



THE BRAD HENDRICKS
LAW FIRM

500 C Pleasant Valley Drive
Little Rock, Arkansas 72227

Tel: (501) 221-0444
Fax: (501) 661-0196
www.BradHendricks.com

Brad Hendricks ††
Lamar Porter †
George R. Wise Jr.
Matthew E. Hartness †
Caroline C. Lewis

All Licensed in Arkansas
† Also Licensed in Texas
†† Also Licensed in Texas & Missouri

Arkansas
State Claims Commission

DEC 31 2024

RECEIVED

Lloyd W. "Tre" Kitchens
Edward T. Oglesby ‡
Lea Phelps
Kale D. Anderson
David P. Rawls *
Gary Davis *

‡ Also Licensed in Louisiana
* Of Counsel

December 30, 2024

Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, AR 72201

RE: Our Client: Ms. Fannie McKee
Your Insured: AR Dept of Transportation
Date of Incident: 09/12/2024

Dear Sir/Madam:

Please see the following correspondence for Fannie Mckee. Please let me know if you have any questions or concerns.

Sincerely,

Edward Oglesby
Attorney
eoglesby@bradhendricks.com

/mbn

ARKANSAS CLAIMS COMMISSION

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



Questions? Send an email to
ascc.new.claims@arkansas.gov

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

Arkansas
State Claims Commission

DEC 31 2024

RECEIVED

CLAIM FORM

- 1. Claimant Information.** If a claim involves more than one claimant, additional pages may be attached with the other claimant name(s) and contact information.

<u>McKee</u>	<u>Fannie</u>	<u>N/A</u>
(title)	(last name/name of company)	(first name)
[REDACTED]		(email)
(address)		
[REDACTED]		[REDACTED]
(city)	(state)	(zip)
		(primary phone)

- 2. Claimant's Legal Counsel.** An individual claimant may act as his or her own attorney (which is known as proceeding *pro se*). Please review Ark. Code Ann. § 19-10-222 for information about when a business entity may file a *pro se* claim. If a claimant is proceeding *pro se*, this section may be left blank.

<u>Oglesby</u>	<u>Edward</u>	<u>eoglesby@bradhendricks.com</u>
(title)	(last name)	(first name)
<u>500 Pleasant Valley Dr. C</u>		<u>89158</u>
(address)		(AR bar number)
<u>Little Rock</u>	<u>AR</u>	<u>72227</u>
(city)	(state)	(zip)
		<u>(501) 221- 0444</u>
		(primary phone)

- 3. State Agency Involved.** The Commission can only receive claims against agencies of the State of Arkansas. Please review the Commission's jurisdictional statutes, including Ark. Code Ann. § 19-10-204 and Ark. Code Ann. § 21-5-701, for more information. This information is required for any claim filed at the Commission. Arkansas Department of Transportation

4. **Date of Incident** 09/12/2024

5. **Location of Incident** Paragould, Arkansas

- 6. CHECK HERE** if this claim involves damage to a motor vehicle.
- 7. CHECK HERE** if this claim involves damage to property *other than* a motor vehicle.

8. **Explanation of Incident.** Please provide an explanation of your claim, including why you believe the above-listed state agency is liable for your damages under Arkansas law. You may attach additional pages to this form.

Claimant was yielding to oncoming traffic and was struck in the rear by the ARDOT vehicle.

9. **Insurance Coverage.** For a claim involving damage to a vehicle or other property, you must submit a copy of your insurance declarations in effect at the time of the incident. This is not the same as an insurance card. You can obtain a copy of your insurance declarations from your insurer or insurance agent. Please review Ark. Code Ann. § 19-10-302 for more information.

If you **did NOT have insurance covering the damaged property or motor vehicle at the time of the incident, **CHECK HERE.**

10. **Additional Required Documents for Property Damage Claims.** You must submit (1) invoice(s) documenting the repair costs, (2) three estimates for repair, OR (3) an explanation why this documentation cannot be provided.

11. If a **state vehicle** was involved in this incident, please provide the following information:

2020 Ford F-Series pickup

(type of state vehicle involved)

(license number)

(driver)

12. **CHECK HERE** if this claim involves **personal injuries.**

13. **Health insurance coverage.** All personal injury claims require a copy of your health insurance information in place at the time of the incident. Please review Ark. Code Ann. § 19-10-302 for more information.

If you **did NOT have health insurance on the date of the incident, **CHECK HERE.**

14. **Amount of Damages, if known:** an amount less than the minimum amount required for purposes of federal diversity jurisdiction.

IMPORTANT!

A claim filed at the Commission is a lawsuit against a state agency. The Commission is the courthouse for these lawsuits. Please note that Commission staff can answer general questions about the claim process but cannot give legal advice. The Commission rules and a non-exhaustive list of statutes that relate to the Commission can be found on the Commission website (arclaimscommission.arkansas.gov). The Arkansas Rules of Civil Procedure can be found online (arcourts.gov) under "Info & Resources."

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

CLAIM SUBMISSION SIGNATURE PAGE

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

Edward T. Oglesby
Attorney Name (must be printed legibly)

Edward T. Oglesby
Attorney Signature

Acknowledgement

State of Arkansas
County of Pulaski

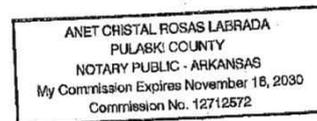
On this the 30 day of December, 2021, before me, the undersigned notary, personally appeared Edward Oglesby known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

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

[Signature]
Signature of Notary Public

My Commission expires: 11/16/2030⁰⁰⁰⁸
003

[Seal of Office]



A1 Autobody
 2607 E Kings Hwy, Paragould, AR 72450
 Office: (870) 236-2898
 larrya1autobody@yahoo.com

Estimate ID
 20885241
 Original

Owner
 Fannie Mckee

Appraiser
 Larry Addison

Classification
 None

Loss Type
 Unknown

Deductible
 Unknown

2016 Dodge Journey SXT 4 Door Utility 3.6L 6 Cyl Gas Injected FWD

VIN

Drivable
 Unknown

Mitchell Service Code
 911063

Options

Air Conditioning	Alum/Alloy Wheels	AM-FM Stereo	Anti-Lock Brake Sys. (ABS)	Automatic Headlights
Auxiliary Input	CD Player	Cloth Seat	Cruise Control	Daytime Running Lights
Driver-Front Air Bag	Dual A/C	Electric Defogger	Electronic Stability Control	First Row Bucket Seat
Fog Lights	Heated Mirror	Keyless Entry System	Left-Curtain Air Bag	MP3 Player
Passenger-Front Air Bag	Power Door Locks	Power Remote Mirror	Power Steering	Power Windows
Privacy Glass	Rear Bench Seat	Rear Gate Wiper	Rear Heating, Ventilation & Air Conditioning	Second Row Side Airbag With Head Protection
Side Airbags	Smart Key System	Steering Wheel Mounted Audio Control	Third Row Seat	Tilt Steering Wheel
Tire Pressure Monitoring System	Traction Control/Electronic	Trip Computer		

Fannie Mckee | 2016 Dodge Journey SXT

Parts Profile
 Aftermarket

Parts Profile Version
 2.0

Line #	Description	LABOR			PART				
		Operation	Type	Total Units	Type	Number	Qty	Total Price	Tax
Rear Lamps									
1	105126 L Rear Combination Lamp Assembly	Remove / Replace	Body	0.3	Qual Recycled Part		1	\$187.50*	Yes
Rear Bumper									
2	AUTO Rear Bumper Assy	Overhaul	Body	2.3	Existing				
3	104669 Rear Bumper Cover	Remove / Replace	Body	INC	Remanufactured	CH1114102R	1	\$404.00	Yes
4	AUTO Rear Bumper Cover	Refinish Only	Refinish	2.8 C					
5	103562 Rear Lwr Bumper Fascia	Remove / Replace	Body	INC#	New	68088787AB	1	\$230.00	Yes
6	AUTO Rear Bumper Cover	Remove / Install	Body	INC					

Committed On

Version
 Mitchell Estimating 24.3
 OEM NOV_24_V

Mitchell Cloud Estimating™
 Copyright 1994-2024 Mitchell International, Inc.
 All Rights Reserved

Printed On
 11/12/2024
 09:18 AM

Profile
 System profile
 Profile Version
 8.0

Page 1 of 3

009

LABOR					PART				
Line #	Description	Operation	Type	Total Units	Type	Number	Qty	Total Price	Tax
7	103569 Rear Bumper Energy Absorber	Remove / Replace	Body	INC	New	68088783AB	1	\$161.00	Yes
Additional Costs & Materials									
8	AUTO Paint/Materials	Additional Cost						\$198.00	Yes
9	AUTO Hazardous Waste Disposal	Additional Cost						\$5.00*	Yes
10	936014 Flex Additive	Additional Cost						\$15.00*	Yes
Additional Operations									
11	AUTO Clear Coat	Additional Operation	Refinish	1.1				\$0.00	
12	939003 Tint Color	Additional Operation	Refinish	0.5*				\$0.00	

* Judgment Item
 T Included in Two Tone Calculation
 # Labor Note Applies
 d Discontinued by Manufacturer
 C Included in Clear Coat Calculation
 A Included in Clear Coat and Two Tone Calculation
 r CEG R&R Time Used for this Labor Operation
 [] Verify the part number and price before ordering

Parts Vendors

KEYSTONE-INS QUALITY PRT
 2415 INDUSTRIAL DR.
 JONESBORO AR 72401
 (877) 868-9200 (Work)

Line	Part #	Total Price
3	CH1114102R	\$404.00

Disclaimer: Recycled part pricing may represent either actual pricing (the price at which the recycler is willing to sell the part for in its existing condition) or undamaged pricing (the price at which the recycler would sell the part if it was in undamaged condition). If you are unsure, please contact the automotive recycler.

Estimate Totals

Labor	Units	Rate	Sublet Add'l Amount	Totals
Body Labor	2.6	\$65.00		\$169.00
Refinish Labor	4.4	\$65.00		\$286.00
Total Labor	7.0			\$455.00
			Taxable	\$455.00
			Tax 9.3800%	\$42.68
			Non-Taxable	\$0.00
			Pre-Tax Discount 0.00%	\$0.00
			Labor Total	\$497.68
Parts	Amount			
Taxable Parts				\$982.50

Estimate Totals

		Parts Adjustments	\$0.00
		Tax 9.3800%	\$92.16
		Non-Taxable	\$0.00
		Pre-Tax Discount 0.00%	\$0.00
		Parts Total	\$1,074.66
<hr/>			
Costs	Amount		
Paint Materials	\$198.00		\$198.00
Shop Materials	\$0.00		\$0.00
Other Additional Costs	\$20.00		\$20.00
Paint Materials:		Taxable	\$218.00
- Refinish Units: 4.4 units		Tax 9.3800%	\$20.45
- Rate: \$45.00		Non-Taxable	\$0.00
- Rate Max: 99.9 units		Pre-Tax Discount 0.00%	\$0.00
- Additional Rate: \$0.00		Costs Total	\$238.45
<hr/>			
Gross Totals	Amount		
Gross Total	\$1,810.79		\$1,810.79
		Taxable	\$1,655.50
		Tax	\$155.29
		Non-Taxable	\$0.00
		Pre-Tax Discount 0.00%	\$0.00
		Gross Total	\$1,810.79
<hr/>			
Adjustments	Amount		
Total Customer Responsibility			\$0.00
		Net Estimate Total	\$1,810.79

Estimate Event Log

Job Created 11/12/2024 09:10 AM
 Estimate Started 11/12/2024 09:12 AM
 Estimate Printed 11/12/2024 09:18 AM
 Estimate Committed Estimate Not Committed
 Estimate Retrieval ID 1003708493

**Freeman Body Glass Rental Towing
and Sales inc.**

700 EAST GARLAND ST, PO BOX 1166,
PARAGOULD, AR 72450
Phone: (870) 236-1515
FAX: (870) 236-9277

Workfile ID: b7e2e118
PartsShare: 8dFFXr
Resale Number: 00203101-SLS

Estimate

RO Number:

Customer: Mckee, Fannie Insurance: Adjuster: Collin Kingston
Phone: Create Date: 11/4/2024
Claim: Loss Date: Deductible:

2016 DODG Journey SXT FWD 4D UTV 6-3.6L Flex Fuel Sequential MPI

VIN: Interior Color: Mileage In: Vehicle Out:
License: Exterior Color: Mileage Out:
State: AR Production Date: Condition: Job #:

Line	Ver	Operation	Description	Qty	Extended Price \$	Part Type	Labor Type	Paint
1	E01		REAR BUMPER					
2	E01	Remove/Replace	O/H rear bumper				1.9T Body	
3	E01	Remove/Replace	Bumper cover w/o park assis w/o Crossroad	1	316.00T	A/M	0.0T Body	3.0T
4	E01		Add for Clear Coat					1.2T
5	E01	Remove/Replace	Lower cover w/o dual exhaust	1	108.00T	A/M	0.0T Body	
6	E01		REAR LAMPS					
7	E01	Remove/Replace	LT Combo lamp w/o LED	1	98.00T	A/M	0.2T Body	
8	E01		FLEX ADDITIVE	1	10.00T	Other		
9	E01	Remove/Replace	FOUR WHEEL ALIGNMENT	1	82.44T	Other		
10	E01		HAZARDOUS WASTE	1	10.00T	Other		

Estimate Totals	Discount \$	Markup \$	Rate \$	Total Hours	Total \$
Parts					532.00
Labor, Body			65.00	2.1	136.50
Labor, Refinish			65.00	4.2	273.00
Material, Paint			45.00	4.2	189.00
Miscellaneous					92.44
Subtotal					1,222.94
Sales Tax					114.65
Grand Total					1,337.59
Net Total					1,337.59

Estimate Version	Total \$
Original	1,337.59

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Rechr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-coated, RECOND = Reconditioned, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural

Estimate

RO Number:

2016 DODG Journey SXT FWD 4D UTV 6-3.6L Flex Fuel Sequential MPI

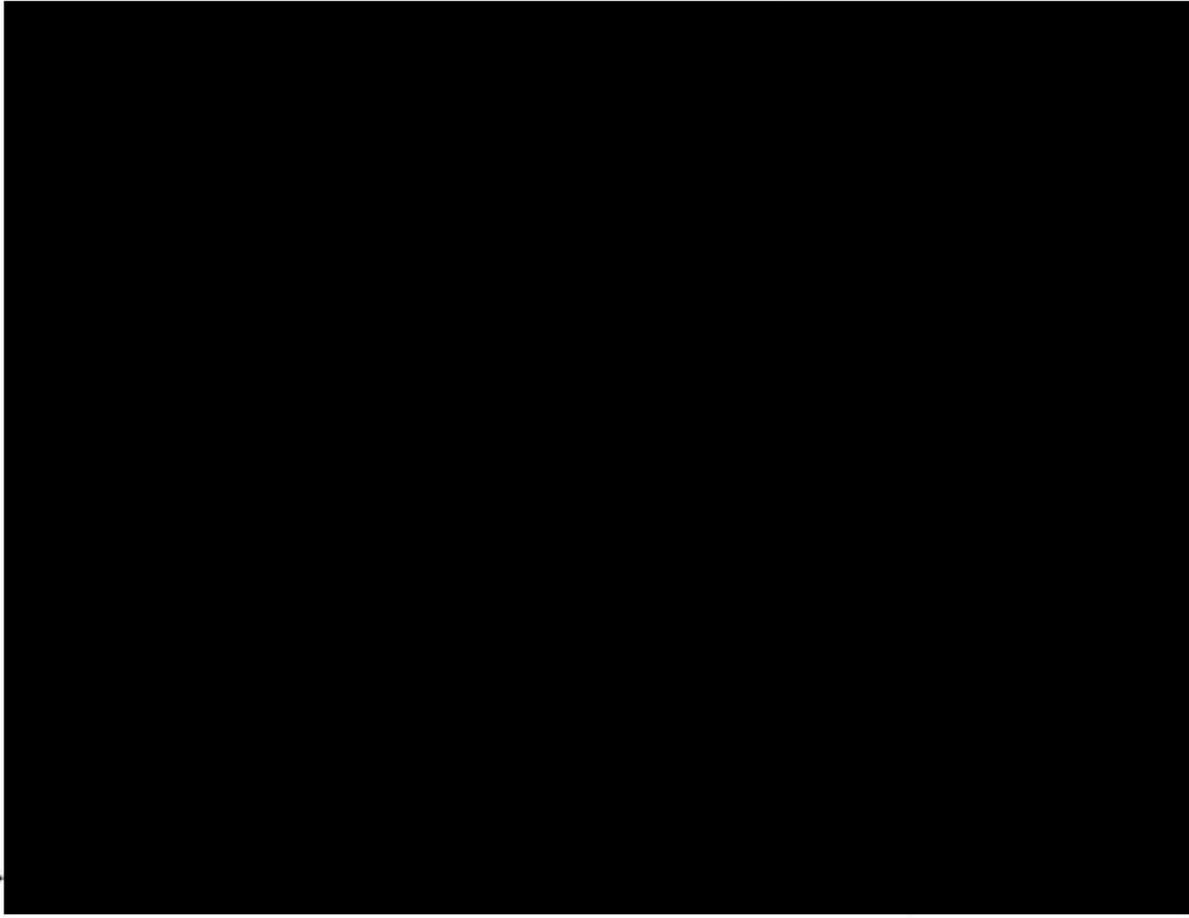
Insurance Total \$:	1,337.59
Received from Insurance \$:	0.00
Balance due from Insurance \$:	1,337.59
Customer Total \$:	0.00
Received from Customer \$:	0.00
Balance due from Customer \$:	0.00

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Rechr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-cored, RECOND = Reconditioned, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural

11/4/2024 11:27:06 AM

013

Page 2







Joe Hudson's Collision Center-Paragould
paragould@jhcc.com
407 N 23rd St, Paragould, AR 72450
Phone: (870) 565-4217

Workfile ID: beb0a9b3
PartsShare: 8dFdd8
Federal ID: 471750182
State ID: NA
Federal EPA: NA
State EPA: NA

Preliminary Estimate

Customer: MCKEE, FANNIE

Written By: Shawn Sparks

Insured: MCKEE, FANNIE
Type of Loss:
Point of Impact: 06 Rear

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:

MCKEE, FANNIE

Inspection Location:

Joe Hudson's Collision Center-Paragould
407 N 23rd St
Paragould, AR 72450-3951
Repair Facility
(870) 565-4217 Business

Insurance Company:

VEHICLE

2016 DODG Journey SXT FWD 4D UTV 6-3.6L Flex Fuel Sequential MPI WHITE

VIN:
License:
State: AR

Interior Color: BLACK
Exterior Color: WHITE
Production Date: 9/2015

Mileage In: 95,530
Mileage Out:
Condition:

Vehicle Out:
Job #:

TRANSMISSION

Automatic Transmission

POWER

Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Heated Mirrors

DECOR

Dual Mirrors
Privacy Glass
Console/Storage

CONVENIENCE

Air Conditioning

Intermittent Wipers

Tilt Wheel

Cruise Control

Rear Defogger

Keyless Entry

Message Center

Steering Wheel Touch Controls

Rear Window Wiper

Telescopic Wheel

Climate Control

Dual Air Condition

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

CD Player

Auxiliary Audio Connection

Equalizer

SAFETY

Drivers Side Air Bag

Passenger Air Bag

Anti-Lock Brakes (4)

4 Wheel Disc Brakes

Traction Control

Stability Control

Front Side Impact Air Bags

Head/Curtain Air Bags

SEATS

Cloth Seats

Bucket Seats

Reclining/Lounge Seats

3rd Row Seat

WHEELS

Aluminum/Alloy Wheels

PAINT

Clear Coat Paint

Metallic Paint

OTHER

Fog Lamps

California Emissions

Preliminary Estimate

Customer: MCKEE, FANNIE

2016 DODG Journey SXT FWD 4D UTV 6-3.6L Flex Fuel Sequential MPI WHITE

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1	#	MAY REQUIRE ADDITIONAL PARTS AND LABOR ! Note: VEHICLE NEEDS A TEAR DOWN		1			
2		REAR BODY & FLOOR					
3	Repl	Spare cover	5178501AC	1	347.00	0.3	
4		REAR LAMPS					
5	* Repl	LKQ LT Combo lamp w/o LED +25%	5116291AH	1	53.75	0.2	
6		REAR BUMPER					
7		O/H bumper assy				1.9	
8	** Repl	A/M CAPA Lower cover w/dual exhaust w/o bright insert	68088787AB	1	169.23	Incl.	
9	** <> Repl	A/M CAPA Bumper cover w/o park assis w/o Crossroad	1TY37TZZAF	1	316.00	Incl.	3.0
10		Add for Clear Coat					1.2
11	#	Flex additive		1	10.00		
12	# Subl	Hazardous waste fee		1	5.00		
13	# Refn	Tint color					0.5
14	#	PRE SCAN		1	65.00		
15	#	POST SCAN		1	65.00		
SUBTOTALS					1,030.98	2.4	4.7

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			1,030.98
Body Labor	2.4 hrs @	\$ 65.00 /hr	156.00
Paint Labor	4.7 hrs @	\$ 65.00 /hr	305.50
Paint Supplies	4.7 hrs @	\$ 45.00 /hr	211.50
Subtotal			1,703.98
Sales Tax	\$ 1,703.98 @	9.3750 %	159.75
Grand Total			1,863.73

Joe Hudson's Collision Center will provide a limited lifetime warranty on workmanship, including refinish work performed for as long as the customer owns the vehicle.

This is an estimate only. This estimate does not account for hidden or unseen damage. Parts prices may vary and are subject to invoice.

Preliminary Estimate

Customer: MCKEE, FANNIE

2016 DODG Journey SXT FWD 4D UTV 6-3.6L Flex Fuel Sequential MPI WHITE

ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON.

FAILURE TO USE THE INSURANCE PROCEEDS IN ACCORDANCE WITH A SECURITY AGREEMENT BETWEEN YOU AND A LIENHOLDER, IF ANY, MAY CONSTITUTE THE CRIMINAL OFFENSE OF DEFRAUDING A SECURED CREDITOR IN VIOLATION OF ARKANSAS CODE SECTION 5-37-203. IF YOU HAVE ANY QUESTIONS, CONTACT YOUR LIENHOLDER.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THE AFTERMARKET CRASH PARTS USED IN THE PREPARATION OF THIS ESTIMATE ARE WARRANTED BY THE MANUFACTURER OR DISTRIBUTOR OF SUCH PARTS INSTEAD OF THE MANUFACTURER OF YOUR VEHICLE.

Preliminary Estimate

Customer: MCKEE, FANNIE

2016 DODG Journey SXT FWD 4D UTV 6-3.6L Flex Fuel Sequential MPI WHITE

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DR3TK09, CCC Data Date 11/01/2024, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS Information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2024 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. CFC=Carbon Fiber. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. STS=Stainless Steel. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Intelligent Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

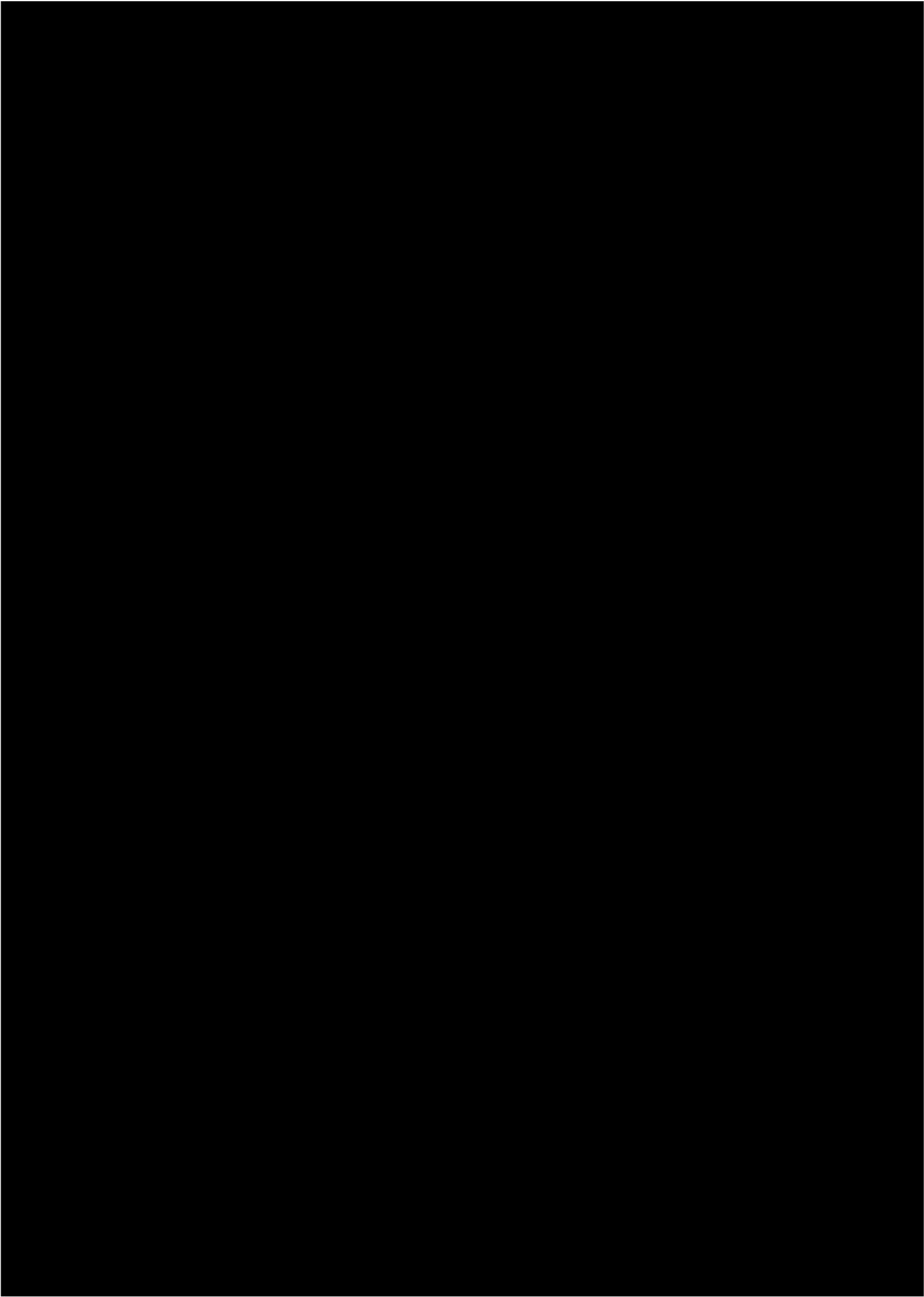
Preliminary Estimate

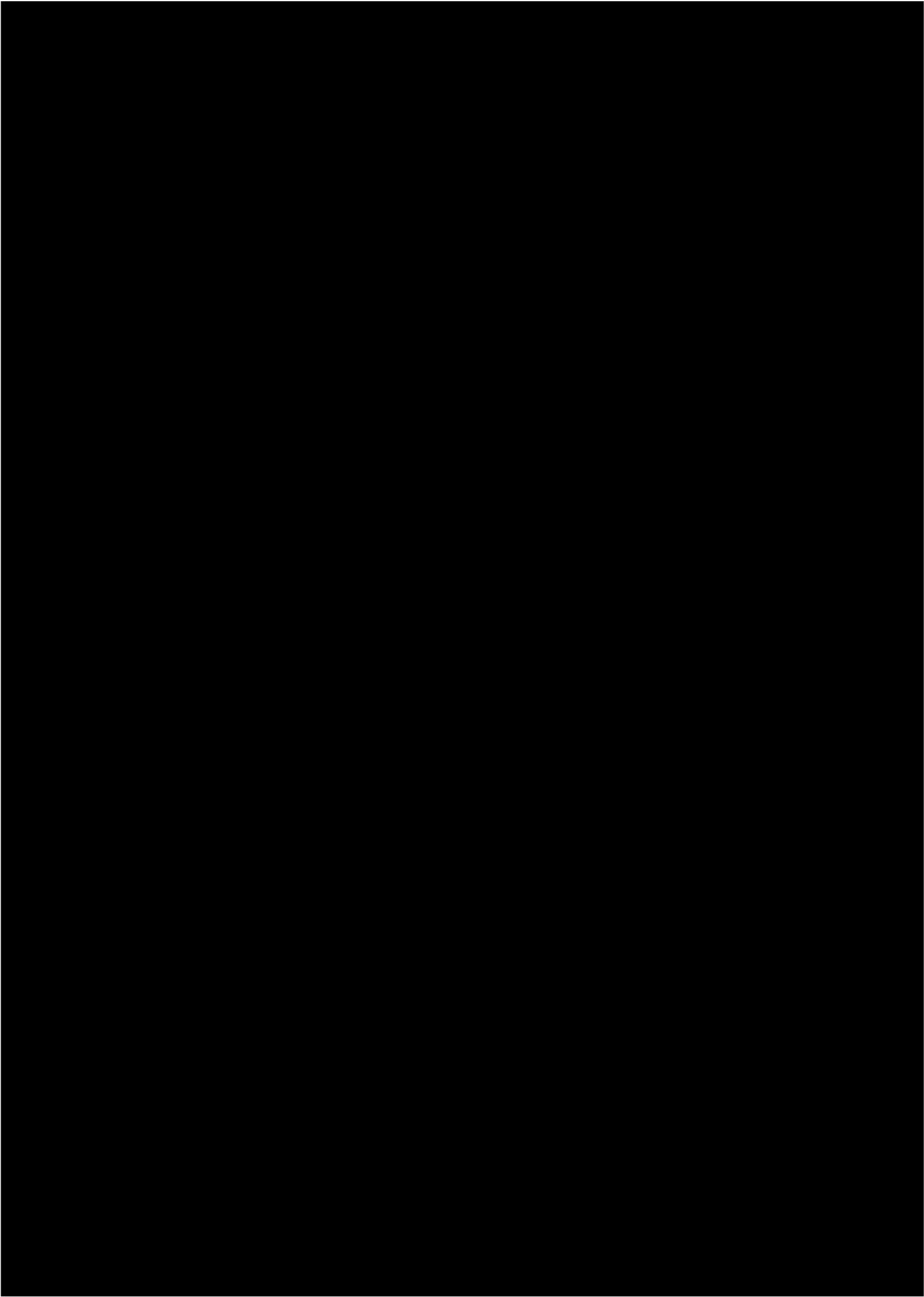
Customer: MCKEE, FANNIE

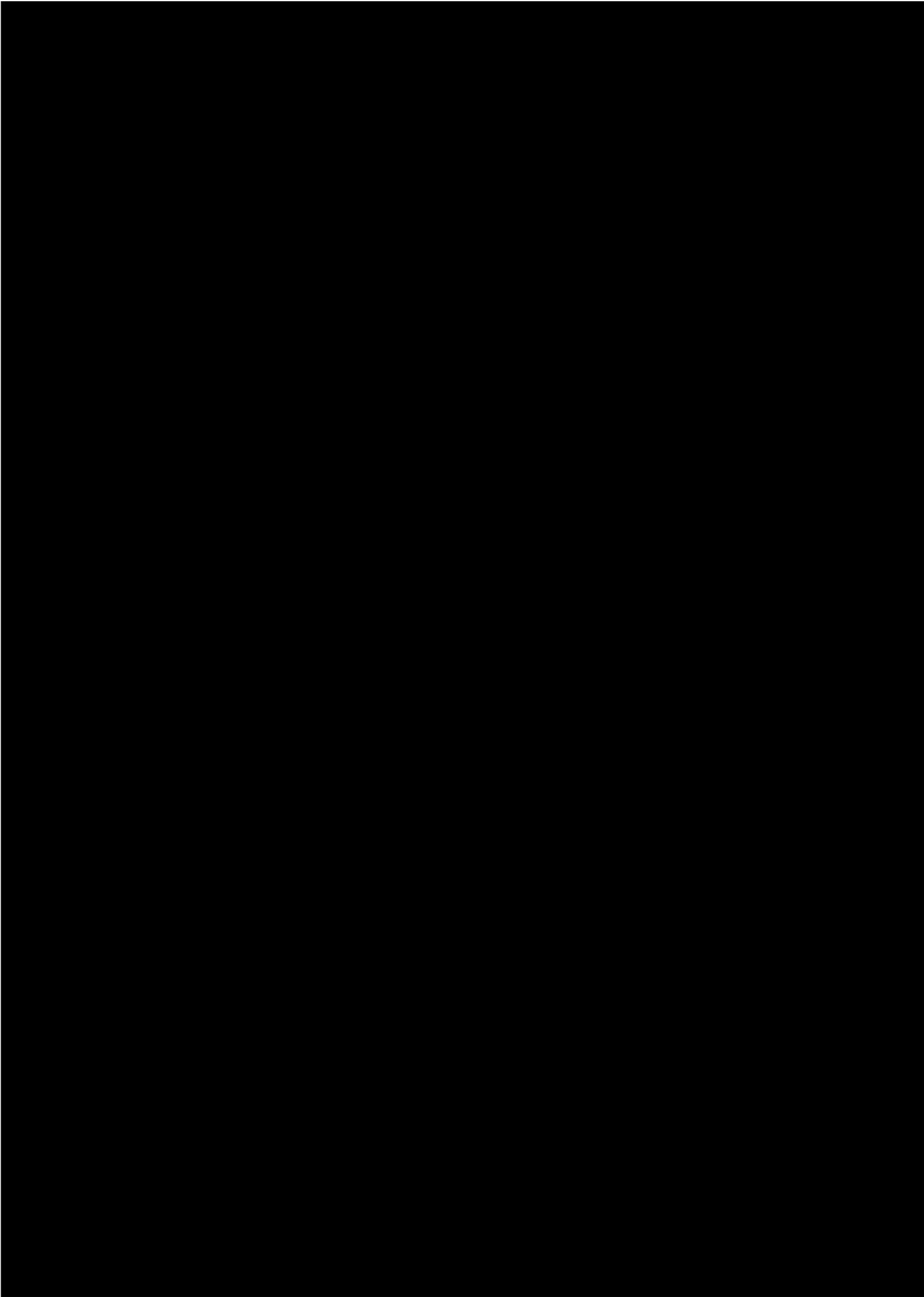
2016 DODG Journey SXT FWD 4D UTV 6-3.6L Flex Fuel Sequential MPI WHITE

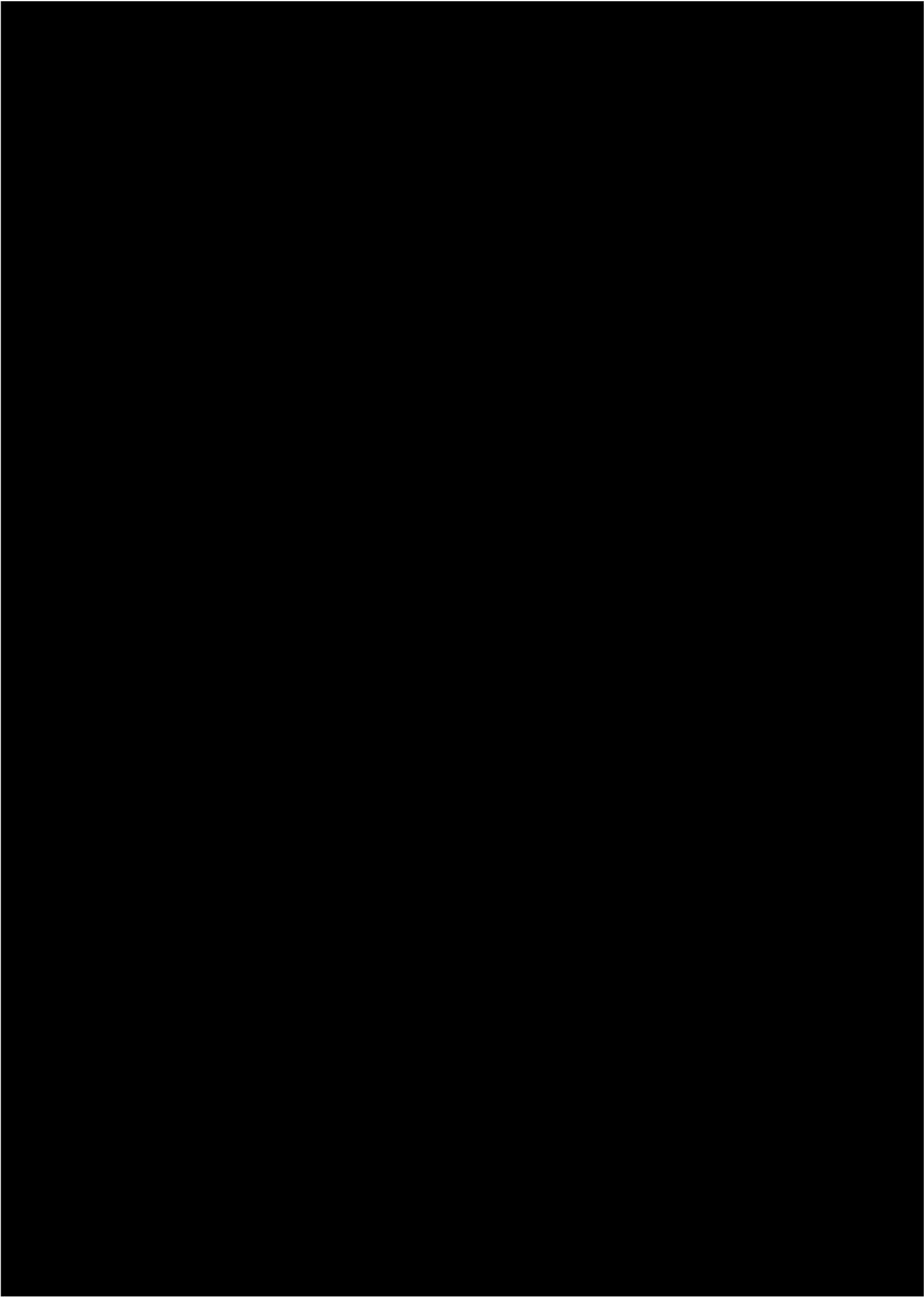
PARTS SUPPLIER LIST

Line	Supplier	Description	Price
5	LKQ Corp 650 Simon Street Conway AR 72032 (800) 482-9338	#~371145548 LKQ LT Combo lamp w/o LED +25% Tail Lamp INCANDESCENT LAMPS, QUARTER PANEL MOUNTED, L,S#\$GR729 Quote: 2724412363 Expires: 12/19/24	\$ 43.00
8	Empire Auto Parts 3868 Logistics Way, Bldg C, Ste 504 Antioch TN 37013 (800) 644-0211	#J8017 A/M CAPA Lower cover w/dual exhaust w/o bright insert Quote: 117118439 Expires: 11/05/24	\$ 169.23
9	Keystone, Inc 2415 INDUSTRIAL DRIVE, PO BOX 2128 JONESBORO AR 72401 (870) 268-9200	#CH1114102C A/M CAPA Bumper cover w/o park assis w/o Crossroad Quote: 2724375607 Expires: 12/19/24	\$ 316.00









From: [David Helms](#)
To: [ASCC New Claims](#)
Subject: Fannie McKee [REDACTED] Letter of Rep and Police Report - 250551
Date: Tuesday, October 8, 2024 11:37:16 AM
Attachments: [image558792.png](#)
[image034949.png](#)
[24.10.08 3rd AR Claims LOR.pdf](#)
[F.McKee CrashR.pdf](#)

You don't often get email from dhelms@bradhendricks.com. [Learn why this is important](#)

Our firm has been retained to represent Ms. Fannie [REDACTED] regarding the above-referenced claim against your insured. This claim is a result of an incident which occurred on the above-captioned date, causing personal injury and/or property damage. **You are not authorized to speak to our clients regarding any injury and/or issues concerning how the incident occurred.** However, be advised that *you are authorized to communicate with our client regarding property damage*, including any rental car issues.

Please contact me as soon as possible in order that we may share information and details regarding this claim. In the meantime, we would appreciate your forwarding to us copies of any statements you may have obtained from our clients.

Edward Oglesby
Attorney
eoglesby@bradhendricks.com

David Helms

	
	500 C Pleasant Valley Drive, Little Rock, Arkansas 72227 501-221-0444 Fax: 501-661-0196 Toll Free: (800) 603-5100 dhelms@bradhendricks.com BradHendricks.com



THE BRAD HENDRICKS
LAW FIRM

500 C Pleasant Valley Drive
Little Rock, Arkansas 72227

Tel: (501) 221-0444
Fax: (501) 661-0196
www.BradHendricks.com

October 8, 2024

Brad Hendricks **
Lamar Porter †
George R. Wise Jr.
Matthew E. Hartness †
Caroline C. Lewis

All Licensed in Arkansas
† Also Licensed in Texas
** Also Licensed in Texas & Missouri

Lloyd W. "Tre" Kitchens
Edward T. Oglesby ‡
Lea Phelps
Kale D. Anderson
David P. Rawls *
Gary Davis *

‡ Also Licensed in Louisiana
* Of Counsel

ascc.new.claims@arkansas.gov

(501) 681-2823

Arkansas State Claims Commission
Main Street Mall
101 East Capitol Avenue, Suite 410
Little Rock, AR 72201

RE: Our Clients: Ms. Fannie [REDACTED]
Your Insured: [REDACTED]
Claim #: ??
Date of Inc: 09/12/2024

Dear Sir or Madam,

Our firm has been retained to represent Ms. Fannie [REDACTED] regarding the above-referenced claim against your insured. This claim is a result of an incident which occurred on the above-captioned date, causing personal injury and/or property damage. **You are not authorized to speak to our clients regarding any injury and/or issues concerning how the incident occurred.** However, be advised that *you are authorized to communicate with our client regarding property damage, including any rental car issues.*

Please contact me as soon as possible in order that we may share information and details regarding this claim. In the meantime, we would appreciate your forwarding to us copies of any statements you may have obtained from our clients.

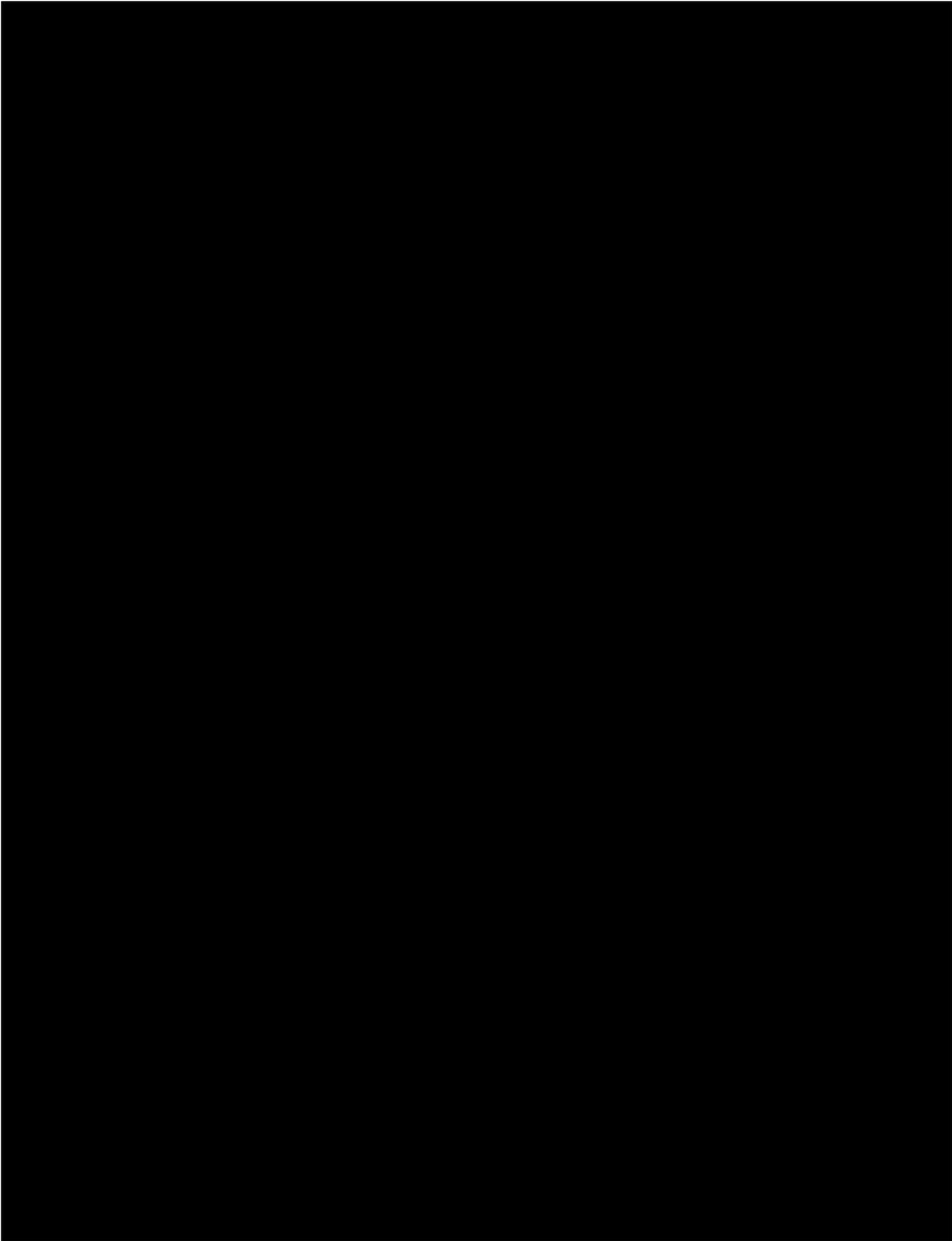
In the event that you have previously obtained a medical and/or employment authorization, please be advised that any such authorizations are hereby revoked. Please forward copies of any information you have obtained pursuant to such authorizations. We will be glad to supply you with any additional information you may need in the future in order to evaluate this claim.

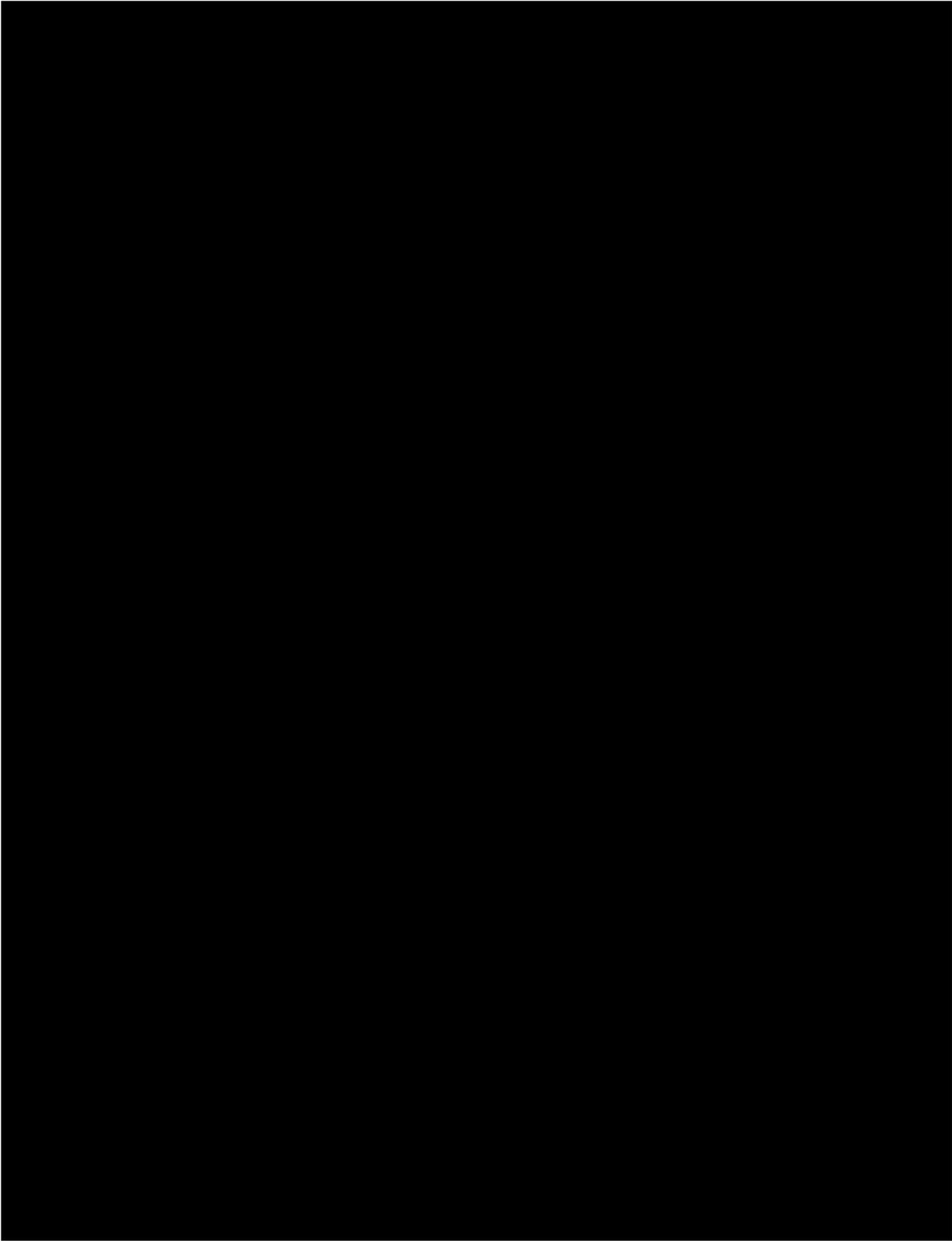
Thank you for your cooperation, and we look forward to working with you in the future.

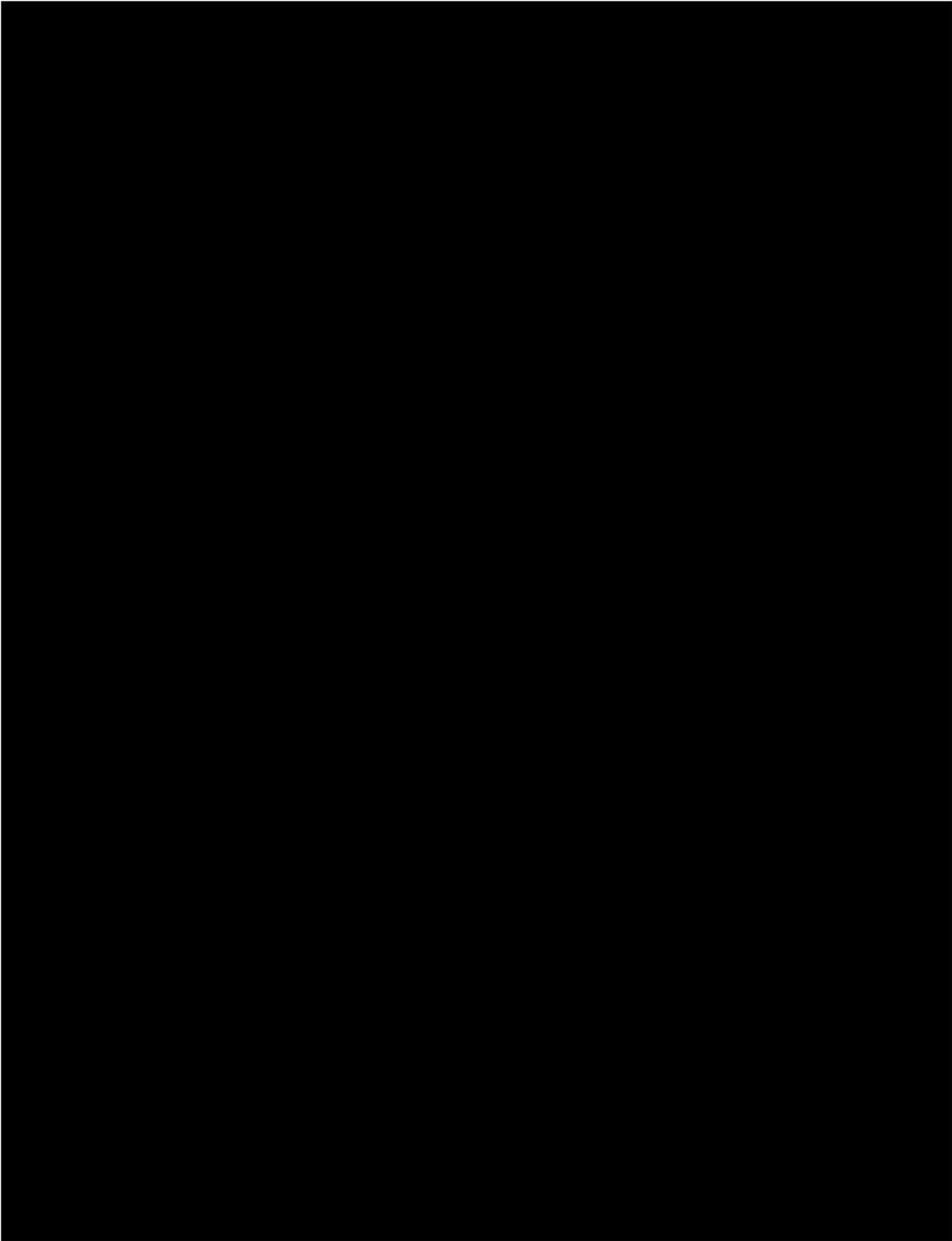
Sincerely,

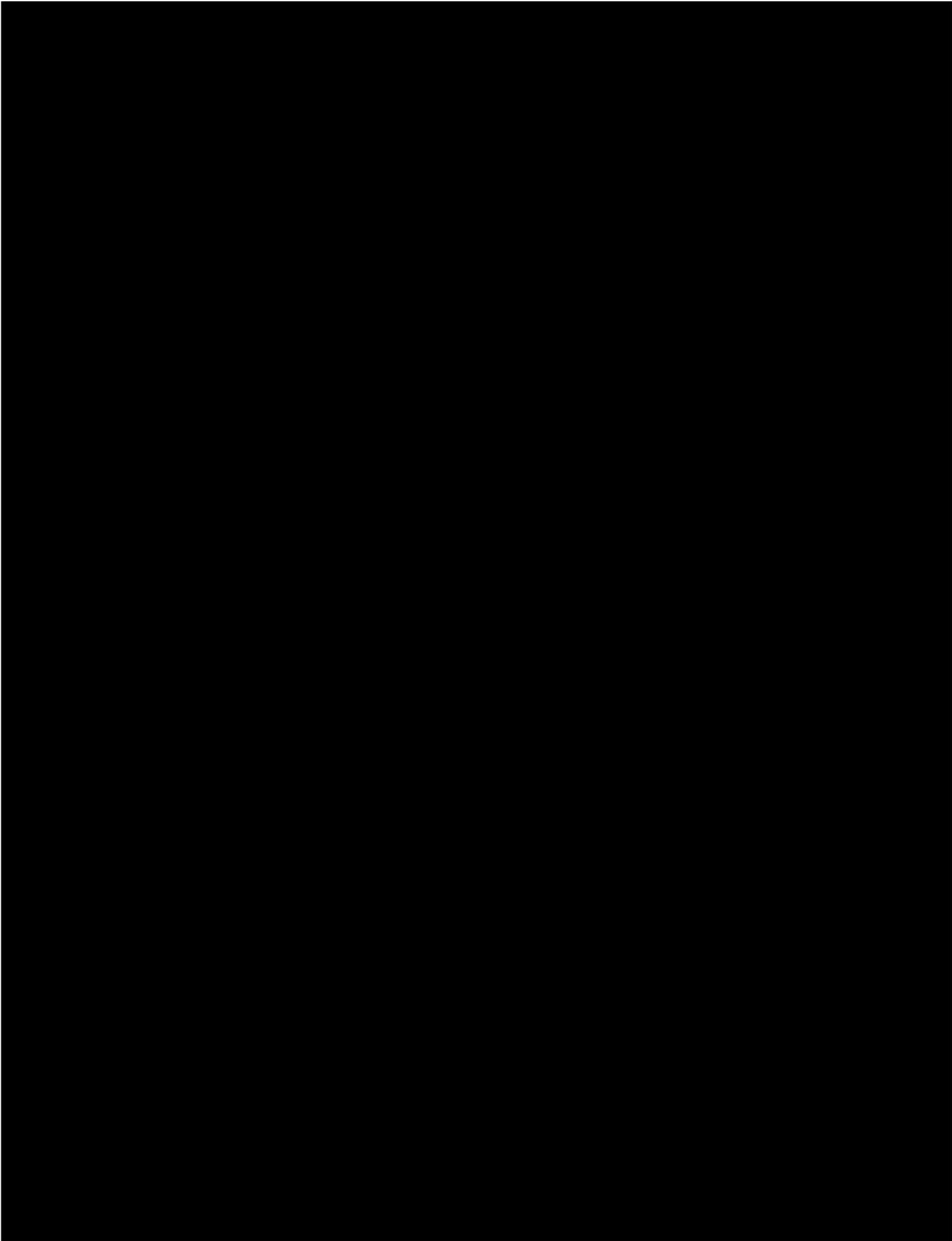
Edward Oglesby
Attorney
eoglesby@bradhendricks.com

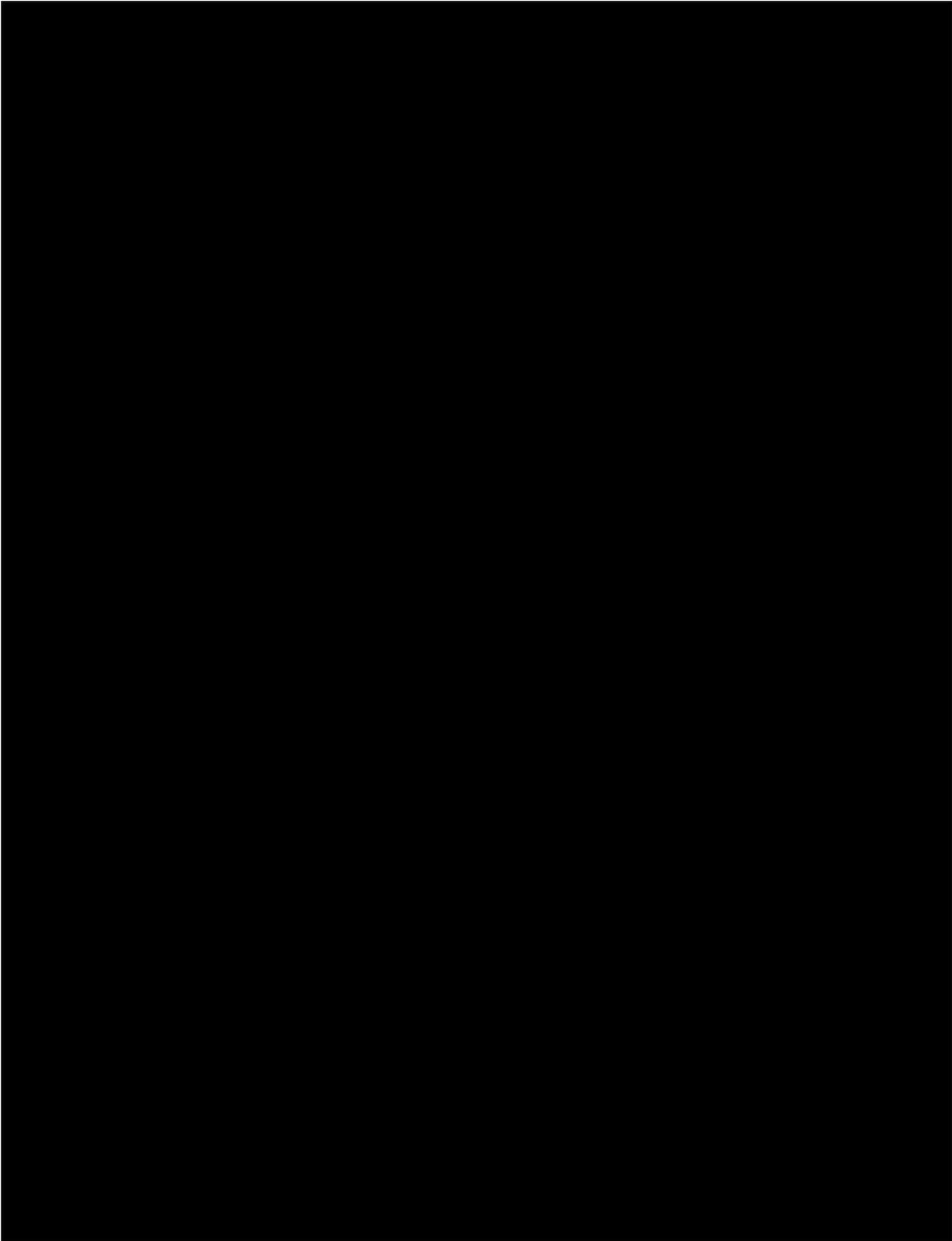
/dh

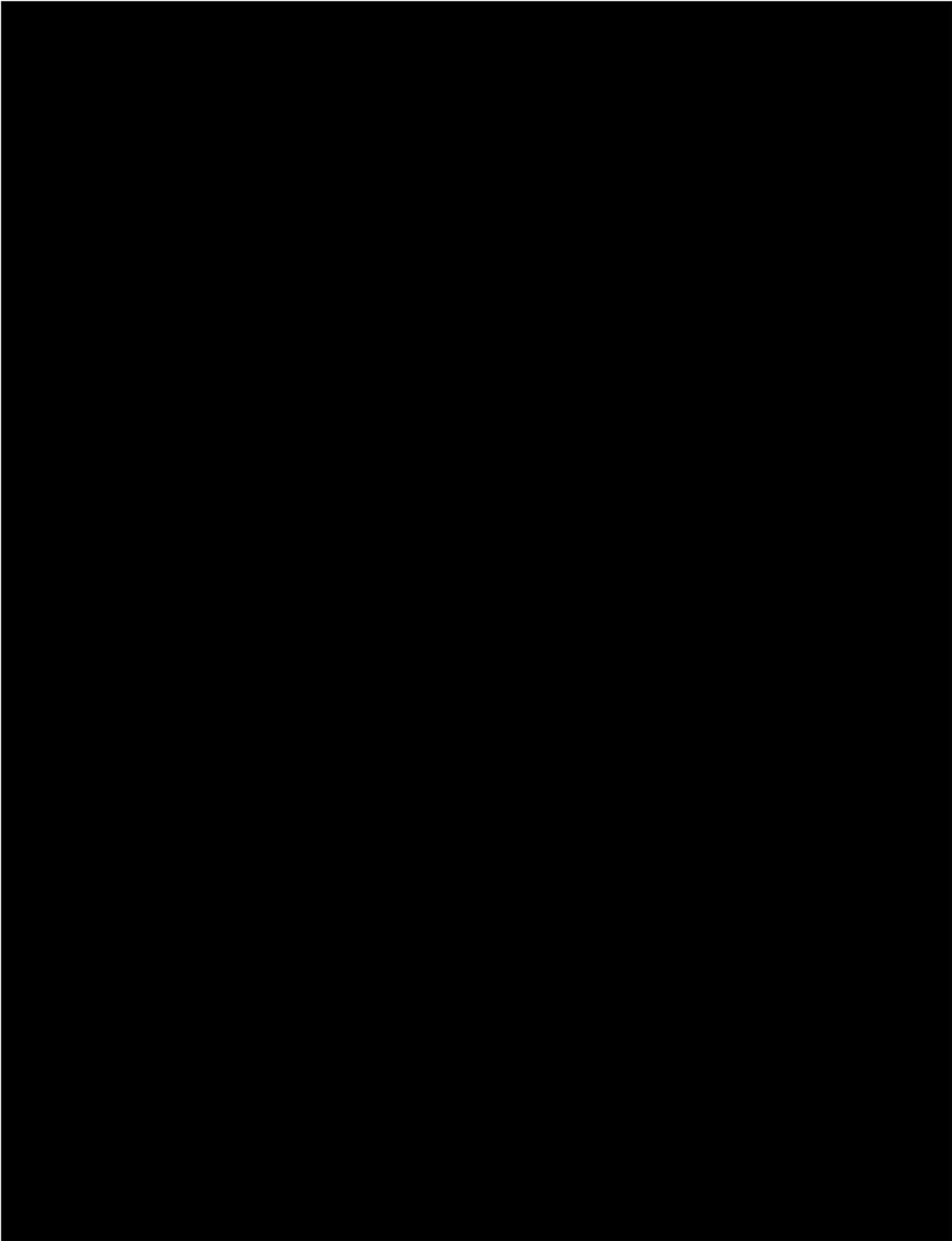


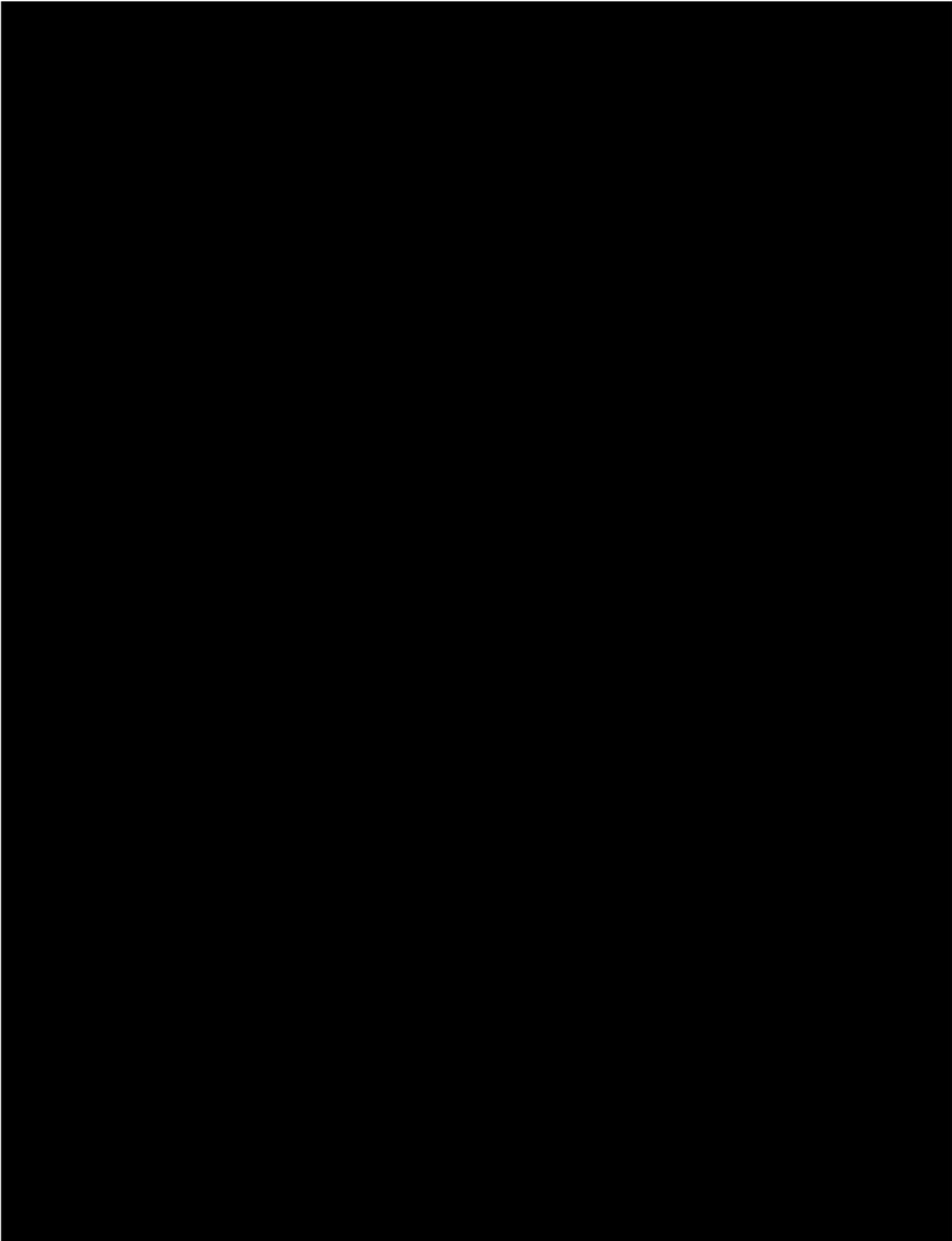


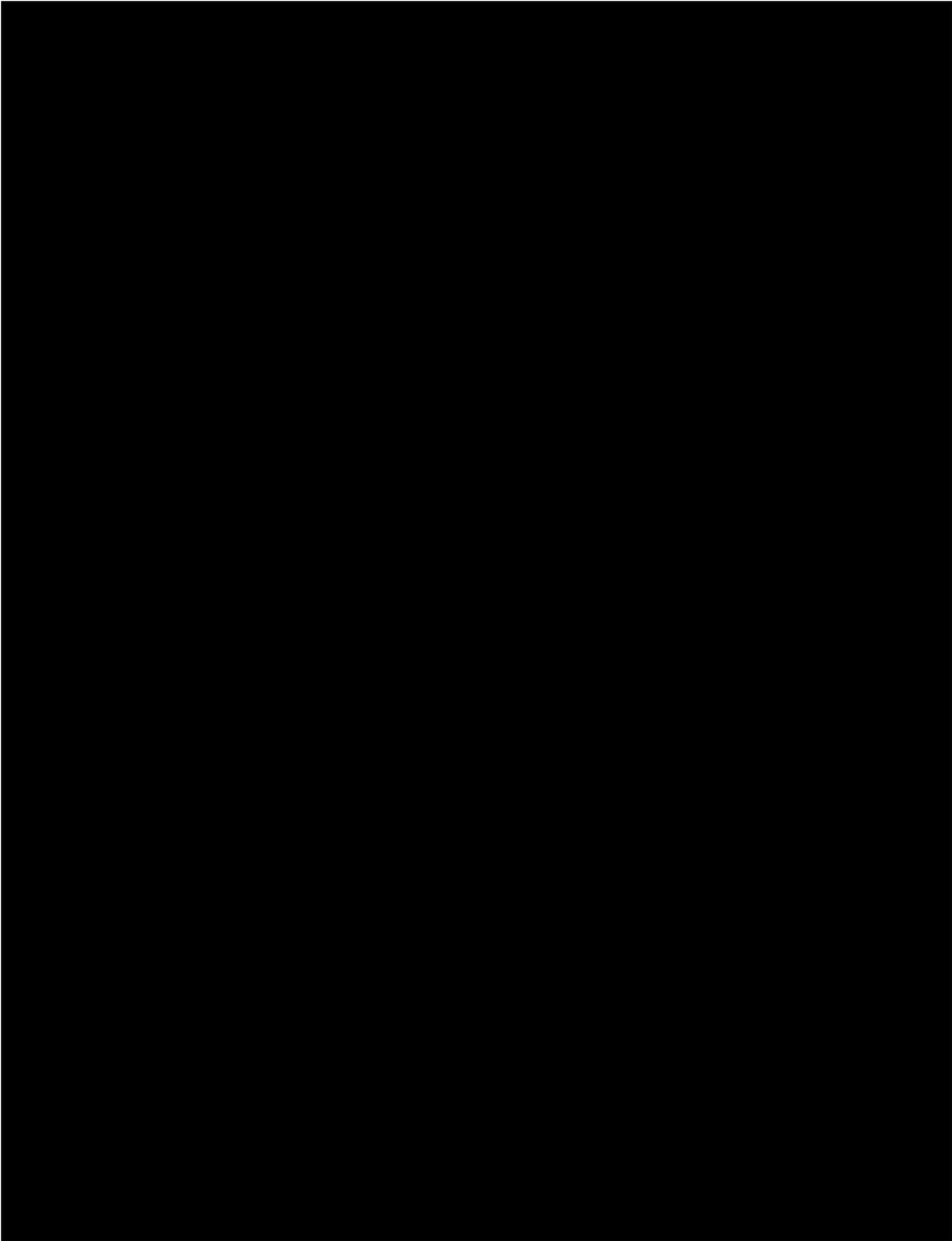


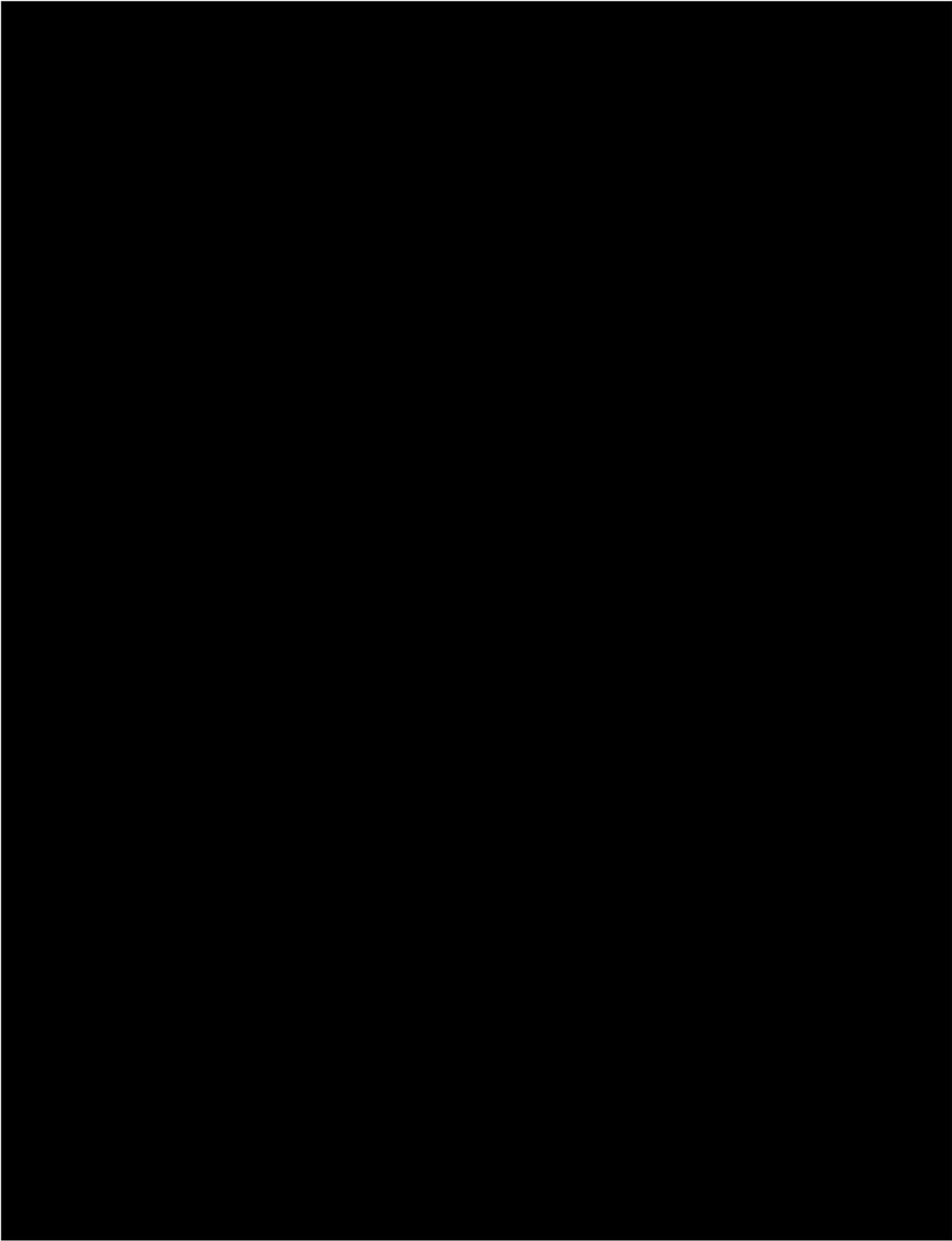


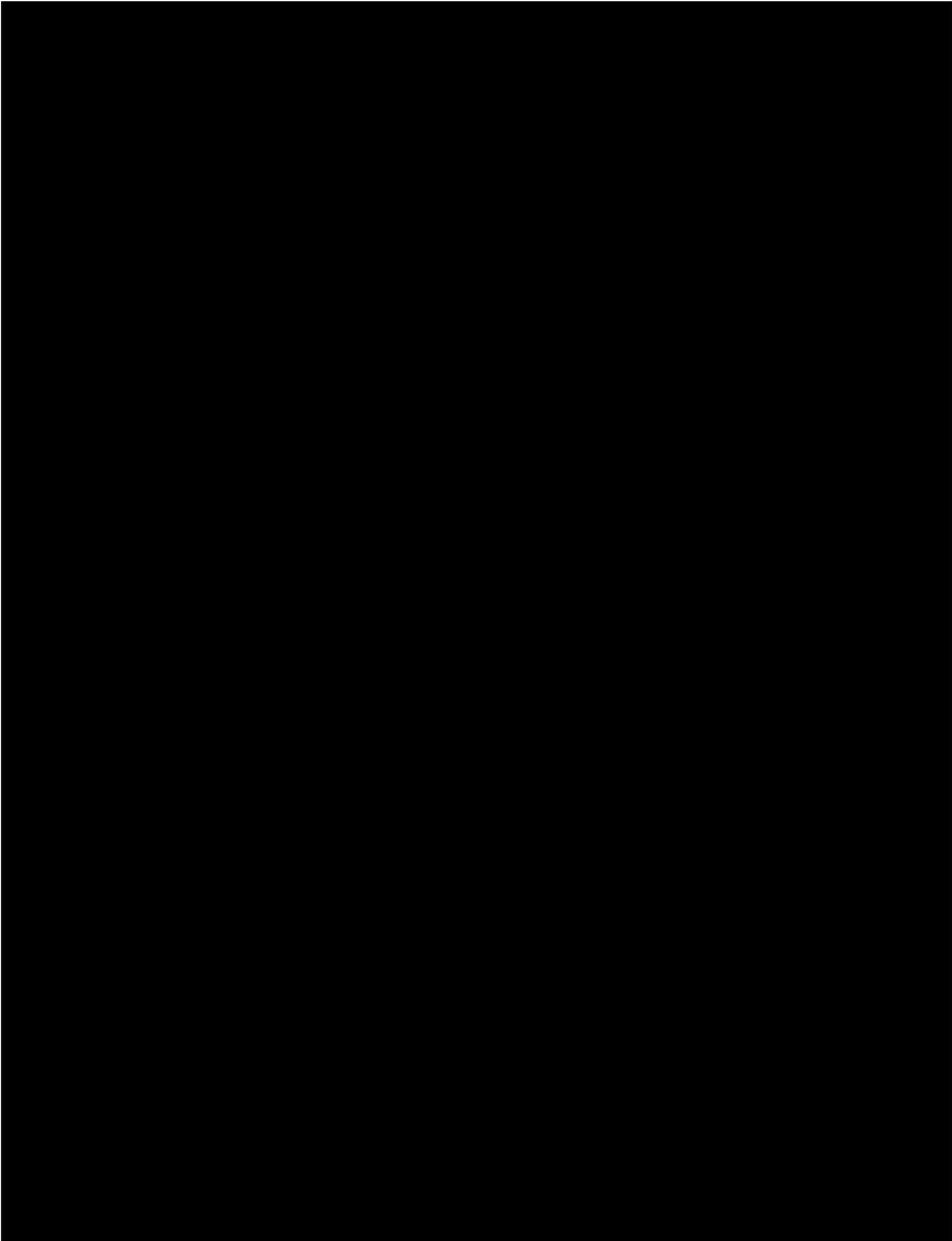


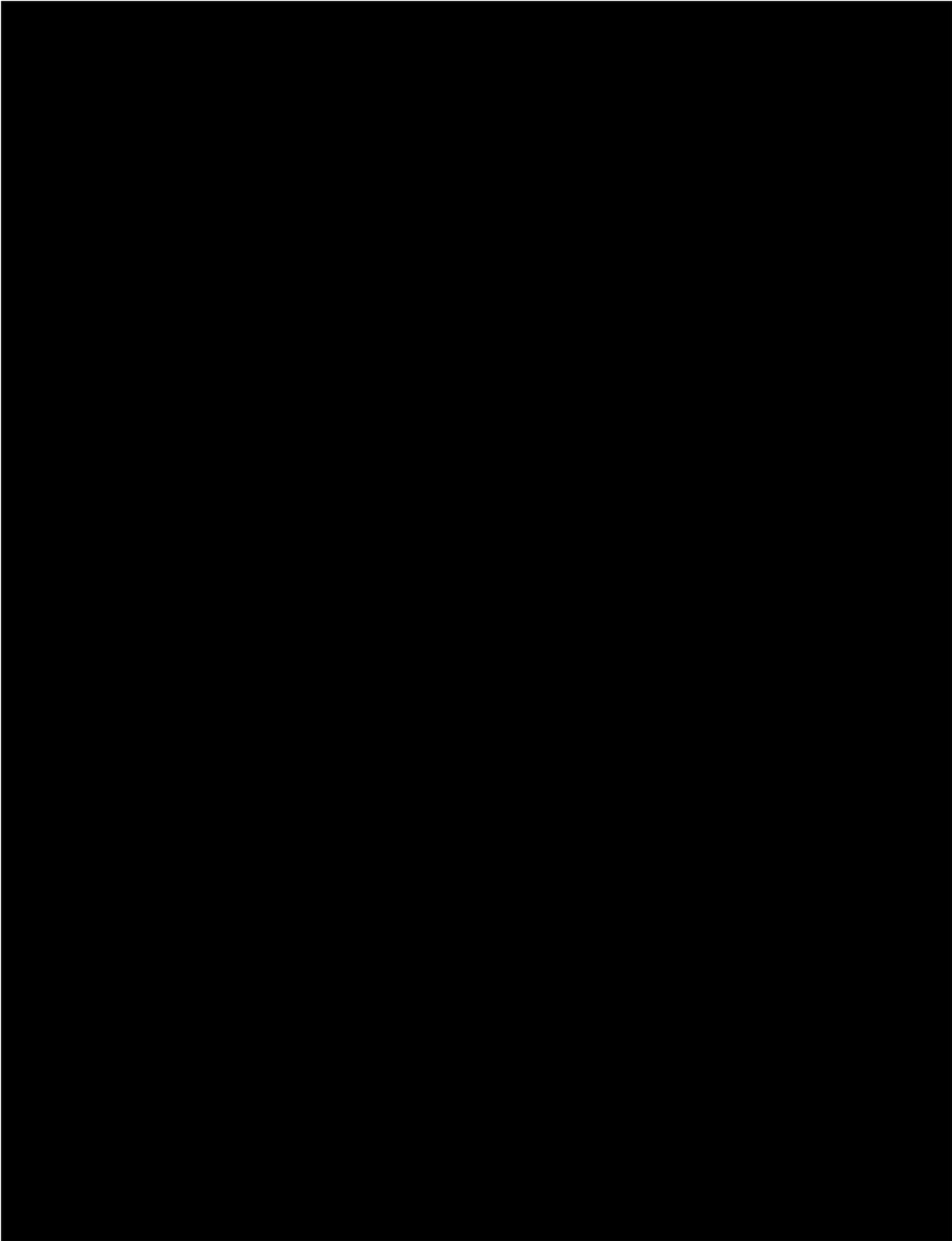


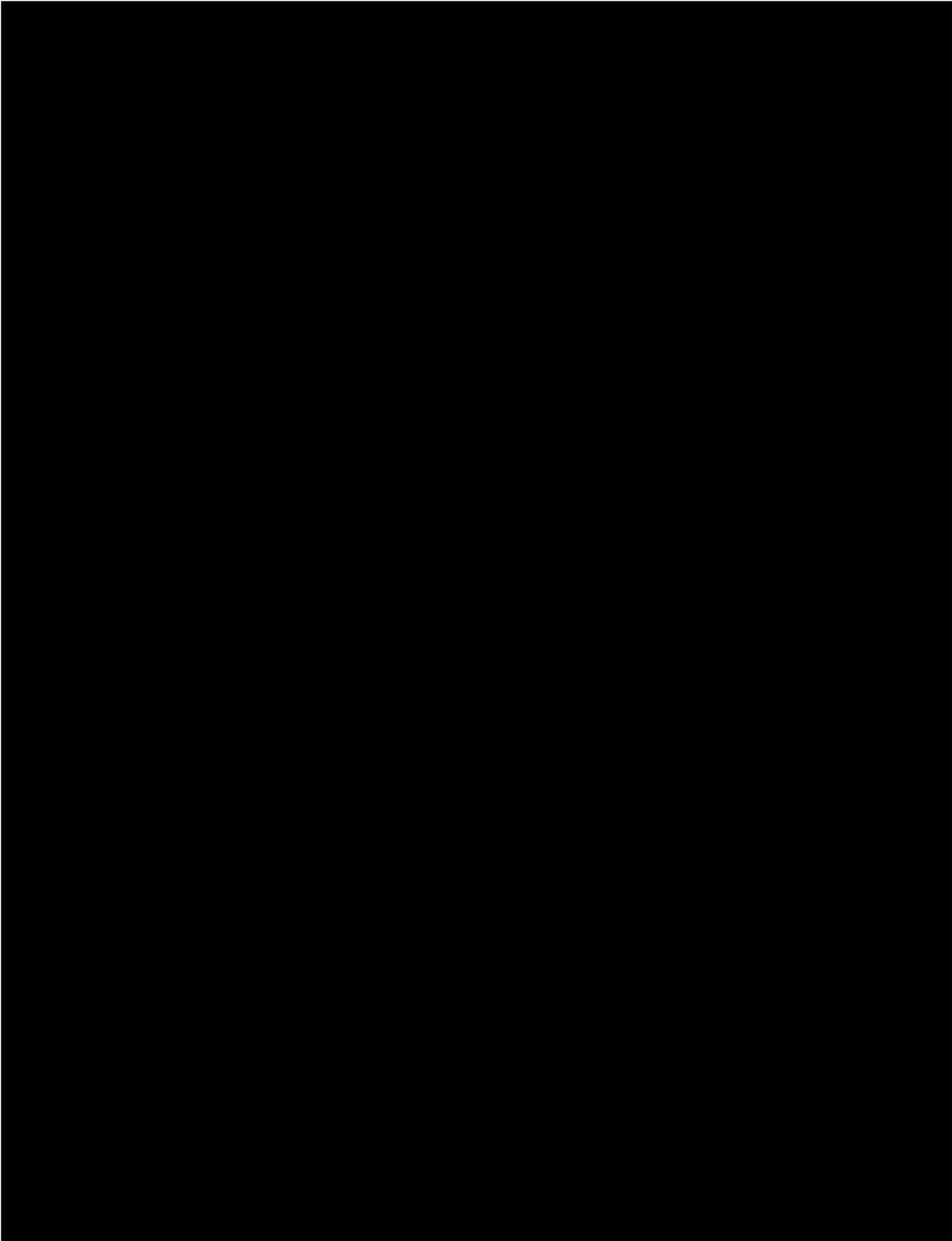


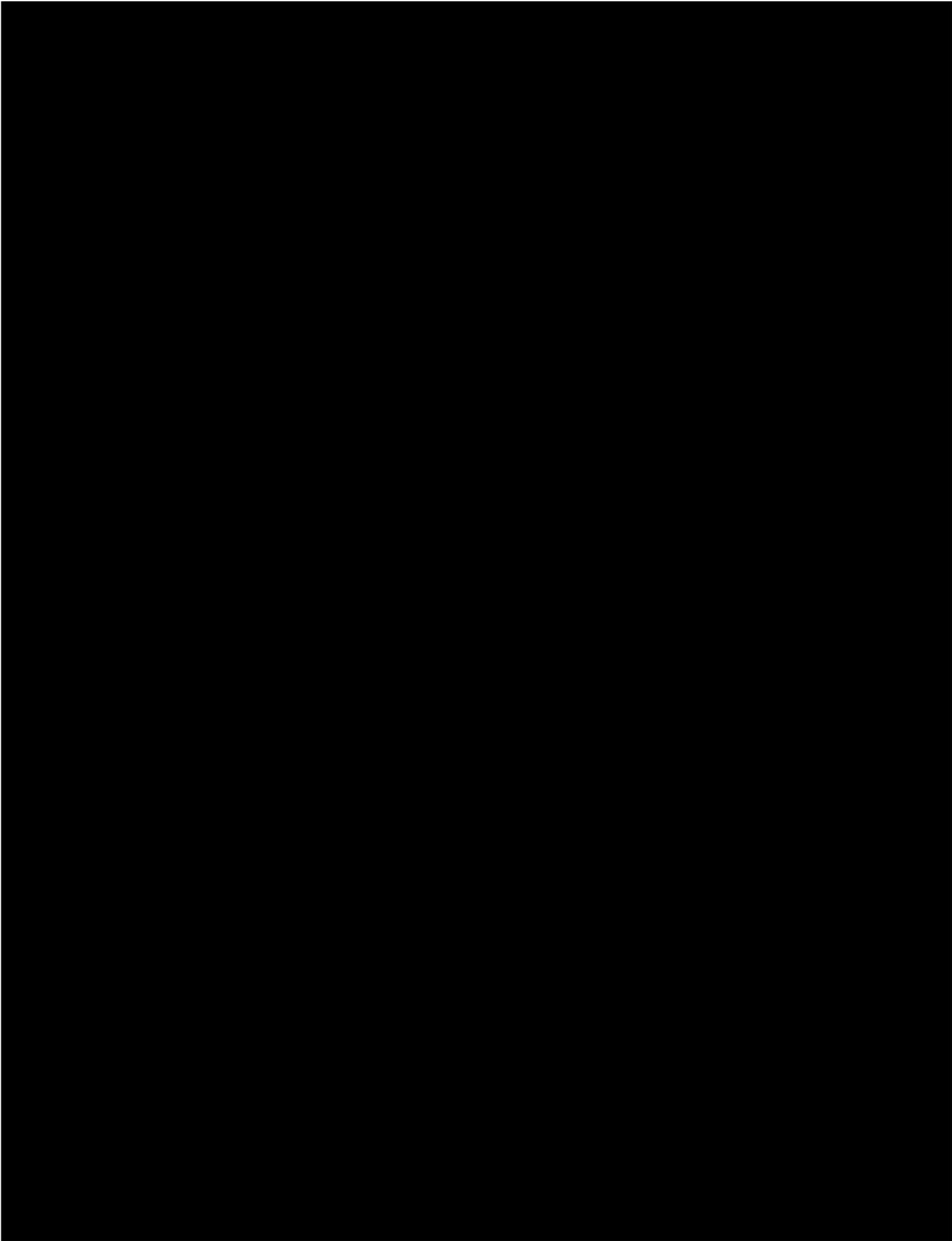


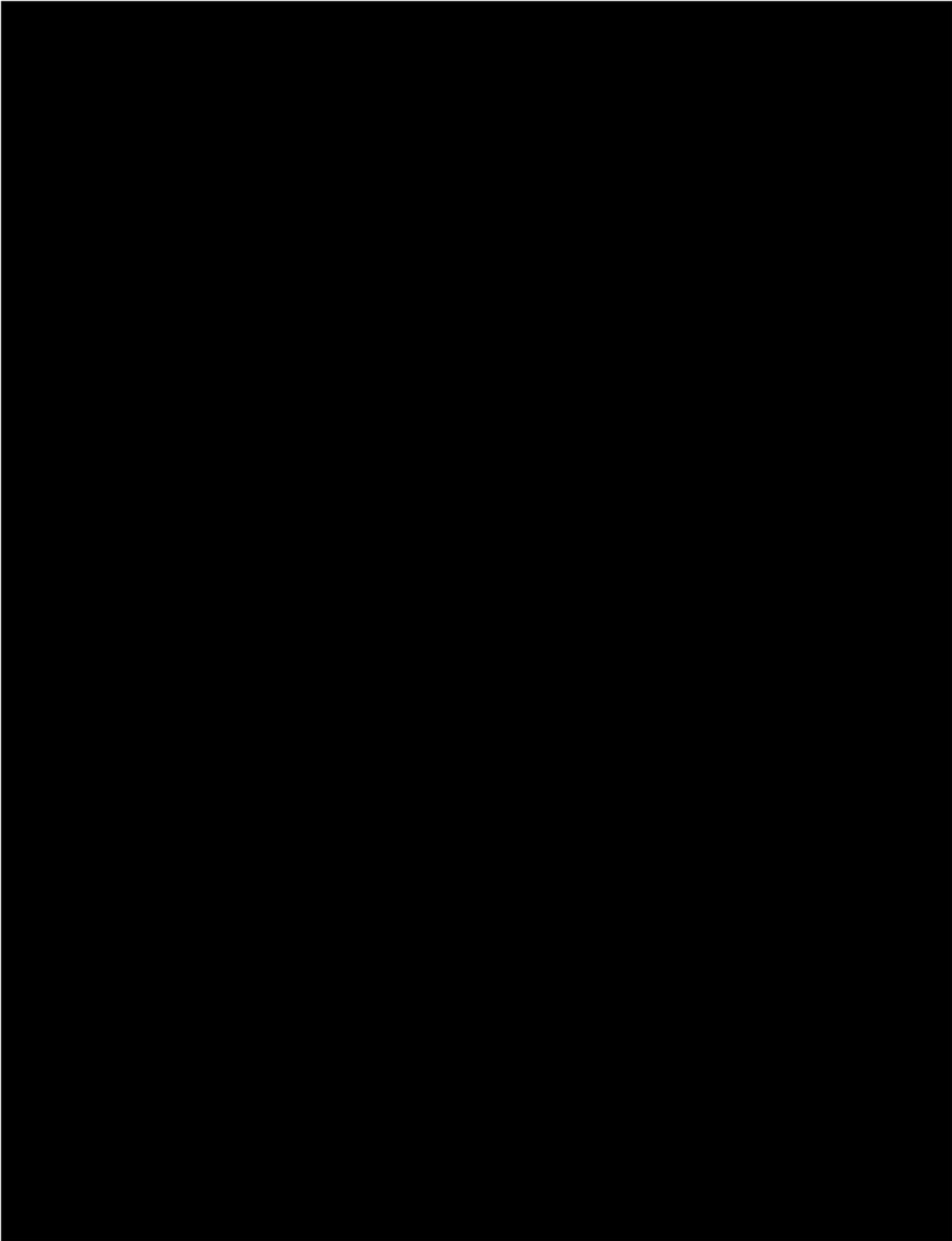


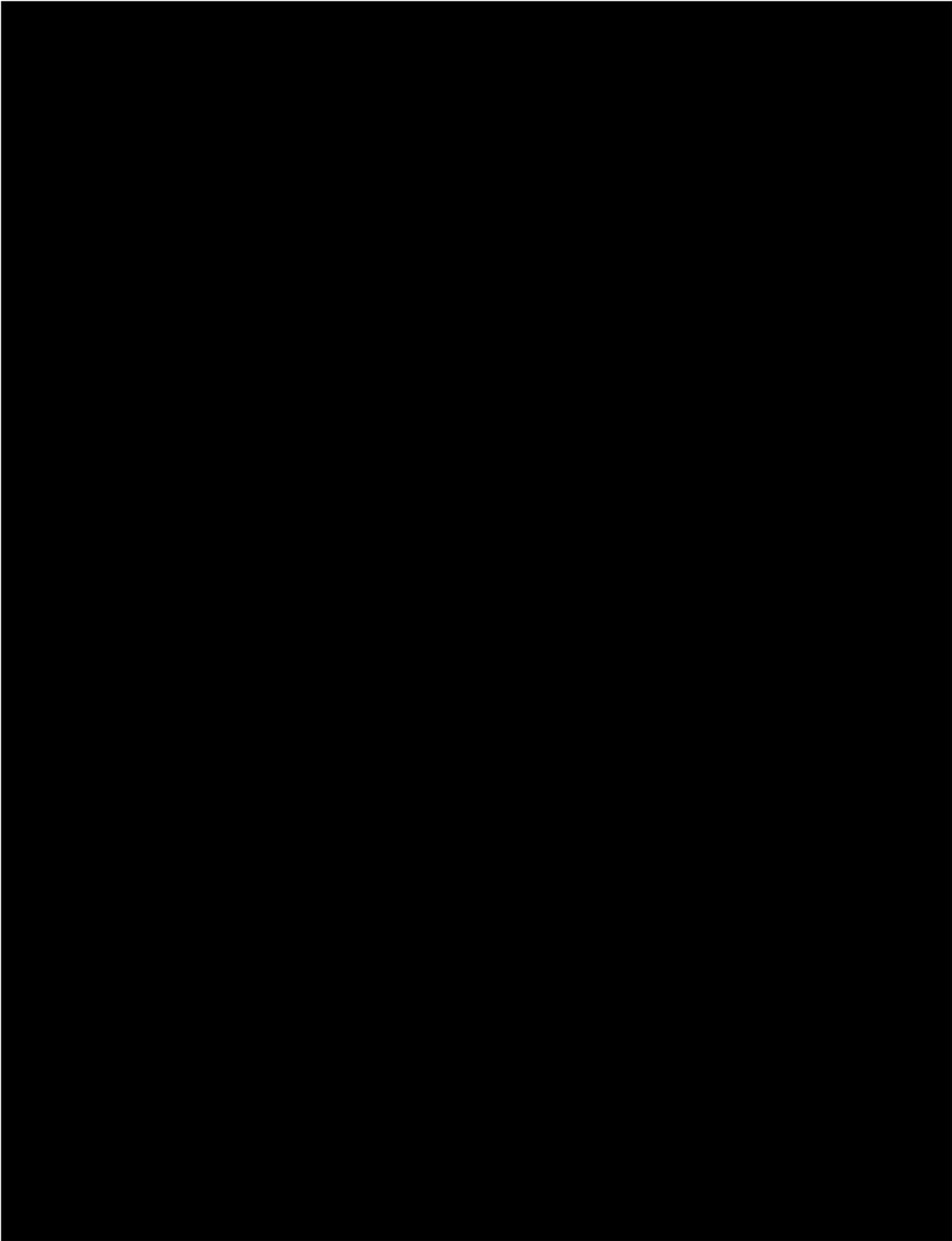


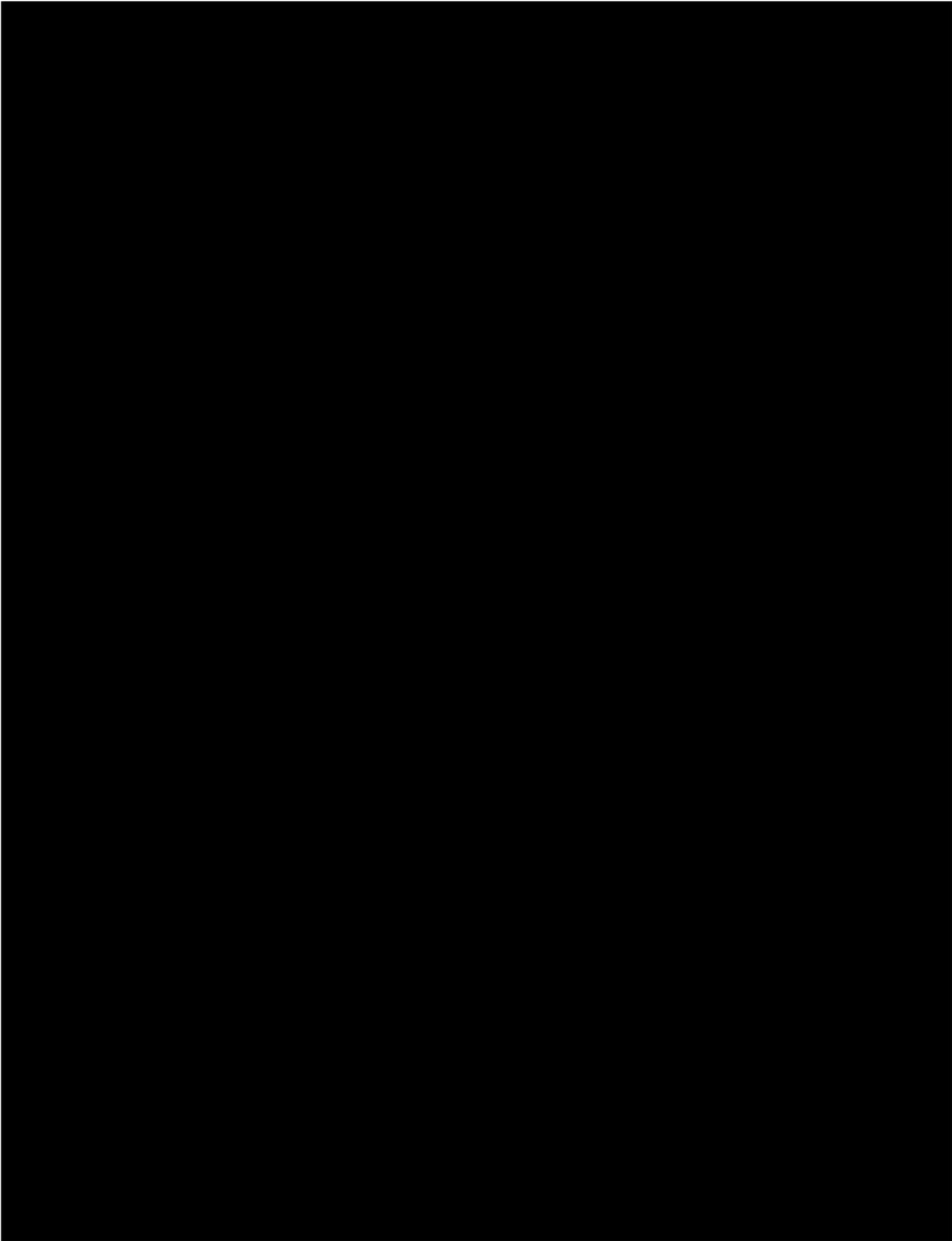


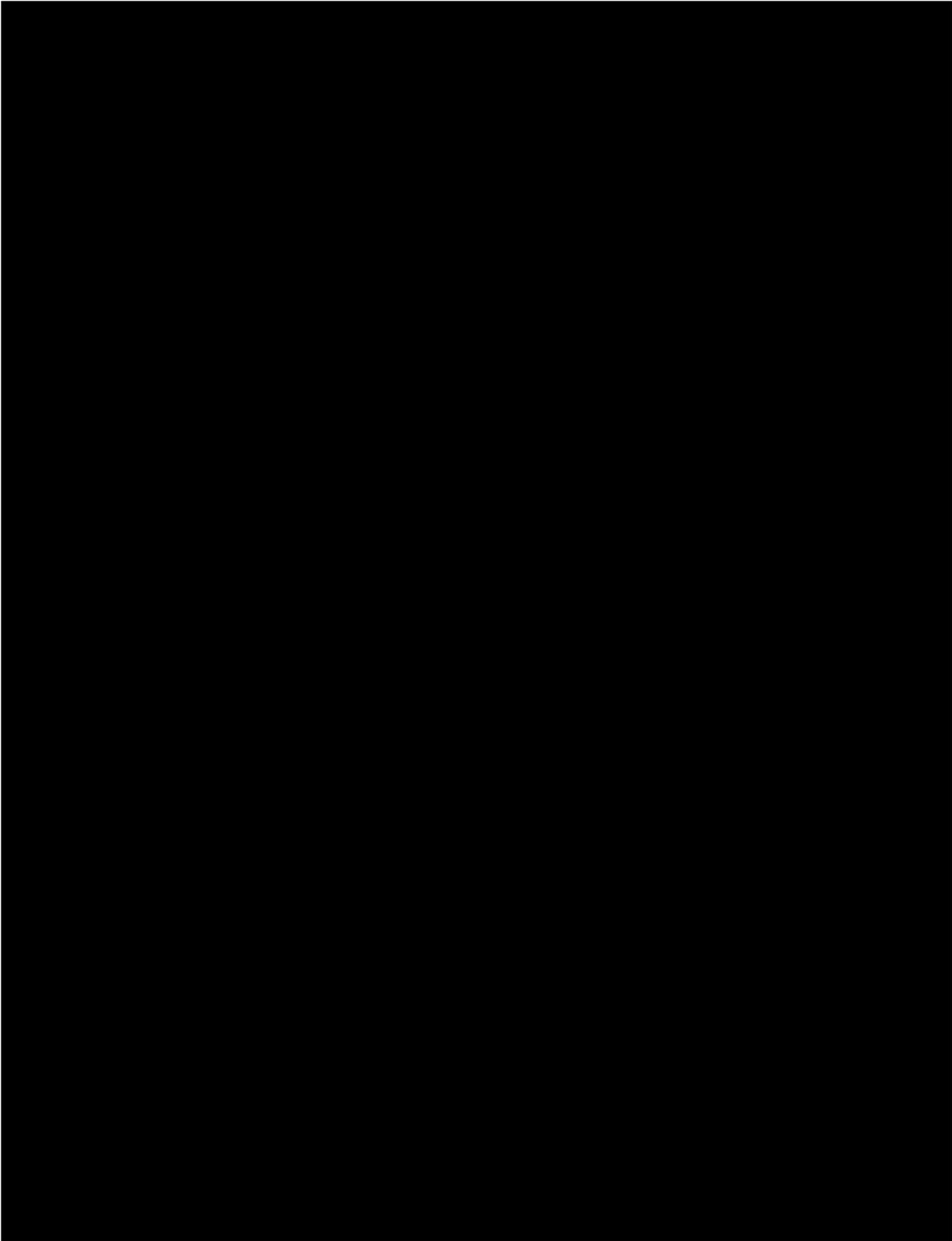


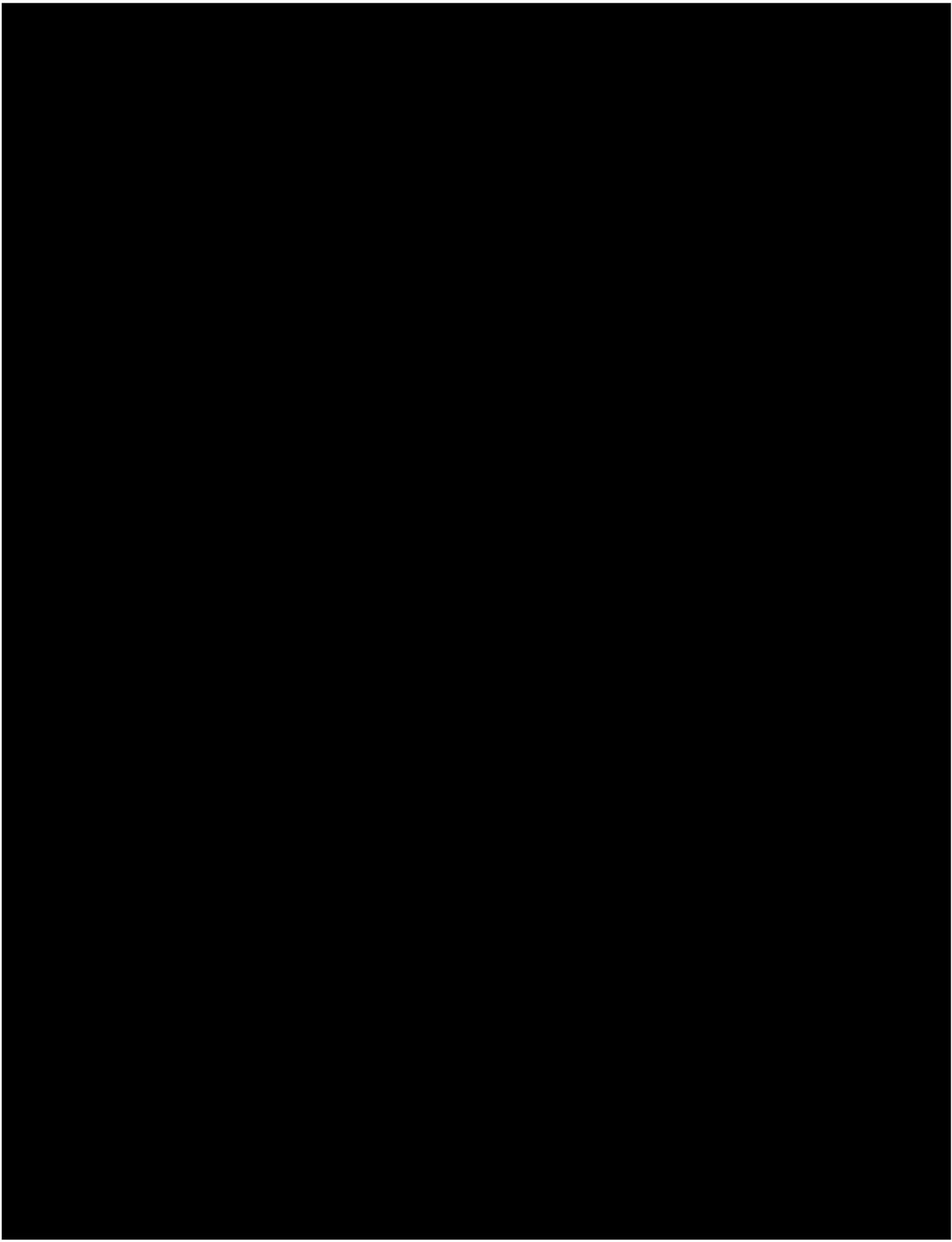


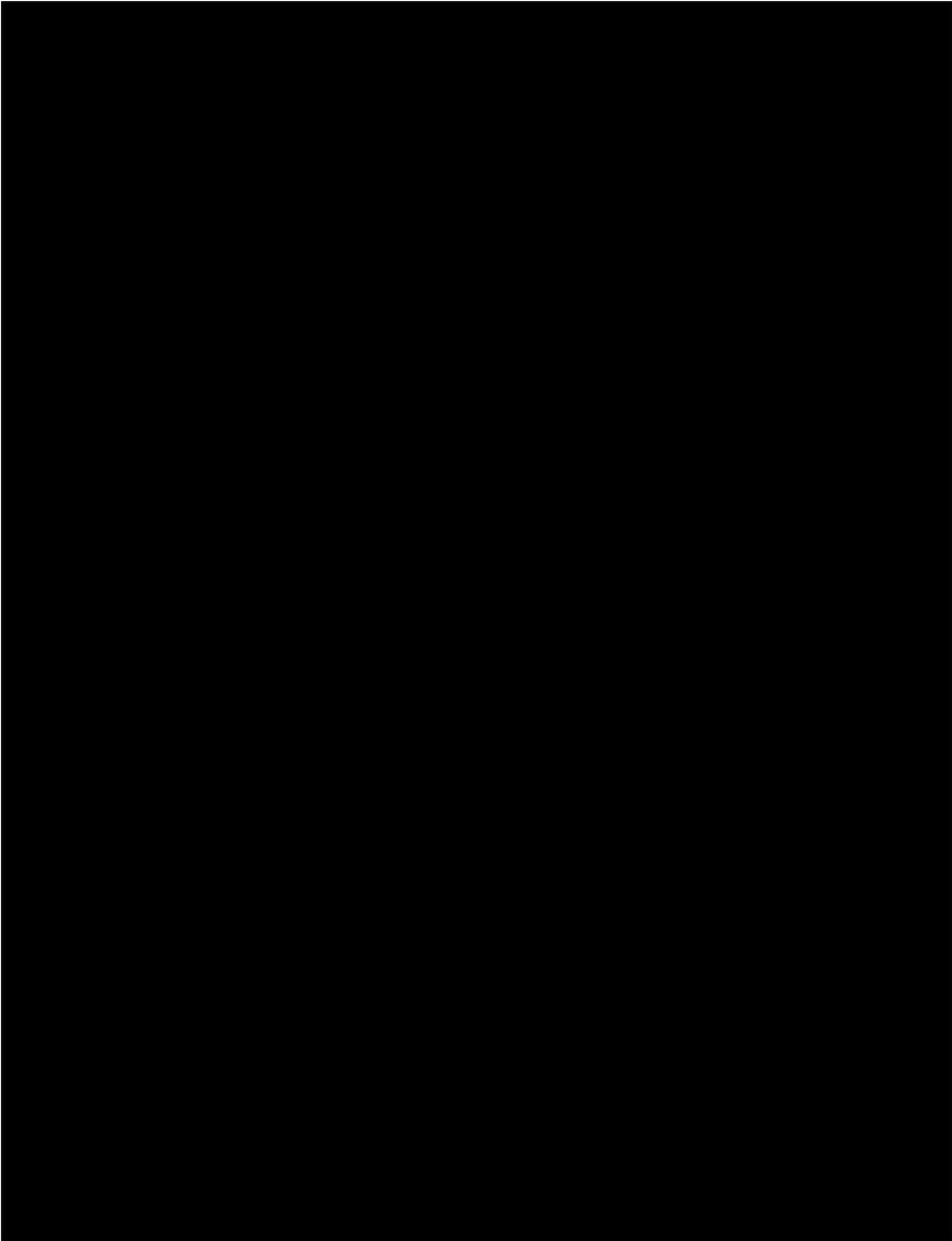


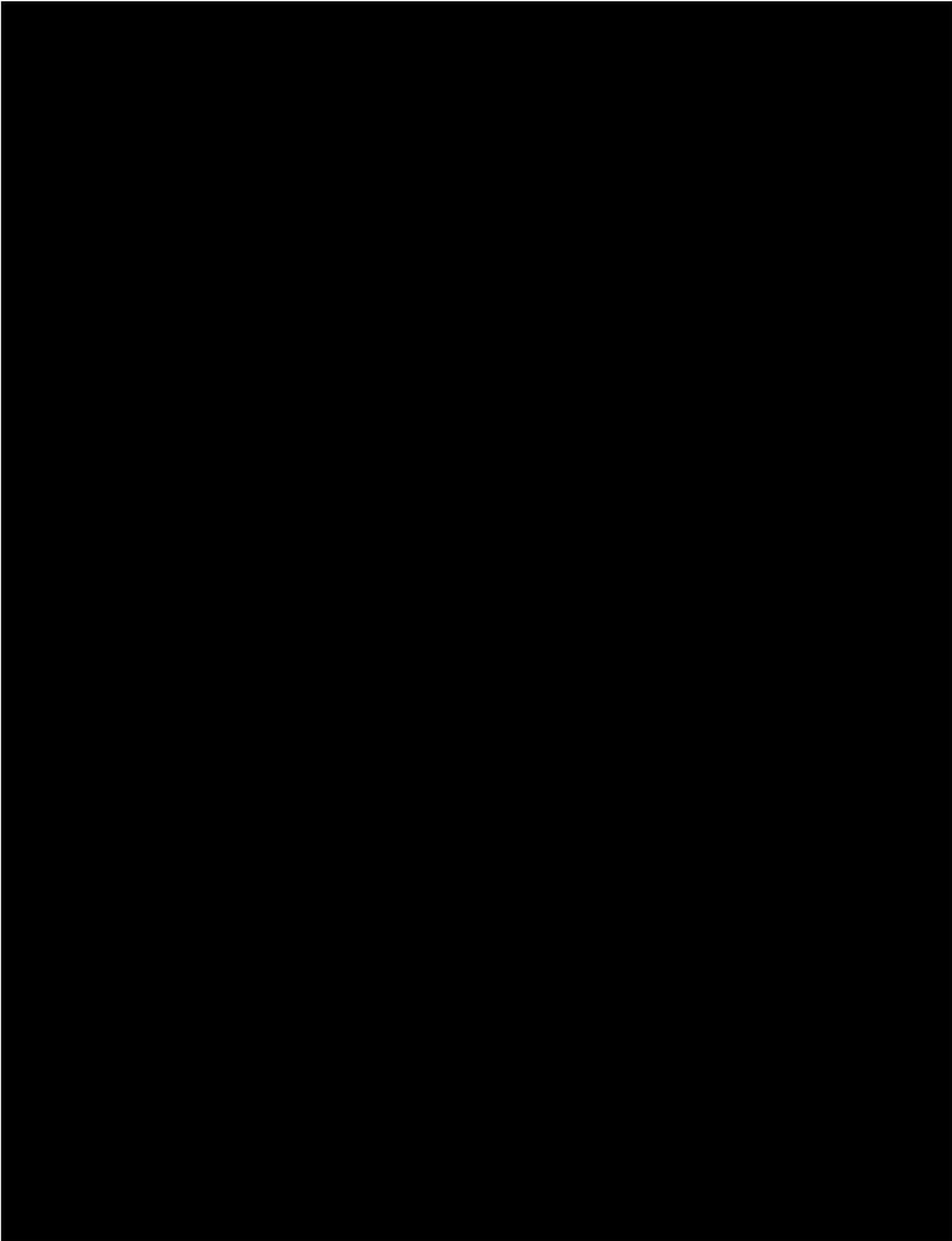


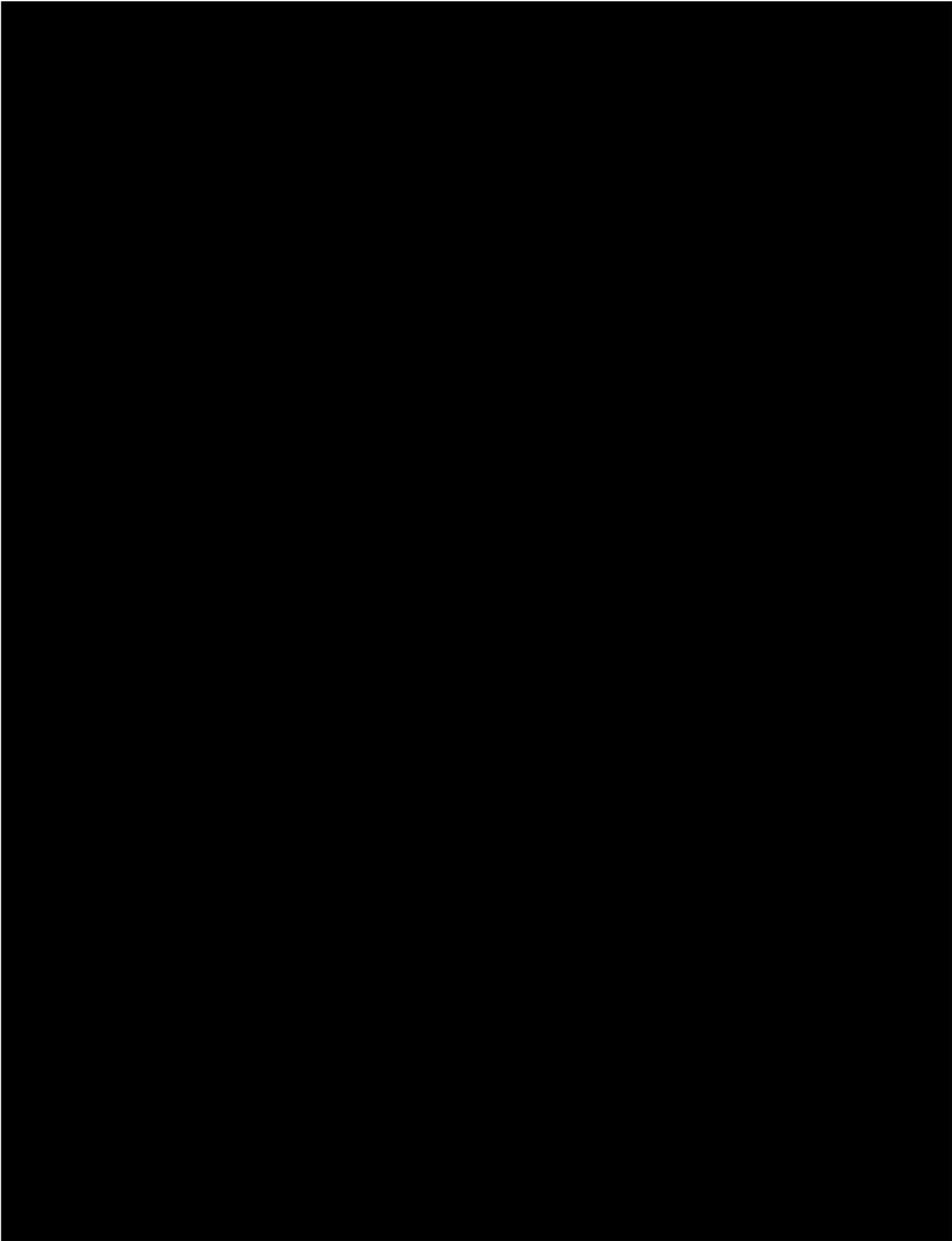












From: [ASCC New Claims](#)
To: ["dhelms@bradhendricks.com"](mailto:dhelms@bradhendricks.com)
Bcc: [Kathryn Irby](#)
Subject: Fannie McKee and London McKee, Claim No. 250551 - deficient
Date: Monday, October 21, 2024 10:19:00 AM
Attachments: [image558792.png](#)
[image034949.png](#)
[24.10.08 3rd AR Claims LOR.pdf](#)
[F.McKee CrashR.pdf](#)
[Claim form --Revised June 2024.pdf](#)
[signature page for attorney.pdf](#)

Dear Mr. Helms,

This office received the attached claim documents relating to an incident. This claim cannot be filed, however, because it did not include a complaint form. This form is required for all claims. For your convenience, a complaint form is attached.

Please complete the attached form, sign it in the presence of a Notary Public, and return it to this office. The other claim documents will be retained here to be filed upon receipt of the completed forms.

Thank you,
Caitlin

Caitlin McDaniel

Administrative Specialist II

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619

From: David Helms <dhelms@bradhendricks.com>
Sent: Tuesday, October 8, 2024 11:37 AM
To: ASCC New Claims <ascc.new.claims@arkansas.gov>
Subject: Fannie McKee [REDACTED] Letter of Rep and Police Report - 250551

You don't often get email from dhelms@bradhendricks.com. [Learn why this is important](#)

Our firm has been retained to represent Ms. Fannie [REDACTED] regarding the above-referenced claim against your insured. This claim is a result of an incident which occurred on the above-captioned date, causing personal injury and/or property damage. **You are not**

authorized to speak to our clients regarding any injury and/or issues concerning how the incident occurred. However, be advised that *you are authorized to communicate with our client regarding property damage*, including any rental car issues.

Please contact me as soon as possible in order that we may share information and details regarding this claim. In the meantime, we would appreciate your forwarding to us copies of any statements you may have obtained from our clients.

Edward Oglesby

Attorney

eoglesby@bradhendricks.com

David Helms




500 C Pleasant Valley Drive, Little Rock, Arkansas 72227
[501-221-0444](tel:501-221-0444) | Fax: [501-661-0196](tel:501-661-0196)
Toll Free: (800) 603-5100
dhelms@bradhendricks.com
BradHendricks.com

From: [Edward Oglesby](#)
To: [ASCC New Claims](#)
Cc: [MiKavla Nash](#)
Subject: Claim numbers 250551 & 250609
Date: Thursday, January 16, 2025 11:23:08 AM
Attachments: [image197384.png](#)
[image636182.png](#)

You don't often get email from eoglesby@bradhendricks.com. [Learn why this is important](#)

Dear Ms. Caitlin,

Thank you for visiting with this morning regarding the two above referenced claims.

As discussed, we are pursuing both injury and property damage claims for Fannie McKee under claim number 250551.



Please advise if you need any additional information.

Thank you,

Edward Oglesby

Edward Oglesby

	
<p>500 C Pleasant Valley Drive, Little Rock, Arkansas 72227 501-221-0444 Fax: (501) 661-0196 Toll Free: (800) 603-5100 eoglesby@bradhendricks.com BradHendricks.com</p>	

From: [MiKayla Nash](#)
To: [ASCC New Claims](#)
Cc: [Edward Oglesby](#)
Subject: Client Update- Fannie McKee
Date: Monday, January 20, 2025 4:06:04 PM

Good afternoon,

Our client, Fannie McKee, is still currently seeking medical treatment.

Let me know if you have any questions.

Thank you,
MiKayla Nash

From: [ASCC New Claims](#)
To: [Davenport, Michelle L.](#); [Blakley, Sharon](#); lakeysha.walker@ardot.gov
Cc: [Kathryn Irby](#)
Subject: CLAIM: Fannie McKee v. ArDOT, Claim No. 250551
Date: Friday, January 31, 2025 10:23:00 AM
Attachments: [Fannie McKee v. ArDOT agency ltr .pdf](#)
[Fannie McKee Ltr of Rep, Def email, Claim form, supporting docs, corr from atty, and client update \(combined\) - 250551.pdf](#)

Dear Ms. Davenport,

Please confirm receipt of the attached claim file. The agency may file its response to this claim electronically by sending it to ascpcleadings@arkansas.gov, with a copy to the claimant pursuant to the Arkansas Rules of Civil Procedure.

Please contact Kathryn Irby with any questions.

Thank you,

Caitlin

Caitlin McDaniel

Administrative Specialist II

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619

January 31, 2025

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

(via email)

RE: ***Fannie McKee v. Arkansas Department of Transportation***
Claim No. 250551

Dear Ms. Davenport,

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

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

Sincerely,

Kathryn Irby

ES: cmcdaniel

cc: Edward Oglesby, *counsel for Claimant* (w/o encl.) (via email)

From: [ASCC New Claims](#)
To: ["eoglesby@bradhendricks.com"](mailto:eoglesby@bradhendricks.com)
Bcc: [Kathryn Irby](#)
Subject: Fannie McKee v. ArDOT, Claim No. 250551
Date: Friday, January 31, 2025 10:23:00 AM
Attachments: [Fannie McKee v. ArDOT agency ltr .pdf](#)

Dear Mr. Oglesby,

Attached please find a copy of the letter sent with Ms. McKee's claim to the Arkansas Department of Transportation.

Thank you,
Caitlin

Caitlin McDaniel

Administrative Specialist II

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619

From: [Blakley, Sharon D.](#)
To: [ASCC New Claims](#)
Subject: RE: CLAIM: Fannie McKee v. ArDOT, Claim No. 250551
Date: Monday, February 3, 2025 3:30:29 PM

Received

From: ASCC New Claims <ASCC.New.Claims@arkansas.gov>
Sent: Friday, January 31, 2025 10:24 AM
To: Davenport, Michelle L. <Michelle.Davenport@ardot.gov>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Walker, LaKeysha N. <LaKeysha.Walker@ardot.gov>
Cc: Kathryn.Irby <Kathryn.Irby@arkansas.gov>
Subject: CLAIM: Fannie McKee v. ArDOT, Claim No. 250551

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Davenport,

Please confirm receipt of the attached claim file. The agency may file its response to this claim electronically by sending it to ascpleadings@arkansas.gov, with a copy to the claimant pursuant to the Arkansas Rules of Civil Procedure.

Please contact Kathryn Irby with any questions.

Thank you,
Caitlin

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

From: [Blakley, Sharon D.](#)
To: [ASCC Pleadings](#)
Cc: [Martinez, Ivan](#)
Subject: McKee v ARDOT Claim 250551 ANS-MtHA
Date: Thursday, February 13, 2025 9:08:42 AM
Attachments: [image001.png](#)
[McKee.250551.ANS-MtHA.2025.02.13.pdf](#)

Please acknowledge receipt of the attached Answer and Motion to Hold Claim in Abeyance for the referenced claim.

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





ARDOT.gov | Jared D. Wiley, P.E., Director
 LEGAL DIVISION
 Iván Martínez | Staff Attorney | Ivan.Martinez@ardot.gov
 10324 Interstate 30 | P.O. Box 2261, Little Rock, AR 72203-2261
 Phone: (501) 569-2158 | Fax: (501) 569-2164

February 13, 2025

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

(via email)

Re: *Fannie McKee v. Arkansas Department of Transportation*
Claim No. 250551

Dear Ms. Irby:

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

Sincerely,

A handwritten signature in cursive script that reads 'Ivan Martinez'.

Iván Martínez
 Staff Attorney, Arkansas Dept. of Transportation

IM/sdb
 Enclosure

cc: Edward Oglesby
 The Brad Hendricks Law Firm
 500 C Pleasant Valley Dr.
 Little Rock, AR 72227

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

FANNIE MCKEE

CLAIMANTS

V. CLAIM NO. 250551

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

ANSWER AND MOTION TO HOLD CLAIM IN ABEYANCE

COMES THE RESPONDENT, Arkansas Department of Transportation, by and through its Staff Attorney, Iván Martínez, and for its Answer and Motion to Hold Claim in Abeyance, states the following:

1. The Respondent does not dispute liability.

2. To date, the Claimant has failed to provide any proof that she has filed a claim with her insurance carrier, [REDACTED] for coverage benefits, or that any such claim has been denied.

3. Respondent is uninsured and is not required to have insurance pursuant to A.C.A. §27-22-101(b) and A.C.A §27-13-102(d).

4. Ark. Code Ann. §19-10-302 - Exhaustion of remedies against insurer

provides that:

- (a) The Arkansas State Claims Commission shall not dismiss a claim with prejudice on grounds that the claimant has received or is due benefits under a policy of insurance. However, the commission shall hear no claim until the claimant has exhausted all remedies against insurers, including the claimant's insurer.
- (b) Every claim filed with the commission shall be accompanied by a sworn affidavit on a form to be provided by the commission, signed by the claimant and witnessed by the claimant's insurer and legal counsel, if any, that the claimant has exhausted all remedies against insurers, including claimant's insurer. The affidavit shall further state the total amount of insurance benefits paid to the claimant.

5. That the Commission should hold this claim in abeyance until the Claimant has fully exhausted her remedies against her own insurer, [REDACTED], herein attached as Exhibit “A”, including, but not limited to the filing of a civil lawsuit in the appropriate Circuit Court for denial of insurance. The policy includes Uninsured Motorist – Bodily Injury \$50,000.00 per person, \$100,000.00 per accident. In addition, the policy includes Collision coverage.

WHEREFORE, Respondent respectfully requests that this matter be held in abeyance pending Claimant’s resolution of all claims against any applicable insurance coverage, including coverage from Claimant’s own insurer.

**RESPECTFULLY SUBMITTED,
ARKANSAS DEPARTMENT OF TRANSPORTATION**

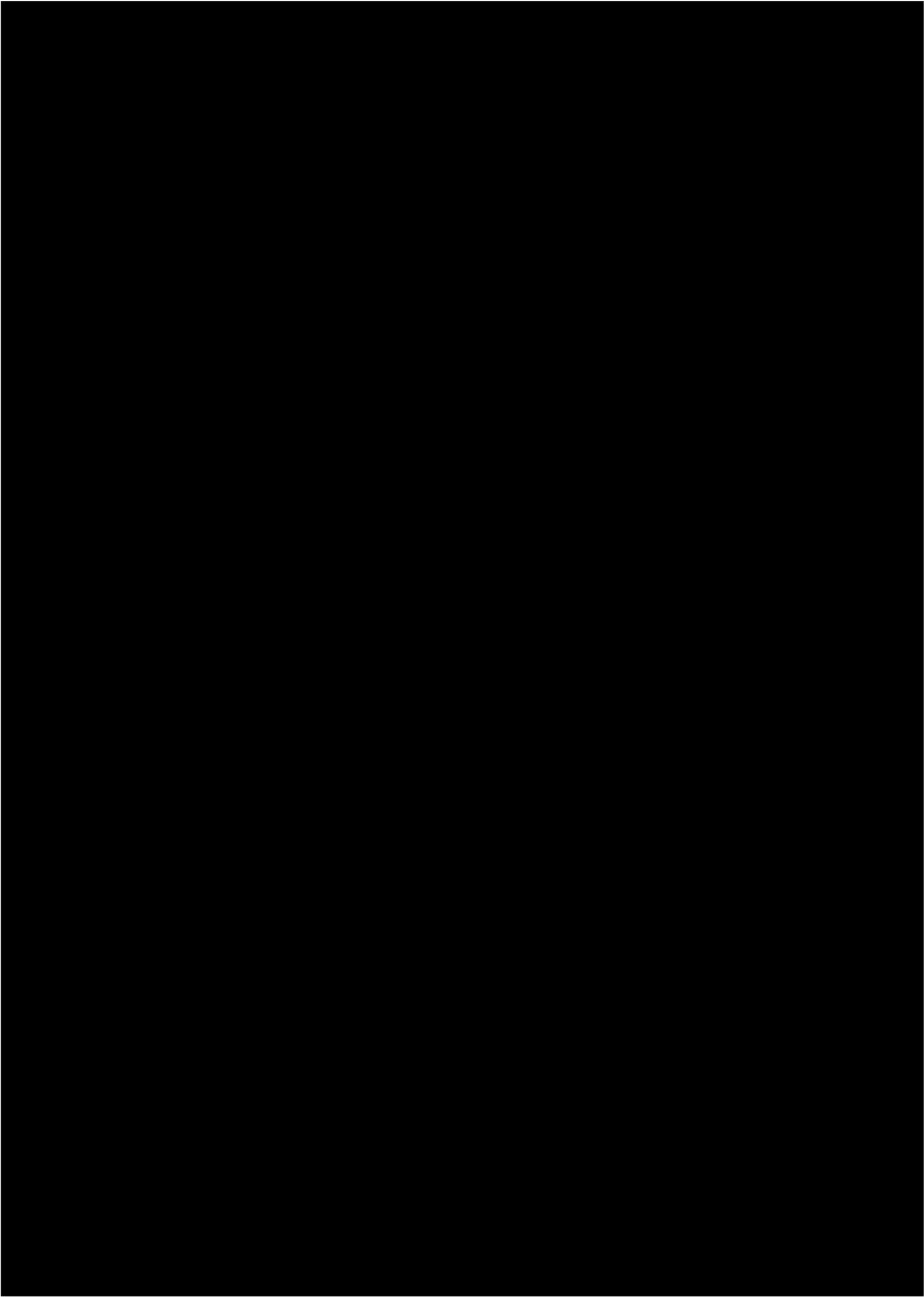
By: Ivan Martinez
Iván Martínez, Ark. Bar No. 2024003
Staff Attorney
Arkansas Department of Transportation
P. O. Box 2261
Little Rock, AR 72203-2261
(501) 569-2158
ivan.martinez@ardot.gov

CERTIFICATE OF SERVICE

I, Iván Martínez, certify that I have served the foregoing Answer and Motion to Hold Claim in Abeyance upon the Claimant by mailing a true copy of same this 13th February, 2025, to:

Edward Oglesby
The Brad Hendricks Law Firm
500 C Pleasant Valley Dr
Little Rock, AR 72227
eglesby@bradhendricks.com
Attorney for Claimant

Ivan Martinez
Iván Martínez



Arkansas
State Claims Commission

APR 05 2025

RECEIVED



THE BRAD HENDRICKS
LAW FIRM

500 C Pleasant Valley Drive
Little Rock, Arkansas 72227

Tel: (501) 221-0444

Fax: (501) 661-0196

www.BradHendricks.com

Brad Hendricks ††
Lamar Porter †
George R. Wise Jr.
Matthew E. Hartness †
Caroline C. Lewis

All Licensed in Arkansas

† Also Licensed in Texas

†† Also Licensed in Texas & Missouri

Lloyd W. "Tre" Kitchens

Edward T. Oglesby ‡

Lea Phelps

Kale D. Anderson

David P. Rawls *

Gary Davis *

‡ Also Licensed in Louisiana

* Of Counsel

April 3, 2025

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

RE: Fannie McKee v. Ark. Dept. of Transportation
Case No. 250551



Dear Ms. Irby:

Enclosed please find Claimants' Responses to Motion to Hold Claim in Abeyance in each of the above captioned cases.

Sincerely,

Audra L. Murray, Paralegal
amurray@bradhendricks.com

/alm

Enclosures

Cc: Ivan Martinez, Esq.

Arkansas
State Claims Commission

APR 05 2025

RECEIVED

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

FANNIE MCKEE

PLAINTIFF

vs.

CASE NO. 250551

**ARKANSAS DEPARTMENT OF
TRANSPORTATION**

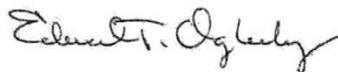
DEFENDANT

Comes now claimants and for their Response to Motion to Hold Claim in Abeyance do
state:

1. Attached hereto as Exhibit One is the claimants' auto insurer's correspondence specifically disclaiming and disallowing coverage for this accident.
2. Claimants request the Motion to Hold Claim in Abeyance be denied.

Respectfully submitted,

THE BRAD HENDRICKS LAW FIRM
500 C Pleasant Valley Drive
Little Rock, AR 72227
(501) 221-0444
(501) 661-0196 (fax)

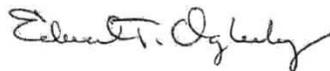


BY: _____
EDWARD OGLESBY, ABN 89158

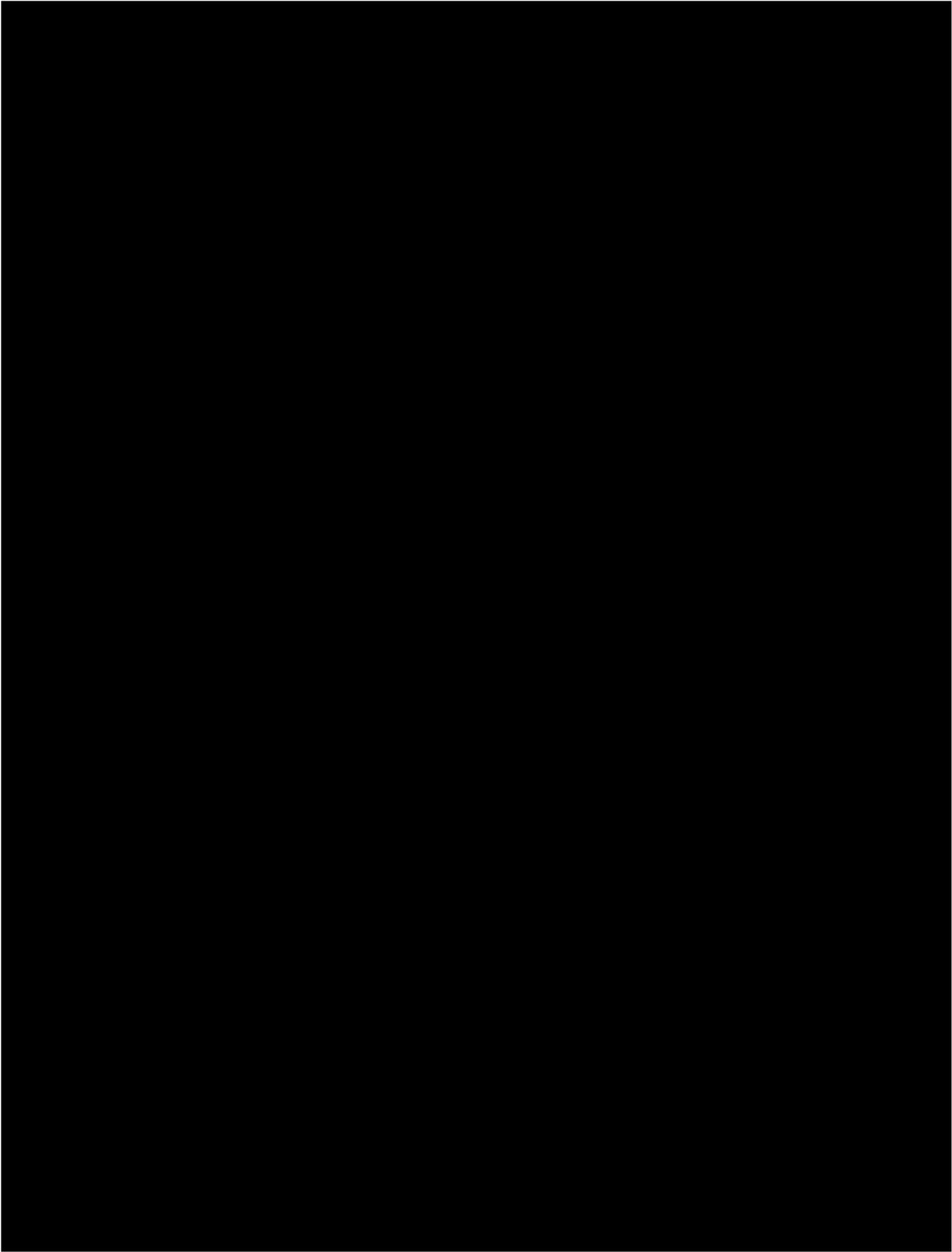
CERTIFICATE OF SERVICE

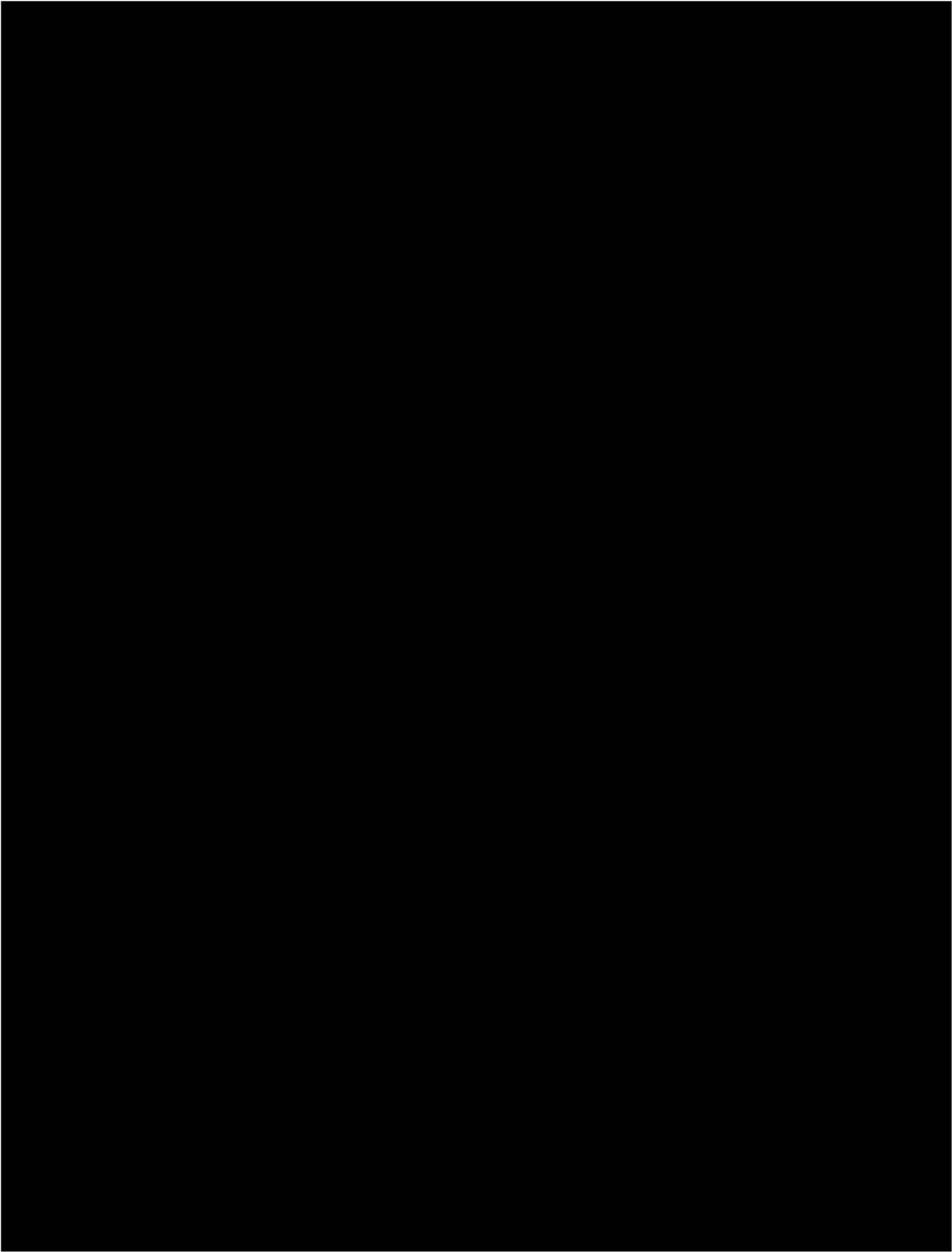
I, Edward Oglesby, do hereby certify that a true and correct copy of the above and foregoing pleading has been mailed and emailed on this day, April 2, 2025, to:

Ivan Martinez ABN 2024003
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
(501) 569-2158
Ivan.martinez@ardot.gov



EDWARD OGLESBY ABN 89158





From: [Martinez, Ivan](#)
To: [Kathryn Irby](#)
Cc: [Blakley, Sharon D.](#); [Edward Oglesby](#)
Subject: FW: McKee v ARDOT Claim 250609 and 250551
Date: Friday, April 18, 2025 8:00:07 AM
Attachments: [image002.png](#)
[F McKee ReplyMotion Abeyance.pdf](#)

Good morning Ms. Irby,

I believe these claims are ready to be removed from abeyance. Could we request these be set on the docket, please?

The only issue is the amount of damages owed to the Claimants.

I'm confident that Edward and I will be able to settle this but would like to have a hearing date just in case.

Kind Regards,
Iván Martínez
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2158



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

FANNIE MCKEE

PLAINTIFF

vs.

CASE NO. 250551

**ARKANSAS DEPARTMENT OF
TRANSPORTATION**

DEFENDANT

Comes now claimants and for their Response to Motion to Hold Claim in Abeyance do
state:

1. Attached hereto as Exhibit One is the claimants' auto insurer's correspondence specifically disclaiming and disallowing coverage for this accident.
2. Claimants request the Motion to Hold Claim in Abeyance be denied.

Respectfully submitted,

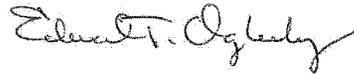
THE BRAD HENDRICKS LAW FIRM

500 C Pleasant Valley Drive

Little Rock, AR 72227

(501) 221-0444

(501) 661-0196 (fax)



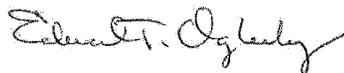
BY: _____

EDWARD OGLESBY, ABN 89158

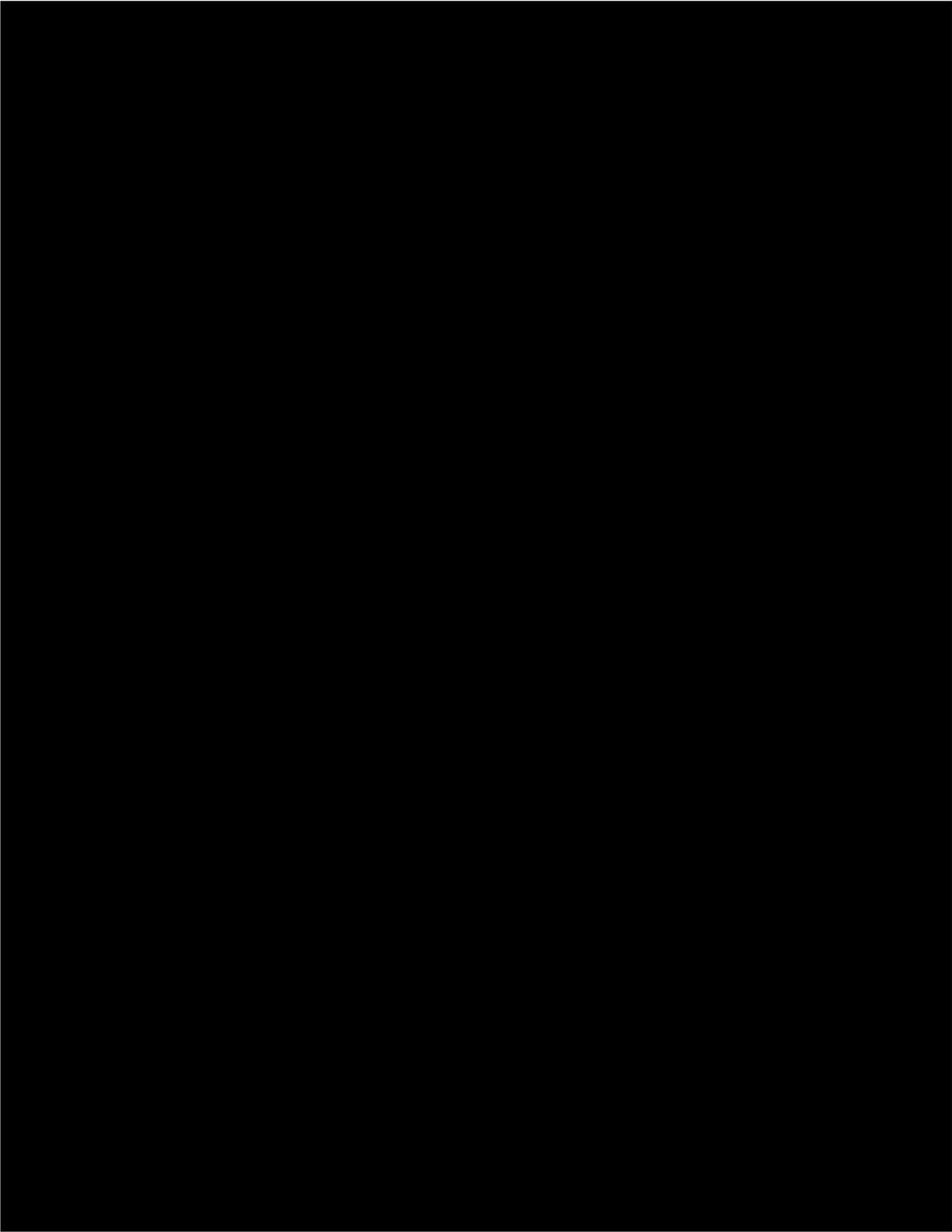
CERTIFICATE OF SERVICE

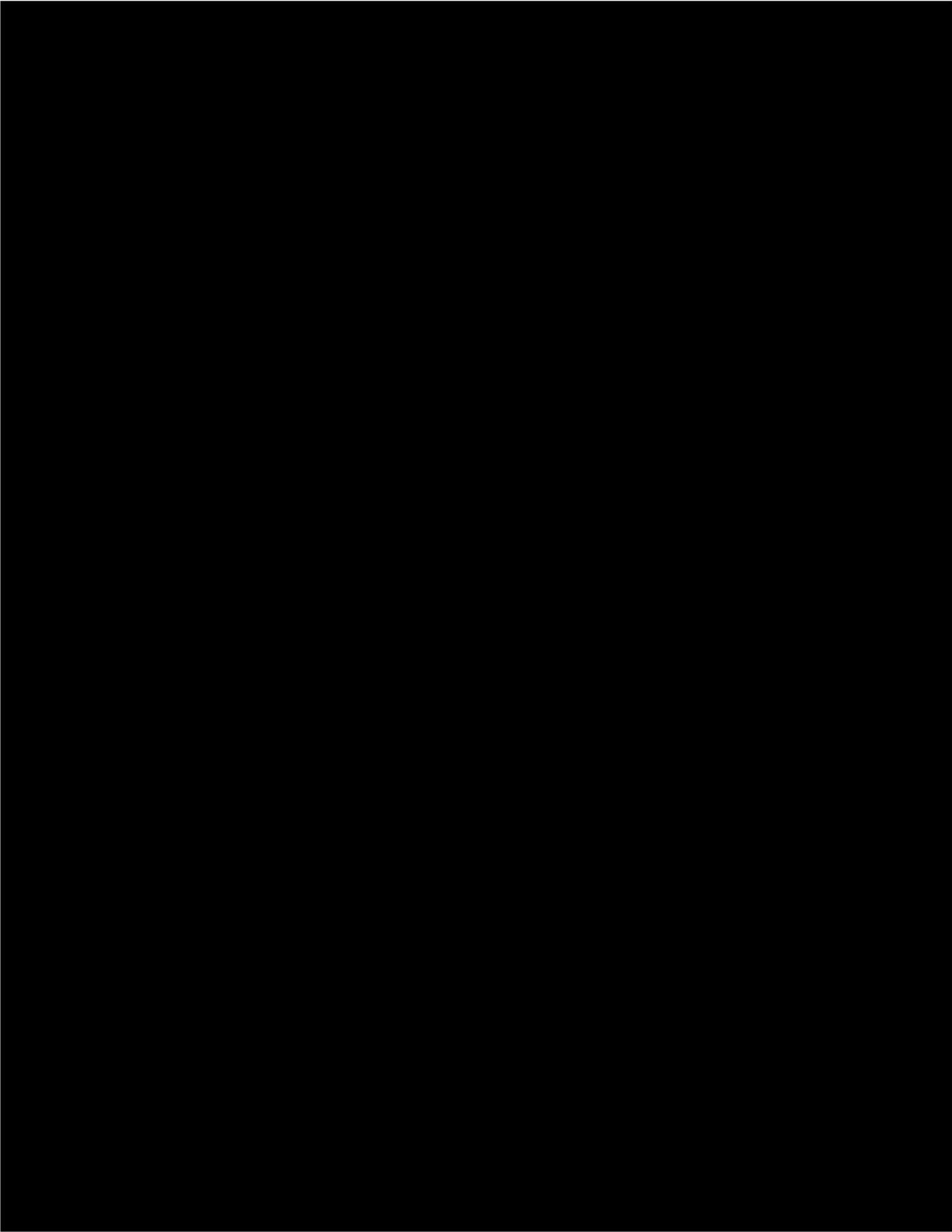
I, Edward Oglesby, do hereby certify that a true and correct copy of the above and foregoing pleading has been mailed and emailed on this day, April 2, 2025, to:

Ivan Martinez ABN 2024003
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
(501) 569-2158
Ivan.martinez@ardot.gov



EDWARD OGLESBY ABN 89158





From: [Kathryn Irby](#)
To: eoglesby@bradhendricks.com; [Martinez, Ivan](#)
Cc: [Blakley, Sharon](#)
Subject: HEARING SCHEDULED: McKee v. ArDOT, Claim Nos. 250551 and 250609
Date: Tuesday, April 29, 2025 1:41:00 PM
Attachments: [McKee v. ArDOT, 250551 \[REDACTED\] -- hearing ltr \(motions\).pdf](#)

Mr. Oglesby and Mr. Martinez, please see attached hearing letter. Please note the second paragraph of the hearing letter, which includes some directions to the parties specific to this hearing.

Thanks,
Kathryn Irby

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

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

April 29, 2025

Mr. Edward Oglesby
The Brad Hendricks Law Firm
500C Pleasant Valley Drive
Little Rock, Arkansas 72227

(via email)

Mr. Ivan Martinez
Arkansas Department of Transportation
Post Office Box 2261
Little Rock, Arkansas 72203

(via email)

RE: ***Fannie McKee v. Arkansas State Highway Commission***
Claim No. 250551

[Redacted]

Dear Mr. Oglesby and Mr. Martinez,

The Commission has scheduled a hearing on ArDOT’s motions to hold these claims in abeyance for **Friday, September 5, 2025**, beginning at 9:00 a.m. This hearing will be conducted via Zoom. The Zoom invitation can be found on the next page. Please join the Zoom hearing no later than 8:45 a.m., so that the hearings can begin promptly at 9:00 a.m.

At the hearing, while no prehearing materials are requested by the Commission, the parties should be prepared to discuss the validity of the government-owned vehicle exclusion analyzed by the Arkansas Court of Appeals in *Cross v. State Farm Mutual Automobile Insurance Company*, 2018 Ark. App. 98, 541 S.W.3d 495, as well as the caselaw from other states referenced in the *Cross* opinion.

Sincerely,

Kathryn Irby

ES: kmirby

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

Topic: Hearings

Time: Sep 5, 2025 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87613882205?pwd=cdtc7xYnIcqhV4AGiu0tv8cC7G0rb0.1>

Meeting ID: 876 1388 2205

Passcode: 4Wy4zC

Dial by your location

- +1 305 224 1968 US
- +1 309 205 3325 US
- +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)
- +1 669 900 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
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US

Meeting ID: 876 1388 2205

Passcode: 511956

From: [Kathryn Irby](#)
To: [Martinez, Ivan](#)
Cc: [Blakley, Sharon D.](#); [Edward Oglesby](#)
Subject: INFO NEEDED: McKee v ARDOT Claim [REDACTED] 250551
Date: Friday, May 2, 2025 9:28:12 AM
Attachments: [image001.png](#)

Mr. Oglesby and Mr. Martinez, I did not see this email before I sent the hearing letter. That may have caused some confusion, and I apologize.

Can the parties confer and let me know how long you all expect to need for this damages hearing. I may be able to keep it on 9/5.

Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Friday, April 18, 2025 8:00 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Edward Oglesby <eoglesby@bradhendricks.com>
Subject: FW: McKee v ARDOT Claim [REDACTED] 250551

Good morning Ms. Irby,

I believe these claims are ready to be removed from abeyance. Could we request these be set on the docket, please?

The only issue is the amount of damages owed to the Claimants.

I'm confident that Edward and I will be able to settle this but would like to have a hearing date just in case.

Kind Regards,
Iván Martínez
 Staff Attorney
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261
 Phone: 501-569-2158



From: [Kathryn Irby](#)
To: [Martinez, Ivan](#); [Edward Oglesby](#)
Cc: [Blakley, Sharon D.](#)
Subject: DAMAGES HEARING SCHEDULED: McKee v ARDOT Claim 250609 and 250551
Date: Friday, May 2, 2025 11:01:00 AM
Attachments: [McKee v. ArDOT, 250551 \[REDACTED\] -- hearing ltr \(damages only\).pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Mr. Oglesby and Mr. Martinez, please see attached hearing letter. You may disregard the previous hearing letter.

Thanks,
Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Friday, May 2, 2025 9:56 AM
To: Edward Oglesby <eoglesby@bradhendricks.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: RE: INFO NEEDED: McKee v ARDOT Claim [REDACTED] 250551

I agree with Mr. Oglesby. I think about an hour would suffice if this matter is not settled beforehand.

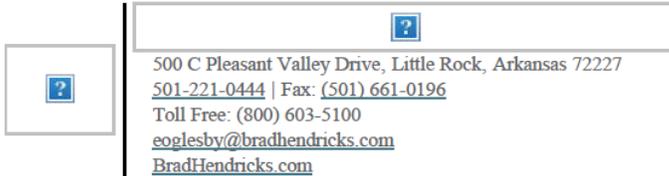
Kind Regards,
Iván Martínez
 Staff Attorney
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261
 Phone: 501-569-2158



From: Edward Oglesby <eoglesby@bradhendricks.com>
Sent: Friday, May 2, 2025 9:53 AM
To: Kathryn.Irby <Kathryn.Irby@arkansas.gov>; Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: RE: INFO NEEDED: McKee v ARDOT Claim [REDACTED] 250551

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Half an hour for each at the most is my best guess.
 Thank you,
 Edward

Edward Oglesby

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Friday, May 2, 2025 9:28 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Edward Oglesby <eoglesby@bradhendricks.com>
Subject: INFO NEEDED: McKee v ARDOT Claim [REDACTED] 250551

Mr. Oglesby and Mr. Martinez, I did not see this email before I sent the hearing letter. That may have caused some confusion, and I apologize.

Can the parties confer and let me know how long you all expect to need for this damages hearing. I may be able to keep it on 9/5.

Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Friday, April 18, 2025 8:00 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Edward Oglesby <eoglesby@bradhendricks.com>
Subject: FW: McKee v ARDOT Claim [REDACTED] 250551

Good morning Ms. Irby,

I believe these claims are ready to be removed from abeyance. Could we request these be set on the docket, please?

The only issue is the amount of damages owed to the Claimants.

I'm confident that Edward and I will be able to settle this but would like to have a hearing date just in case.

Kind Regards,
Iván Martínez
 Staff Attorney
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261

Phone: 501-569-2158



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

May 2, 2025

Mr. Edward Oglesby
The Brad Hendricks Law Firm
500C Pleasant Valley Drive
Little Rock, Arkansas 72227

(via email)

Mr. Ivan Martinez
Arkansas Department of Transportation
Post Office Box 2261
Little Rock, Arkansas 72203

(via email)

RE: ***Fannie McKee v. Arkansas State Highway Commission***
Claim No. 250551

[REDACTED]

Dear Mr. Oglesby and Mr. Martinez,

The Commission has scheduled a one-hour damages hearing on the two above-referenced claims for **Friday, September 5, 2025**, beginning at 9:00 a.m. The Zoom invitation can be found on the follow page. Please log on to the Zoom hearing no later than 8:45 a.m. so that hearings can begin promptly at 9:00 a.m. If either party objects to the Zoom format, a written objection must be submitted via email (to kathryn.irby@arkansas.gov) or received via mail no later than May 23, 2025.

The following prehearing materials are due on or before **August 15, 2025**:

- 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, along with a copy of the proposed exhibits;
- 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).

Please note that a party's failure to submit a witness list or exhibit list may prevent that party from being able to introduce witness testimony or exhibits at hearing.

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 **August 15, 2025**.

All filings should be submitted via mail to the Commission or via email to ascpleadings@arkansas.gov. 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

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

Topic: Hearings

Time: Sep 5, 2025 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87613882205?pwd=cdtc7xYnIcqhV4AGiu0tv8cC7G0rb0.1>

Meeting ID: 876 1388 2205

Passcode: 4Wy4zC

Dial by your location

- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US

Meeting ID: 876 1388 2205

Passcode: 511956

From: [Edward Oglesby](#)
To: [Kathryn Irby](#); [Martinez, Ivan](#)
Cc: [Blakley, Sharon D.](#)
Subject: RE: DAMAGES HEARING SCHEDULED: McKee v ARDOT Claim [REDACTED] 250551
Date: Friday, May 2, 2025 11:29:26 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image232951.png](#)
[image280107.png](#)

Thank you, Ms. Irby.
 Best to all,
 Edward

Edward Oglesby



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Friday, May 2, 2025 11:01 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>; Edward Oglesby <eoglesby@bradhendricks.com>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: DAMAGES HEARING SCHEDULED: McKee v ARDOT Claim [REDACTED] 250551

Mr. Oglesby and Mr. Martinez, please see attached hearing letter. You may disregard the previous hearing letter.

Thanks,
 Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Friday, May 2, 2025 9:56 AM
To: Edward Oglesby <eoglesby@bradhendricks.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: RE: INFO NEEDED: McKee v ARDOT Claim [REDACTED] 250551

I agree with Mr. Oglesby. I think about an hour would suffice if this matter is not settled beforehand.

Kind Regards,
Iván Martínez
 Staff Attorney
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261

Phone: 501-569-2158

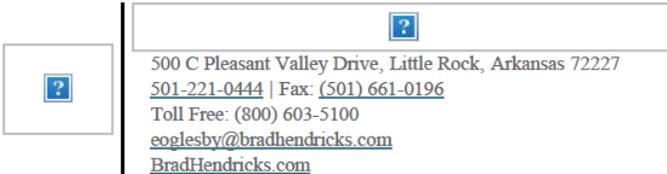


From: Edward Oglesby <eoglesby@bradhendricks.com>
Sent: Friday, May 2, 2025 9:53 AM
To: Kathryn.Irby <Kathryn.Irby@arkansas.gov>; Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: RE: INFO NEEDED: McKee v ARDOT Claim [REDACTED] 250551

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Half an hour for each at the most is my best guess.
 Thank you,
 Edward

Edward Oglesby



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Friday, May 2, 2025 9:28 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Edward Oglesby <eoglesby@bradhendricks.com>
Subject: INFO NEEDED: McKee v ARDOT Claim [REDACTED] 250551

Mr. Oglesby and Mr. Martinez, I did not see this email before I sent the hearing letter. That may have caused some confusion, and I apologize.

Can the parties confer and let me know how long you all expect to need for this damages hearing. I may be able to keep it on 9/5.

Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Friday, April 18, 2025 8:00 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Edward Oglesby

<eoglesby@bradhendricks.com>

Subject: FW: McKee v ARDOT Claim [REDACTED] 250551

Good morning Ms. Irby,

I believe these claims are ready to be removed from abeyance. Could we request these be set on the docket, please?

The only issue is the amount of damages owed to the Claimants.

I'm confident that Edward and I will be able to settle this but would like to have a hearing date just in case.

Kind Regards,
Iván Martínez
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2158



From: [Wallace, Courtney E.](#)
To: [ASCC Pleadings](#)
Cc: [Martinez, Ivan](#); [Newberry, Helen A.](#); [Blakley, Sharon D.](#)
Subject: McKee v. ARDOT Claim 250551 Settlement & Release & Recommendation for Payment
Date: Wednesday, July 2, 2025 3:17:31 PM
Attachments: [image001.png](#)
[McKee.250551.S&R.2025.07.02.pdf](#)

Please acknowledge receipt of the attached Settlement & Release with recommendation for payment in the referenced claim.

Courtney Wallace

Legal Technician



PH: 501-569-2277

Email: Courtney.Wallace@ardot.gov



ARDOT.gov | Jared D. Wiley, P.E., Director

LEGAL DIVISION

Iván Martínez | Staff Attorney | Ivan.Martinez@ardot.gov

10324 Interstate 30 | P.O. Box 2261, Little Rock, AR 72203-2261

Phone: (501) 569-2158 | Fax: (501) 569-2164

July 2, 2025

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

(via Electronic Mail)

Re: Claimant: Fannie McKee v. Arkansas Department of Transportation
Claim No.: 250551
Business Area: [REDACTED]
Fund Code: [REDACTED]
Cost Center: [REDACTED]
Funds Center: [REDACTED]

Dear Ms. Irby:

The parties have come to a full and complete settlement of the property damage on the above referenced claim and recommend the Claims Commission approve payment in the amount of \$21,810.79. Attached is the executed Full and Complete Settlement and Release.

The Claimant should note that if the Claims Commission approves this recommendation, payment in the above stated sum should be sent to the Claimant by Claims Commission in accordance with its policies and procedures.

Sincerely,

Iván Martínez
Staff Attorney, Arkansas Dept. of Transportation

IM/cew

cc: Edward Oglesby
The Brad Hendricks Law Firm
500 C Pleasant Valley Dr.
Little Rock, AR 72227

**In Re: Fannie McKee
 Claim No. 250551**

FULL AND COMPLETE SETTLEMENT AND RELEASE

KNOW ALL MEN BY THESE PRESENTS that the undersigned, being of lawful age, for and in consideration of the sum of Twenty-One Thousand Eight Hundred Ten and 79/100 Dollars (\$21,810.79), to the undersigned in hand paid, and other good and valuable considerations, receipt whereof is hereby acknowledged, do hereby for themselves and executors, administrators, successors, and assigns their release, acquit and forever discharge:

The Arkansas Department of Transportation (ARDOT), The Arkansas State Highway Commission and Commissioners, their administrators, employees, agents, assigns, heirs, servants, and all other persons, firms or corporations liable, or who may be claimed to be liable, from any and all claims, demands, damages, actions, causes of actions or suits of any kind or nature whatsoever, including, but not limited to, any claim for bad faith, personal injury, wrongful death, injury to property, for any and all damages, known or unknown, which may have resulted or may result or develop in the future from the accident or occurrence which is the subject of the dispute in the claim filed before the Arkansas State Claims Commission - Claim No. 250551.

The undersigned hereby accepts ARDOT's unconditional promise not to dispute liability for said claim filed by the undersigned before the Arkansas State Claims Commission as full and complete consideration as described above. It is understood that tender of payment by warrant made payable to the undersigned in the amount of Twenty-One Thousand Eight Hundred Ten and 79/100 Dollars (\$21,810.79), has been agreed to by the undersigned. This settlement, in accordance with Arkansas State Law, requires approval from the Arkansas State Claims Commission. The undersigned hereby accepts the aforementioned sum as full, sufficient, final

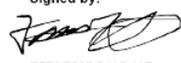
consideration, and final payment with respect to the above-mentioned claim before the Arkansas State Claims Commission for all claims past, present, and future.

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

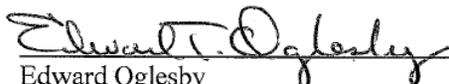
EXECUTED on this the 1.00 day of July, 2025.

BY CLAIMANT:

APPROVED:

Signed by:


Fannie McKee



Edward Oglesby
Attorney for Claimant
The Brad Hendricks Law Firm
500 C Pleasant Valley Dr
Little Rock, AR 72227

BY RESPONDENT:



Ivan Martinez, Ark. Bar No. 2024003
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
(501) 569-2158
Ivan.martinez@ardot.gov
Counsel for Respondent

From: [Kathryn Irby](#)
To: [Martinez, Ivan](#)
Cc: [Edward Oglesby](#)
Subject: RE: McKee, Fannie [REDACTED]
Date: Tuesday, August 5, 2025 7:51:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Mr. Oglesby and Mr. Martinez, I appreciate the follow up on these settlements. I have submitted proposed orders to the Commission for review and approval. I expect to have something for the parties within the next week. If approved, the Fannie McKee claim will have to go to the Legislature for approval and placement on an appropriations bill, [REDACTED]
[REDACTED]

Also, I have removed both of these claims from the September docket.

Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Monday, August 4, 2025 8:13 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: FW: McKee, Fannie [REDACTED]

Good morning Ms. Irby,

Mr. Oglesby had a question about the Settlement on these claims for Fannie [REDACTED] McKee. Do you know of a timeline for when we can expect an order on these?

Kind Regards,
Iván Martínez
 Staff Attorney
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261
 Phone: 501-569-2158



From: Edward Oglesby <eoglesby@bradhendricks.com>
Sent: Friday, August 1, 2025 3:08 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ivan,

Was the settlement approved by the commission?

I need to visit with my client and I know she will ask that and when the check maybe received.

Please advise.

Thanks

Edward

Edward Oglesby



From: Martinez, Ivan <Ivan.Martinez@ardot.gov>

Sent: Thursday, July 24, 2025 11:16 AM

To: Edward Oglesby <eoglesby@bradhendricks.com>

Subject: RE: McKee, Fannie [REDACTED]

I'm not for certain. I believe the Claims Commission is meeting tomorrow.

So hopefully they will get an Order out soon so payment can be remitted for the McKees.

Kathryn Irby will email us both when an Order has been entered.

Kind Regards,

Iván Martínez

Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Phone: 501-569-2158



From: Edward Oglesby <eoglesby@bradhendricks.com>

Sent: Thursday, July 24, 2025 11:13 AM

To: Martinez, Ivan <Ivan.Martinez@ardot.gov>

Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ivan,
Any word on when this will fund?
We sent the docs back with the Mom’s signature via another email.
Please advise.
Thanks
Edward

Edward Oglesby

	 500 C Pleasant Valley Drive, Little Rock, Arkansas 72227 501-221-0444 Fax: (501) 661-0196 Toll Free: (800) 603-5100 eoglesby@bradhendricks.com BradHendricks.com
--	--

From: Edward Oglesby
Sent: Wednesday, July 2, 2025 12:23 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>; MiKayla Nash <mnash@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

You are correct and good catch, and apologies for not catching it ourselves;
[REDACTED] and get it back to you.
Thx
edward

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, July 2, 2025 12:17 PM
To: MiKayla Nash <mnash@bradhendricks.com>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

Apologies, MiKayla and Edward.

[REDACTED]

We just have to make sure everything is in order in case of an audit.

Kind Regards,

Iván Martínez
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2158



From: MiKayla Nash <mnash@bradhendricks.com>
Sent: Wednesday, July 2, 2025 9:02 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: Re: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You're welcome.

All the best,
MiKayla Brielle Nash
Litigation Paralegal
The Brad Hendricks Law Firm
500 Pleasant Valley Dr. Ste C
Little Rock, AR 72227
P: (501) 221-0444
F: (501) 661-0196

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, July 2, 2025 8:20 AM
To: MiKayla Nash <mnash@bradhendricks.com>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

Thank you so much, MiKayla. I will get these over to my legal assistant so we can get that filed with the Claims Commission.

Kind Regards,

Iván Martínez

Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Phone: 501-569-2158



From: MiKayla Nash <mnash@bradhendricks.com>
Sent: Tuesday, July 1, 2025 4:13 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Please see the attached signed releases for both Fannie [REDACTED].

Let me know if you have any questions or concerns.

Thank you,

MiKayla Brielle Nash

Litigation Paralegal

The Brad Hendricks Law Firm

500 Pleasant Valley Dr. Ste C

Little Rock, AR 72227

P: (501) 221-0444

F: (501) 661-0196

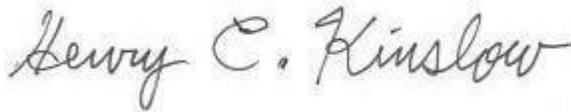
BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**FANNIE MCKEE****CLAIMANT****V.****CLAIM NO. 250551****ARKANSAS DEPARTMENT OF
TRANSPORTATION****RESPONDENT****ORDER**

Now before the Arkansas State Claims Commission (the “Commission”) is the Full and Complete Settlement and Release (the “Agreement”) signed by Fannie McKee (the “Claimant”), counsel for Claimant, and counsel for the Arkansas Department of Transportation. Based upon a review of the claim file and the Agreement, the Commission hereby APPROVES the Agreement and REFERS the award of \$21,810.79 to the General Assembly for review and placement on an appropriations bill pursuant to Ark. Code Ann. § 25-44-215(b).

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow



ARKANSAS STATE CLAIMS COMMISSION
Paul Morris, chair

DATE: August 7, 2025

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. § 25-44-211(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. § 25-44-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 25-44-211(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. § 25-44-211(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. § 25-44-215(b).

From: [Kathryn Irby](#)
To: [Martinez, Ivan](#)
Cc: [Edward Oglesby](#)
Bcc: [Mika Tucker](#); [Kathryn Irby](#)
Subject: ORDER/CLAIM TO BE SENT TO LEG: McKee, Fannie [REDACTED]
Date: Wednesday, August 13, 2025 1:07:00 PM
Attachments: [C13--McKee v. ArDOT, 250551.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Mr. Oglesby and Mr. Martinez:

Please see attached order entered by the Commission. I intend to send this claim file to the Legislature before the end of the month, and I will copy you both on my email to my liaison at the Bureau of Legislative Research. If you have not received anything from me by 9/1, please follow up with me.

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, August 5, 2025 7:51 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

Mr. Oglesby and Mr. Martinez, I appreciate the follow up on these settlements. I have submitted proposed orders to the Commission for review and approval. I expect to have something for the parties within the next week. If approved, the Fannie McKee claim will have to go to the Legislature for approval and placement on an appropriations bill, [REDACTED]
[REDACTED]

Also, I have removed both of these claims from the September docket.

Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>

Sent: Monday, August 4, 2025 8:13 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: FW: McKee, Fannie [REDACTED]

Good morning Ms. Irby,

Mr. Oglesby had a question about the Settlement on these claims for Fannie [REDACTED] McKee. Do you know of a timeline for when we can expect an order on these?

Kind Regards,
Iván Martínez
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2158



From: Edward Oglesby <eoglesby@bradhendricks.com>
Sent: Friday, August 1, 2025 3:08 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ivan,
Was the settlement approved by the commission?
I need to visit with my client and I know she will ask that and when the check maybe received.

Please advise.
Thanks
Edward

Edward Oglesby

	500 C Pleasant Valley Drive, Little Rock, Arkansas 72227 501-221-0444 Fax: (501) 661-0196 Toll Free: (800) 603-5100 eoglesby@bradhendricks.com BradHendricks.com

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Thursday, July 24, 2025 11:16 AM
To: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

I'm not for certain. I believe the Claims Commission is meeting tomorrow.

So hopefully they will get an Order out soon so payment can be remitted for the McKees.

Kathryn Irby will email us both when an Order has been entered.

Kind Regards,
Iván Martínez
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2158



From: Edward Oglesby <eoglesby@bradhendricks.com>
Sent: Thursday, July 24, 2025 11:13 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ivan,
Any word on when this will fund?

[REDACTED]

Please advise.

Thanks
Edward

Edward Oglesby

	 500 C Pleasant Valley Drive, Little Rock, Arkansas 72227 501-221-0444 Fax: (501) 661-0196 Toll Free: (800) 603-5100 eoglesby@bradhendricks.com BradHendricks.com
---	--

From: Edward Oglesby
Sent: Wednesday, July 2, 2025 12:23 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>; MiKayla Nash <mnash@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

You are correct and good catch, and apologies for not catching it ourselves;

[REDACTED]

Thx
edward

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, July 2, 2025 12:17 PM
To: MiKayla Nash <mnash@bradhendricks.com>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

Apologies, MiKayla and Edward.

[REDACTED]

[REDACTED]

We just have to make sure everything is in order in case of an audit.

Kind Regards,
Iván Martínez
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2158



From: MiKayla Nash <mnash@bradhendricks.com>
Sent: Wednesday, July 2, 2025 9:02 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: Re: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You're welcome.

All the best,

MiKayla Brielle Nash
Litigation Paralegal
The Brad Hendricks Law Firm
500 Pleasant Valley Dr. Ste C
Little Rock, AR 72227
P: (501) 221-0444
F: (501) 661-0196

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, July 2, 2025 8:20 AM
To: MiKayla Nash <mnash@bradhendricks.com>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

Thank you so much, MiKayla. I will get these over to my legal assistant so we can get that filed with the Claims Commission.

Kind Regards,

Iván Martínez

Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Phone: 501-569-2158



From: MiKayla Nash <mnash@bradhendricks.com>
Sent: Tuesday, July 1, 2025 4:13 PM

To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Please see the attached signed releases for both Fannie [REDACTED] McKee.

Let me know if you have any questions or concerns.

Thank you,

MiKayla Brielle Nash

Litigation Paralegal

The Brad Hendricks Law Firm

500 Pleasant Valley Dr. Ste C

Little Rock, AR 72227

P: (501) 221-0444

F: (501) 661-0196

From: [Kathryn Irby](#)
To: [Martinez, Ivan](#)
Cc: [Edward Oglesby](#)
Subject: RE: ORDER/CLAIM TO BE SENT TO LEG: McKee, Fannie [REDACTED]
Date: Wednesday, August 13, 2025 1:14:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Mr. Martinez, yes, I confirmed in my 8-5 email (below) that the hearings were removed from the docket.

Thanks,
Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, August 13, 2025 1:11 PM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: ORDER/CLAIM TO BE SENT TO LEG: McKee, Fannie [REDACTED]

Thank you so much, Ms. Irby.

I always wanted to make sure these claims were removed from the docket for 9/5.

Kind Regards,
Iván Martínez
 Staff Attorney
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261
 Phone: 501-569-2158



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Wednesday, August 13, 2025 1:07 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: ORDER/CLAIM TO BE SENT TO LEG: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Oglesby and Mr. Martinez:

Please see attached order entered by the Commission. I intend to send this claim file to the Legislature before the end of the month, and I will copy you both on my email to my liaison at the Bureau of Legislative Research. If you have not received anything from me by 9/1, please follow up with me.

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, August 5, 2025 7:51 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

Mr. Oglesby and Mr. Martinez, I appreciate the follow up on these settlements. I have submitted proposed orders to the Commission for review and approval. I expect to have something for the parties within the next week. If approved, the Fannie McKee claim will have to go to the Legislature for approval and placement on an appropriations bill, [REDACTED]
[REDACTED]

Also, I have removed both of these claims from the September docket.

Kathryn Irby

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Monday, August 4, 2025 8:13 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: FW: McKee, Fannie [REDACTED]

Good morning Ms. Irby,

Mr. Oglesby had a question about the Settlement on these claims for Fannie [REDACTED] McKee. Do you know of a timeline for when we can expect an order on these?

Kind Regards,

Iván Martínez
 Staff Attorney
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261
 Phone: 501-569-2158



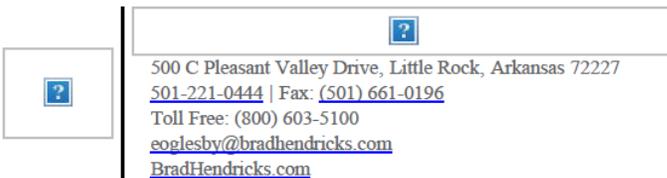
From: Edward Oglesby <eoglesby@bradhendricks.com>
Sent: Friday, August 1, 2025 3:08 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ivan,
 Was the settlement approved by the commission?
 I need to visit with my client and I know she will ask that and when the check maybe received.

Please advise.
 Thanks
 Edward

Edward Oglesby



From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Thursday, July 24, 2025 11:16 AM
To: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

I'm not for certain. I believe the Claims Commission is meeting tomorrow.

So hopefully they will get an Order out soon so payment can be remitted for the McKees.

Kathryn Irby will email us both when an Order has been entered.

Kind Regards,
Iván Martínez
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2158



From: Edward Oglesby <eoglesby@bradhendricks.com>
Sent: Thursday, July 24, 2025 11:13 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ivan,
Any word on when this will fund?



Please advise.
Thanks
Edward

Edward Oglesby

	 500 C Pleasant Valley Drive, Little Rock, Arkansas 72227 501-221-0444 Fax: 501-661-0196 Toll Free: (800) 603-5100 eoglesby@bradhendricks.com BradHendricks.com
--	---

From: Edward Oglesby
Sent: Wednesday, July 2, 2025 12:23 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>; MiKayla Nash <mnash@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

You are correct and good catch, and apologies for not catching it ourselves;



Thx
edward

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, July 2, 2025 12:17 PM
To: MiKayla Nash <mnash@bradhendricks.com>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

Apologies, MiKayla and Edward.

[REDACTED]

We just have to make sure everything is in order in case of an audit.

Kind Regards,
Iván Martínez
Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2158



From: MiKayla Nash <mnash@bradhendricks.com>
Sent: Wednesday, July 2, 2025 9:02 AM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: Re: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You're welcome.

All the best,
MiKayla Brielle Nash
Litigation Paralegal
The Brad Hendricks Law Firm
500 Pleasant Valley Dr. Ste C
Little Rock, AR 72227
P: (501) 221-0444
F: (501) 661-0196

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, July 2, 2025 8:20 AM
To: MiKayla Nash <mnash@bradhendricks.com>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

Thank you so much, MiKayla. I will get these over to my legal assistant so we can get that filed with the Claims Commission.

Kind Regards,

Iván Martínez

Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Phone: 501-569-2158



From: MiKayla Nash <mnash@bradhendricks.com>
Sent: Tuesday, July 1, 2025 4:13 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Edward Oglesby <eoglesby@bradhendricks.com>
Subject: RE: McKee, Fannie [REDACTED]

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Please see the attached signed releases for both Fannie ██████████ McKee.

Let me know if you have any questions or concerns.

Thank you,

MiKayla Brielle Nash

Litigation Paralegal

The Brad Hendricks Law Firm

500 Pleasant Valley Dr. Ste C

Little Rock, AR 72227

P: (501) 221-0444

F: (501) 661-0196