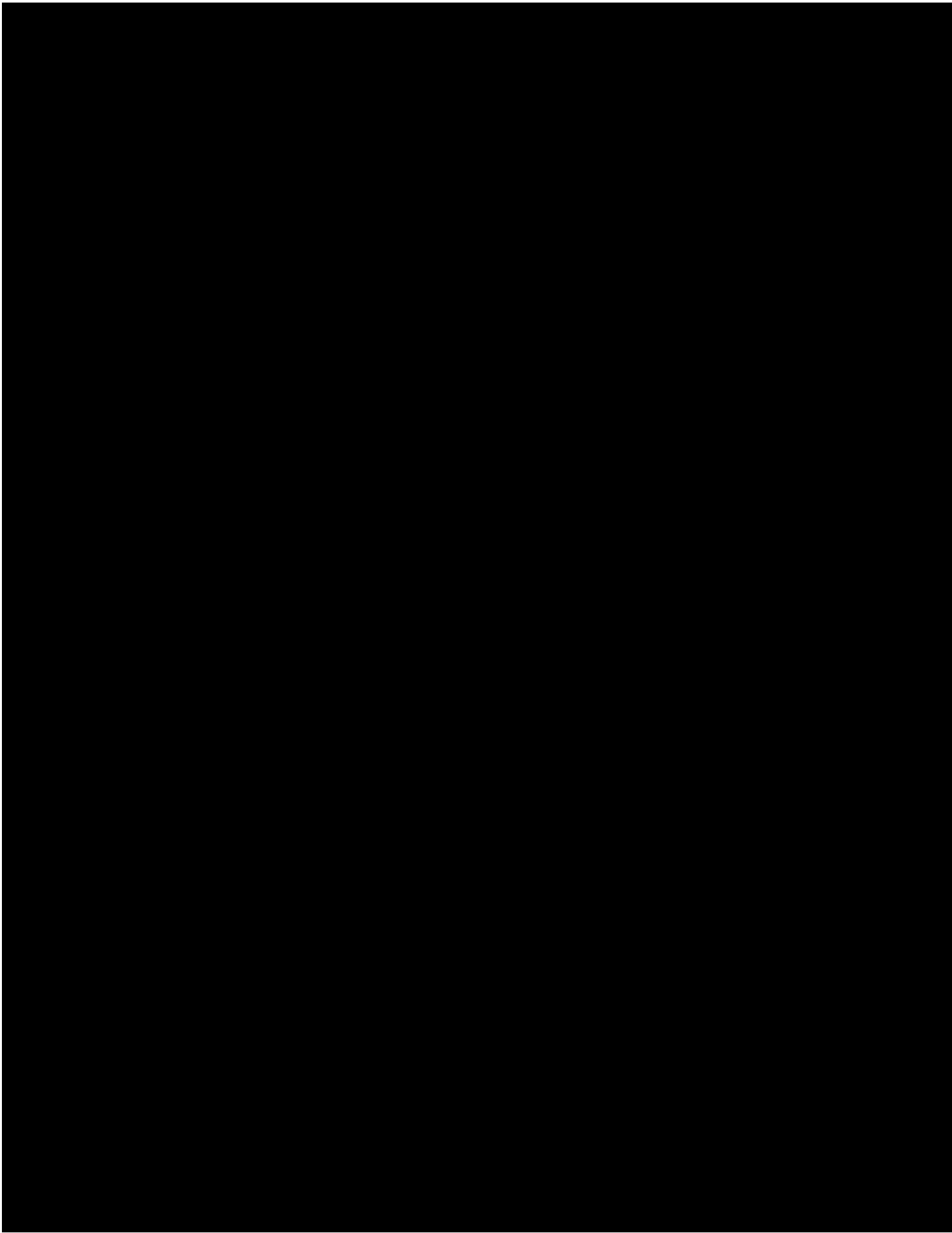










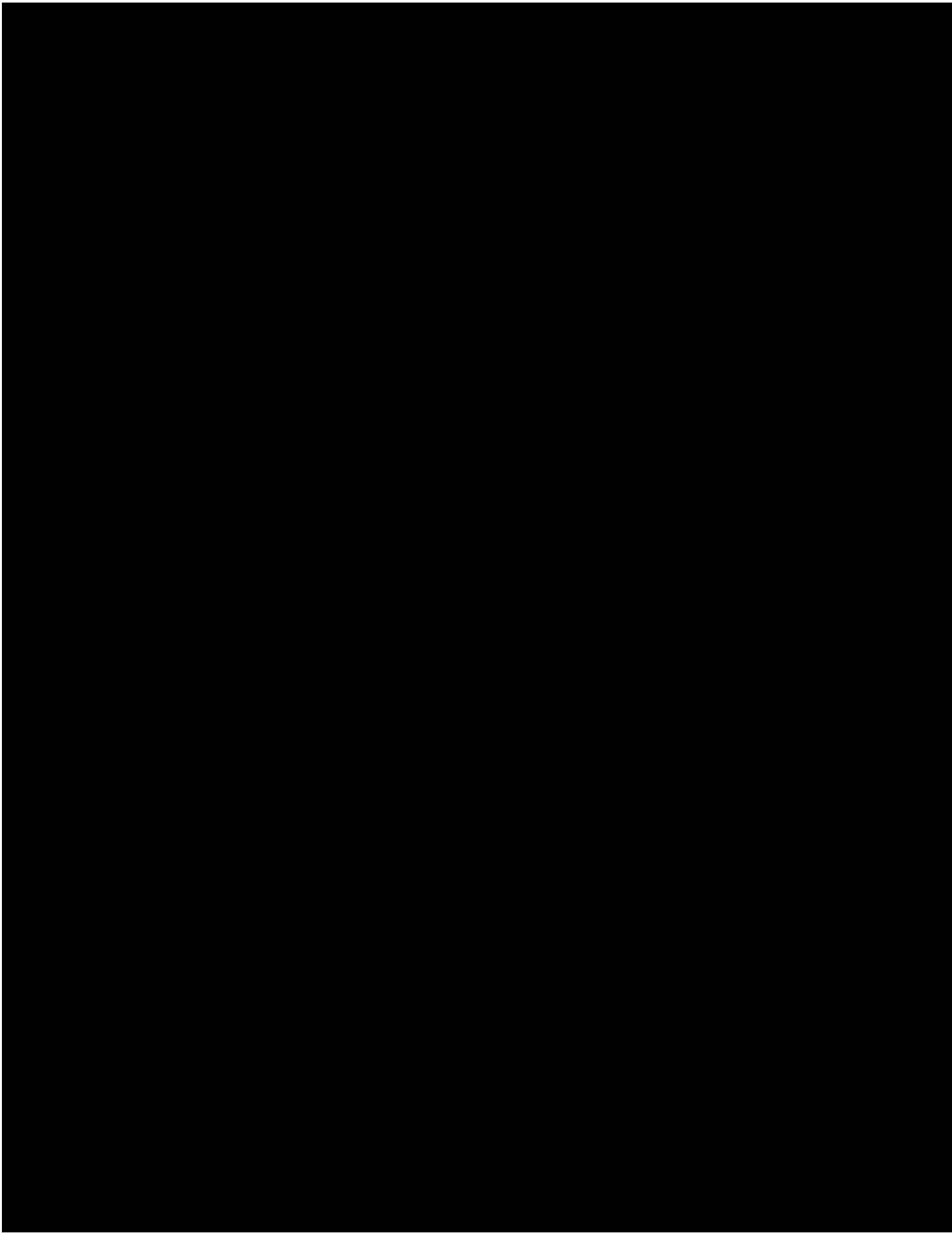










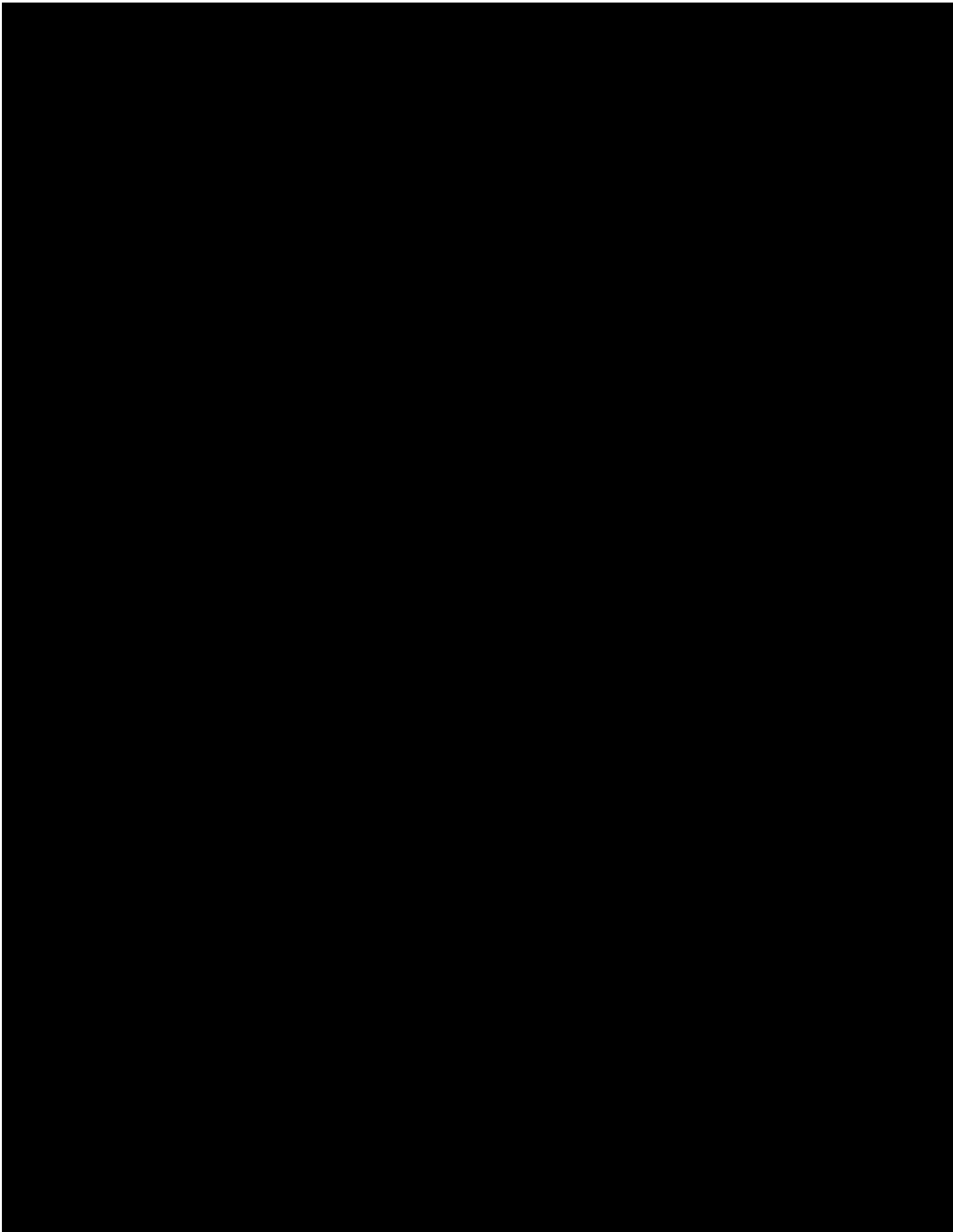






















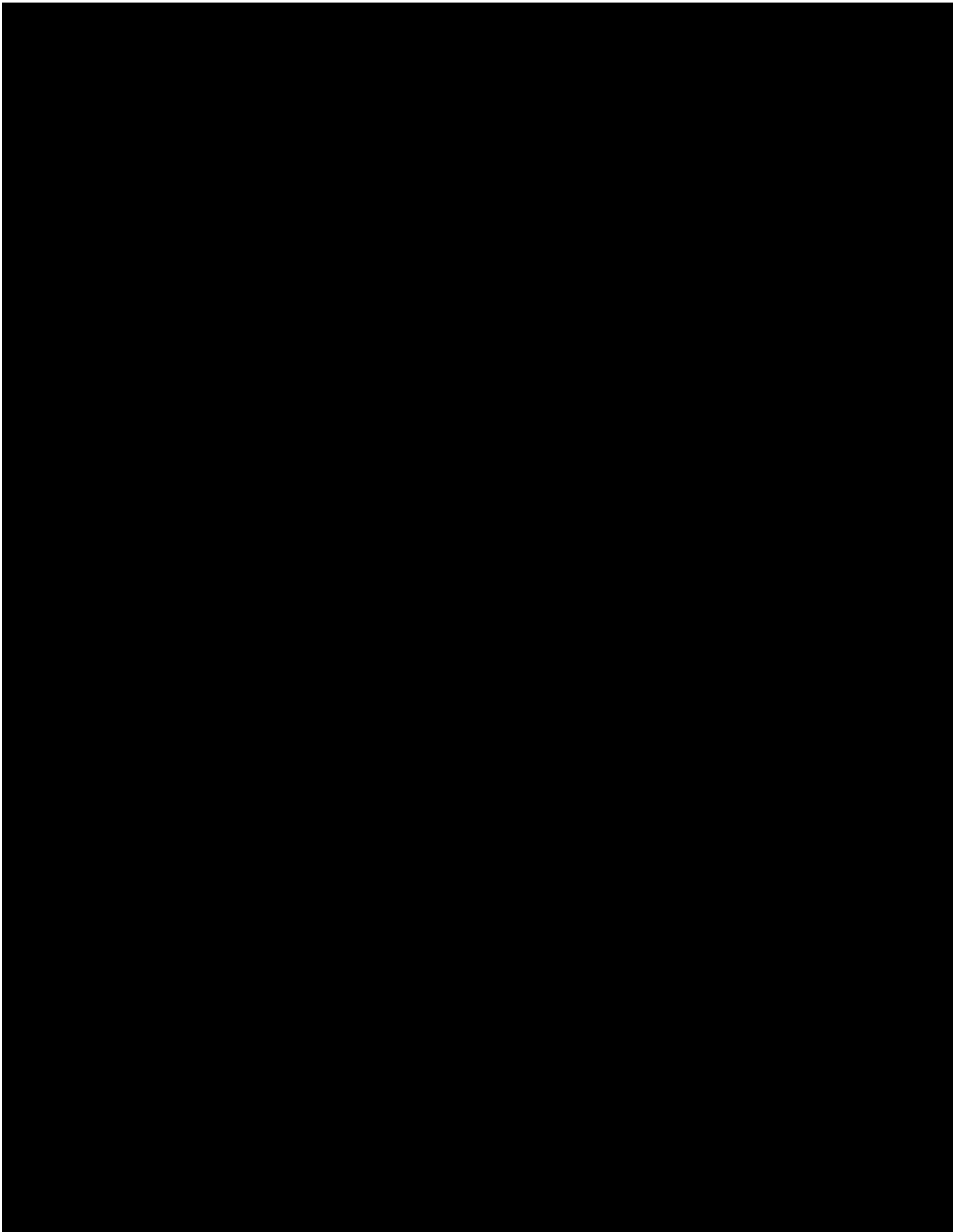














































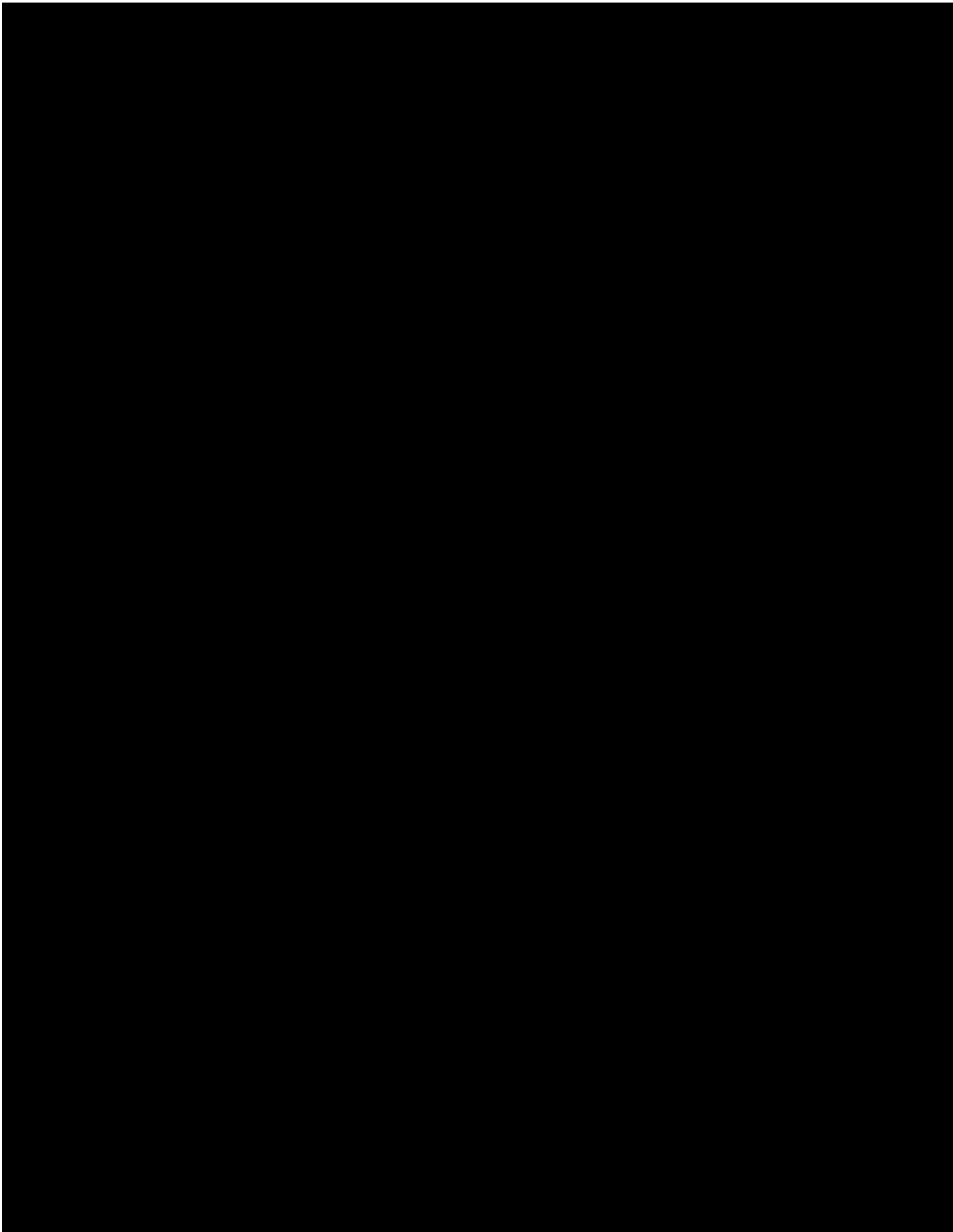




















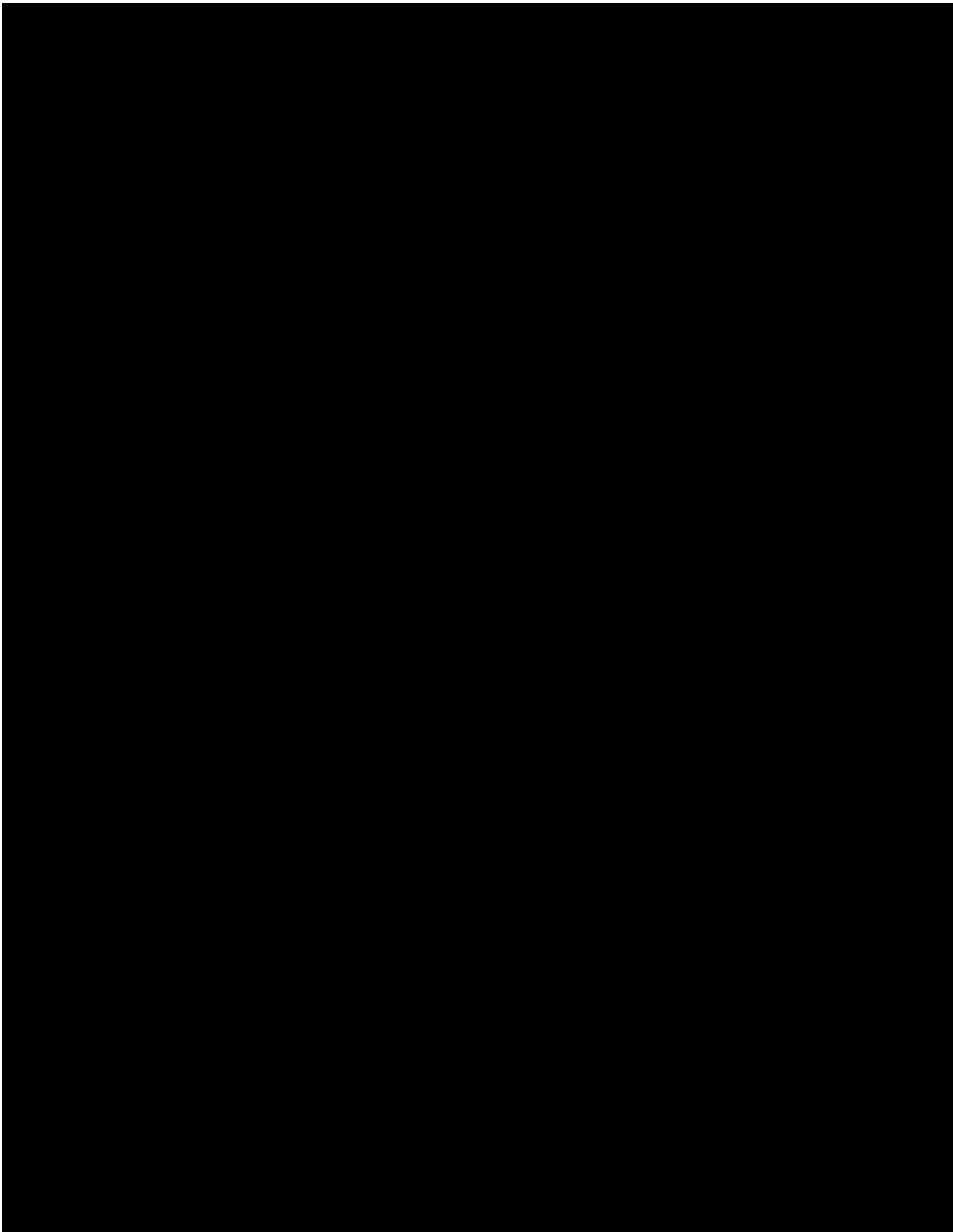


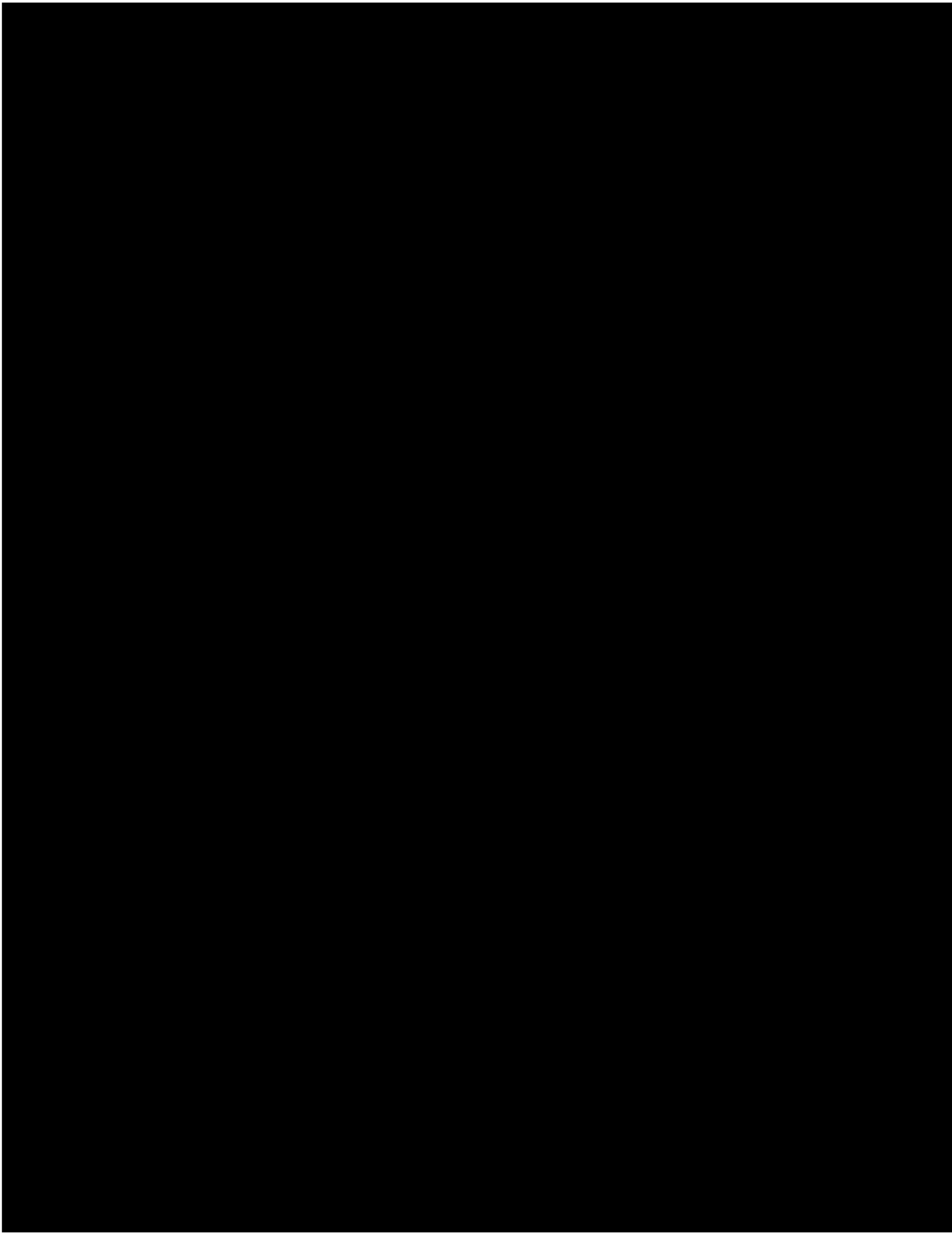


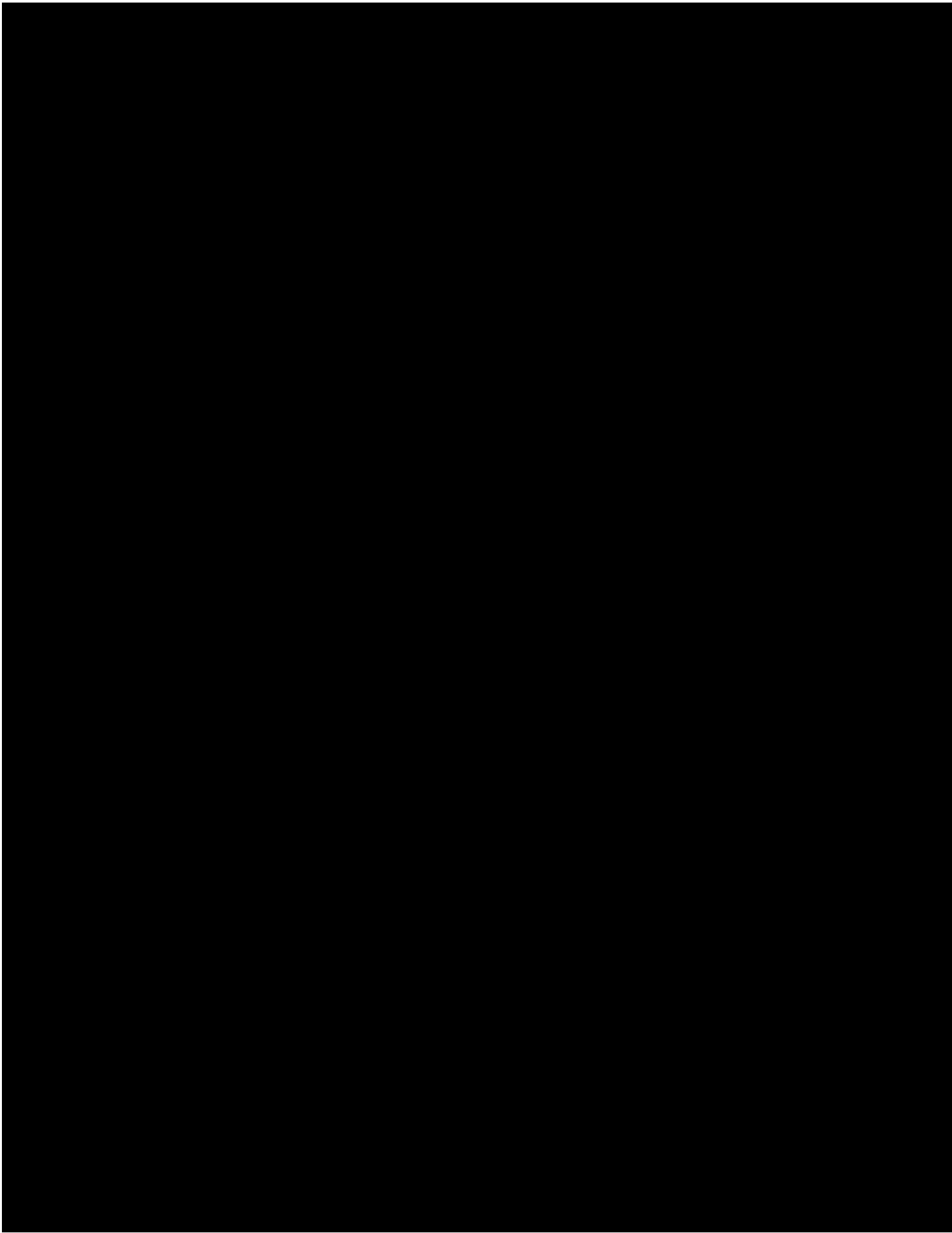


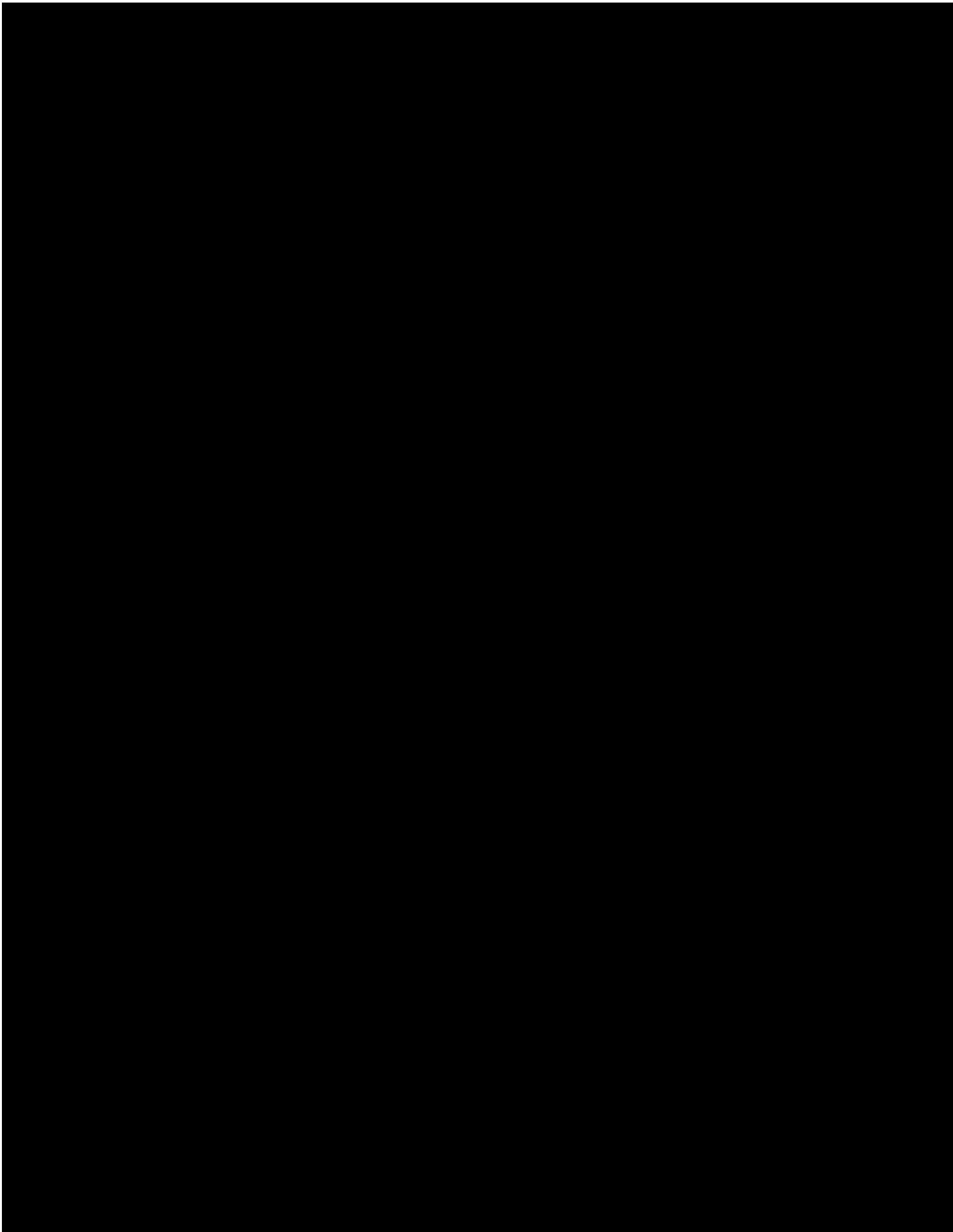
















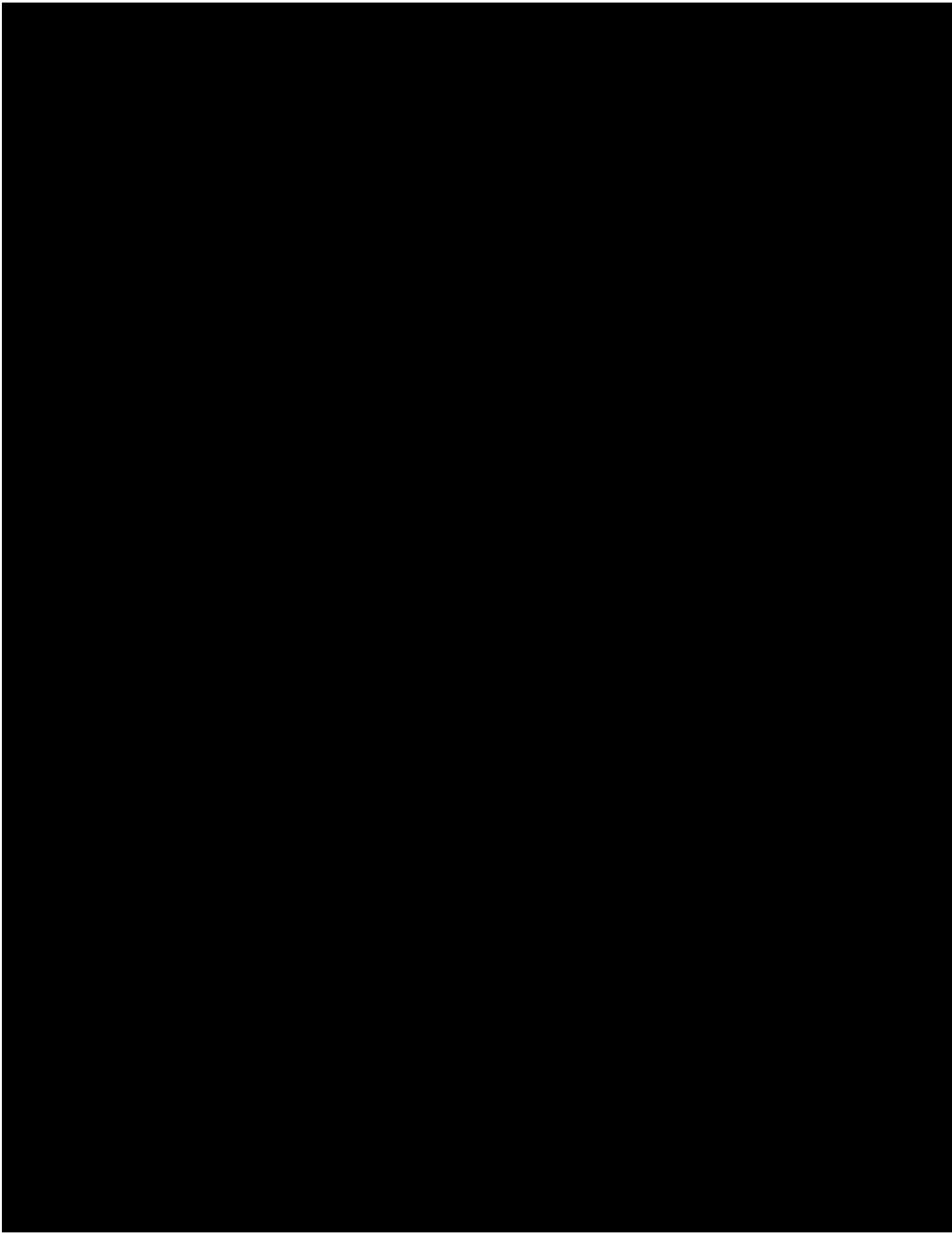


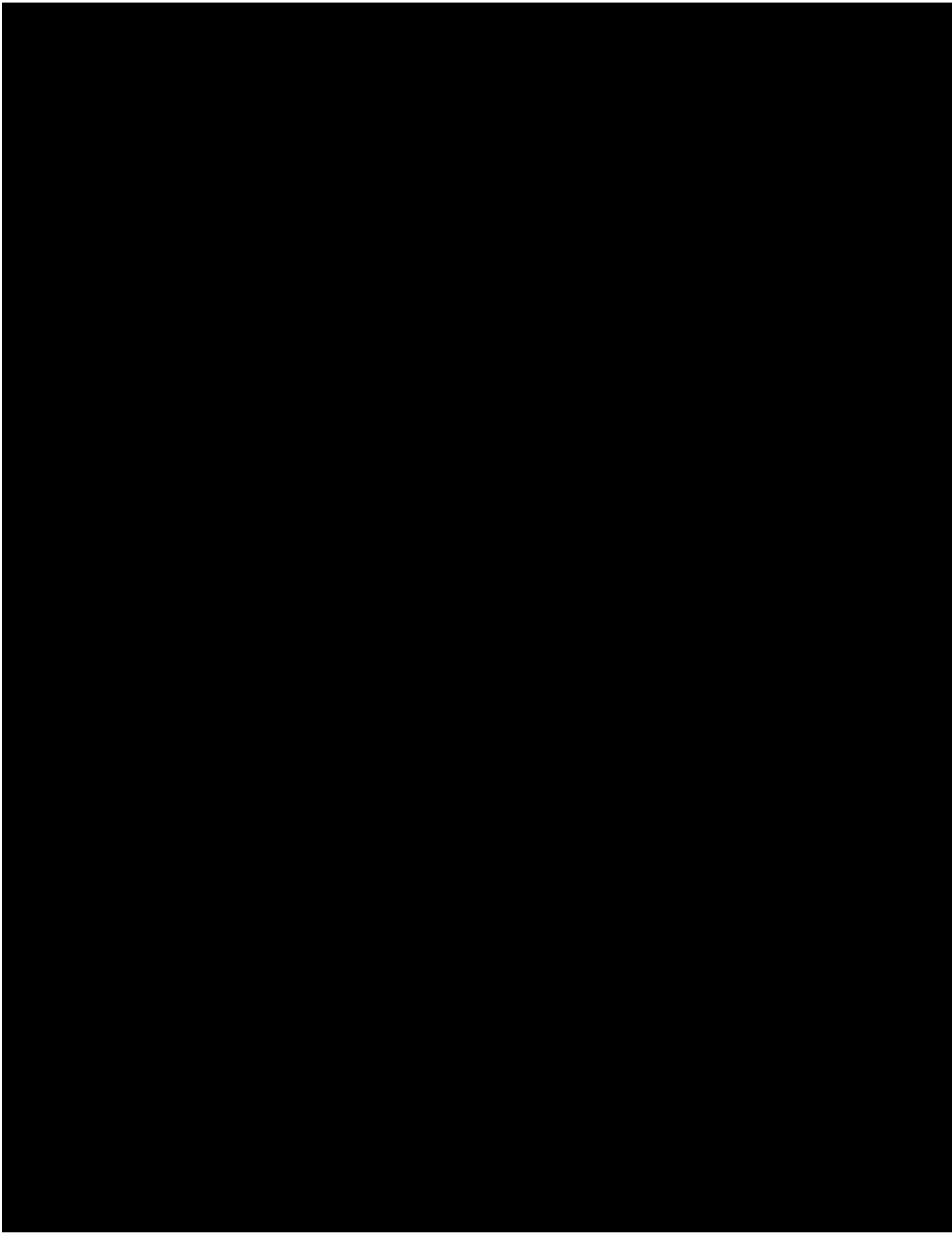














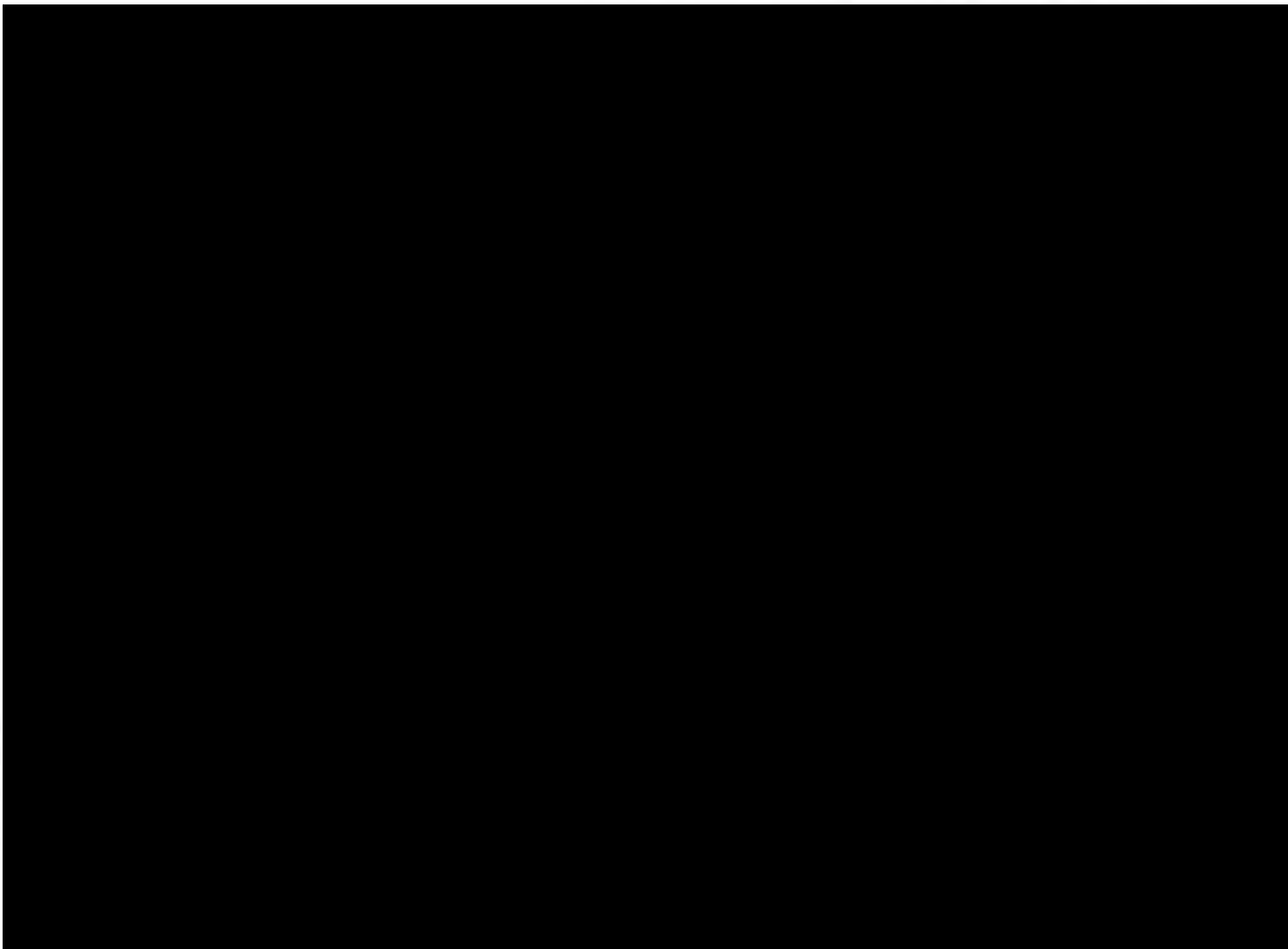
























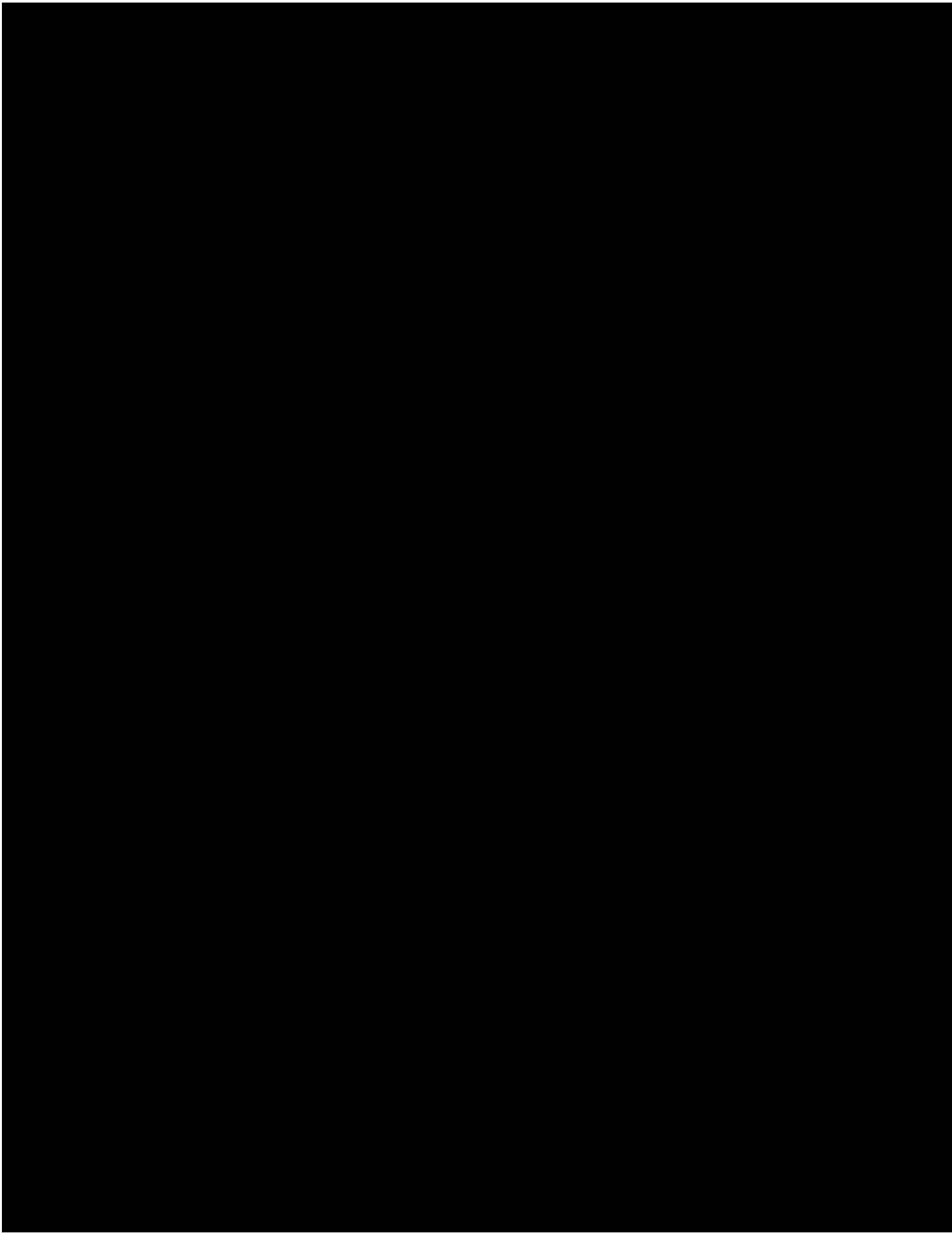






























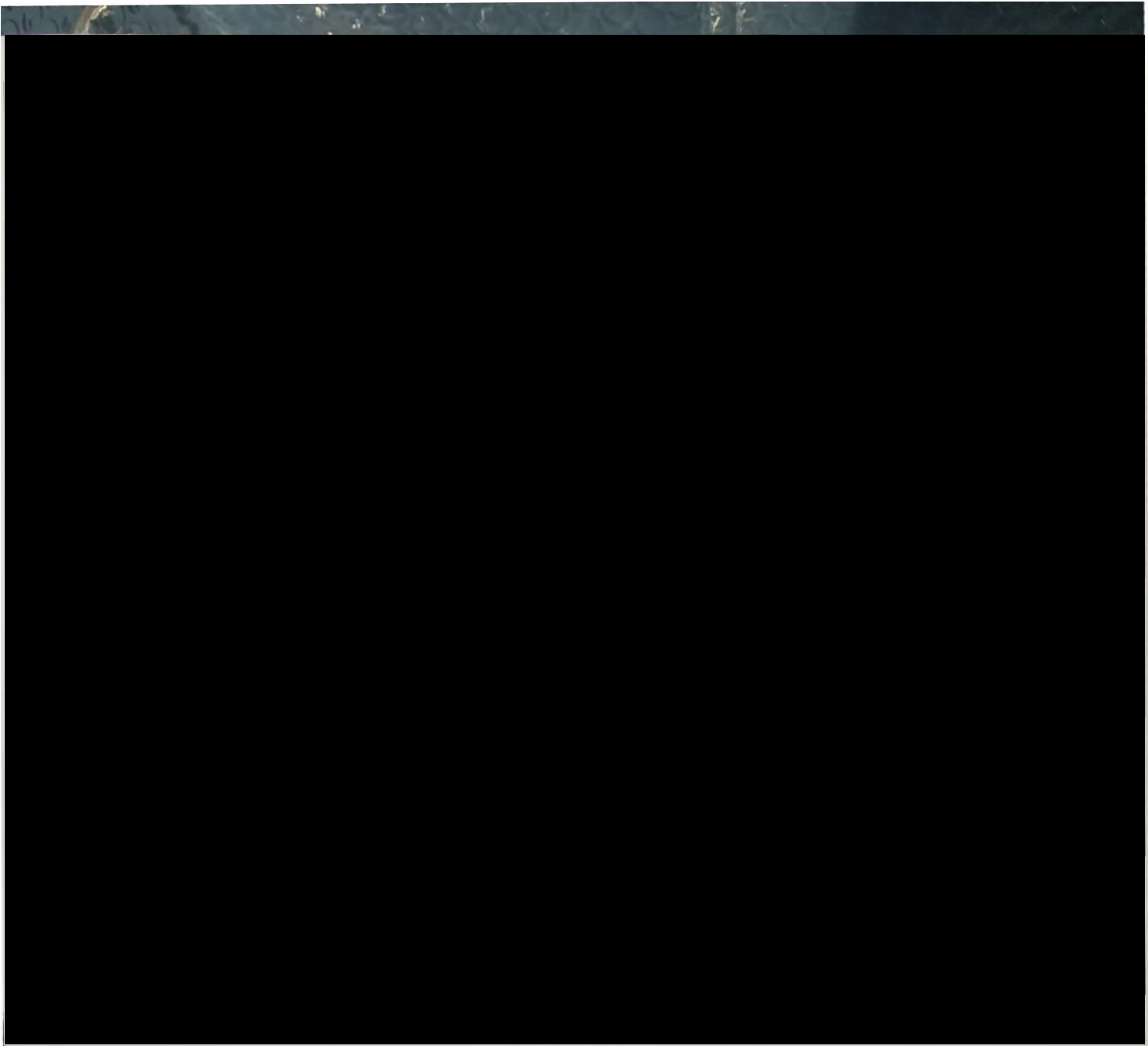












BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**SEBRENA WESTCOTT****PLAINTIFF****v.****NO. 190008****UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES****RESPONDENT****AFFIDAVIT OF SEBRENA WESTCOTT**

BEFORE ME, the undersigned authority on this day personally appeared SEBRENA WESTCOTT, who being first duly sworn, deposed and stated as follows:

"My name is Sebrene Westcott. I am over eighteen (18) years of age. I currently reside at

██ I have never been convicted of a crime and am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.


On September 16, 2017, I entered the entryway of the University of Arkansas for Medical Sciences (UAMS) Emergency Room. While entering the first automatic door, I tripped and fell on the rug and suffered great injuries. I had on black closed-toe flat shoes.

I have viewed the brief 1:05 (minute: second) video that has been provided to my attorney. The automatic door remained opened for the entirety of the video showing that the rug was already disturbed over the threshold keeping the automatic door sensor from activating and closing.



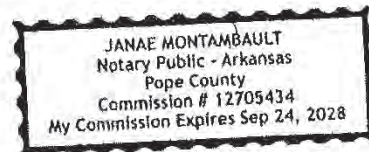
The first gentleman encounters the disturbed rug but was fortunate enough to only hang his foot up without falling. He did not create this hazard, it was already there. The second gentlemen walked in and barely misses catching his foot as well, in fact it looks like he brushed it.

The rug is disturbed and a hazard the entirety of the video and someone should have noticed the door not shutting. I was the unfortunate one, due to no fault of my own, to encounter this hazard and suffer severe injuries due to this incident. I did not see the rug was disturbed before I fell. Also, all of my medical bills have not need paid. Balances are still owed."

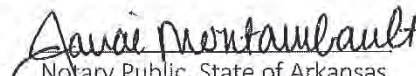

Sebrina Westcott

State of Arkansas AR))

County of Pope))



SUBSCRIBED AND SWORN TO before me on this 6th of July, 2022.


Notary Public, State of Arkansas

My Commission Expires: 9/24/2028

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

PLAINTIFF

v.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

AFFIDAVIT OF TAYLOR MCKENZIE MOREHEAD

BEFORE ME, the undersigned authority on this day personally appeared TAYLOR MCKENZIE MOREHEAD, who being first duly sworn, deposed and stated as follows:

"My name is Taylor McKenzie Morehead. I am over eighteen (18) years of age. I currently am a current employee of Taylor King Law. I have never been convicted of a crime and am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

[REDACTED]

[REDACTED]

Taylor McKenzie Morehead
Taylor McKenzie Morehead



State of Arkansas))

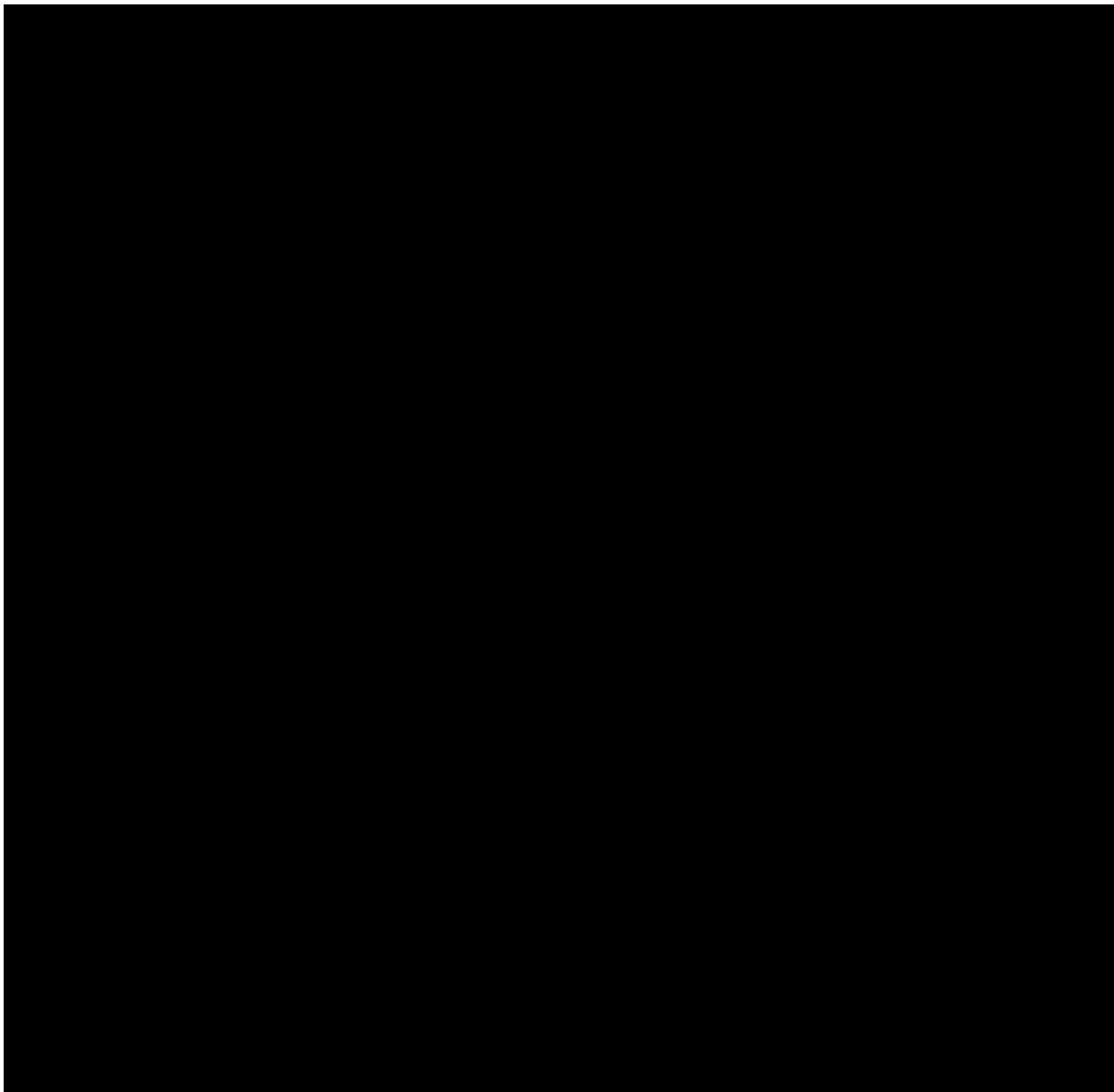
County of Clark))

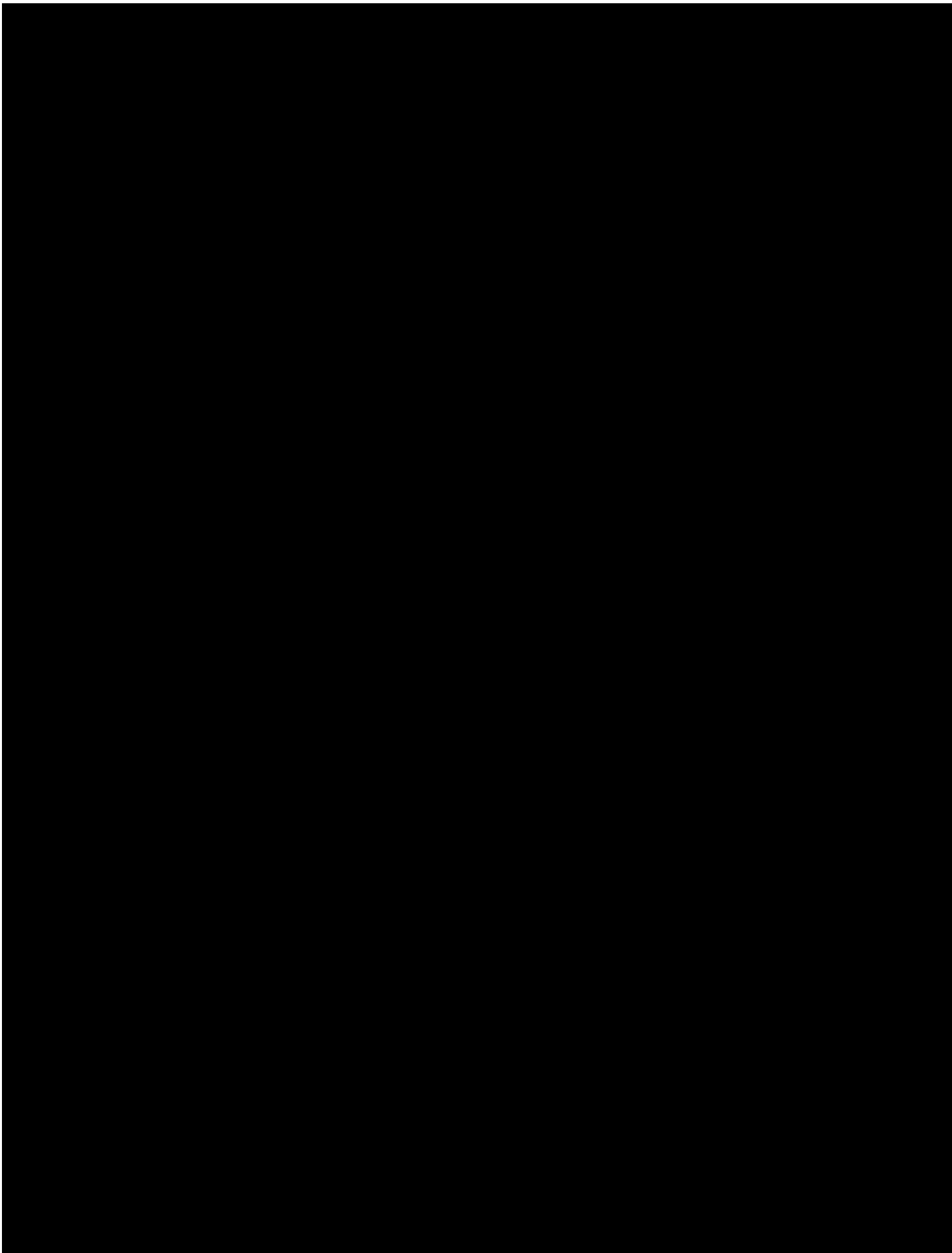
SUBSCRIBED AND SWORN TO before me on this 6 of July, 2022.



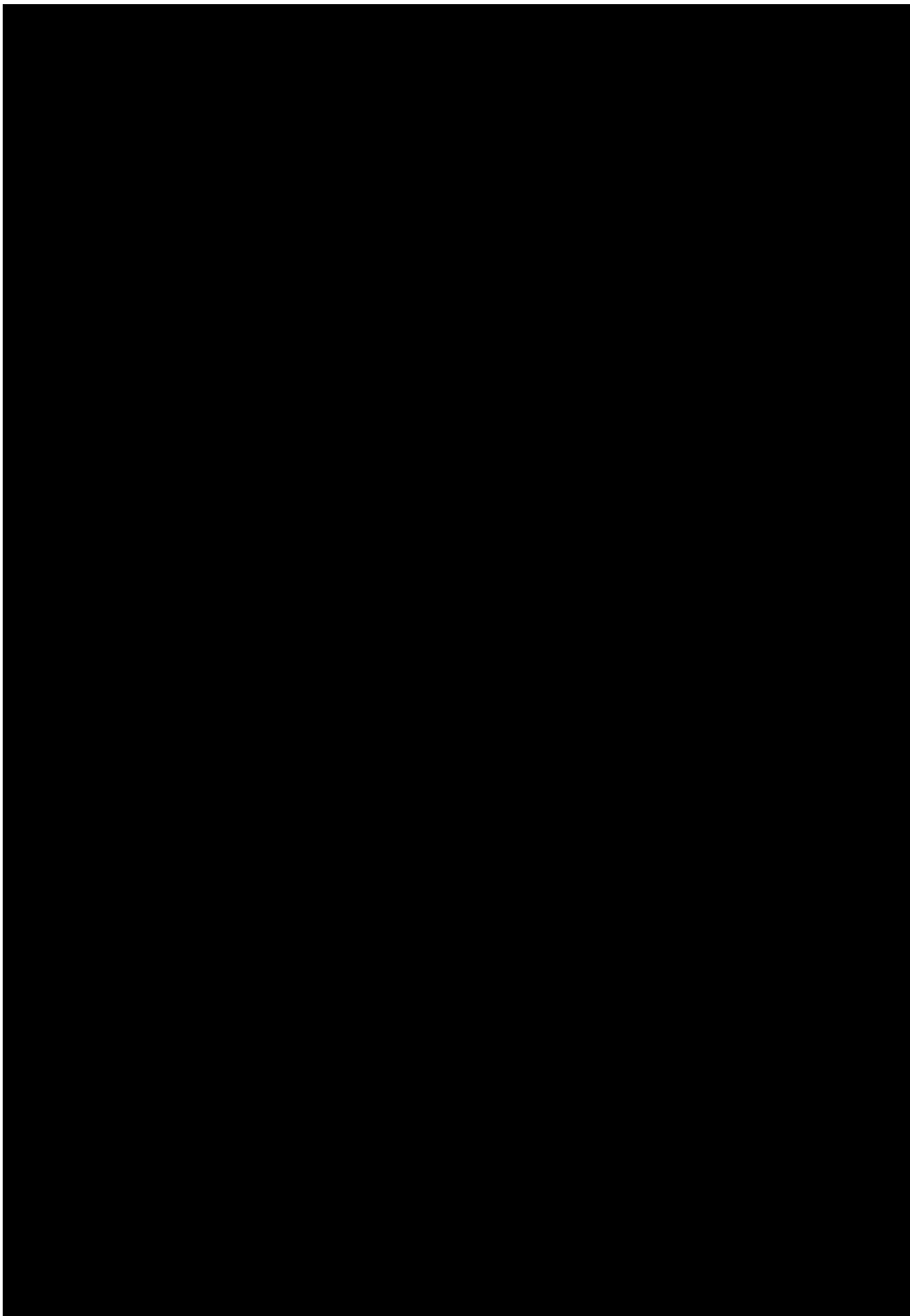
Gaysha Adams
Notary Public, State of Arkansas

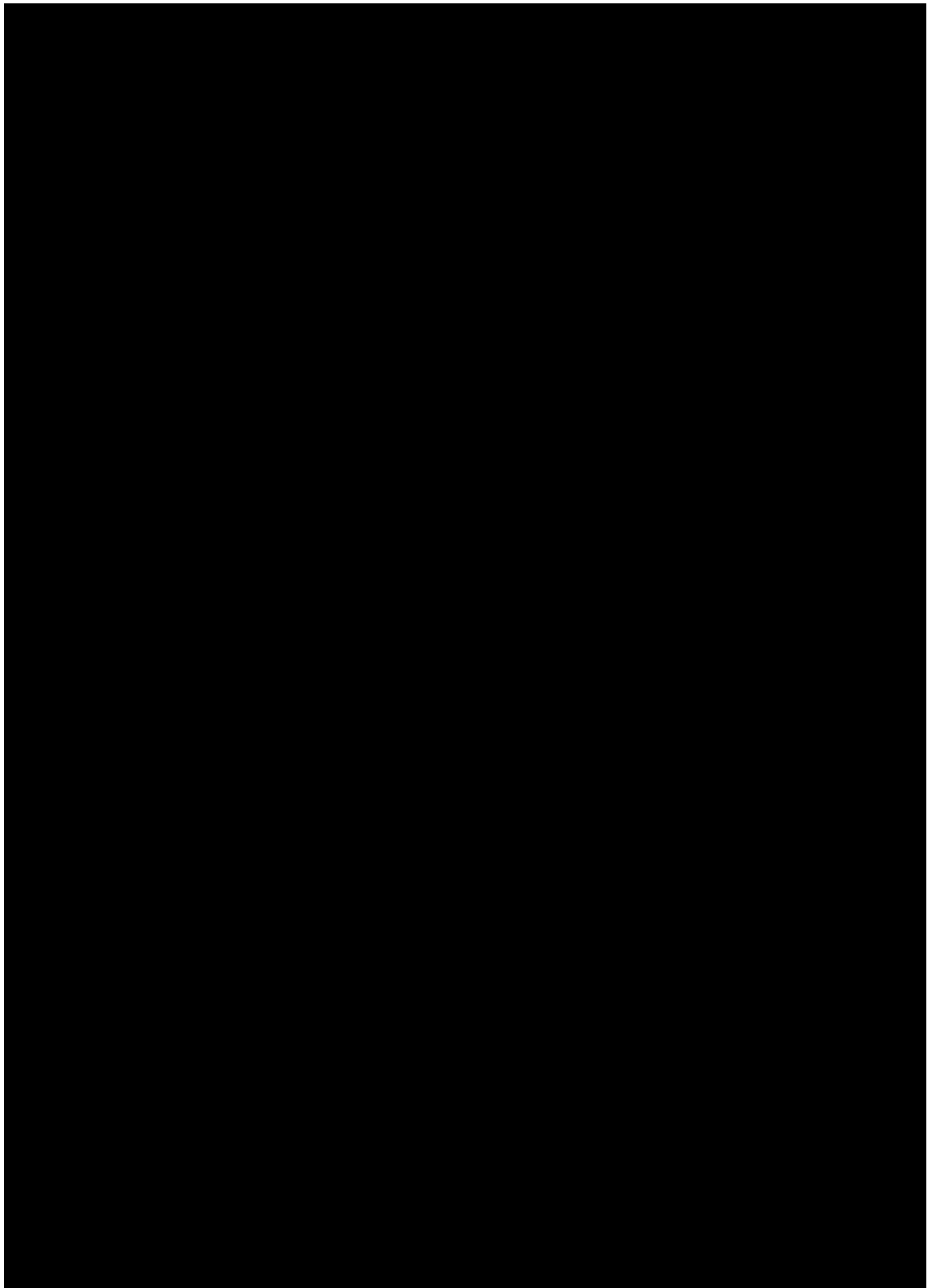
My Commission Expires: June 14, 2025

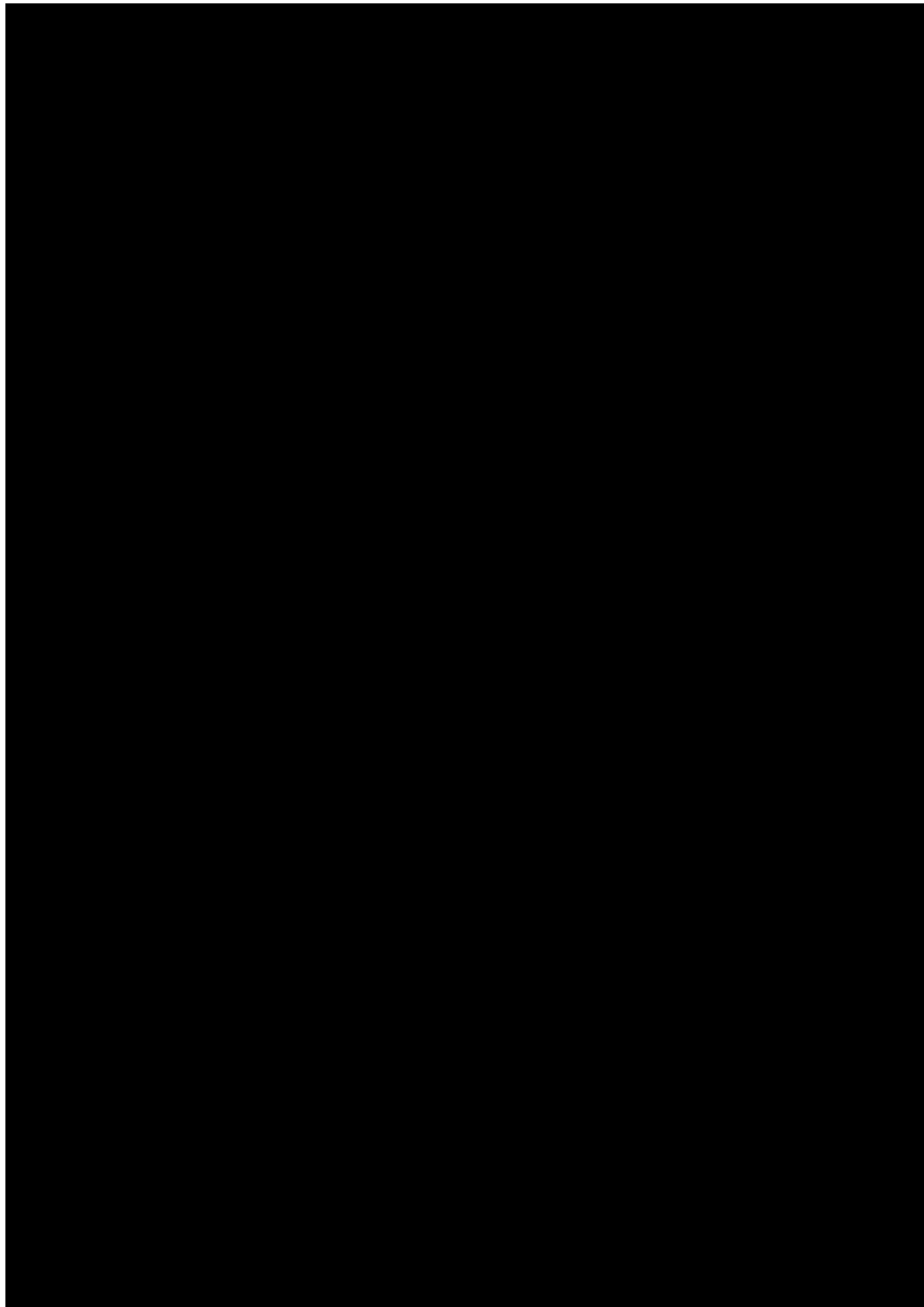


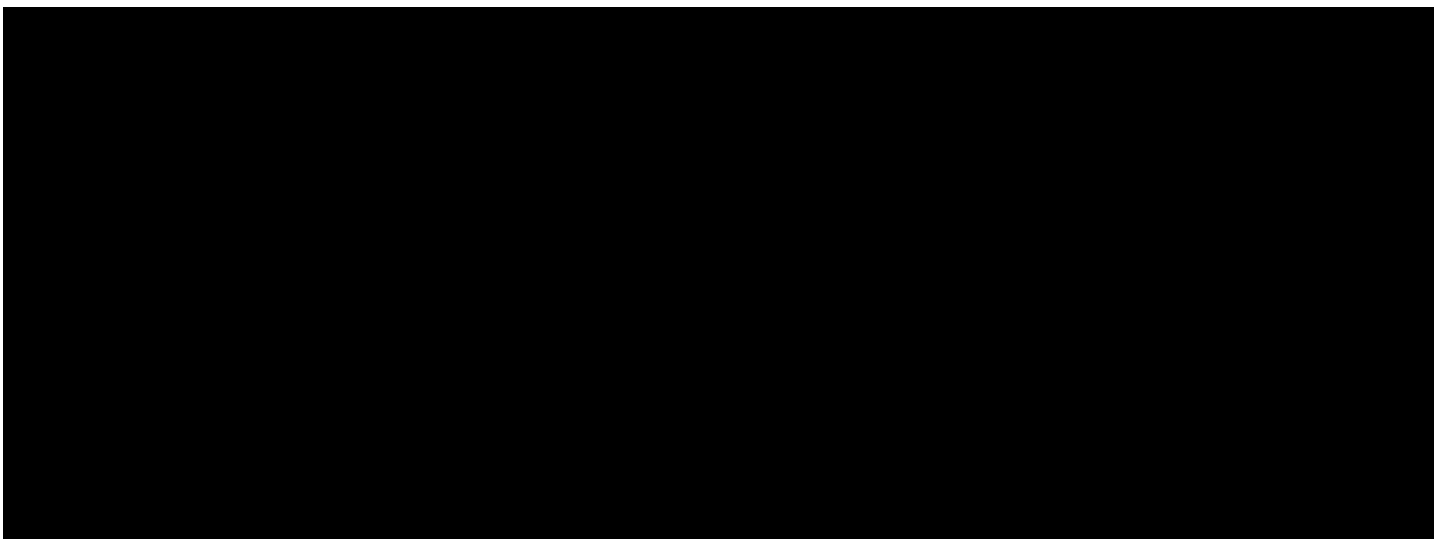


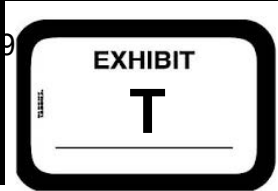
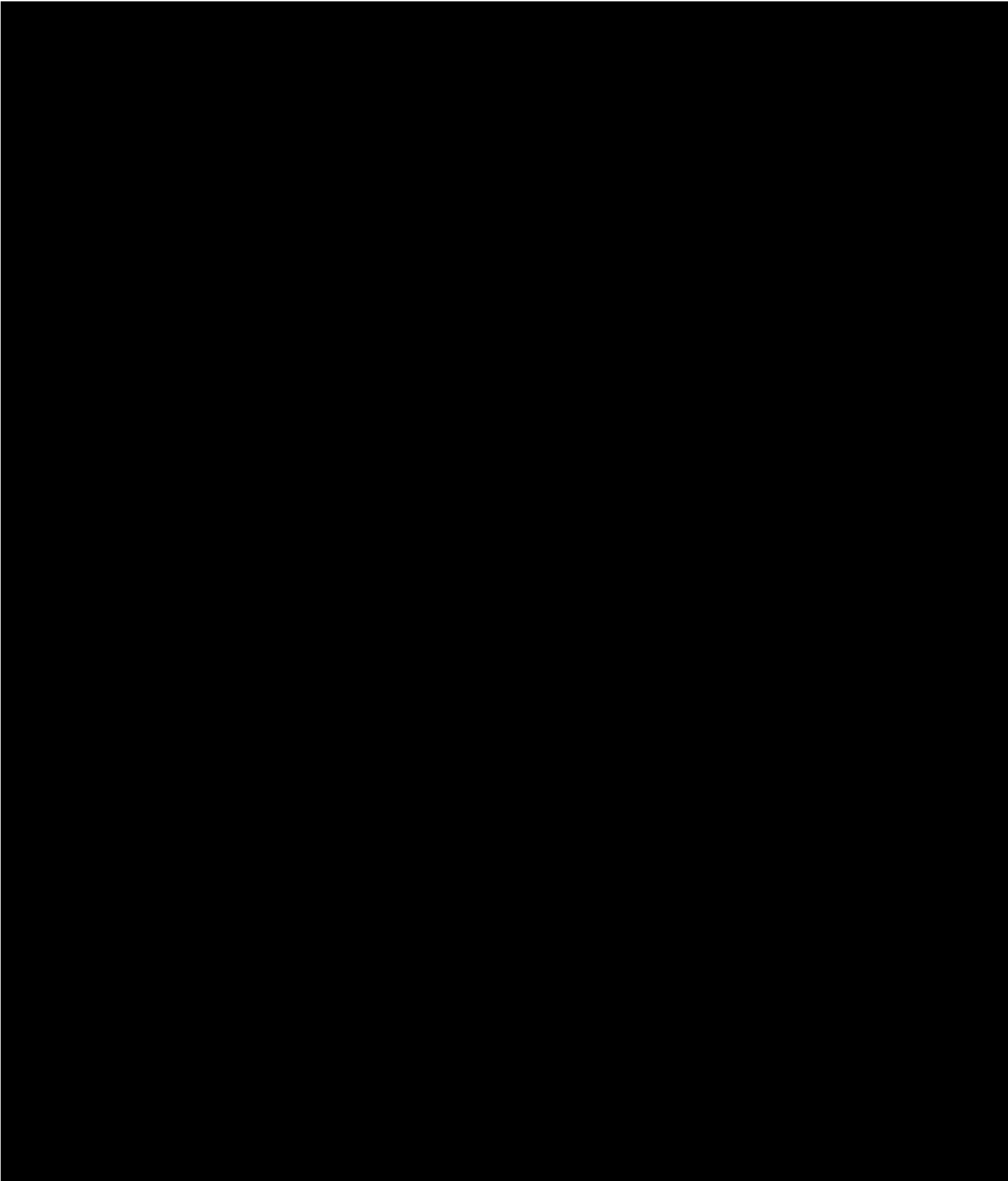


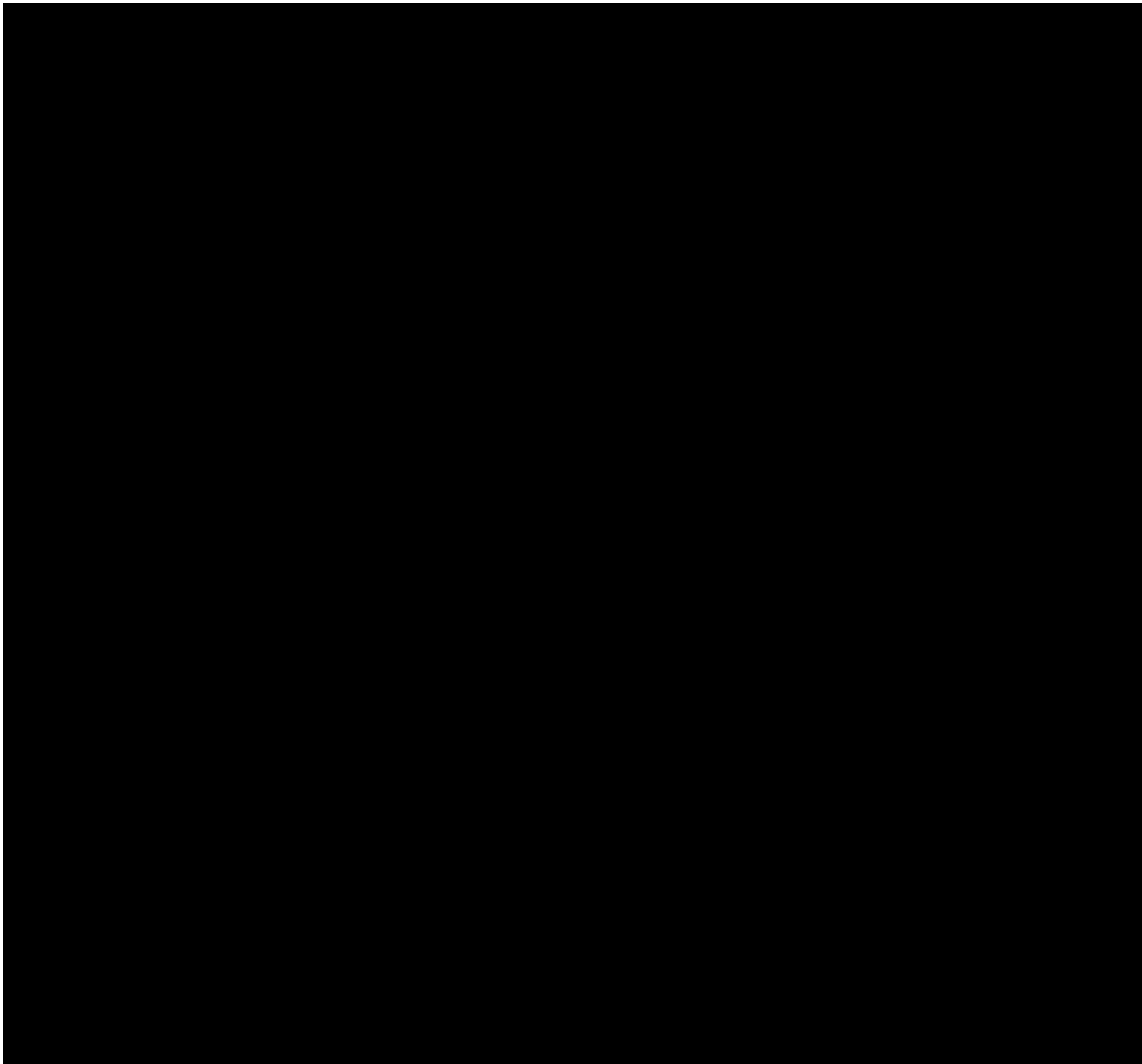


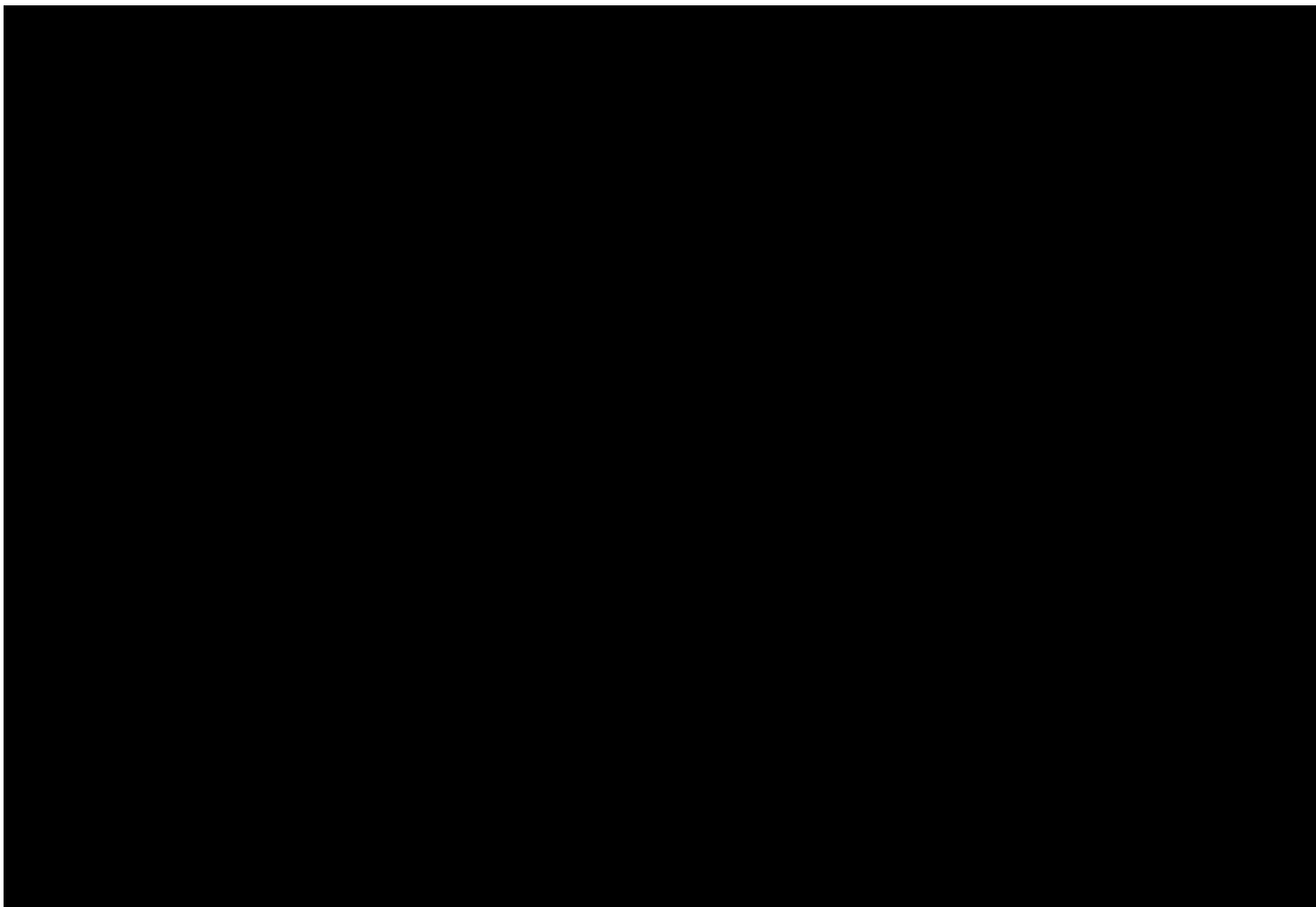












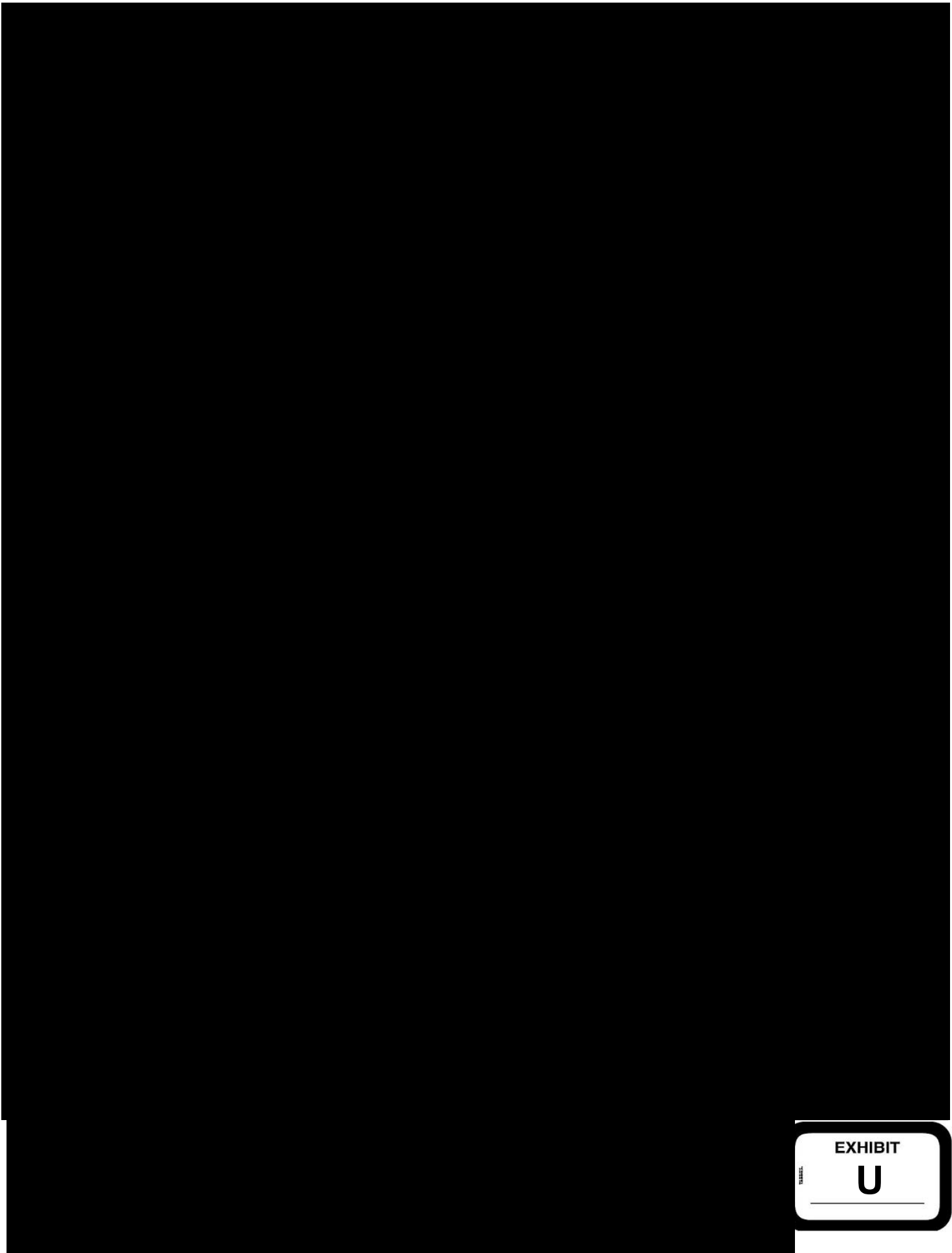
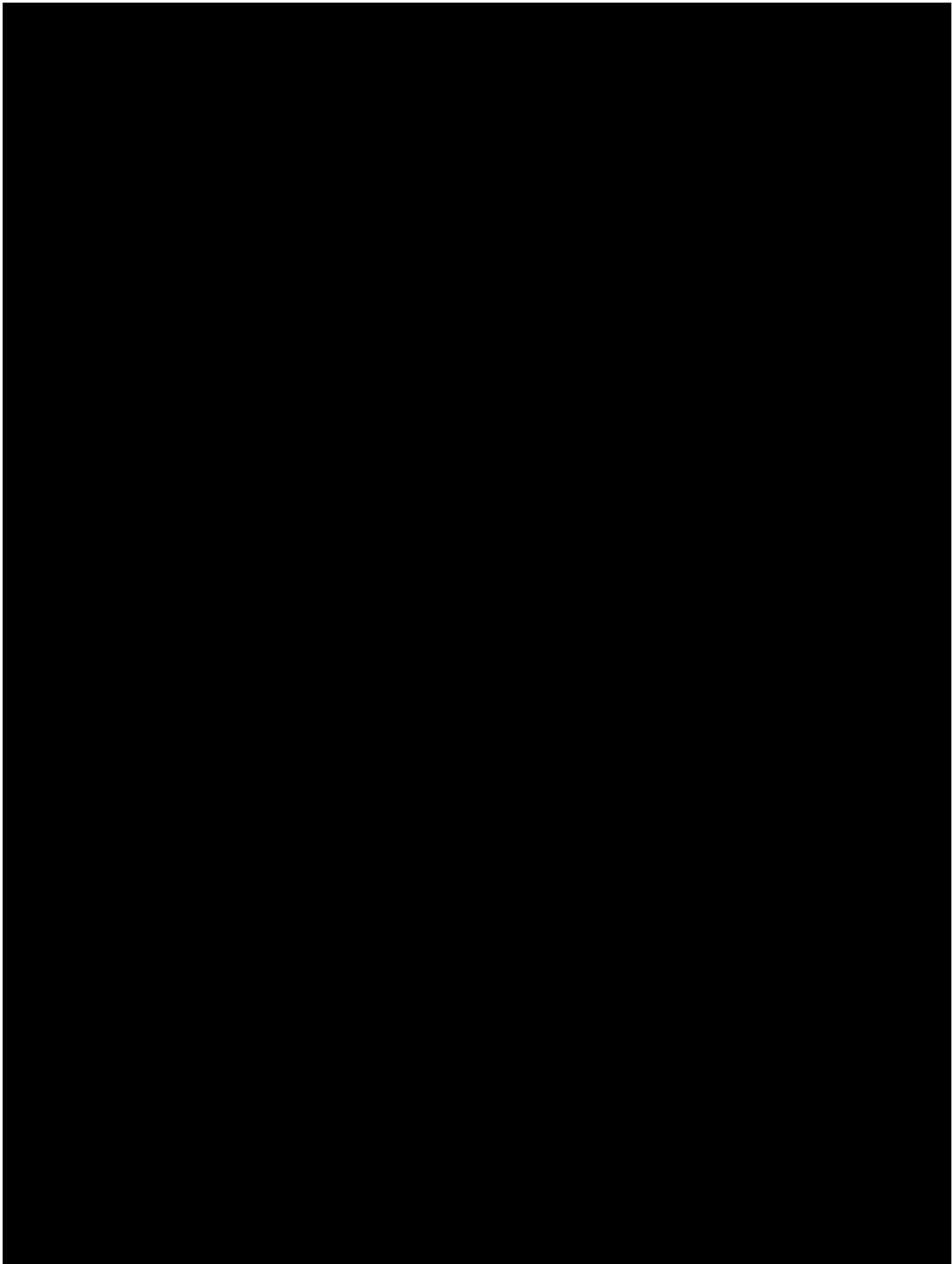
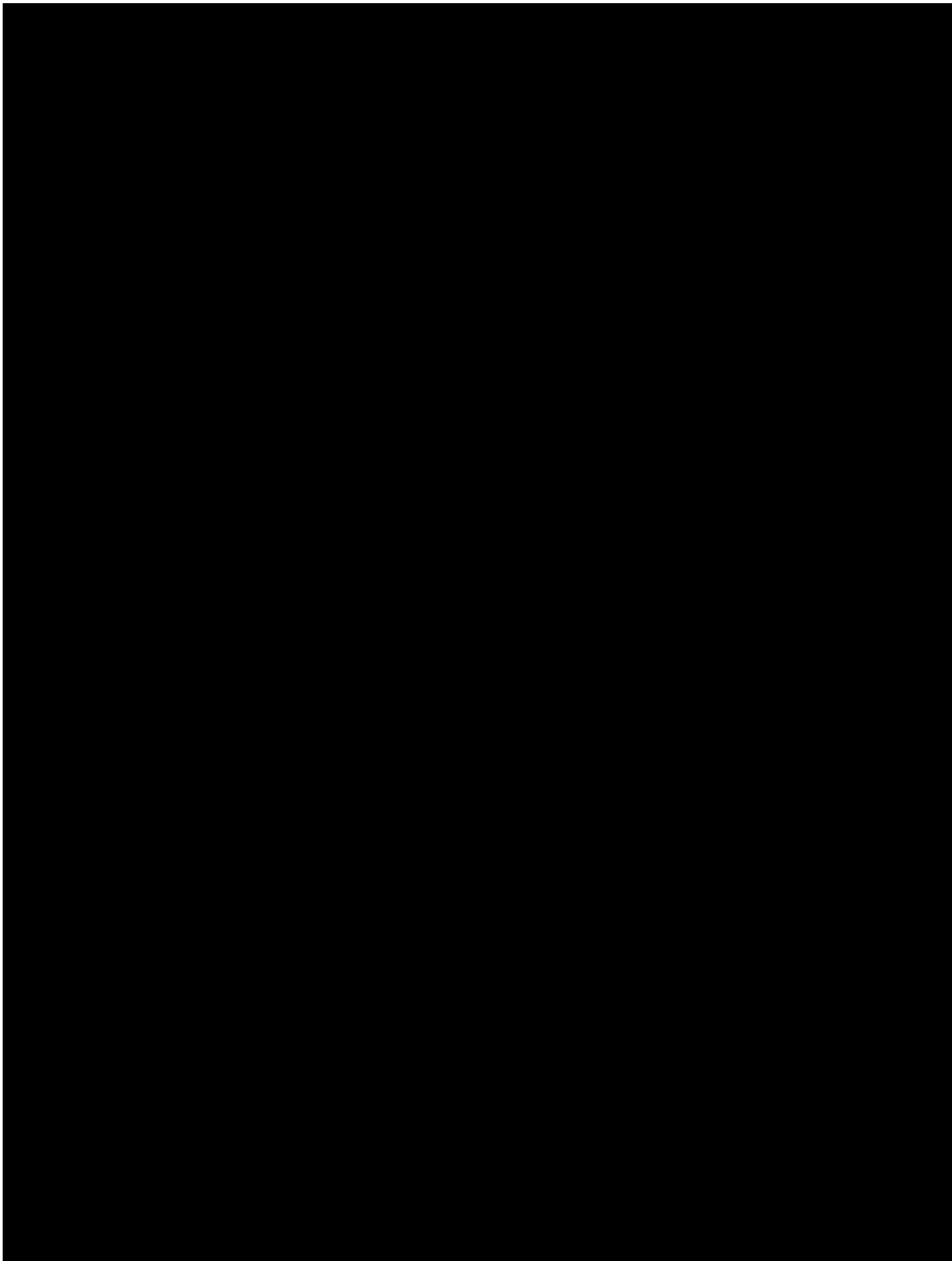
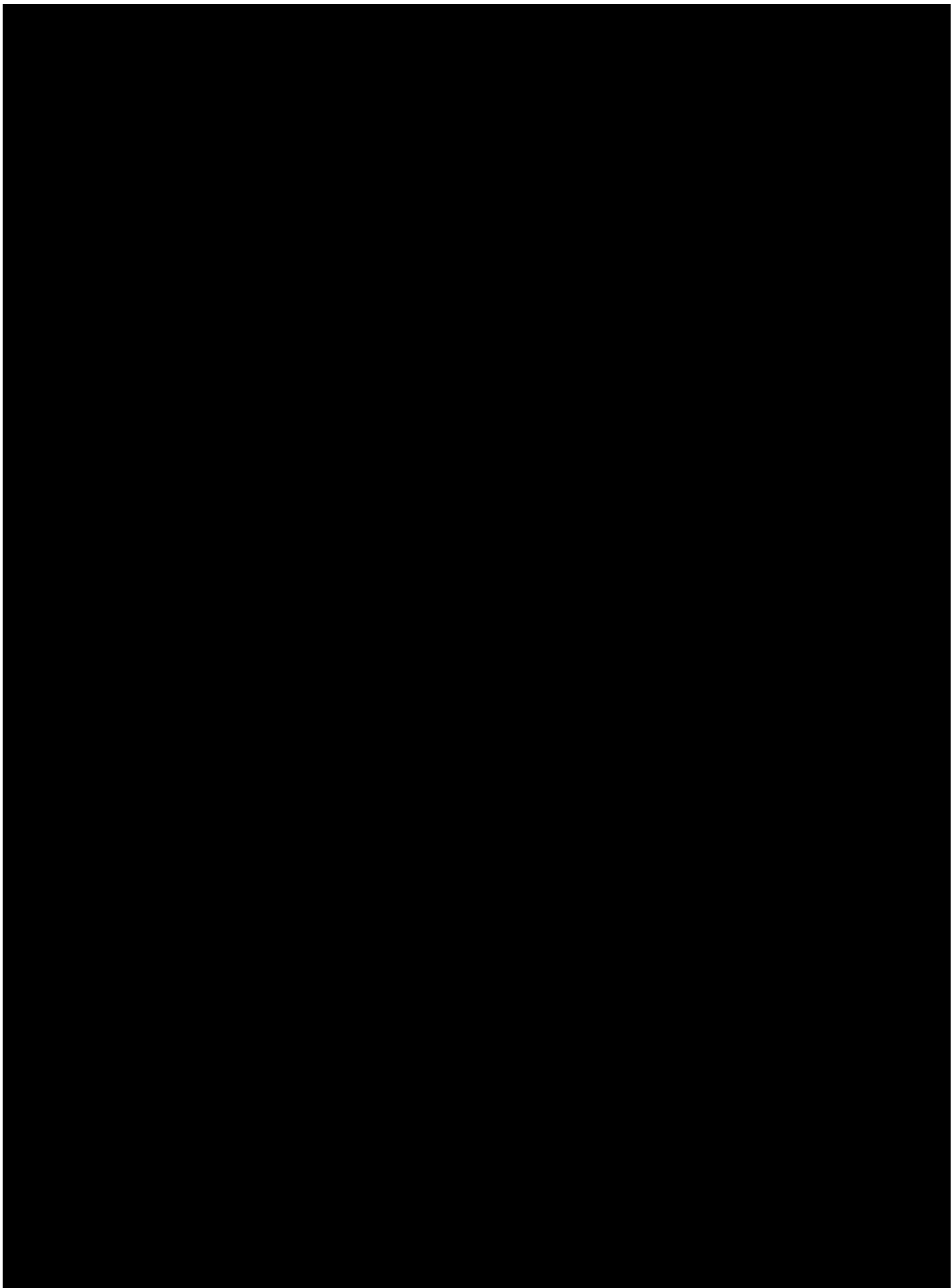


EXHIBIT
U







From: [Charsie Gordon](#)
To: [Kathryn Irby](#); [Robinson, Sherri](#)
Cc: [MCGHEE, SHELLY](#)
Subject: Re: MARCH 1 ZOOM INVITATION: Westcott v. UAMS, Claim No. 190008
Date: Tuesday, July 9, 2024 3:52:44 PM

Thank you for the update. I appreciate it.

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <kathryn.irby@arkansas.gov>
Sent: Tuesday, July 9, 2024 3:26 PM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: MARCH 1 ZOOM INVITATION: Westcott v. UAMS, Claim No. 190008

Charsie, the delay is on my end due to a record-breaking year on the number of claims filed at the Commission (we had almost 400 additional claims filed in FY24 over FY23). It has everything delayed. I expect to have an order transmitted to the parties this month.

Kathryn

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Monday, July 8, 2024 3:46 PM
To: Kathryn Irby <kathryn.irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: MARCH 1 ZOOM INVITATION: Westcott v. UAMS, Claim No. 190008

Director Irby,

I was checking in to see if you may have an update for me to pass along from our hearing in March. Thanks so much.

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
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 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <kathryn.irby@arkansas.gov>
Sent: Tuesday, February 20, 2024 1:09 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon
 <charsiegordon@taylorkinglaw.com>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: MARCH 1 ZOOM INVITATION: Westcott v. UAMS, Claim No. 190008

Charsie and Sherri, here is a new Zoom invitation for March 1. Please log in a few minutes before noon.

Thanks,
 Kathryn Irby

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Hearings
 Time: Mar 1, 2024 12:00 PM Central Time (US and Canada)

Join Zoom Meeting
<https://us06web.zoom.us/j/81455874969?pwd=axA0lk8n5OUZ6lgTp4iKB3CZ3K1oGO.1>

Meeting ID: 814 5587 4969
 Passcode: kbe7x4

One tap mobile
 +13126266799,,81455874969#,,,,*111734# US (Chicago)
 +16469313860,,81455874969#,,,,*111734# US

Dial by your location

- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US

- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US

Meeting ID: 814 5587 4969

Passcode: 111734

Find your local number: <https://us06web.zoom.us/j/kcwKghuaW>

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Tuesday, February 20, 2024 7:30 AM

To: Charsie Gordon <charsiegordon@taylorkinglaw.com>

Cc: Kathryn Irby <kathryn.irby@arkansas.gov>; MCGHEE, SHELLY <SMcghee@uams.edu>

Subject: Re: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

It works for UAMS too.

Sherri

On Feb 19, 2024, at 4:27 PM, Charsie Gordon <charsiegordon@taylorkinglaw.com> wrote:

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This message came from outside your organization.

That date will work. Thanks.

Charsie

Charsie Gordon

Attorney at Law | Taylor King Law

820 W 3rd Street, Little Rock, AR 72201

P: (870) 246-0505 F: (501)712-2543

charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Monday, February 19, 2024 2:11 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; Charsie Gordon
 <charsiegordon@taylorkinglaw.com>
Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>
Subject: HEARING DATE CHANGE: Westcott v. UAMS, Claim No. 190008

Charsie and Sherri, my panel for next Friday has had some unexpected conflicts arise on that day, such that I will not have a quorum at the hearing. However, my panel can be available the following week on Friday, March 1 beginning at noon. I am moving this hearing to that date. Please advise ASAP if that date will not work (although I realize that today is a state holiday, so I am not expecting anyone to respond today). Apologies for this inconvenience.

Thanks,
 Kathryn

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

From: Kathryn Irby Kathryn.Irby@arkansas.gov
Sent: Friday, February 16, 2024 10:36 AM
To: Robinson, Sherri SLRobinson@uams.edu; Charsie Gordon
charsiegordon@taylorkinglaw.com
Cc: MCGHEE, SHELLY SMcGhee@uams.edu
Subject: NEW ZOOM INVITATION: Westcott v. UAMS, Claim No. 190008

Charsie and Sherri, below is the new Zoom invitation for February 23. Let me know if there are any questions.

Charsie, if you can send me your exhibits ahead of time, that would be helpful so that the commissioners have them and can pull them up on their computers. You're welcome to use the "share screen" feature on Zoom, too.

Thanks,
 Kathryn

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings
 Time: Feb 23, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82875819369?pwd=sAx2mzuxWUxcBcDIqyfpWzDupBsl6k.1>

Meeting ID: 828 7581 9369

Passcode: 2bnrVV

One tap mobile

+13126266799,,82875819369#,,,,*978668# US (Chicago)

+16469313860,,82875819369#,,,,*978668# US

Dial by your location

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- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)

Meeting ID: 828 7581 9369

Passcode: 978668

Find your local number: <https://us06web.zoom.us/j/82875819369?pwd=sAx2mzuxWUxcBcDIqyfpWzDupBsl6k.1>

From: Robinson, Sherri <SLRobinson@uams.edu>

Sent: Thursday, January 18, 2024 12:40 PM

To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>

Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

UAMS is available February 23.

Thanks.

Sherri

From: Robinson, Sherri

Sent: Thursday, January 18, 2024 12:35 PM

To: Charsie Gordon <charsiegordon@taylorlaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>

Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

I have no objection to rescheduling. I am available on the morning of February 23 but not the afternoon. Also, I will need to confirm that date with my witness.

Sherri L. Robinson

Sr. Associate General Counsel
Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860
Little Rock, AR 72205-7199
Main: 501-686-7964; Mitel: 10648
Email: SLRobinson@UAMS.edu

UAMS.edu | UAMSHealth.com

<image001.png>

From: Charsie Gordon <charsiegordon@taylorlaw.com>

Sent: Thursday, January 18, 2024 11:23 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: MCGHEE, SHELLY <SMcGhee@uams.edu>

Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

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That date works for me.

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, January 18, 2024 11:21 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

I have room on the February 23 docket. Is that a workable option for both parties?

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, January 18, 2024 11:17 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Charsie, this weather is proving to be difficult for sure. I will get this one rescheduled.

Sherri, if you object to this rescheduling, please let me know as soon as possible.

Kathryn

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Thursday, January 18, 2024 10:49 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Director Irby,

I am unfortunately still stuck at my house due to the weather. I have been unable to get my car out of my neighborhood all week. I had hopes for today but was unsuccessful. I have access to limited resources at home, and therefore am asking to reschedule our hearing tomorrow. I apologize for any inconvenience. Please let me know the next availability you have for the hearing.

Again, I apologize for any inconvenience.

Thanks,

Charsie

Charsie Gordon
Attorney at Law | Taylor King Law
820 W 3rd Street, Little Rock, AR 72201
P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Wednesday, December 27, 2023 8:22 AM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>
Subject: RE: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Received on 12/22/2023, thanks.

Kathryn Irby

From: Charsie Gordon <charsiegordon@taylorkinglaw.com>
Sent: Friday, December 22, 2023 2:09 PM
To: Robinson, Sherri <SLRobinson@uams.edu>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>; Bobby Wheeler <bobbywheeler@taylorkinglaw.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Please see attached Witness and Exhibit List for the Plaintiff. Let me know if you have any questions or need anything else.

I hope everyone has a great holiday.

Charsie

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 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501)712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Robinson, Sherri <SLRobinson@uams.edu>
Sent: Thursday, December 21, 2023 1:46 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Charsie Gordon <charsiegordon@taylorkinglaw.com>; MCGHEE, SHELLY
 <SMcghee@uams.edu>
Subject: Westcott v. UAMS, Claim No. 190008 - Pre-Hearing Filings on behalf of UAMS

Dear Director Irby,

Attached are the following Pre-Hearing Filings in the above referenced case: (1) Joint Stipulations of Fact; (2) UAMS Witness and Exhibit List; and (3) UAMS Pre-Hearing Brief. Please do not hesitate to contact me if you have any questions.

Thank you for your assistance and Happy Holidays.

Respectfully,

Sherri L. Robinson

Sr. Associate General Counsel
 Office of General Counsel

University of Arkansas for Medical Sciences
 4301 W. Markham St., #860
 Little Rock, AR 72205-7199
 Main: 501-686-7964; Mitel: 10648
 Email: SLRobinson@UAMS.edu

UAMS.edu|UAMSHealth.com

<image001.png>

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Charsie Gordon | Attorney

Phone: (501) 712-2543
 Email: charsiegordon@taylorkinglaw.com
 Address: 820 West Third Street, Little Rock, AR,
 72201

Logo



taylorkinglaw.com



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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**SEBRENA WESTCOTT****CLAIMANT****V.****CLAIM NO. 190008****UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES****RESPONDENT****ORDER**

Now before the Arkansas State Claims Commission (the “Claims Commission”) is the claim of Sebrene Westcott (the “Claimant”) against the University of Arkansas for Medical Sciences (the “Respondent” or UAMS). At the hearing held March 1, 2024, Charsie Gordon appeared on Claimant’s behalf, and Sherri L. Robinson appeared on behalf of Respondent. The Commission’s hearing panel included Commissioners Solomon Graves, Henry Kinslow as chair, and Sylvester Smith.¹

Procedural History, Prehearing Matters, and Witness Testimony

1. Claimant filed her claim against Respondent in July 2018, seeking an unspecified amount of damages related to injuries suffered by Claimant after she tripped on a rug in Respondent’s emergency room doorway.
2. Respondent filed an answer denying liability.
3. Claimant’s claim was in abeyance from May 2019 until September 2020 to allow Claimant to resolve an insurance dispute.
4. Following the abeyance, the parties conducted discovery.
5. On May 10, 2021, the Commission entered an order substituting Ms. Gordon as counsel of record for Claimant.

¹ Commissioner Dee Holcomb was present at the hearing in an observational capacity only.

6. Following the conclusion of discovery, Respondent filed a motion for summary judgment which was denied by the Commission on March 27, 2023, following a hearing on the motion.

7. At the outset of the hearing, the parties stated their agreement with Claimant's injuries, medical bills, and lost wages, such that the question of liability was the only remaining issue for the hearing.

8. The parties' exhibits were admitted without objection.

Testimony of Claimant

9. Claimant's counsel called Claimant to testify.

10. After being sworn in, Claimant testified that she is a grandmother and has worked as a sign language interpreter for over 30 years. She is nationally certified and licensed in Arkansas, Oregon, and New Hampshire to work as a sign language interpreter.

11. On September 16, 2017, Claimant went to Respondent's emergency room to provide interpretation services for a patient. Before that day, she had been there previously to interpret. She parked near the emergency room entrance. As Claimant walked into the emergency room, she took her watch off so that she could go through security. The doors were already open. Claimant's foot caught on the rug, and she went down facefirst. [REDACTED]

[REDACTED]

[REDACTED]

12. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. Referring to Claimant's affidavit executed in July 2022, which was introduced as Claimant's Exhibit P, Claimant testified that she watched the video of her fall. She saw two men walk in before her and noticed that the sliding doors were unable to close because of the "lip" on the rug. Referring to the UAMS report of this incident, which was introduced as Claimant's Exhibit R, Claimant stated that she does not know who she talked with while she was in the emergency room.

16. Upon a question from Commissioner Smith as to what Respondent could have done differently to keep this incident from happening, Claimant stated that the rug should have been moved away from the doors or removed entirely.

17. Upon a question from Commissioner Smith as to what Claimant was doing immediately before the fall, Claimant stated that she was watching where she was going and was done fidgeting with her watch and purse. She was facing toward the security desk.

18. Upon a question from Commissioner Smith, Claimant stated that she did not know how the man in front of her kept from falling.

19. On cross-examination, Claimant testified that she is familiar with sliding doors generally but has not inspected the technical aspects of Respondent's emergency room doors. Claimant has not tested the doors or hired anyone to test the doors. Claimant did not witness anyone else walk through the doors before she did because she was coming around the corner. Other than her interpretation of the video, she does not know whether anyone else tripped on the rug. [REDACTED]

[REDACTED]

[REDACTED]

20. On redirect, referring to Claimant's medical records introduced as Claimant's Exhibit M, [REDACTED]

[REDACTED].

21. On re-cross, [REDACTED]

[REDACTED]

[REDACTED].

Testimony of Sonya Hart

22. Respondent's counsel called Sonya Hart to testify.

23. After being sworn in, Ms. Hart testified that she is Respondent's director of occupational health and safety. She oversees and investigates falls in public spaces and makes sure that Respondent is in compliance with federal and state regulations.

24. When Ms. Hart is notified of a fall, if it is the same day of the incident, she will investigate or send someone to investigate what contributed to the fall. She will also look for videos of the incident.

25. She is familiar with Claimant's fall on September 16, 2017. Ms. Hart testified that the fall happened in the evening, so she learned of it the next morning. Ms. Hart watched 30 minutes before the fall and 20 to 30 minutes after the fall. She did not see anyone else fall or stumble in that time. The Commission granted Claimant's objection to any testimony from Ms. Hart related to any part of the video not provided to Claimant.

26. Ms. Hart testified that a man walked through the doorway and kicked up the edge of the rug. Another man walked through and stepped over the hump in the rug. Five seconds after that, Claimant's foot caught on the rug, and Claimant fell.

27. Ms. Hart did not receive any reports of fall in that area in the previous three years.

28. Regarding Claimant's statement that the rug was over the threshold, such that the doors were kept open, Ms. Hart tested this out by placing a rug over the threshold, and the doors still closed. Respondent played the video of Ms. Hart's test without objection. For the doors to be open on the day Claimant fell, the doors must have been kept open by a button.

29. On cross-examination, Ms. Hart testified that she did not prepare the incident report. She is not in charge of the automatic doors and does not have any qualifications regarding the automatic doors. She has seen the video of Claimant falling. Ms. Hart recalled the name of the person who completed the incident report, but that person was not from Ms. Hart's department. Ms. Hart did not have any proof or knowledge that the automatic doors were turned off and did not know when the automatic doors might be turned off. When Ms. Hart conducted the test, she laid a corner of the rug over the threshold and laid the rug flat. She did not try to lay the whole rug

over the threshold because she was trying to put the rug the way it was during the incident. In watching the video of Claimant's fall, Ms. Hart agreed that the rug was not positioned the same way it was in her test. Ms. Hart saw the first man come through and catch his foot on the rug. She saw the second man come through the doorway and brush his foot on the rug. She could not say whether the positioning of the rug in the video would keep the doors from closing. Ms. Hart did not know how long the rug sat in that position in the doorway. She watched the extended version of the video the morning after the incident. Ms. Hart stated that when she found the contributing cause (the rug being kicked up), she did not save the rest of the video. She does not always have the exact time of an incident, which is why she goes back 30 minutes. Ms. Hart agreed that the rug was over the threshold at the beginning of the video.

30. Upon a question from Commissioner Graves as to whether those doors were serviced between the date of the incident and the date of the test, Ms. Hart stated that she did not know.

31. Upon a question from Commissioner Graves as to who is responsible for making sure that the emergency room area is picked up, Respondent stated that environmental services would be responsible.

32. Upon a question from Commissioner Graves, Respondent's counsel stated that the records of environmental services would not have been maintained this long but that environmental services would have been in the vicinity during that day. Respondent's counsel noted that the rug was kicked up one minute before Claimant fell.

Closing Arguments

33. Claimant argued that this incident changed her whole life. She lost 22 months of her life due to this injury. Claimant argued that the hump in the rug existed before the first man

walked through the door in the video and that the two men who walked through the doorway before Claimant were luckier than Claimant. Claimant's Exhibit R shows the wear and tear on the rug. Claimant stated that if Respondent had provided more video, Claimant would be able to show how long the rug was in that position or how it came to be in that position. Respondent should have noticed the rug. The men who walked through the doorway before did not create the hazard. Claimant specified that she is asking for a total of \$125,000 in damages, which includes \$80,000 in lost wages, the remaining medical balances, and approximately \$65 per day in pain and suffering.

34. Upon a question from Commissioner Smith, Claimant stated that she had a [REDACTED]

35. Upon a question from Commissioner Graves, Claimant stated that while she used to work five days per week, now she has to work two days, take a break, then work another two days. Claimant has to take frequent breaks. [REDACTED]

36. Upon a question from Commissioner Graves, Claimant stated that she provides interpretation services in a variety of venues but does not interpret at concerts or courts because of the time needed and her need for breaks.

37. Respondent argued that Claimant has the burden of proof and that UAMS had to use ordinary care to maintain the premises in a reasonably safe condition. Respondent argued that there is no duty to guard against the merely possible harm but only against the probable harm. The fact that Claimant fell is not an automatic finding of negligence. Respondent argued that there were no other falls in the previous three years and that Claimant only has a theory as to whether the rug is holding the door open. Respondent stated that the *AutoZone* and *Lock* cases are on point.

38. In rebuttal, Claimant argued that there was no video footage in *AutoZone* or *Lock* and that it was impossible to recreate the conditions that caused Claimant's fall. Claimant reiterated that the hazard was already there when the first man in the video walked through the doorway.

Findings of Fact and Conclusions of Law

Based upon a review of the claim file, the testimony and evidence presented by the parties, and the law of the State of Arkansas, the Commission unanimously finds as follows:

39. The Commission finds that it has jurisdiction to hear this claim pursuant to Ark. Code Ann. § 19-10-204.

40. The Commission finds that Claimant is alleging negligence on the part of Respondent. In order to prevail on a negligence claim, Claimant must prove that (1) Respondent owed a duty to Claimant, (2) Respondent breached the duty owed to Claimant, and (3) Respondent's breach was the proximate cause of Claimant's damages. *Lloyd v. Pier W. Prop. Owners Ass'n*, 2015 Ark. App. 487, *4, 470 S.W.3d 293, 297.

41. As to Arkansas law regarding duty, the Commission finds that Claimant was an invitee, such that Respondent had a duty to use "ordinary care to maintain its premises in a reasonably safe condition." *House v. Wal-Mart Stores, Inc.*, 316 Ark. 221, 223, 872 S.W.2d 52, 52–53 (1994). The Commission further finds that Respondent's duty extends only to foreseeable dangers. *Benton v. Shuler Drilling Co., Inc.*, 316 Ark. 101, 112, 871 S.W.2d 552, 558 (1994) ("Foreseeability is a necessary ingredient of actionable negligence in this state").

42. Spoliation has been defined by the Arkansas Supreme Court as "the intentional destruction of evidence and when it is established, [the] fact finder may draw [an] inference that [the] evidence destroyed was unfavorable to [the] party responsible for its spoliation." *Goff v. Harold Ives Trucking Co., Inc.*, 342 Ark. 143, 146, 27 S.W.3d 387, 388 (2000) (citing Black's

Law Dictionary 1410 (6th ed. 1990)). However, Arkansas courts do not require a specific finding of bad faith by the spoliator. *Russellville Holdings, LLC v. Peters*, 2017 Ark. App. 561, *6, 533 S.W.3d 119, 123.

43. The Commission finds that Respondent's failure to save enough video footage to show how long the rug had been laying over the threshold constitutes spoliation. The Commission appreciates Ms. Hart's candor about the dissimilarities between her test and the condition of the rug at the time of Claimant's fall. While the Commission does not find that there was any bad faith involved in the spoliation of the video, it will infer that the rest of the video footage would have been unfavorable evidence to Respondent. *Goff*, 342 Ark. At 146, 27 S.W.3d at 388. As such, in light of such inference, the Commission finds that Respondent failed to use ordinary care to maintain its premises in a reasonably safe condition and that such failure was the proximate cause of Claimant's fall. The Commission further finds, in light of such inference, that Claimant's fall was foreseeable.

44. The Commission herein awards Claimant \$55,000 in lost wages, \$2,576.78 in remaining medical balances as stated in the parties' joint stipulation of facts, and \$30,000 in pain and suffering, for a total award of \$87,576.78. Pursuant to Ark. Code Ann. § 19-10-215(b), the Commission refers this total award of \$87,576.78 to the General Assembly for review, approval, and, if approved, placement on an appropriations bill.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Solomon Graves



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: August 1, 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 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: [Charsie Gordon](#); [Robinson, Sherri](#)
Cc: [MCGHEE, SHELLY](#)
Subject: ORDER: Westcott v. UAMS, Claim No. 190008
Date: Thursday, August 1, 2024 12:09:00 PM
Attachments: [Westcott - hearing - 220000 - order.pdf](#)

Ms. Gordon and Ms. Robinson, please see attached order entered by the Commission.

Thanks,
Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

From: [Charsie Gordon](#)
To: [Kathryn Irby](#); [Robinson, Sherri](#)
Cc: [MCGHEE, SHELLY](#)
Subject: Re: ORDER: Westcott v. UAMS, Claim No. 190008
Date: Thursday, August 1, 2024 12:43:14 PM

Received. Thank you.

Charsie

Charsie Gordon
 Attorney at Law | Taylor King Law
 820 W 3rd Street, Little Rock, AR 72201
 P: (870) 246-0505 F: (501) 712-2543
charsiegordon@taylorkinglaw.com | www.taylorkinglaw.com

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Thursday, August 1, 2024 12:09 PM
To: Charsie Gordon <charsiegordon@taylorkinglaw.com>; Robinson, Sherri <SLRobinson@uams.edu>
Cc: MCGHEE, SHELLY <SMcghee@uams.edu>
Subject: ORDER: Westcott v. UAMS, Claim No. 190008

Ms. Gordon and Ms. Robinson, please see attached order entered by the Commission.

Thanks,
 Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-2822

Charsie Gordon | Attorney

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From: [Robinson, Sherri](#)
To: [ASCC Pleadings](#)
Cc: [Charsie](#); [MCGHEE, SHELLY](#)
Subject: Westcott v. UAMS, Claim No. 190008 - UAMS Notice of Appeal
Date: Wednesday, August 28, 2024 10:43:57 AM
Attachments: [image.png](#)
[Westcott v. UAMS, Claim No. 190008 - UAMS Notice of Appeal.pdf](#)

Dear Directory Irby,

Attached for filing is a Notice of Appeal on behalf of the University of Arkansas for Medical Sciences in the above referenced matter. Please let me know if you need additional information at this time.

Respectfully,

Sherri L. Robinson

Sr. Associate General Counsel
Office of General Counsel

University of Arkansas for Medical Sciences

4301 W. Markham St., #860

Little Rock, AR 72205-7199

Main: 501-686-7964; Mitel: 10648

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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEBRENA WESTCOTT

CLAIMANT

V.

NO. 190008

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

RESPONDENT

RESPONDENT'S NOTICE OF APPEAL

Comes now Respondent, University of Arkansas for Medical Sciences (UAMS), by and through its undersigned counsel, and for its Notice of Appeal, states as follows:

1. On August 1, 2024, the Commission issued an order finding in favor of Claimant and awarding her \$55,000 in lost wages, \$2,576.78 in remaining medical balances, and \$30,000 in pain and suffering for a total award of \$87,576.78.
2. Respondent submits that the finding in favor of Claimant is not supported by the evidence and should be reversed by the General Assembly.
3. As a result, Respondent appeals the August 1, 2024 Order to the General Assembly pursuant to Ark. Code Ann. § 19-10-211(a)(1)(A).

Respectfully submitted,

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES,
Respondent

By:



SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
Univ. of Arkansas for Medical Sciences
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu

Attorney for Respondent

CERTIFICATE OF SERVICE

I, Sherri L. Robinson, do hereby certify that a copy of the foregoing pleading was served on claimant herein by emailing a copy of same this 28th day of August, 2024 to the following:

Charsie Gordon
Taylor King Law, P.A.
charsiegordon@taylorkinglaw.com



Sherri L. Robinson