



STATE OF IOWA

TERRY BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

STATE APPEAL BOARD
DAVID ROEDERER, DIRECTOR, DEPT. OF MANAGEMENT
MICHAEL L. FITZGERALD, TREASURER OF STATE
DAVID A. VAUDT, AUDITOR OF STATE

January 5, 2012

Secretary to the Senate
Senate - Statehouse
LOCAL

Dear Secretary:

In accordance with Section 669.12, Code of Iowa, we are hereby submitting to the General Assembly all General Tort Claims, Highway Tort Claims and Settlements & Judgments (general torts and highway) paid during 2011 under Chapter 669.

The attached report shows the claim number, claimant's name, a brief description of the claim, the amount requested and the amount approved.

Sincerely,

A handwritten signature in cursive script, reading "Michael L. Fitzgerald".

Michael Fitzgerald
Chairperson
STATE APPEAL BOARD

MF:jdb

Attachments

PLEASE ACKNOWLEDGE RECEIPT OF THE ENCLOSED BY SIGNING BELOW AND RETURNING A COPY OF THIS LETTER TO JOSEPH BARRY, DEPARTMENT OF MANAGEMENT.

Secretary of the Senate

STATE APPEAL BOARD
Money Paid From General Fund for Settlements/Judgments
Calendar Year 2011
January 1, 2011 - December 31, 2011

Department Name	Claim No.	Claimant	Type of Claim	Amount CY11	Total CY11 Year to Date	Board Mtg Date
Administrative Services (DAS) General Service Enterprise						
DAS - Iowa State Patrol		Johanson vs. State of Iowa	Settlement of lawsuit that involves allegations of negligence arising from a car accident involving an Iowa State Trooper	\$200,000.00		7/5/2011
DAS -ITE		Steven G Mosena v State of Iowa	Civil Rights - Age Discrimination	\$49,100.00		3/7/2011
		Steven G Mosena v State of Iowa	Roxanne Conlin - Atty Fees	\$25,900.00		3/7/2011
TOTAL					\$275,000.00	
Dept. of Agriculture and Land Stewardship						
TOTAL					\$0.00	
Attorney General's						
TOTAL					\$0.00	
DOC-Administration		Chris Bennett, et al v. John Baldwin et al	Atty Fees - Lipman Law Firm P.C.	\$5,228.25		9/6/2011
		Walker vs Iowa Dept. of Corrections	Legal Fees from Civil Rights case	\$12,100.00		6/6/2011
		Teresa Den Herder v State of Iowa	Legal Fees to the estate's attorney R. Bradley Skinner and Teresa Den Herder for settlement amount.	\$5,000.00		6/6/2011
TOTAL					\$22,328.25	

DOC-Anamosa State Penitentiary						
TOTAL						\$0.00
DOC-Clarinda Correctional Facility						
TOTAL						\$0.00
DOC-Fort Dodge Correctional Facility						
TOTAL						\$0.00
DOC-Iowa Correctional Institute for Women-						
TOTAL						\$0.00
DOC-Iowa Medical Classification Center						
TOTAL						\$0.00
DOC-Iowa State Penitentiary						
TOTAL						\$0.00
DOC-Mt. Pleasant Correctional Facility	Eleanor Kneipp individually and as the Administrator of the Estate of Doreen Kneipp vs State of Iowa	Atty Fees		\$3,500.00		9/6/2011
TOTAL						\$3,500.00

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Calendar Year 2011
January 1, 2011 - December 31, 2011

DOC-Newton Correctional Facility						
TOTAL					\$0.00	
Economic Development		Midsummer Shocate Ltd.	Pre-litigation Settlement. Iowa Film and Video Promotion Program. Registered Projects 09-FILM- 089("The Shocate"), 09-FILM-095 ("Charles and Lucy"), 09-FILM- 105("Nocturne"), 09-FILM- 106("Pendale Douce"), 09-FILM-114 ("Thunderbird") and 09-FILM-116 ("Windigo")	\$450,000.00		4/4/2011
		Nyemaster Law Firm	Legal Fees for "services furnished to the State"	\$990.00		8/1/2011
		Pre-litigation Settlement Iowa Film Television and Video	TriCoast Iowa Productions, LLC	\$59,859.85		8/1/2011

Economic Development - cont.		Pre-litigation Settlement Iowa Film Television and Video Project Promotion Program Registered Project "Winning Favor"	O.C.Basketball Productions, LLC	\$40,000.00		9/6/2011
		Iowa Film Office Settlement for "The Experiment"	Total settlement = \$4,126,000.00. 120dB Film Finance, LLC to receive \$2,031,117.81	\$4,126,000.00		12/5/2011
		Iowa Film Office Settlement for "The Experiment"	Total settlement = \$4,126,000.00. Tax Credit Finance, LLC to receive \$2,094,882.19			
		Iowa Film Office Settlement for "The Crazies"	Total settlement = \$1,395,346.70. Overture Films LLC to receive \$697,673.35.	\$1,395,346.70		12/5/2011
		Iowa Film Office Settlement for "The Crazies"	Total settlement = \$1,395,346.70. Participant Media LLC to receive \$697,673.35.			
TOTAL					\$6,072,196.55	
Education- Administration						
TOTAL					\$0.00	
Education-Voc Rehab						
TOTAL					\$0.00	

STATE APPEAL BOARD
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Calendar Year 2011
January 1, 2011 - December 31, 2011

Energy Independence		Jennifer Wright v State of Iowa and Roya Stanley	Employment related lawsuit alleging gender discrimination in violation of the Iowa Civil Rights Act. Payment portion w/ deductions	\$34,870.44		5/2/2011
		Jennifer Wright v State of Iowa and Roya Stanley	Employment related lawsuit alleging gender discrimination in violation of the Iowa Civil Rights Act. Payment portion w/o deductions for compensatory damages	\$78,740.87		5/2/2011
		Jennifer Wright v State of Iowa and Roya Stanley	Sherinian, Legrand and Hasso P.C. - atty fees	\$66,388.69		5/2/2011
TOTAL					\$180,000.00	
Human Services		Parvin v State of Iowa	Settlement of lawsuit which alleges that actions, or lack thereof, by the Department of Human Services caused the death of 16 year old Denver D. Parvin. Settlement in the amount of \$400,000.00 payable to Angela Barton, Daniel Parvin and Brady & O'Shea, P.C.	\$400,000.00		10/7/2011
		Parvin v State	Mediation payable to James Law	\$1,460.20		10/7/2011
TOTAL					\$401,460.20	
Human Services - Glenwood Resource Center						
TOTAL					\$0.00	
Human Services - Cherokee MHI						
TOTAL					\$0.00	

Human Services - Woodward Resource Center						
TOTAL					\$0.00	
Inspections & Appeals						
TOTAL					\$0.00	
Iowa Communications Network						
TOTAL					\$0.00	
Iowa Fair Authority						
TOTAL					\$0.00	
Iowa Lottery						
TOTAL					\$0.00	
Iowa Veterans Home						
TOTAL					\$0.00	
Judicial						
TOTAL					\$0.00	
Natural Resources		Gerald Blomme v State of Iowa	Motor vehicle accident involving a DNR employee resulting in permanent physical injury. Settlement agreed in the amount of \$145,000.	\$145,000.00		12/5/2011
TOTAL					\$145,000.00	

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Public Defense		Lindsie Bertrand v State of Iowa	Settlement of Employment discrimination lawsuit (State to pay \$165,000 and Dept of Defense to pay \$25,000 of \$190,000 settlement)	\$165,000.00		8/1/2011
		Frank Baxter v State of Iowa, Dept. of Public Defense	Settlement for an employment discrimination lawsuit alleging disability discrimination in the amount of \$10,000.00. \$6,700.00 without deduction to be paid to Frank Baxter of which \$1500.00 of this amount will be paid by the Dept. Of Public Defense. \$3,300.00 to be paid to Haraldson Law Office for Atty Fees.	\$8,500.00		10/7/2011
TOTAL					\$173,500.00	
Public Safety						
TOTAL					\$0.00	
Regents-Iowa State		Roberts vs State of Iowa	Settlement of gender discrimination allegation lawsuit	\$4,000.00		8/1/2011
TOTAL					\$4,000.00	
Regents-Iowa School of the Deaf						
TOTAL					\$0.00	
Regents-University of Iowa						
TOTAL					\$0.00	
Regents-University of Iowa Hospitals & Clinics		Estate of Maxine Driscoll vs State of Iowa d/b/a UIHC	Lawsuit alleged negligence at UIHC resulting in the death of Maxine Driscoll. Settlement agreement for the sum of \$1,500,000.00. UofI Physicians to contribute 15% (\$225,000.00). Remaining \$1,275,000.00 to be paid by State Appeal Board.	\$1,275,000.00		1/18/2011

Regents-University of Iowa Hospitals & Clinics, cont.		Estate of Maxine Driscoll vs State of Iowa d/b/a UIHC	Settlement pursuant to a mediation. Mediator's statement in the sum of \$1,275.00 payable to the James Law Firm, P.C. Of this amount - SAB/Gen Fund will be reimbursed \$637.50.	\$637.50		1/18/2011
		Estate of Terry E. Norwood v State of Iowa	Medical Malpractice settled through mediation.	\$8,000.00		3/7/2011
		Estate of Terry E. Norwood v State of Iowa	Estate of Terry E. Norwood v State of Iowa	\$1,408.65		3/7/2011
		Nancy & Michael Krammerer v State of Iowa	Medical negligence settlement - \$1,500,000. Seventy-five percent (\$1,125,000) will be paid by Uof I Physicians. Twenty-five percent (\$375,000) to be paid by the State	\$375,000.00		4/4/2011
Regents-University of Iowa Hospitals & Clinics, cont.		Estate of Larry C. Brown v State of Iowa	Allegations of medical negligence arising from treatment. \$475,000.00 settlement agreement. Sixty percent (\$285,000.00) will be paid by Uof I Physicians and remaining forty percent (\$190,000.00) to be paid by the State.	\$190,000.00		6/6/2011
		Estate of David Judge v State of Iowa	Settlement pursuant to a mediation. Mediator's statement in the sum of \$1,275.00 payable to the James Law Firm, P.C.	\$1,275.00		6/6/2011
		Stephen Kindred v State of Iowa	Mediation Fees payable to U of I	\$1,043.51		12/5/2011
	T090381-385	Selk - Tort Settled	Mediation Fees payable to James Law Firm PC	\$1,268.85		12/5/2011
TOTAL						\$1,858,633.51

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January 1, 2011 - December 31, 2011

Regents-University of Northern Iowa		Jeffrey Fountain vs State of Iowa	Settlement of case involving a slip and fall.	\$5,000.00		2/14/2011
TOTAL					\$5,000.00	
Secretary of State						
TOTAL					\$0.00	
Workforce Development						
TOTAL					\$0.00	
TOTAL FY12					\$9,135,618.51	