

ARKANSAS CLAIMS COMMISSION

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



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

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

CLAIM FORM

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

Mr Dodson Sterling
(title last name/compan first name (email)
(address)
(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.

Jackson Jim Jim@JImJacksonatty.com
(title) (last name) (first name) (email)
700 W. Broadway Street, Suite 200
(address) AR bar number
North Little Rock AR 72114 (501) 823-3610
(city) (state) (zip) (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. Incident Date 7/11/2023
5. Location of Incident
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.

On Tuesday, July 11, 2023, at approximately 7:20 a.m., the claimant, Sterling D. Dodson, was driving from his home at [REDACTED], to his place of employment at [REDACTED] where Mr. Dodson was employed as a body shop technician. Mr. Dodson turned left from [REDACTED] onto Arkansas State Highway 51 and was traveling west where he planned to make his routine stop at Harkins Grocery Store where he would enjoy a cup of coffee with friends before driving on to work. \

\tAs Mr. Dodson was driving to Harkin Grocery Store, the respondent had a mowing crew working on that section of Arkansas State Highway 51. The respondent’s employees were mowing on both sides of Arkansas State Highway 51 using batwing-style rotary mowers. \

\tMr. Dodson was driving approximately 10-15 mph at all relevant times.\

The mower on the north side of Arkansas State Highway 51 near Panther Road was on an embankment. Eyewitness Fred Meek observed the mower’s rotary blade being “kicked up in the air about four (4) feet.” Mr. Meek observed an object the size of a hockey puck being ejected by the mower and shooting across the roadway in front of his car. Mr. Meek heard the object strike Sterling Dodson’s face, which he described as the sounding similar to the report of a .22 caliber bullet. \

The foreign object that was ejected by the mower struck the left side of the claimant’s face, in particular, the left orbital socket. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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 incident, CHECK HERE**

10. Additional Required Documents for Property Damage Claim

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, please provide the following information

(type of state vehicle involved) (license number) (driver)

12. If your claim involves personal injuries, please CHECK HERE

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, CLICK HERE**

14. Amount of Damages, if known: \$0.00 _____

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.”

STOP!

This signature page must be completed in the presence of a Notary Public. Do not sign until you are directed to do so by the Notary Public. If there is more than one claimant involved in this claim, each claimant must complete a separate signature page.

If you are an ARKANSAS-LICENSED ATTORNEY submitting a claim on behalf of your client, there is a different signature page that must be used. Please call (501)682-1619 and ask for an attorney signature page.

If a BUSINESS OR CORPORATE ENTITY is filing a claim without an attorney (and meets the requirements of Ark. Code Ann. § 19-10-222 for doing so), there is a different signature page that must be used. Please call (501)682-1619 and ask for a corporate signature page.

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

Claimant Signature

ACKNOWLEDGEMENT

State of _____

County of _____

On this the __ day of _____, 20__, before me, the undersigned notary, personally appeared _____ 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 of Notary Public

[seal of office]

My Commission Expires: _____

From: [Martha Cox](#)
To: [ASCC New Claims](#); [Kathryn Irby](#)
Cc: clf@cunninghamlawfirm.com; [Jim Jackson](#)
Subject: Sterling Dodson and Teresa Dodson v. Arkansas Department of Transportation; Arkansas Claims Commission #;
Incident Date: July 11, 2023
Date: Friday, August 4, 2023 3:15:12 PM
Attachments: [Complaint.pdf](#)

Please find attached a Complaint for filing with the Arkansas Claims Commission regarding the above-referenced matter.

Thank you.

Martha Cox, PP, PLS
Paralegal for The Jackson Law Firm
700 West Broadway, Suite 200
North Little Rock, AR 72114
Phone: (501) 823-3610
Fax: (501) 823-3611
mcox@jimjacksonatty.com

ARKANSAS CLAIMS COMMISSION

STERLING D. DODSON

CLAIMANT

VS.

NO. _____

ARKANSAS DEPARTMENT OF
TRANSPORTATION

RESPONDENT

COMPLAINT

Comes now the claimant, Sterling D. Dodson, by and through his legal counsel, Jackson Law Firm and Cunningham Law Firm, and for his cause of action against the respondent, states:

I. STATEMENT OF JURISDICTION

1. This claim is brought pursuant to the Commission’s authority of jurisdiction of “all claims against the State of Arkansas and its several agencies, departments, and institutions” pursuant to the authority granted by the General Assembly found in Arkansas Code Annotated § 19-10-204, *et seq.*

II. PARTIES TO THE CLAIM

2. The claimant was a resident of [REDACTED] at all times relevant to this cause of action.

3. The Arkansas Department of Transportation is an agency of the State of Arkansas.

III. STATEMENT OF THE CASE

4. On Tuesday, July 11, 2023, at approximately 7:20 a.m., the claimant, Sterling D. Dodson, was driving from his home at [REDACTED] to his place of employment at [REDACTED] where Mr. Dodson was employed as a body shop technician. Mr. Dodson turned left from [REDACTED] onto Arkansas State Highway 51 and was traveling west where he planned to make his routine stop at Panther Pass Grocery & Gas where he would enjoy a cup of coffee with friends before driving on to work.

5. As Mr. Dodson was driving to Harkin Grocery Store, the respondent had a mowing crew working on that section of Arkansas State Highway 51. The respondent's employees were mowing on both sides of Arkansas State Highway 51 using batwing-style rotary mowers.

6. Mr. Dodson was driving approximately 10-15 mph at all relevant times.

7. The mower on the north side of Arkansas State Highway 51 near Panther Road was on an embankment. Witness Fred Meek observed the mower's rotary blade being "kicked up in the air about four (4) feet." Mr. Meek observed an object the size of a hockey puck being ejected by the mower and shooting across the roadway in front of his car. Mr. Meek heard the object strike Sterling Dodson's face, which he described as sounding similar to the report of a .22 caliber bullet.

8. The foreign object that was ejected by the mower struck the left side of the claimant's face, in particular, the left orbital socket. [REDACTED]

[REDACTED]



IV. NEGLIGENCE OF RESPONDENT

9. The respondent's employees were guilty of negligence, which was the proximate cause of the above-described incident and Sterling D. Dodson's resulting damages in the following particulars:

- (a) In failing to keep the mower blade at ground height to prevent debris from being thrown in violation of the respondent's safety manual;
- (b) In failing to prevent the mower from discharging any items towards the roadway while automobile traffic was passing the work zone when the mower blade was four (4) feet above the ground; and
- (c) In failing to have a flagger to prevent vehicular traffic from entering the section of the roadway being mowed while the mowers had their blades above ground level.

V. RESPONDEAT SUPERIOR

10. All acts of negligence by the respondent's employees are imputed to the respondent, Arkansas Department of Transportation, as a matter of law.

VI. DAMAGES

11. As a proximate result of the afore-referenced acts of negligence by the respondent's employees, Sterling D. Dodson sustained serious injuries as described above.

12. The claimant, Sterling D. Dodson, claims to be lawfully entitled to recover for the following damages, all of which were proximately caused by the negligence of the respondent:

- (a) The nature, extent, duration, and permanency of his injury;

- (b) Compensatory damages for the reasonable expense of any necessary medical care, treatment, and services received and the present value of such expenses reasonably certain to be required in the future;
- (c) Damages for any pain and suffering and mental anguish experienced in the past and reasonably certain to be experienced in the future;
- (d) The value of any earnings, salary, and working time lost and the present value of any earnings, profits, salary, and working time reasonably certain to be lost in the future; and,
- (e) Damages for any scars, disfigurement, and visible results of his injury.

13. Sterling D. Dodson's total individual compensatory damages, as shall be proved by the evidence, are in excess of the minimum statutory requirement for federal diversity jurisdiction in diversity of citizenship cases.

VII. HEARING REQUEST

14. The claimant requests that this matter be set for a hearing by the Commission to determine the issues of liability, causation, and damages.

WHEREFORE, the claimant, Sterling D. Dodson, prays to have and recover a judgment against the respondent, Arkansas Department of Transportation, in a sum to be determined by the Arkansas Claims Commission and for all other relief to which he may be entitled.

Respectfully submitted,

Jim R. Jackson

Jim R. Jackson
Ark. Bar #93-209
Jackson Law Firm
700 West Broadway Street, Suite 200
North Little Rock, AR 72114-5528
(501) 823-3610 Phone
(501) 823-3611 Facsimile
Jim@JimJacksonAtty.com E-mail

and

/s/ Matthew Cunningham

Matthew Cunningham
(*pro hac vice* pending)
Cunningham Law Firm
330 North Second Avenue
Phoenix, AZ
(602) 570-5814 Phone
(602) 252-3436 Facsimile
clf@cunninghamlawfirm.com E-mail

ACKNOWLEDGMENT

State of Arkansas)
)
County of Pulaski)

On this day before the undersigned, Martha Cox, a Notary Public duly qualified and acting in and for the county and state aforesaid, personally appeared Jim Jackson, to me well known and satisfactorily proven to be the person whose name appears in the foregoing pleading, and stated that he has executed the same for the consideration, uses, and purposes therein stated and stated that he had executed the foregoing instrument of his own free will, for the purposes and consideration therein stated.

In witness whereof, I hereunto set my hand and Notary Seal on this 4th day of August, 2023.




Martha Cox
Martha Cox
Notary Public

My commission expires:
[SEAL] *8-19-2031*

CLAIM SUBMISSION SIGNATURE PAGE

The undersigned attorney, Jim Jackson, certifies that to the best of his 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.



Jim R. Jackson

From: [Martha Cox](#)
To: [ASCC New Claims](#); [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: clf@cunninghamlawfirm.com; [Jim Jackson](#)
Subject: Sterling Dodson and Teresa Dodson v. Arkansas Department of Transportation; Arkansas Claims Commission #
Incident Date: July 11, 2023
Date: Monday, August 7, 2023 10:39:50 AM
Attachments: [Interrogatories to Respondent.pdf](#)

Please find attached Claimant's First Set of Interrogatories and Requests for Production of Documents to the Respondent. We would appreciate this discovery being served upon the Respondent simultaneously with the Complaint sent for filing on August 4, 2023.

Thank you.

Martha Cox, PP, PLS
Paralegal for The Jackson Law Firm
700 West Broadway, Suite 200
North Little Rock, AR 72114
Phone: (501) 823-3610
Fax: (501) 823-3611
mcox@jimjacksonatty.com

ARKANSAS CLAIMS COMMISSION

STERLING D. DODSON

CLAIMANT

VS.

NO. _____

ARKANSAS DEPARTMENT OF
TRANSPORTATION

RESPONDENT

**CLAIMANT'S FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

Comes the claimant, Sterling D. Dodson, by and through his attorneys, and propounds the following First Set of Interrogatories and Requests for Production of Documents to the respondent:

INTERROGATORY NO. 1: Please state the names, complete present or last known addresses, and telephone numbers of all persons known to you, your attorneys, or other representatives who have knowledge of the facts relating to the accident as alleged or described in the Complaint (the "accident").

INTERROGATORY NO. 2: Please state the names, complete present or last known addresses, and telephone numbers of all persons who will or may be called as witnesses on your behalf at the trial of this lawsuit.

INTERROGATORY NO. 3: Please state briefly the facts or the nature of the subject matter known to each of the persons listed in response to Interrogatory Nos. 1 and 2 above.

INTERROGATORY NO. 4: If you contend that any person who may be called as a witness on your behalf at the trial of this lawsuit is an expert witness, then, with respect to each such person, please provide:

- (a) the name, address, and telephone number of each such person;

- (b) the qualifications of such person to testify with respect to the subject matter investigated;
- (c) the subject matter on which the expert is expected to testify;
- (d) the substance of the facts and the opinion(s) to which the expert is expected to testify;
- (e) a summary of the grounds for each such opinion; and
- (f) a list of all tests, treatises, reports, depositions, records, and other documents reviewed by said expert in formulating his opinion(s).

REQUEST FOR PRODUCTION NO. 1: Please attach to your answers to these Interrogatories and Requests for Production of Documents copies of all reports and other documents prepared or furnished by said expert(s) relating to this lawsuit.

INTERROGATORY NO. 5: With respect to each exhibit which you will or may introduce at the trial of this lawsuit, please:

- (a) give a brief description of each such exhibit;
- (b) state what such exhibit purports to show or represent;
- (c) give the names and addresses of all persons who have copies of each such exhibit in their possession;
- (d) state when and by whom each such exhibit was designed or prepared; and
- (e) attach a copy of each such exhibit.

INTERROGATORY NO. 6: Do you, your attorneys, or other representatives have knowledge of any other documents (other than exhibits described in Interrogatory No. 5) which regard or relate to the matters with which this lawsuit is concerned, and if so, please state with respect to each such document or item:

- (a) what it purports to show or represent;
- (b) the names and addresses of all persons who have copies; and
- (c) when and by whom it was designed or prepared.

REQUEST FOR PRODUCTION NO. 2: Please attach to your answers to the Interrogatories and Requests for Production of Documents a copy of each document identified in your answer to the preceding interrogatory.

REQUEST FOR PRODUCTION NO. 3: Please provide a copy of any chart, graph, drawing, presentation, reconstruction, demonstration, or other visual aid or item of demonstrative evidence that you or your attorney intend to utilize at the trial in this case for any purpose.

INTERROGATORY NO. 7: Do you, your attorneys, your representatives, or anyone acting on your or their behalf have knowledge of any photographs or video recordings taken at any time relating to the matters with which this lawsuit is concerned; and if so, please state with respect to each such photograph and recording:

- (a) what it purports to show or represent;
- (b) the date it was taken;
- (c) the name and address of the person who made or took it;
- (d) the names and addresses of all persons who have copies; and
- (e) if you claim a privilege, please produce a log of the items for which you are claiming a privilege.

REQUEST FOR PRODUCTION NO. 4: Please attach prints or photocopies of each photograph or video recording identified in your answer to Interrogatory No. 7; or, in the alternative, furnish jpg or pdf files to the undersigned so that prints may be made therefrom.

INTERROGATORY NO. 8: Do you, your attorneys, or other representative, or to your knowledge or information, does any other person have now or have any such persons ever had any written, typed, electronically recorded, telephonically recorded, or electronically stored information relating to any conversation between you, your attorneys, or other representative, on the one hand, and the claimant, his attorney, or other representative, on the other hand, relating to the matters with which this lawsuit is concerned; and if so, please state with respect to each such conversation:

- (a) the name, address, and telephone number of each participant;
- (b) the subject matter of the conversation;
- (c) the date and time of the conversation;
- (d) the location(s) of the participants at the time;
- (e) the name and address of each person who wrote, typed, recorded, and/or stored the conversation or information;
- (f) the means of recording and storing the conversation; and
- (g) the location of the electronic or telephonic recording device at the time of the conversation.

REQUEST FOR PRODUCTION NO. 5: Produce for inspection and copying the original recording and copies of all transcripts prepared therefrom referenced in response to Interrogatory No. 8.

INTERROGATORY NO. 9: If you, your attorneys, or other representatives are aware of any oral admission or statements (other than the statements described in Interrogatory No. 9) made by the claimant, his agents, or representatives at any time relating to the matters with which this lawsuit is concerned, then with respect to each such oral admission or statement, please state:

- (a) the substance of each such oral statement;
- (b) to whom each such oral statement was made;
- (c) when each such oral statement was made; and
- (d) where each such oral statement was made.

INTERROGATORY NO. 10: Do you, your attorneys, or other representatives, or to your knowledge or information, does any other person have now or have any such persons ever had any written typed, electronically recorded, telephonically recorded, or electronically stored information relating to any conversation between you, your attorneys, or other representative, on the one hand, and any possible witness on the other hand, relating to the matters with which this lawsuit is concerned; and if so, please give the name, address, and telephone number of each such potential witness. Further, if you or your attorney intends to introduce a transcript or elicit any testimony regarding said conversation at the trial in this case (including but not limited to the purpose of rebuttal or impeachment), please state:

- (a) the name, address, and telephone number of each participant;
- (b) the subject matter of the conversation;
- (c) the date and time of the conversation;
- (d) the location(s) of the participants at the time;
- (e) the name and address of each person who wrote, typed, recorded, and/or stored the conversation or information;
- (f) the means of recording and storing the conversation; and
- (d) the location of the electronic or telephonic recording device at the time of the conversation.

REQUEST FOR PRODUCTION NO. 6: Produce for inspection and copying the original recordings and copies of all transcripts prepared therefrom referenced in response to Interrogatory No. 10.

REQUEST FOR PRODUCTION NO. 7: Produce a copy of any reports made by any of your employees regarding the incident that is the subject of this claim.

INTERROGATORY NO. 11: Please state the name and job title of every employee who was working on the mowing job on AR Highway 51 on July 11, 2023.

Respectfully submitted,

BY: /s/ Jim R.
Jackson

Jim R. Jackson, AR Bar #93-209
 Jackson Law Firm
 700 West Broadway Street, Suite 200
 North Little Rock, AR 72114-5528
 (501) 823-3610 phone
 (501) 823-3611 facsimile
Jim@JimJacksonatty.com

CERTIFICATE OF SERVICE

A copy of the foregoing was served simultaneously with the Complaint giving rise to this matter, so that this First Set of Interrogatories and Requests for Production of Documents Propounded to Respondent will have the same date of service as the delivery of the Complaint on the following agency:

Arkansas Department of Transportation

/s/ Jim R. Jackson

Jim R. Jackson

From: [ASCC New Claims](#)
To: [Davenport, Michelle L.](#); [Blakley, Sharon](#); lakeysha.walker@ardot.gov
Cc: [Kathryn Irby](#)
Subject: CLAIM: Sterling Dodson v. ArDOT, Claim No. 240185
Date: Friday, August 11, 2023 2:54:00 PM
Attachments: [Sterling Dodson Agency ltr .pdf](#)
[Sterling Dodson Form.pdf](#)
[Sterling Dodson and Teresa Dodson v Arkansas Dept of Transportation, Arkansas Claims Commission #: Incident Case # 22-092.msg](#)
[Sterling Dodson and Teresa Dodson v Arkansas Dept of Transportation, Arkansas Claims Commission #: Incident Case # 22-092.msg](#)

Please see attached. Contact Kathryn Irby with any questions.

Thank you,
Caitlin

Caitlin McDaniel

Administrative Specialist II

Arkansas State Claims Commission

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

ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

August 11, 2023

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

(via email)

RE: ***Sterling Dodson v. Arkansas Department of Transportation***
Claim No. 240185

Dear Ms. Davenport,

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

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

Sincerely,

Kathryn Irby

ES: cmcdaniel

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

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

From: [ASCC New Claims](#)
To: [Jim Jackson](#)
Bcc: [Kathryn Irby](#)
Subject: Sterling Dodson v. ArDOT, Claim No. 240185
Date: Friday, August 11, 2023 2:54:00 PM
Attachments: [Sterling Dodson v. ArDOT Agency Ltr .pdf](#)

Dear Mr. Jackson,

Attached please find a copy of the letter sent with Mr. Dodson'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

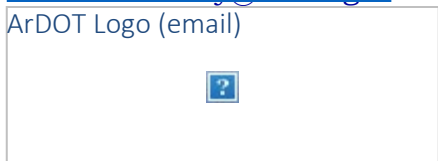
(501) 682-1619

From: [Blakley, Sharon D.](#)
To: [ASCC Pleadings](#)
Cc: [Andrews, Amanda J.](#); "[Jim@JacksonAtty.com](#)"; "[clf@cuninghamlawfirm.com](#)"
Subject: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.
Date: Wednesday, September 6, 2023 2:46:22 PM
Attachments: [image.png](#)
[Dodson 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents 2023.09.06.pdf](#)
[Dodson 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents 2023.09.06.pdf](#)
[Dodson 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents 2023.09.06.pdf](#)

Please acknowledge receipt of the attached Answer and Respondent's First Set of Interrogatories and Requests for Production of Documents Propounded to the Claimant.

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

ArDOT Logo (email)





ARKANSAS DEPARTMENT OF TRANSPORTATION

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

LEGAL DIVISION | **Amanda J. Andrews, Staff Attorney** | Amanda.Andrews@ardot.gov
10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2278 | Fax: 501.569.2164

September 6, 2023

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

Via Electronic Mail

Re: *Sterling D. Dodson v. Arkansas Department of
Transportation* Claim No. 240185

Dear Ms. Irby:

Enclosed please find Respondent's Answer to be filed in the above-styled claim. Additionally, enclosed is Respondent's First Set of Interrogatories and Requests for Production of Documents Propounded to Claimant.

I request that you acknowledge receipt at your earliest convenience. Please do not hesitate to contact me if you have any questions or require anything further.

Respectfully,

Amanda J. Andrews
Staff Attorney

AJA/sdb
enclosures

cc w/ enc:
Jim R. Jackson
Jackson Law Firm
700 West Broadway Street, Suite 200
North Little Rock, AR 72114-5528
Jim@JacksonAtty.com
Via Electronic & U.S. Mail

Matthew Cunningham
Cunningham Law Firm
330 North Second Avenue
Phoenix, AZ 85003
clf@cunninghamlawfirm.com
Via Electronic & U.S. Mail

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

STERLING D. DODSON

CLAIMANT

V.

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

ANSWER

COMES NOW Respondent, Arkansas Department of Transportation, by and through its Staff Attorney, Amanda J. Andrews, and for its Answer to the Claim states the following:

1. The Respondent does not dispute liability.
2. The Respondent requests that this matter be scheduled for a hearing to determine the nature and extent of the Claimant's damages, if any.

WHEREFORE, Respondent prays that this matter be heard before the Arkansas State Claims Commission to determine the nature and extent of Claimant's damages, if any.

Respectfully submitted,

ARKANSAS DEPARTMENT OF TRANSPORTATION

Amanda J. Andrews

By: _____
Amanda J. Andrews, Staff Attorney (Ark. Bar No. 2005205)
Post Office Box 2261
Little Rock, AR 72203-2261
Amanda.Andrews@ardot.gov
(501) 569-2278

CERTIFICATE OF SERVICE

I, Amanda J. Andrews, certify that I have served the foregoing upon the Claimant by sending a true copy of same by electronic and United States mail this 6th day of September, 2023, to the following:

Jim R. Jackson
Jackson Law Firm
700 West Broadway Street, Suite 200
North Little Rock, AR 72114-5528
Jim@JacksonAtty.com

Matthew Cunningham
Cunningham Law Firm
330 North Second Avenue
Phoenix, AZ 85003
clf@cunninghamlawfirm.com

Amanda J. Andrews

Amanda J. Andrews

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

STERLING D. DODSON

CLAIMANT

V.

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

**RESPONDENT'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED TO CLAIMANT**

PURSUANT TO RULE 26 OF THE ARKANSAS RULES OF CIVIL PROCEDURE,

the Respondent, Arkansas Department of Transportation, propounds its First Set of Interrogatories and Requests for Production of Documents to Claimant as follows:

Interrogatory No. 1: State your name, address, telephone number, date of birth, and Social Security number:

Interrogatory No. 2: State the name, telephone number and employer of each person or entity who has investigated on your behalf the occurrence which is the subject matter of this claim.

Interrogatory No. 3: Identify all persons whom Claimant will call as expert witnesses to give opinion testimony at the hearing of this case.

Interrogatory No. 4: Identify each person who has knowledge of any facts connected to the incident that is the subject of this claim, state the facts known to each such person, and indicate whether the person has made a written or recorded statement, identifying the custodian of each statement.

Interrogatory No. 5: Identify all documents and exhibits you will or may offer as evidence at the hearing of this matter and identify the custodians of each such item.

Interrogatory No. 6: Please state in your own words how the incident that is the subject of this claim occurred.

Interrogatory No. 7: State whether within the ten (10) years preceding the incident that is the subject of this claim you suffered any injuries, diseases, illnesses or other maladies which required the services of a doctor, psychologist, therapist, counselor or any other physical or mental health care provider or practitioner. If so, list separately the name and address of each such physical or mental health care provider or practitioner who was consulted, who examined or who rendered treatment, the date of the initial consultation, examination and/or treatment, the nature of the injury, disease, illness, or other malady for which the physical or mental health care provider or practitioner examined, consulted, or treated and the treatment that was rendered.

Interrogatory No. 8: Describe in detail each and every injury that you suffered as a result of the incident that is the subject of this claim.

Interrogatory No. 9: State the name and address of every physical or mental health care practitioner or provider who was consulted or who examined or rendered treatment for any of the injuries that resulted from the incident that is the subject of this claim. For each such physical or mental health care provider or practitioner, please list the dates of consultation, examination or treatment and the nature of the injury for which consultation, examination or treatment was rendered.

Interrogatory No. 10: In connection with your claim for medical and other health care expenses incurred as a result of the incident that is the subject of this claim, please identify and itemize each medical, hospital or other health care bill or expense for which you make a claim in this case.

Interrogatory No. 11: If other than medical expenses, you have incurred financial or material loss or damage which you attribute to the incident that is the subject of this claim, please list, describe and itemize each and every such loss or expense.

Interrogatory No. 12: State the nature, dates, duration and extent of any and all pre-existing physical, mental, psychological or emotional conditions, illnesses, diseases or other maladies which you had prior to the incident that is the subject to this claim.

Interrogatory No. 13: Do you claim that the incident that is the subject of this claim caused or contributed to the aggravation or activation of a pre-existing physical, psychological, emotional or mental condition? If so, please list each such pre-existing, condition and how it has affected you differently since the incident that is the subject of this claim.

Interrogatory No. 14: State whether you have suffered any injuries, illnesses, diseases or other maladies since the date of the incident that is the subject of this claim. If so, list the nature of the injury, illness, disease or other malady with the date of occurrence of same and the name and address of each doctor or other physical or mental health care provider or practitioner who has consulted or who rendered treatment in connection therewith.

Interrogatory No. 15: State whether you were unable to work as a result of any of the injuries you sustained in the incident that is the subject of this claim. If so, give the inclusive dates of such inability, the name of every doctor or other physical or mental health care provider or practitioner who advised you not to work and the first day that you were able to return to work. If you were unable to work for more than one period following the occurrence that is the subject of the claim, please provide the requested information for each such period. Further, if you were off from work following the incident that is the subject of this claim, for any reason other than injuries sustained in the subject incident, please state the time periods and the reason why you were off from work.

Interrogatory No. 16: List the name, address and telephone number of all places where you have been employed during the ten (10) years prior to the incident that is the subject of this

claim. For each such place of employment, please list the inclusive dates of such employment, your earnings, and your reason for leaving that place of employment.

Interrogatory No. 17: Please list the name of your current employer and state your job title, job duties and your salary, wages or income received.

Interrogatory No. 18: If you claim you have suffered “a loss of earnings,” and/or “a loss of earning capacity” as a result of the incident that is the subject of this claim, please state the total amount of dollars you claim as damages and describe the method you used in calculating such loss.

Interrogatory No. 19: Have you ever been involved in any other accident including but not limited to, automobile accidents, slips and falls, on the job accidents, or exercise or sporting accidents, either before or after the occurrence which is the subject of this claim? If so, please state the date, location and parties involved, whether you were injured as a result of the accident, whether you received any compensation for said accident, and if so, the amount of compensation received and from whom. If suit was filed, please state the date suit was filed, the name(s) of the party or parties, where suit was filed, the docket number of the suit and the disposition of the case.

Interrogatory No. 20: State whether you have been involved in any other civil and/or criminal litigation. If so, please state the following:

- a. The general nature of the litigation;
- b. The style of each lawsuit, including the Court in which it was filed and the docket number;
- c. The outcome of the lawsuit; and
- d. The date which judgment was tendered or the case was dismissed.

Interrogatory No. 21: Have you ever been arrested and/or convicted of any criminal offense? If so, please state the date of the arrest, the charges placed against you, the court involved in the disposition of the charges, and the disposition of the charges against you.

Interrogatory No. 22: Please list each and every policy of insurance that you had in effect at the time of the incident that is the subject of this claim, including but not limited to, automobile liability insurance, comprehensive automobile insurance, uninsured automobile insurance, underinsured automobile insurance, medical pay or personal injury protection under an automobile policy, health insurance, accident, injury and/or disability insurance, supplemental insurance or umbrella insurance. Please list the name of the insurer, the address and telephone number of the insurer, the type of policy, the amount(s) of coverage afforded under the policy, and the deductibles.

Interrogatory No. 23: Please itemize each and every payment you have received from all sources related to the incident that is the subject of this claim, or was made to a third party on your behalf as a result of the incident that is the subject of this claim, including but not limited to insurance payments.

Interrogatory No. 24: Please list and describe all other claims or lawsuits you have with any other entity or party, including insurers, workers compensation, government agencies, etc., arising out of the incident that is the subject of this claim and describe the current status or outcome of each claim.

Interrogatory No. 25: Identify your health insurance carrier, as of the date of the incident that is the subject of this claim.

Interrogatory No. 26: Please consider the foregoing Interrogatories and Requests for Production of Documents as continuing and furnish by way of supplemental response such additional information as may hereinafter be acquired which augments or modifies the answers to the foregoing Interrogatories and Requests for Production of Documents, such supplemental responses to be served within ten (10) days after receipt of such information or as soon as received if less than ten (10) days before an assigned trial date. Will you do so?

REQUESTS FOR PRODUCTION OF DOCUMENTS

Request for Production No. 1: Please provide a copy of any reports or documents produced by any person identified in Answer to Interrogatory No. 2.

Request for Production No. 2: Please provide a copy of any reports or documents produced by any person identified in Answer to Interrogatory No. 3.

Request for Production No. 3: Please provide a copy of any written statements referred to in Answer to Interrogatory No. 4.

Request for Production No. 4: Please provide copies of all documents, items, charts, models, diagrams or similar devices identified in Answer to Interrogatory No. 5.

Request for Production No. 5: Please provide all medical records which pertain to any and all injuries you allegedly sustained as a result of the incident that is the subject of this claim.

Request for Production No. 6: Please provide all medical bills which pertain to any and all injuries you allegedly sustained as a result of the incident that is the subject of this claim.

Request for Production No. 7: Please provide documentation of any other financial or material loss you incurred as a result of the incident that is the subject of this claim, including but not limited to, loss of earnings or loss of earning capacity.

Request for Production No. 8: Please provide a copy of each and every insurance policy, including the declaration page that you identified in your Answer to Interrogatory No. 22.

Request for Production No. 9: Please provide a copy of any and all checks, bank statements, or invoices evidencing payments to you or on your behalf as identified in your answer to Interrogatory No. 23.

Request for Production No. 10: Please produce a copy of any declarations or summary of coverages under any insurance policy that were in effect on the date of the incident that is the subject of this claim.

Request for production No. 11: Please produce a copy of the front and back of your health insurance card that was in effect on the date of the incident that is the subject of this claim.

Request for Production No. 12: Please produce the sworn affidavit, as required by the Arkansas Claims Commission, signed by the claimant and witnessed by claimant's insurer and legal counsel, that claimant has exhausted all remedies against insurers, including the claimant's insurer. Such affidavit shall state the total amount of insurance benefits paid to the claimant.

Request for Production No. 13: Please sign and produce the Form 4506 Request for Copy of Tax Return form. If you refuse to sign, please explain your refusal.

Request for Production No. 14: Please sign and produce the enclosed HIPPA authorization. If you refuse to sign, please explain your refusal.

Request for Production No. 17: Please sign and produce the enclosed Business Records Authorization. If you refuse to sign, please explain your refusal.

Respectfully submitted,

ARKANSAS DEPARTMENT OF TRANSPORTATION

Amanda J. Andrews

By: _____
Amanda J. Andrews, Staff Attorney (Ark. Bar No. 2005205)
Post Office Box 2261
Little Rock, AR 72203-2261
Amanda.Andrews@ardot.gov
(501) 569-2278

CERTIFICATE OF SERVICE

I, Amanda J. Andrews, certify that I have served the foregoing upon the Claimant by sending a true copy of same by electronic and United States mail this 6th day of September, 2023, to the following:

Jim R. Jackson
Jackson Law Firm
700 West Broadway Street, Suite 200
North Little Rock, AR 72114-5528
Jim@JacksonAtty.com

Matthew Cunningham
Cunningham Law Firm
330 North Second Avenue
Phoenix, AZ 85003
clf@cunninghamlawfirm.com

Amanda J. Andrews

Amanda J. Andrews

BUSINESS RECORDS AUTHORIZATION

EMPLOYEE'S NAME:

EMPLOYEE'S SSN:

EMPLOYEE'S DOB:

EMPLOYER: _____

(To be completed by Requester)

I hereby expressly authorize the release of any personnel files and/or any other documents relating to my employment with your company. This would include documentation such as time off for sick leave, job performance, evaluation sheets, W-2s, pay scales, and all other information regarding my job performance with your establishment, including reason for termination of the employment relationship.

This Authorization was signed voluntarily by me with the express understanding that the Arkansas Department of Transportation or any of their representatives, should have complete access to all business, employment and/or financial records.

Signature

Date

If Signed by Legal Representative,
Relationship to Employee

Photostatic copy of this Authorization shall serve in its stead.

AUTHORIZATION TO DISCLOSE HEALTH INFORMATION

PATIENT’S NAME:
PATIENT’S SSN:
PATIENT’S DOB:

COVERED ENTITY: _____
(To be completed by Requester)

1. I hereby authorize **ANY HEALTH INSURER, THIRD-PARTY ADMINISTRATOR, CLAIMS ADMINISTRATOR, or HEALTH CARE PROVIDER (“COVERED ENTITY”)** to make the disclosure of the **PATIENT’S** health information as described below. This authorization is intended to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), HIPAA regulations, and other state and federal laws and regulations that may create a right of privacy in the health information approved to be disclosed by this authorization.

2. The health information to be disclosed is as follows: Complete medical record, including but not limited to: hospital records, medical records, doctor’s and/or nurse’s notes, information relating to alcohol or drug use or behavioral or mental health, including psychotherapy notes and records, medication records, prescriptions, imaging films, x-rays or other radiologic films, laboratory tests and results, diagnostic records and reports, including but not limited to MRI, CT scan, Myelogram, etc., statements of any and all charges, and any other records pertaining to hospitalization, medical treatment, medical history, prognosis, etiology, and expense not enumerated above.

3. The time period for which the health information identified above is authorized to be disclosed is July 11, 2023 to Present.

4. This information may be disclosed to and used by the following individual or organization: Arkansas Department of Transportation, Legal Division, 10324 Interstate 30, Little Rock, Arkansas 72203, and its attorneys, employees, and representative(s).

5. The purpose for which disclosure of this health information is authorized is use in the matter pending before the Arkansas State Claims Commission, *Sterling D. Dodson v. Arkansas Department of Transportation*, Claim No. 240185, and any appeal thereof.

6. I understand that the information in my health record may include information relating to sexually transmitted disease, acquired immunodeficiency syndrome (AIDS), or human immunodeficiency virus (HIV). It may also include information about behavioral or mental health services, and treatment for alcohol and drug abuse.

7. I understand that the information used or disclosed may be subject to re-disclosure by the person or class of persons receiving it, and would then no longer be protected by federal privacy regulations.

8. I understand that I have the right to revoke this authorization at any time. I understand if I revoke this authorization I must do so in writing and present my written revocation to the **COVERED ENTITY**. I understand the revocation will not apply to information that has already been released in response to this authorization nor to my insurance company when the law provides my insurer with the right to contest a claim under my policy. Unless otherwise revoked, this authorization will expire upon the conclusion of the matter pending before the Arkansas State Claims Commission, *Sterling D. Dodson v. Arkansas Department of Transportation*, Claim No. 210930, and any appeal thereof.

9. I understand that I may request a copy of this authorization form that I have signed by sending a written request to the **COVERED ENTITY**. I further understand that I may inspect or copy the information to be used or disclosed, as provided in 45 CFR §164.524. I understand that any disclosure of information carries with it the potential for an unauthorized re-disclosure and the information may not be protected by federal and state confidentiality rules or 45 CFR §164.508. I understand that if I have questions about disclosure of my health information, I can contact my attorneys or the **COVERED ENTITY**.

Signature of Patient or Legal Representative

If Signed by Legal Representative, Relationship to Patient

Date

Photostatic copy of this Authorization shall serve in its stead.

Form **4506**

Request for Copy of Tax Return

(Rev. September 2015)

- ▶ **Do not sign this form unless all applicable lines have been completed.**
- ▶ **Request may be rejected if the form is incomplete or illegible.**
- ▶ **For more information about Form 4506, visit www.irs.gov/form4506.**

OMB No. 1545-0429

Department of the Treasury
Internal Revenue Service

Tip. You may be able to get your tax return or return information from other sources. If you had your tax return completed by a paid preparer, they should be able to provide you a copy of the return. The IRS can provide a **Tax Return Transcript** for many returns free of charge. The transcript provides most of the line entries from the original tax return and usually contains the information that a third party (such as a mortgage company) requires. See **Form 4506-T, Request for Transcript of Tax Return**, or you can quickly request transcripts by using our automated self-help service tools. Please visit us at IRS.gov and click on "Get a Tax Transcript..." or call 1-800-908-9946.

1a Name shown on tax return. If a joint return, enter the name shown first.	1b First social security number on tax return, individual taxpayer identification number, or employer identification number (see instructions)
2a If a joint return, enter spouse's name shown on tax return.	2b Second social security number or individual taxpayer identification number if joint tax return
3 Current name, address (including apt., room, or suite no.), city, state, and ZIP code (see instructions)	
4 Previous address shown on the last return filed if different from line 3 (see instructions)	
5 If the tax return is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number.	

Caution: If the tax return is being mailed to a third party, ensure that you have filled in lines 6 and 7 before signing. Sign and date the form once you have filled in these lines. Completing these steps helps to protect your privacy. Once the IRS discloses your tax return to the third party listed on line 5, the IRS has no control over what the third party does with the information. If you would like to limit the third party's authority to disclose your return information, you can specify this limitation in your written agreement with the third party.

6 Tax return requested. Form 1040, 1120, 941, etc. and all attachments as originally submitted to the IRS, including Form(s) W-2, schedules, or amended returns. Copies of Forms 1040, 1040A, and 1040EZ are generally available for 7 years from filing before they are destroyed by law. Other returns may be available for a longer period of time. Enter only one return number. If you need more than one type of return, you must complete another Form 4506. ▶ _____

Note: If the copies must be certified for court or administrative proceedings, check here

7 Year or period requested. Enter the ending date of the year or period, using the mm/dd/yyyy format. If you are requesting more than eight years or periods, you must attach another Form 4506.

8 Fee. There is a \$50 fee for each return requested. Full payment must be included with your request or it will be rejected. Make your check or money order payable to "United States Treasury." Enter your SSN, ITIN, or EIN and "Form 4506 request" on your check or money order.	
a Cost for each return	\$ 50.00
b Number of returns requested on line 7	
c Total cost. Multiply line 8a by line 8b	\$
9 If we cannot find the tax return, we will refund the fee. If the refund should go to the third party listed on line 5, check here <input type="checkbox"/>	

Caution: Do not sign this form unless all applicable lines have been completed.

Signature of taxpayer(s). I declare that I am either the taxpayer whose name is shown on line 1a or 2a, or a person authorized to obtain the tax return requested. If the request applies to a joint return, at least one spouse must sign. If signed by a corporate officer, 1 percent or more shareholder, partner, managing member, guardian, tax matters partner, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute Form 4506 on behalf of the taxpayer. **Note:** For tax returns being sent to a third party, this form must be received within 120 days of the signature date.

Signatory attests that he/she has read the attestation clause and upon so reading declares that he/she has the authority to sign the Form 4506. See instructions.

Signature (see instructions)	Date	Phone number of taxpayer on line 1a or 2a
Title (if line 1a above is a corporation, partnership, estate, or trust)		
Spouse's signature	Date	

Section references are to the Internal Revenue Code unless otherwise noted.

Future Developments

For the latest information about Form 4506 and its instructions, go to www.irs.gov/form4506.

Information about any recent developments affecting Form 4506, Form 4506-T and Form 4506T-EZ will be posted on that page.

General Instructions

Caution: Do not sign this form unless all applicable lines have been completed.

Purpose of form. Use Form 4506 to request a copy of your tax return. You can also designate (on line 5) a third party to receive the tax return.

How long will it take? It may take up to 75 calendar days for us to process your request.

Tip. Use Form 4506-T, Request for Transcript of Tax Return, to request tax return transcripts, tax account information, W-2 information, 1099 information, verification of nonfiling, and records of account.

Automated transcript request. You can quickly request transcripts by using our automated self-help service tools. Please visit us at IRS.gov and click on "Get a Tax Transcript..." or call 1-800-908-9946.

Where to file. Attach payment and mail Form 4506 to the address below for the state you lived in, or the state your business was in, when that return was filed. There are two address charts: one for individual returns (Form 1040 series) and one for all other returns.

If you are requesting a return for more than one year or period and the chart below shows two different addresses, send your request to the address based on the address of your most recent return.

Chart for individual returns (Form 1040 series)

If you filed an individual return and lived in:

Mail to:

Alabama, Kentucky, Louisiana, Mississippi, Tennessee, Texas, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address

Internal Revenue Service
RAIVS Team
Stop 6716 AUSC
Austin, TX 73301

Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming

Internal Revenue Service
RAIVS Team
Stop 37106
Fresno, CA 93888

Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia

Internal Revenue Service
RAIVS Team
Stop 6705 P-6
Kansas City, MO
64999

Chart for all other returns

If you lived in or your business was in:

Mail to:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address

Internal Revenue Service
RAIVS Team
P.O. Box 9941
Mail Stop 6734
Ogden, UT 84400

Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin

Internal Revenue Service
RAIVS Team
P.O. Box 145500
Stop 2800 F
Cincinnati, OH 45250

Specific Instructions

Line 1b. Enter your employer identification number (EIN) if you are requesting a copy of a business return. Otherwise, enter the first social security number (SSN) or your individual taxpayer identification number (ITIN) shown on the return. For example, if you are requesting Form 1040 that includes Schedule C (Form 1040), enter your SSN.

Line 3. Enter your current address. If you use a P.O. box, please include it on this line 3.

Line 4. Enter the address shown on the last return filed if different from the address entered on line 3.

Note: If the addresses on lines 3 and 4 are different and you have not changed your address with the IRS, file Form 8822, Change of Address. For a business address, file Form 8822-B, Change of Address or Responsible Party — Business.

Signature and date. Form 4506 must be signed and dated by the taxpayer listed on line 1a or 2a. If you completed line 5 requesting the return be sent to a third party, the IRS must receive Form 4506 within 120 days of the date signed by the taxpayer or it will be rejected. Ensure that all applicable lines are completed before signing.



You must check the box in the signature area to acknowledge you have the authority to sign and request the information. The form will not be processed and returned to you if the box is unchecked.

Individuals. Copies of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506 exactly as your name appeared on the original return. If you changed your name, also sign your current name.

Corporations. Generally, Form 4506 can be signed by: (1) an officer having legal authority to bind the corporation, (2) any person designated by the board of directors or other governing body, or (3) any officer or employee on written request by any principal officer and attested to by the secretary or other officer. A bona fide shareholder of record owning 1 percent or more of the outstanding stock of the corporation may submit a Form 4506 but must provide documentation to support the requester's right to receive the information.

Partnerships. Generally, Form 4506 can be signed by any person who was a member of the partnership during any part of the tax period requested on line 7.

All others. See section 6103(e) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

Note: If you are Heir at law, Next of kin, or Beneficiary you must be able to establish a material interest in the estate or trust.

Documentation. For entities other than individuals, you must attach the authorization document. For example, this could be the letter from the principal officer authorizing an employee of the corporation or the letters testamentary authorizing an individual to act for an estate.

Signature by a representative. A representative can sign Form 4506 for a taxpayer only if this authority has been specifically delegated to the representative on Form 2848, line 5. Form 2848 showing the delegation must be attached to Form 4506.

Privacy Act and Paperwork Reduction Act

Notice. We ask for the information on this form to establish your right to gain access to the requested return(s) under the Internal Revenue Code. We need this information to properly identify the return(s) and respond to your request. If you request a copy of a tax return, sections 6103 and 6109 require you to provide this information, including your SSN or EIN, to process your request. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506 will vary depending on individual circumstances. The estimated average time is: **Learning about the law or the form**, 10 min.; **Preparing the form**, 16 min.; and **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506 simpler, we would be happy to hear from you. You can write to:

Internal Revenue Service
Tax Forms and Publications Division
1111 Constitution Ave. NW, IR-6526
Washington, DC 20224.

Do not send the form to this address. Instead, see *Where to file* on this page.

From: [Kathryn Irby](#)
To: [Blakley, Sharon D.](#); [ASCC Pleadings](#)
Cc: [Andrews, Amanda J.](#); [Jim Jackson](#); [clf@cunninghamlawfirm.com](#)
Subject: RESENT: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.
Date: Wednesday, September 6, 2023 4:25:00 PM
Attachments: [image.png](#)

ArDOT – it looks like the emails for Jim Jackson and Matthew Cunningham were not correct. I am resending my email with the correct email addresses added.

Mr. Jackson and Mr. Cunningham, please see below. Let Ms. Andrews know if you need the filings resent to your correct emails.

Kathryn Irby

From: Kathryn Irby
Sent: Wednesday, September 6, 2023 4:22 PM
To: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; [ASCC Pleadings <ASCCPleadings@arkansas.gov>](mailto:ASCCPleadings@arkansas.gov)
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; 'Jim@JacksonAtty.com' <Jim@JacksonAtty.com>; 'clf@cuninghamlawfirm.com' <clf@cuninghamlawfirm.com>
Subject: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.

Counselors, as the parties are already engaged in discovery, I have put this claim into a discovery status. Please advise when discovery is nearing completion. If a damages hearing will needed to be added to the docket, I can do so then.

Thanks,
Kathryn Irby

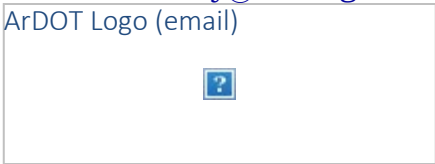
From: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Sent: Wednesday, September 6, 2023 2:46 PM
To: [ASCC Pleadings <ASCCPleadings@arkansas.gov>](mailto:ASCCPleadings@arkansas.gov)
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; 'Jim@JacksonAtty.com' <Jim@JacksonAtty.com>; 'clf@cuninghamlawfirm.com' <clf@cuninghamlawfirm.com>
Subject: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.

Please acknowledge receipt of the attached Answer and Respondent's First Set of Interrogatories and Requests for Production of Documents Propounded to the Claimant.

[Sharon D. Blakley](#)
ARDOT - Legal Administrator
(501) 569-2022 fax (501)569-2164

Sharon.Blakley@ardot.gov

ArDOT Logo (email)



From: [Andrews, Amanda J.](#)
To: [Jim Jackson](#)
Cc: [Kathryn Irby](#); [Blakley, Sharon D.](#); [ASCC Pleadings](#); clf@cunninghamlawfirm.com
Subject: RE: RESENT: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.
Date: Thursday, September 7, 2023 9:26:39 AM
Attachments: [\[REDACTED\]](#)
[Dodson 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.docx](#)

Mr. Jackson,

Attached please find our discovery requests in Word format. I also wanted to request an extension of 30 days in which to respond to the Interrogatories and Requests for Production of Documents that you served with the Claim. At this point, ARDOT is still investigating the claim and would not have much information to provide. Instead of providing multiple responses that requiring supplementing, we ask for additional time to gather responsive documents.

I appreciate your consideration of this request. Please feel free to reach out if you have any questions or would like to discuss more.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Wednesday, September 6, 2023 7:12 PM
To: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>;
ASCC Pleadings <ASCCPleadings@arkansas.gov>; clf@cunninghamlawfirm.com
Subject: Re: RESENT: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.

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I look forward to working with everyone on this important matter.
Thank you very much,
Jim

Jim Jackson
Attorney at Law
700 West Broadway St: Suite 2
North Little Rock, AR 72114
(501) 823-3610

On Sep 6, 2023, at 4:42 PM, Andrews, Amanda J. <Amanda.Andrews@ardot.gov> wrote:

I apologize, all. Thank you for correcting the emails, Kathryn.

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Office: (501) 569-2278
Fax: (501) 569-2164
Email: amanda.andrews@ardot.gov
<image002.jpg>

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Wednesday, September 6, 2023 4:26 PM
To: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
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Kathryn Irby

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To: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; 'Jim@JacksonAtty.com' <Jim@JacksonAtty.com>; 'clf@cunninghamlawfirm.com' <clf@cunninghamlawfirm.com>
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Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; 'Jim@JacksonAtty.com' <Jim@JacksonAtty.com>; 'clf@cunninghamlawfirm.com' <clf@cunninghamlawfirm.com>
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Sharon D. Blakley
 ARDOT - Legal Administrator
 (501) 569-2022 fax (501)569-2164
Sharon.Blakley@ardot.gov
 <image003.png>

From: [Jim Jackson](#)
To: [Andrews, Amanda J.](#)
Cc: [Kathryn Irby](#); [Blakley, Sharon D.](#); [ASCC Pleadings](#); clf@cunninghamlawfirm.com
Subject: RE: RESENT: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.
Date: Thursday, September 7, 2023 9:32:32 AM
Attachments: 

Amanda,
 I look forward to working with you.
 No problem with the 30 day extension.
 Thank you,
 Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
 North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>
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information to provide. Instead of providing multiple responses that requiring supplementing, we ask for additional time to gather responsive documents.

I appreciate your consideration of this request. Please feel free to reach out if you have any questions or would like to discuss more.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



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Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com

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Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; 'Jim@JacksonAtty.com' <Jim@JacksonAtty.com>; 'clf@cuninghamlawfirm.com' <clf@cuninghamlawfirm.com>
Subject: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.






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Kathryn Irby

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Sent: Wednesday, September 6, 2023 2:46 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; 'Jim@JacksonAtty.com' <Jim@JacksonAtty.com>; 'clf@cuninghamlawfirm.com' <clf@cuninghamlawfirm.com>
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(501) 569-2022 fax (501)569-2164
Sharon.Blakley@ardot.gov
<image003.png>

From: [Jim Jackson](#)
To: [Andrews, Amanda J.](#); [ASCC Pleadings](#); [Kathryn Irby](#)
Cc: [Blakley, Sharon D.](#); clf@cunninghamlawfirm.com; [Martha Cox](#)
Subject: RE: RESENT: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.
Date: Thursday, October 5, 2023 8:17:58 AM
Attachments: 





Thank you!
 Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
 North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>
Sent: Thursday, October 5, 2023 8:06 AM
To: Jim Jackson <jim@jimjacksonatty.com>; [ASCC Pleadings](#) <ASCCPleadings@arkansas.gov>; [Kathryn Irby](#) <Kathryn.Irby@arkansas.gov>
Cc: [Blakley, Sharon D.](#) <Sharon.Blakley@ardot.gov>; clf@cunninghamlawfirm.com; [Martha Cox](#) <mcox@jimjacksonatty.com>
Subject: RE: RESENT: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.

Mr. Jackson,

We have no problem with an extension of 14 days to respond to discovery requests. Please let me know if additional time is needed.

Thank you,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov

From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Thursday, October 5, 2023 7:28 AM**To:** Andrews, Amanda J. <Amanda.Andrews@ardot.gov>**Cc:** Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>**Subject:** RE: RESENT: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.

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Amanda,

The Claimant would like to request a 14 day extension to respond to your client's written discovery.

This will help us with the time needed to bates stamp documents and get everything in order.

Thank you,

Jim

**Jim Jackson**

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610**F** (501) 823-3611

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>

Sent: Wednesday, September 13, 2023 10:49 AM
To: Jim Jackson <jim@jimjacksonatty.com>
Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>
Subject: RE: RESENT: RE: Dodson v ARDOT Claim 240185 ANS & Respondent's 1st set of Interrogatories & Requests for Production of Documents.

Mr. Jackson,

Do you still need the authorizations in PDF? I believe Sharon Blakley sent the discovery requests that we filed to your office, so I wanted to check.

Thanks,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Office: (501) 569-2278
Fax: (501) 569-2164
Email: amanda.andrews@ardot.gov



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Sent: Thursday, September 7, 2023 9:34 AM
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Cc: Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>
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Amanda,
Can you send over your HIPAA and other authorizations as a PDF file?
We can go ahead and have Mr. Dodson execute those while we are responding to your written discovery.
Thank you,
Jim

**Jim Jackson**

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



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Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; 'Jim@JacksonAtty.com' <Jim@JacksonAtty.com>; 'clf@cuninghamlawfirm.com' <clf@cuninghamlawfirm.com>

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ARDOT - Legal Administrator
(501) 569-2022 fax (501)569-2164
Sharon.Blakley@ardot.gov
<image003.png>

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To: [ASCC Pleadings](#)
Cc: [Jim Jackson](#); clf@cunninghamlawfirm.com; [Kathryn Irby](#); [Blakley, Sharon D.](#)
Subject: Dodson v. ARDOT, ASCC Claim No. 240185, Answers to Interrogatories and Requests for Production of Documents
Date: Tuesday, October 10, 2023 4:52:40 PM
Attachments: [\[REDACTED\].jpg](#)
[Dodson_240185_Responses_to_10-10-2023.pdf](#)
[Dodson_240185_Responses_to_10-10-2023.pdf](#)

Good afternoon,

Attached please find ARDOT's Answers to the Claimant's first set of Interrogatories and Requests for Production of Documents to be filed in the above matter.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



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

STERLING D. DODSON

CLAIMANT

v.

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

**RESPONDENT’S ANSWERS AND OBJECTIONS TO CLAIMANT’S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

COMES NOW Respondent, Arkansas Department of Transportation, by and through undersigned counsel, and for its Answers and Objections to the first set of Interrogatories and Requests for Production of Documents propounded by the Claimant, states as follows:

INTERROGATORY NO. 1: Please state the names, complete present or last known addresses, and telephone numbers of all persons known to you, your attorneys, or other representatives who have knowledge of the facts relating to the accident as alleged or described in the Complaint (the “accident”).

ANSWER TO INTERROGATORY NO. 1: Objection. This Interrogatory seeks information protected from discovery by the attorney-client privilege and the attorney work product doctrine. Further, this Interrogatory is vague, ambiguous and overly broad. Without waiving such objection, Respondent states that the Claimant; Claimant’s spouse; any medical provider who treated Claimant; any individual identified by the parties in any pleadings filed herein or during the course of discovery; Floyd Palmer, Respondent’s Maintenance Specialist; Wade Holcroft, Respondent’s Area Maintenance Supervisor; W. Hunter Lake, Respondent’s District 6 Maintenance Engineer; and employees of Respondent’s Hot Spring County crew who performed the mowing operation on Highway 51 on July 11, 2023, including Taric Smith, Micha Berry, and Matt Hargrave, would have such knowledge. Respondent reserves the right to

supplement its response hereto.

INTERROGATORY NO. 2: Please state the names, complete present or last known addresses, and telephone numbers of all persons who will or may be called as witnesses on your behalf at the trial of this lawsuit.

ANSWER TO INTERROGATORY NO. 2: Discovery is ongoing, and Respondent has not determined who it will call as a witness at the trial of this matter. Without waiving such objection, Respondent states that it may call any and all individuals identified in the response to Interrogatory No. 1, identified in these Answers to Claimant's Interrogatories and Requests for Production of Documents, and/or identified by the parties during the course of discovery or prehearing disclosures. Respondent reserves the right to supplement its response hereto.

INTERROGATORY NO. 3: Please state briefly the facts or the nature of the subject matter known to each of the persons listed in response to Interrogatory Nos. 1 and 2 above.

ANSWER TO INTERROGATORY NO. 3: The individuals identified in Answer to Interrogatory Nos. 1 and 2 would have knowledge of the underlying incident and/or the Claimant's damages. Respondent reserves the right to supplement its response hereto.

INTERROGATORY NO. 4: If you contend that any person who may be called as a witness on your behalf at the trial of this lawsuit is an expert witness, then, with respect to each such person, please provide:

- (a) the name, address, and telephone number of each such person;
- (b) the qualifications of such person to testify with respect to the subject matter investigated;
- (c) the subject matter on which the expert is expected to testify;

- (d) the substance of the facts and the opinion(s) to which the expert is expected to testify;
- (e) a summary of the grounds for each such opinion; and
- (f) a list of all tests, treatises, reports, depositions, records, and other documents reviewed by said expert in formulating his opinion(s).

ANSWER TO INTERROGATORY NO. 4: Discovery is ongoing, and Respondent has not determined who it will call as an expert witness at the trial of this matter. Respondent reserves the right to supplement its response hereto.

REQUEST FOR PRODUCTION NO. 1: Please attach to your answers to these Interrogatories and Requests for Production of Documents copies of all reports and other documents prepared or furnished by said expert(s) relating to this lawsuit.

ANSWER TO REQUEST FOR PRODUCTION NO. 1: See Answer to Interrogatory No. 4.

INTERROGATORY NO. 5: With respect to each exhibit which you will or may introduce at the trial of this lawsuit, please:

- (a) give a brief description of each such exhibit;
- (b) state what such exhibit purports to show or represent;
- (c) give the names and addresses of all persons who have copies of each such exhibit in their possession;
- (d) state when and by whom each such exhibit was designed or prepared; and
- (e) attach a copy of each such exhibit.

ANSWER TO INTERROGATORY NO. 5: Discovery is ongoing, and Respondent has not yet determined what exhibits, if any, it will introduce at the trial of this matter. Without

waiving such objection, Respondent may introduce photographs of the scene of the underlying incident and the vehicles involved; medical, financial, driving and/or telephone records of the Claimant; and any and all documents identified by the parties in any pleadings filed herein, prehearing disclosures or during the course of discovery. Respondent reserves the right to supplement its response hereto as discovery progresses.

INTERROGATORY NO. 6: Do you, your attorneys, or other representatives have knowledge of any other documents (other than exhibits described in Interrogatory No. 5) which regard or relate to the matters with which this lawsuit is concerned, and if so, please state with respect to each such document or item:

- (a) what it purports to show or represent;
- (b) the names and addresses of all persons who have copies; and
- (c) when and by whom it was designed or prepared.

ANSWER TO INTERROGATORY NO. 6: Objection. This Interrogatory seeks information protected from discovery by the attorney-client privilege and the attorney work product doctrine. Further, this Interrogatory is vague, ambiguous and overly broad. Without waiving such objection, Respondent is not aware of any such document.

REQUEST FOR PRODUCTION NO. 2: Please attach to your answers to the Interrogatories and Requests for Production of Documents a copy of each document identified in your answer to the preceding interrogatory.

ANSWER TO REQUEST FOR PRODUCTION NO. 2: See Answer to Interrogatory No. 6.

REQUEST FOR PRODUCTION NO. 3: Please provide a copy of any chart, graph, drawing, presentation, reconstruction, demonstration, or other visual aid or item of demonstrative

evidence that you or your attorney intend to utilize at the trial in this case for any purpose.

ANSWER TO REQUEST FOR PRODUCTION NO. 3: See Answer to Interrogatory No. 5.

INTERROGATORY NO. 7: Do you, your attorneys, your representatives, or anyone acting on your or their behalf have knowledge of any photographs or video recordings taken at any time relating to the matters with which this lawsuit is concerned; and if so, please state with respect to each such photograph and recording:

- (a) what it purports to show or represent;
- (b) the date it was taken;
- (c) the name and address of the person who made or took it;
- (d) the names and addresses of all persons who have copies; and
- (e) if you claim a privilege, please produce a log of the items for which you are claiming a privilege.

ANSWER TO INTERROGATORY NO. 7: Objection. This Interrogatory seeks information protected from discovery by the attorney-client privilege and the attorney work product doctrine. Further, this Interrogatory is vague, ambiguous and overly broad. Without waiving such objection, see attached photographs.

REQUEST FOR PRODUCTION NO. 4: Please attach prints or photocopies of each photograph or video recording identified in your answer to Interrogatory No. 7; or, in the alternative, furnish jpg or pdf files to the undersigned so that prints may be made therefrom.

ANSWER TO REQUEST FOR PRODUCTION NO. 4: See Answer to Interrogatory No. 7.

INTERROGATORY NO. 8: Do you, your attorneys, or other representative,

or to your knowledge or information, does any other person have now or have any such persons ever had any written, typed, electronically recorded, telephonically recorded, or electronically stored information relating to any conversation between you, your attorneys, or other representative, on the one hand, and the claimant, his attorney, or other representative, on the other hand, relating to the matters with which this lawsuit is concerned; and if so, please state with respect to each such conversation:

- (a) the name, address, and telephone number of each participant;
- (b) the subject matter of the conversation;
- (c) the date and time of the conversation;
- (d) the location(s) of the participants at the time;
- (e) the name and address of each person who wrote, typed, recorded, and/or stored the conversation or information;
- (f) the means of recording and storing the conversation; and
- (g) the location of the electronic or telephonic recording device at the time of the conversation.

ANSWER TO INTERROGATORY NO. 8: Objection. This Interrogatory seeks information protected from discovery by the attorney-client privilege and the attorney work product doctrine. Further, this Interrogatory is vague, ambiguous and overly broad. Without waiving such objection, Respondent is aware of text correspondence between its employee(s) and the Claimant's spouse, which are attached hereto.

REQUEST FOR PRODUCTION NO. 5: Produce for inspection and copying the original recording and copies of all transcripts prepared therefrom referenced in response to Interrogatory No. 8.

ANSWER TO REQUEST FOR PRODUCTION NO. 5: See Answer to Interrogatory No. 8.

INTERROGATORY NO. 9: If you, your attorneys, or other representatives are aware of any oral admission or statements (other than the statements described in Interrogatory No. 9) made by the claimant, his agents, or representatives at any time relating to the matters with which this lawsuit is concerned, then with respect to each such oral admission or statement, please state:

- (a) the substance of each such oral statement;
- (b) to whom each such oral statement was made;
- (c) when each such oral statement was made; and
- (d) where each such oral statement was made.

ANSWER TO INTERROGATORY NO. 9: See Answer to Interrogatory No. 8. Respondent is not aware of any such admission or statement and will supplement its response hereto should it discover any responsive admission or statement.

INTERROGATORY NO. 10: Do you, your attorneys, or other representatives, or to your knowledge or information, does any other person have now or have any such persons ever had any written typed, electronically recorded, telephonically recorded, or electronically stored information relating to any conversation between you, your attorneys, or other representative, on the one hand, and any possible witness on the other hand, relating to the matters with which this lawsuit is concerned; and if so, please give the name, address, and telephone number of each such potential witness. Further, if you or your attorney intends to introduce a transcript or elicit any testimony regarding said conversation at the trial in this case (including but not limited to the purpose of rebuttal or impeachment), please state:

- (a) the name, address, and telephone number of each participant;
- (b) the subject matter of the conversation;
- (c) the date and time of the conversation;
- (d) the location(s) of the participants at the time;
- (e) the name and address of each person who wrote, typed, recorded, and/or stored the conversation or information;
- (f) the means of recording and storing the conversation; and
- (g) the location of the electronic or telephonic recording device at the time of the conversation.

ANSWER TO INTERROGATORY NO. 10: Objection. This Interrogatory seeks information protected from discovery by the attorney-client privilege and the attorney work product doctrine. Further, this Interrogatory is vague, ambiguous and overly broad. Without waiving such objection, Respondent has identified all responsive communications in its Answers hereto. Respondent reserves the right to supplement its response hereto.

REQUEST FOR PRODUCTION NO. 6: Produce for inspection and copying the original recordings and copies of all transcripts prepared therefrom referenced in response to Interrogatory No. 10.

ANSWER TO REQUEST FOR PRODUCTION NO. 6: See Answer to Interrogatory No. 10.

REQUEST FOR PRODUCTION NO. 7: Produce a copy of any reports made by any of your employees regarding the incident that is the subject of this claim.

ANSWER TO REQUEST FOR PRODUCTION NO. 7: Objection. This Request seeks information protected from discovery by the attorney-client privilege and the attorney

work product doctrine. Further, this Interrogatory is vague, ambiguous and overly broad.

Without waiving such objection, Respondent is not aware of any such report.

INTERROGATORY NO. 11: Please state the name and job title of every employee who was working on the mowing job on AR Highway 51 on July 11, 2023.

ANSWER TO INTERROGATORY NO. 11: See attached list.

Respectfully submitted,

ARKANSAS DEPARTMENT OF TRANSPORTATION

Amanda J. Andrews

By: _____
Amanda J. Andrews (Ark. Bar No. 2005205)
Post Office Box 2261
Little Rock, AR 72203-2261
Amanda.Andrews@ardot.gov
(501) 569-2278

CERTIFICATE OF SERVICE

I, Amanda J. Andrews, certify that I have served the foregoing upon the Claimant by sending a true copy of same by electronic mail this 10th day of October, 2023, to the following:

Jim R. Jackson
Jackson Law Firm
700 West Broadway Street, Suite 200
North Little Rock, AR 72114-5528
jim@jimjacksonatty.com

Matthew Cunningham
Cunningham Law Firm
330 North Second Avenue
Phoenix, AZ 85003
clf@cunninghamlawfirm.com

Amanda J. Andrews

Amanda J. Andrews









Tuesday
7/11/23

Dean
James

Wade - [redacted]
Rhonda - [redacted]

Jonathon - [redacted]
[redacted] (5hrs)

Robert - [redacted]

4440-30x51x4xA

4450x30x51x4xA

Floyd - [redacted]
Micah - [redacted]
Matt - [redacted]
TARIC - [redacted]

Blake - [redacted]
Bill - [redacted]
Austin - [redacted]
MATT - [redacted]

(4440-30x171x1xA)
(5hrs)


Carson /
4460x30x30x2xB

✓ 5370-06-15-A

Mike [redacted]
Nathan

FirstNet LTE

3:30 PM

88% 



Text Message
Tue, Jul 11 at 8:37 AM

ArDot Claims Com-
mission
1-501-682-1619

Tue, Jul 11 at 11:47 AM

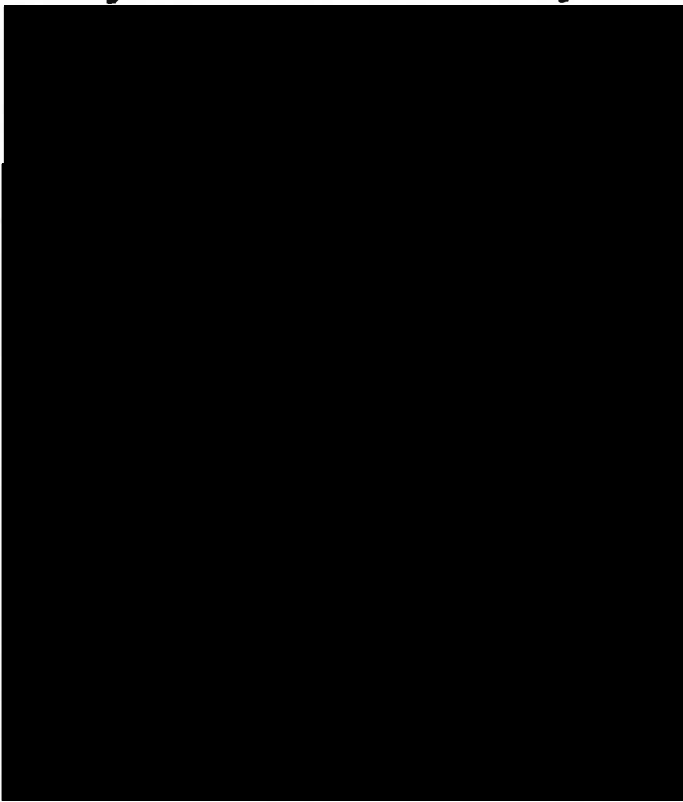
FirstNet LTE

3:30 PM

88% 

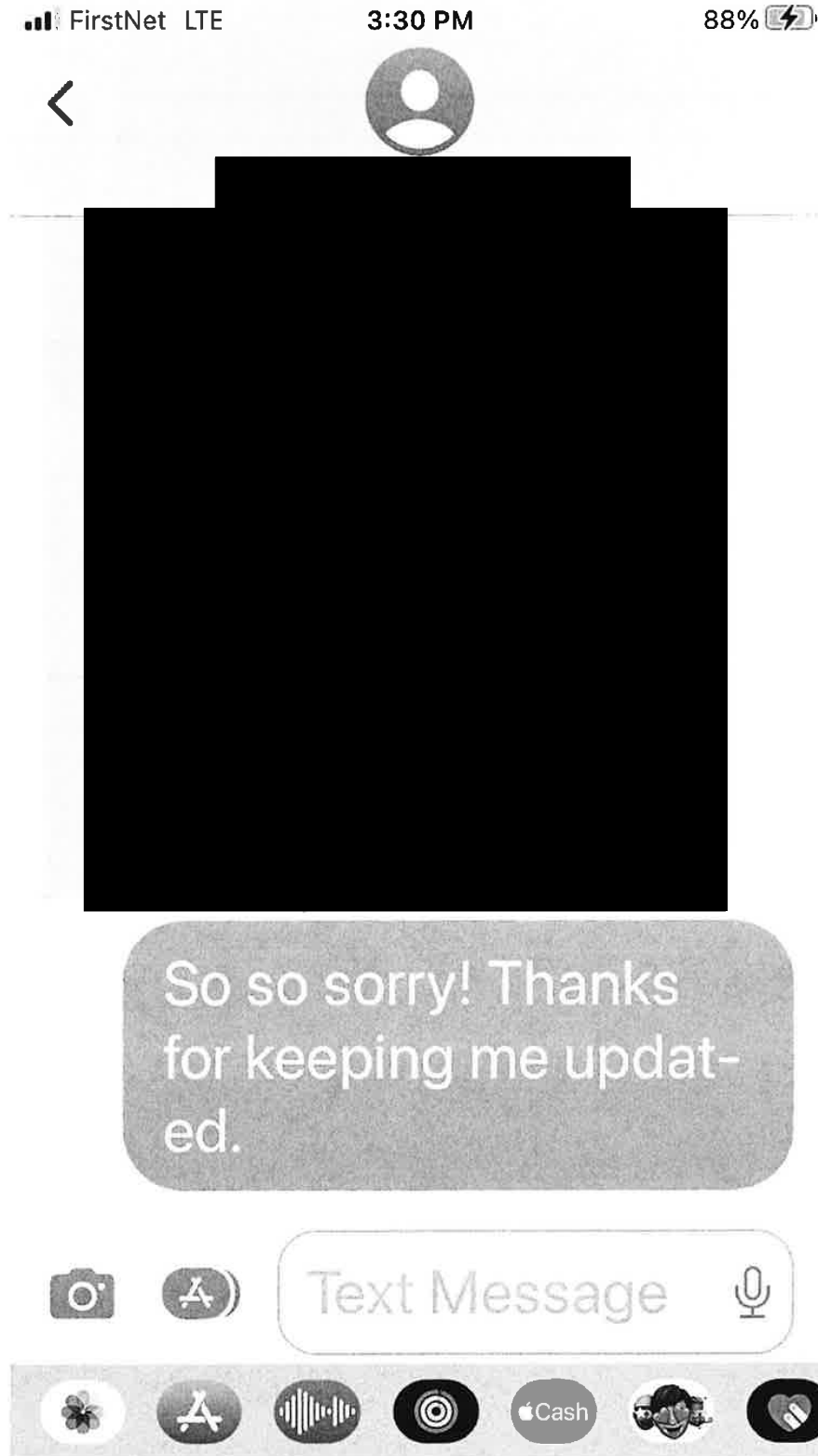


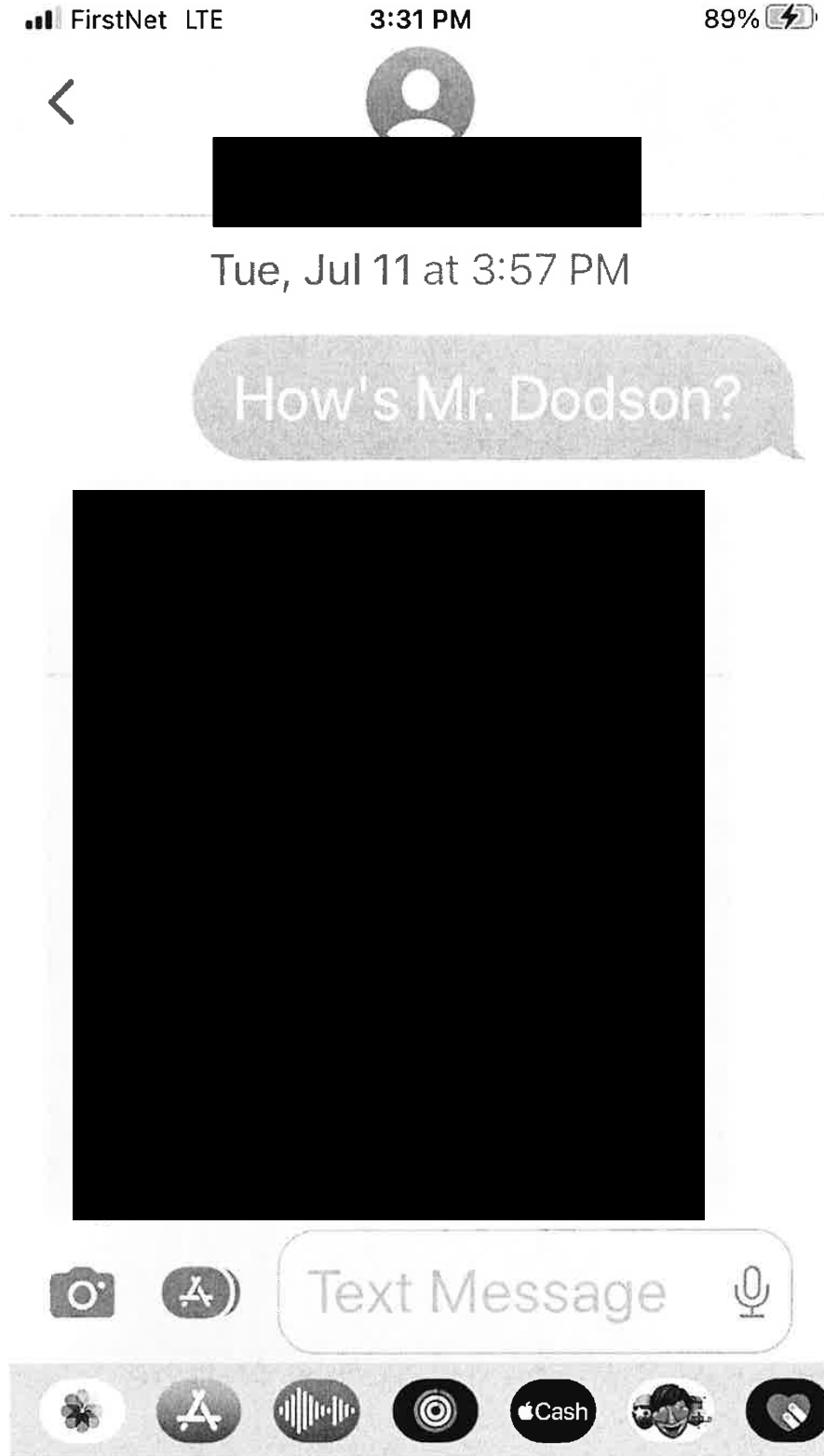
Eye is bad. Based on
assessment even if
they can save the eye,

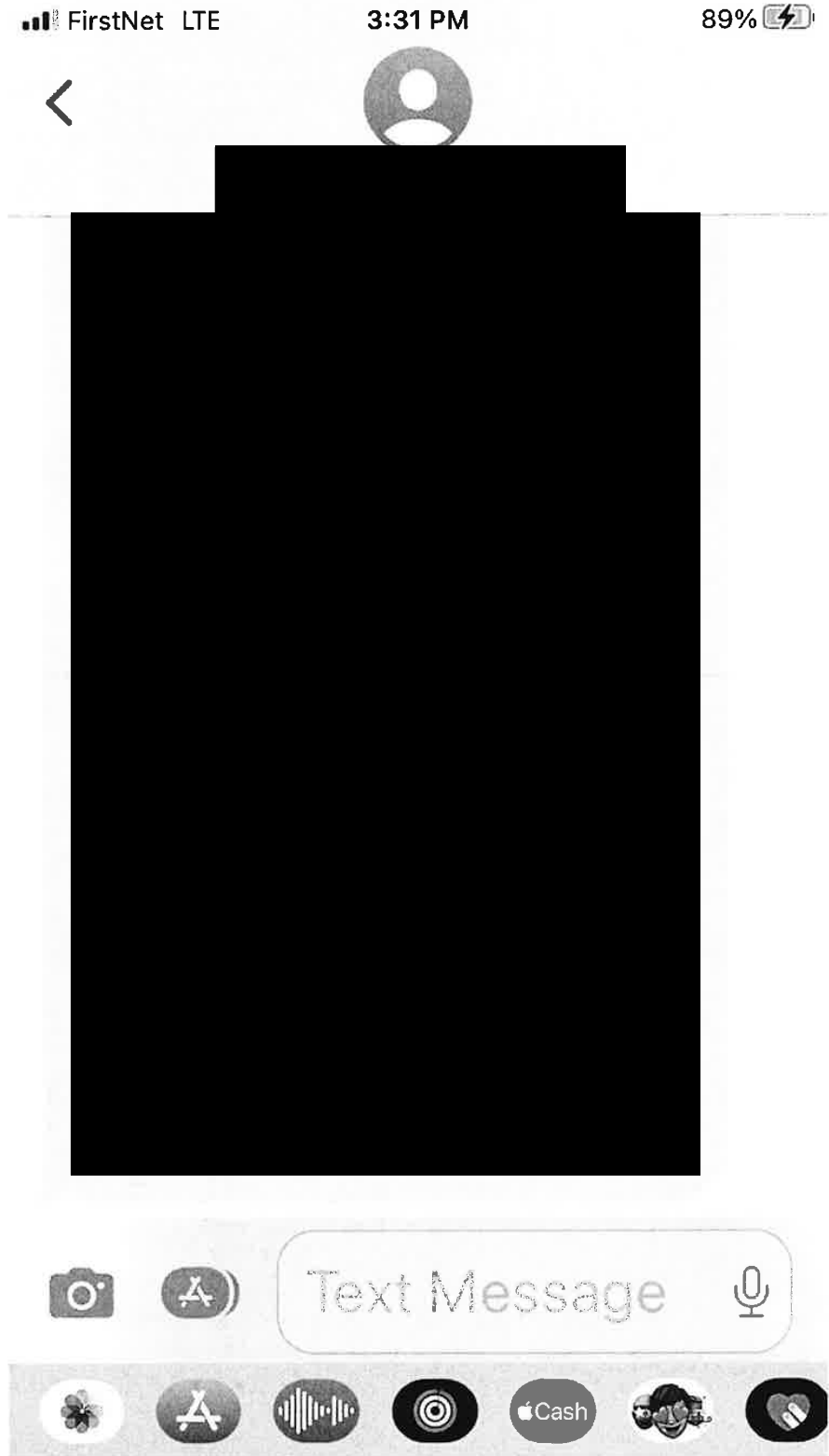


Text Message 










FirstNet LTE

3:32 PM

89% 



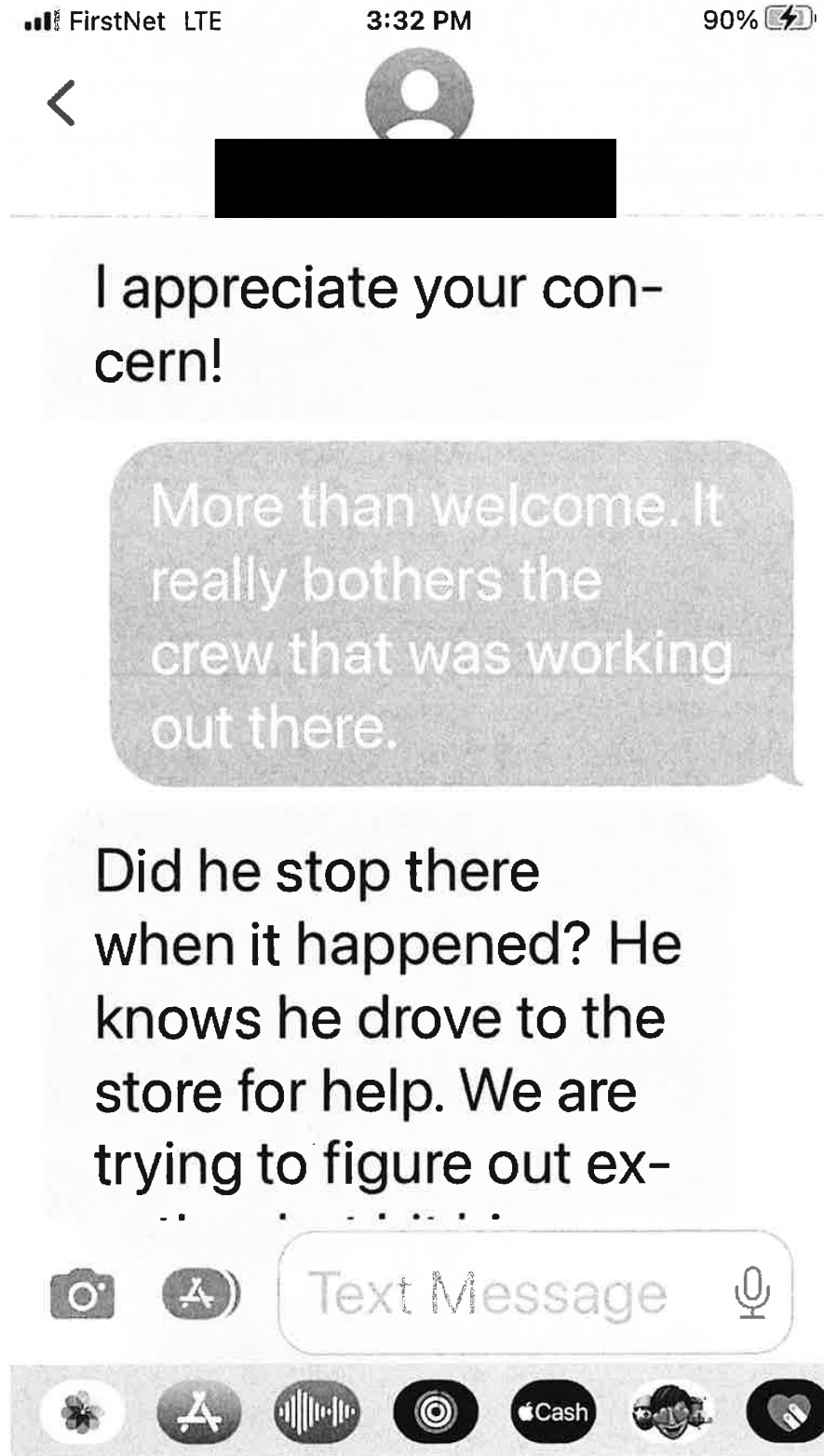
Prayers for him! We wish there was something we could do to changes this. It was a accident but a tragic one. Thank you for keeping me informed. One of my the employees said they just seen your facebook post.

I appreciate your con-



Text Message 






FirstNet LTE

3:33 PM

90% 



store for help. We are trying to figure out exactly what hit him

When I arrived he was getting loaded into the Ambulance. Steve Cook told me he was coming out of  So it happened between there and the Church. We think it had to be a rock. His friends looked in his



Text Message 

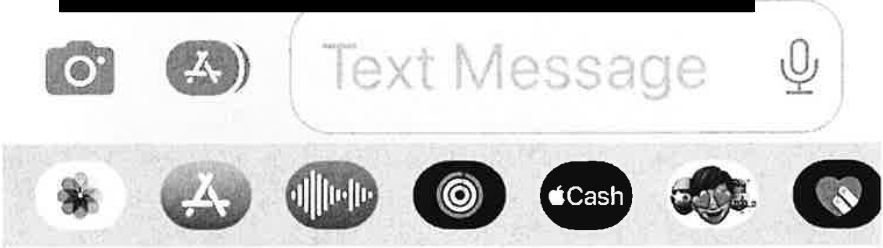
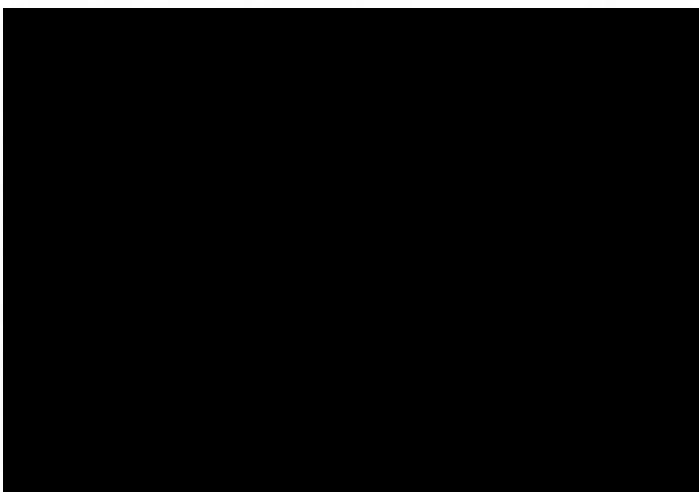


FirstNet LTE 3:33 PM 90%



Church. We think it had to be a rock. His friends looked in his truck but didn't find anything.

Tue, Jul 11 at 7:31 PM





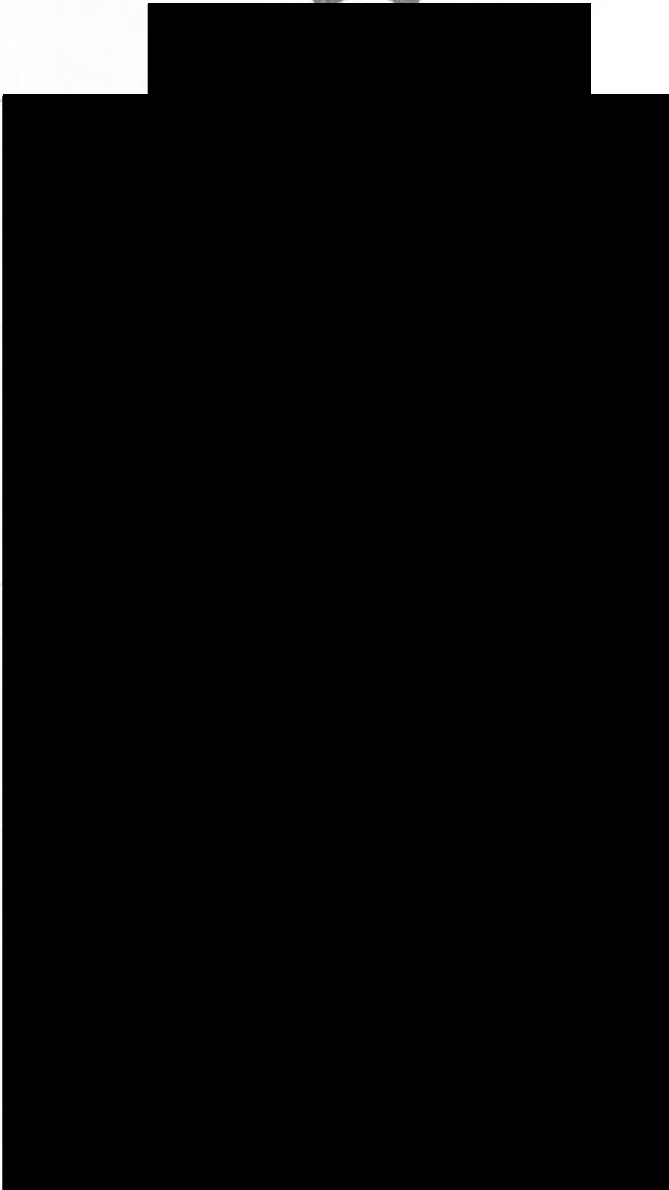
Yes sir. I'm sorry, it's been a long day. He came home this evening. He is hurting and very tired/weak.



FirstNet LTE

3:35 PM

91% 



Text Message 



FirstNet LTE

3:35 PM

91% 



Wed, Jul 12 at 9:04 PM

Okay thank you for letting me know. Tell him we are thinking about him and we are truly sorry for this. None of the tractor operators even knew what had happened for awhile. Everyone




Text Message



FirstNet LTE

3:35 PM

91% 



for awhile. Everyone feels so bad something like this has happened. In my 35 years only one other incident I knew that had happened. Nothing to this extent. We are praying for him

We know this was a freak accident and in no way intentional. We just hope the State will



Text Message





We know this was a freak accident and in no way intentional. We just hope the State will help with the current and future expenses. I know that is out of your hands. We greatly appreciate the prayers and concern!

More than welcome. Yes I have policies to follow and then every



Text Message 





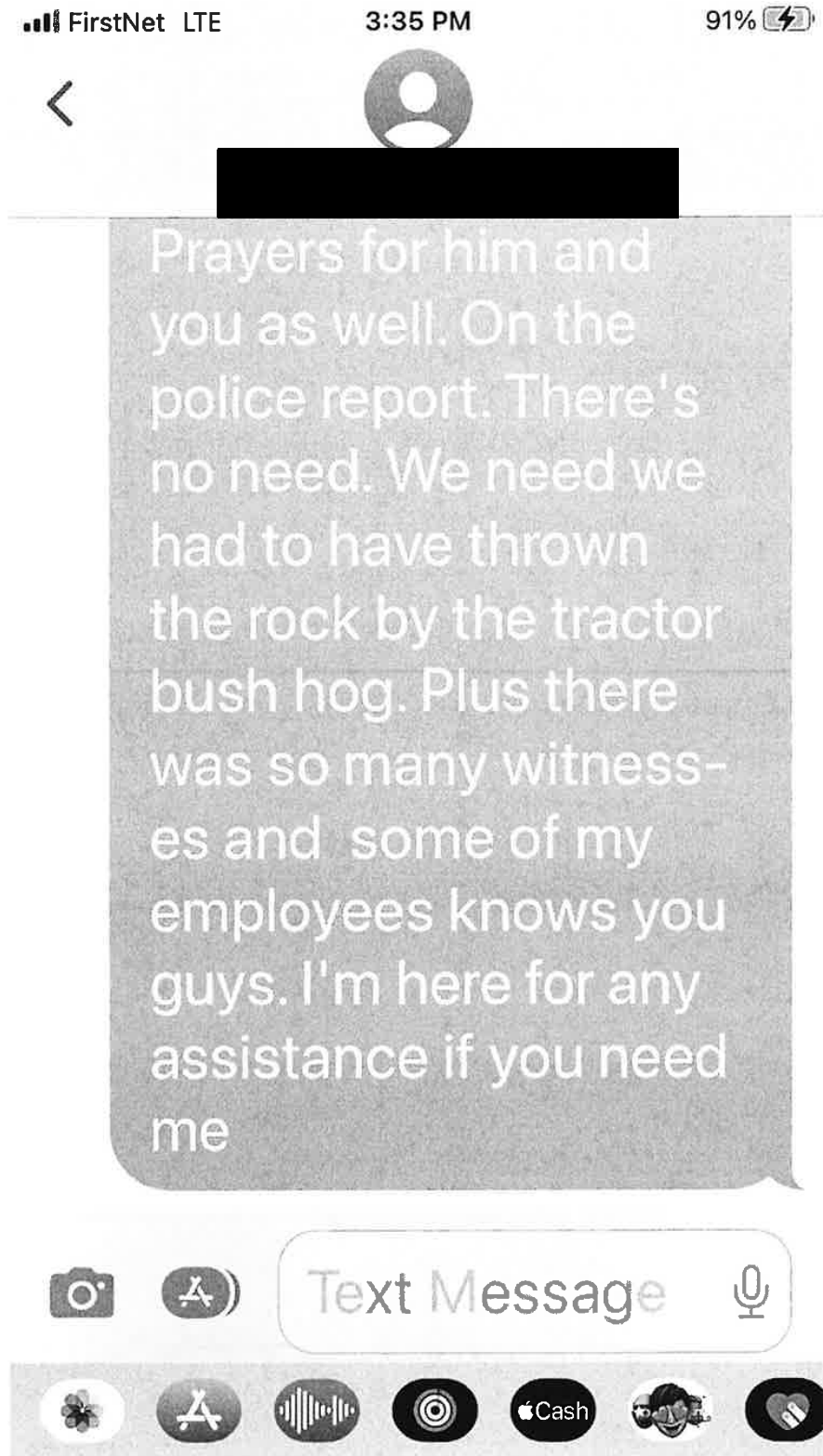
Yes I have policies to follow and then everything is out of my hand. I really don't think you will have anything to worry about dealing with Ar-Dot. Keep me informed.

I will!

Thank you

Text Message





FirstNet LTE

3:35 PM

91% 



Thanks I was hoping I wouldn't need to. I've got enough on my plate!

Wed, Jul 12 at 7:48 PM

Can I please get an update on Mr. Dodson. Thank you

Yes sir. I'm sorry, it's been a long day. He



Text Message










Sent from my iPhone

From: [Martha Cox](#)
To: amanda.andrews@ardot.gov; [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: [Jim Jackson](#); clf@cunninghamlawfirm.com
Subject: Sterling and Teresa Dodson v. AR Department of Transportation; Arkansas Claims Commission #240185; Incident Date: July 11, 2023
Date: Wednesday, October 25, 2023 11:32:12 AM

Please find, in the link below, the claimant's Answers to the respondent's First Set of Interrogatories and Requests for Production of Documents in the above-referenced case. If you have any difficulty opening the link and downloading the documents, please let us know.

https://drive.google.com/drive/folders/1m9sVmKBX6JQz7P1bZMP1hURLXOI8VdiY?usp=drive_link

Martha Cox, PP, PLS
Paralegal for The Jackson Law Firm
700 West Broadway, Suite 200
North Little Rock, AR 72114
Phone: (501) 823-3610
Fax: (501) 823-3611
mcox@jimjacksonatty.com

From: [Jim Jackson](#)
To: [Andrews, Amanda J.; ASCC Pleadings](#)
Cc: [Martha Cox; Cunningham Law Firm](#)
Subject: Sterling Dodson v. ARDOT, Arkansas Claims Commission #240185 Incident Date: July 11, 2023
Date: Monday, January 22, 2024 9:24:16 AM
Attachments: 






[Affidavit for Sterling Dodson & \[REDACTED\].pdf](#)

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

Amanda,
 Below is the e-mail I received from Mr. Dodson’s auto insurance carrier.
 Attached for filing is the Affidavit of insurance coverage.
 Please let me know if you have any questions about this.
 Thank you,
 Jim



Jim Jackson
 Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
 North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611

From: [REDACTED]
Sent: Monday, January 22, 2024 8:49 AM
To: Jim Jackson <jim@jimjacksonatty.com>
Subject: RE: Sterling Dodson and Teresa Dodson v. Arkansas Department of Transportation Arkansas Claims Commission #240185 Incident Date: July 11, 2023

Good morning,

 We are unable to sign the Affidavit. I would advise to write “NA” in the blanks for ‘claimant’s insurer’ as Uninsured Motorist is being denied.

 Thank you,



We have a [Customer Center](#), so you can access your claim information; anytime, anywhere.

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Friday, January 12, 2024 9:13 AM

To: [REDACTED]

Subject: [EXTERNAL] Sterling Dodson and Teresa Dodson v. Arkansas Department of Transportation
Arkansas Claims Commission #240185 Incident Date: July 11, 2023

Alicia,

Can you sign this Affidavit below on the Witness signature line for [REDACTED]?

Then I will file it with the Ark. Claims Commission letting them know that there is no UM Coverage for this incident.

Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



AFFIDAVIT REGARDING EXHAUSTION OF INSURANCE REMEDIES

Ark. Code Ann. § 19-10-302(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 the claimant's insurer. The affidavit shall further state the total amount of insurance benefits paid to the claimant.

****Please attach additional pages, if needed, to provide the information requested.****

State of ARKANSAS

County of PULASKI

I, STERLING DODSON, swear under oath that I have **taken the following actions to exhaust my remedies against insurers**, including my insurer:



I hereby state under oath that the foregoing statements are true and correct to the best of my knowledge.

[Signature]
Signature of Affiant

Witnessed by N/A, _____ with _____
(print name) (title) (Claimant's insurer)

(signature) If you did not have insurance coverage for the applicable person, vehicle, or property, write N/A on these blanks.

Witnessed by Jim Jackson, _____, legal counsel for Claimant, if any.
(print name)

[Signature]
(signature) If you are not represented by an attorney, write N/A on these blanks.

Subscribed and sworn to me on 10th day of January, 2024.

MARTHA COX
NOTARY PUBLIC - STATE OF ARKANSAS
SALINE COUNTY
My Commission Expires 8-19-2031
Commission # 12383466

[Signature]
Signature of Notary Public

My commission expires: 8-19-2031.

From: [Jim Jackson](#)
To: [Kathryn Irby](#); amanda.andrews@ardot.gov; cf@cunninghamlawfirm.com; [ASCC Pleadings](#)
Cc: [Martha Cox](#)
Subject: Sterling Dodson, et ux v. Arkansas Department of Transportation Arkansas Claims Commission #240185
Date: Monday, March 4, 2024 12:51:02 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[Letter to Arkansas State Claims Commission Requesting Hearing Date on Damages.pdf](#)

Kathryn,
 Please see the attached letter requesting a hearing on damages.
 Thank you,
 Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
 North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611



March 4, 2024

VIA E-MAIL ONLY

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

Re: *Sterling Dodson and Teresa Dodson v. Arkansas Department of Transportation*
Arkansas Claims Commission #240185

Dear Kathryn:

I am writing to request a one-day hearing on damages for this claim of admitted liability. This case involves the loss of the claimant's left eye as a result of a mower accident with ARDot. We anticipate Dr. John David Pemberton, Michael Kaczowski and Victoria Powell will testify as either a medical provider or as an expert in addition to Mr. and Mrs. Dodson's testimony. The claimant may also call one witness who works with Mr. Dodson and one witness who transported Mr. Dodson to the emergency room.

Thank you for your attention to this request.

Sincerely,

Jim R. Jackson

JRJ/mc

cc: Amanda Andrews, *Esq.*
Matt Cunningham, *Esq.*

From: [Jim Jackson](#)
To: [Kathryn Irby](#); [Andrews, Amanda J.](#); clf@cunninghamlawfirm.com
Cc: [Martha Cox](#); [Blakley, Sharon D.](#); [Davenport, Michelle L.](#)
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185
Date: Thursday, March 28, 2024 2:30:34 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

Yes.

That will work.

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



From: Kathryn Irby <kathryn.irby@arkansas.gov>
Sent: Thursday, March 28, 2024 12:26 PM
To: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Jim and Amanda, will the parties confer after the April 15 depositions and let me know how much time will be needed for this hearing? I will wait to officially schedule this hearing until then.

Kathryn

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>
Sent: Wednesday, March 27, 2024 4:11 PM
To: Kathryn Irby <kathryn.irby@arkansas.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>;

Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Kathryn,

Thank you for your email. While I do want this to be an in-person hearing, I cannot yet tell you how long the case may take to present. I am taking the depositions of the Claimant and his wife on April 15 and am waiting on dates for the doctor's deposition. After taking these depositions, I will have a better idea as to timeframe.

Since Mr. Jackson would like the matter scheduled, I believe a half day, in person hearing would be the safest option.

I appreciate your consideration of this request. Please do not hesitate to reach out if you have any questions or need additional information.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



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

Sent: Wednesday, March 27, 2024 11:02 AM

To: Jim Jackson <jim@jimjacksonatty.com>; Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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.

Amanda, Jim Jackson called me about this hearing request, and he suggested that two hours would be sufficient for this damages hearing. I have a two-hour slot on November 7, but it is an in-person hearing day. Are you in agreement with Jim that a two-hour damages hearing will work? If so, I'll get this added to the November 7 docket and send out a hearing letter.

Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Monday, March 4, 2024 12:51 PM

To: Kathryn Irby <kathryn.irby@arkansas.gov>; amanda.andrews@ardot.gov;
clf@cunninghamlawfirm.com; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: Sterling Dodson, et ux v. Arkansas Department of Transportation Arkansas Claims Commission #240185

Kathryn,

Please see the attached letter requesting a hearing on damages.

Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



From: [Jim Jackson](#)
To: [Kathryn Irby](#)
Cc: [Andrews, Amanda J.](#); clf@cunninghamlawfirm.com; [Martha Cox](#); [Blakley, Sharon D.](#); [Davenport, Michelle L.](#)
Subject: Re: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185
Date: Wednesday, April 17, 2024 11:49:01 AM
Attachments: 






I think a half-day would be enough time.

We are taking the treating doctor deposition on May 1 so we will be close to having a full grasp of damages very soon.

Thank you

Jim

Jim Jackson

Attorney at Law

700 West Broadway St: Suite 2

North Little Rock, AR 72114

(501) 823-3610

On Apr 17, 2024, at 10:51 AM, Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

Jim and Amanda, I am following up on this claim. How long do the parties believe will be needed for the claim hearing?

Thanks,
Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Thursday, March 28, 2024 2:30 PM
To: Kathryn Irby <kathryn.irby@arkansas.gov>; Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Yes.

That will work.

Jim

<image001.jpg>

Jim Jackson

Jackson Law Firm

JimJacksonAtty.com700 W. Broadway
North Little Rock, AR 72114**P** (501) 823-3610**F** (501) 823-3611[<image002.jpg>](#)[<image003.jpg>](#)[<image004.jpg>](#)

From: Kathryn Irby <kathryn.irby@arkansas.gov>**Sent:** Thursday, March 28, 2024 12:26 PM**To:** Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com**Cc:** Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D.<Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>**Subject:** RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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Kathryn

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>**Sent:** Wednesday, March 27, 2024 4:11 PM**To:** Kathryn Irby <kathryn.irby@arkansas.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com**Cc:** Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D.<Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>**Subject:** RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Kathryn,

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Since Mr. Jackson would like the matter scheduled, I believe a half day, in person hearing would be the safest option.

I appreciate your consideration of this request. Please do not hesitate to reach out if you have any questions or need additional information.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov

<image005.jpg>

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

Sent: Wednesday, March 27, 2024 11:02 AM

To: Jim Jackson <jim@jimjacksonatty.com>; Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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.

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Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Monday, March 4, 2024 12:51 PM

To: Kathryn Irby <kathryn.irby@arkansas.gov>; amanda.andrews@ardot.gov;
clf@cunninghamlawfirm.com; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: Sterling Dodson, et ux v. Arkansas Department of Transportation Arkansas
Claims Commission #240185

Kathryn,

Please see the attached letter requesting a hearing on damages.

Thank you,

Jim

<[image001.jpg](#)>

Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611

<[image002.jpg](#)>

<[image003.jpg](#)>

<[image004.jpg](#)>

From: [Kathryn Irby](#)
To: [Slay, Vicki](#)
Cc: [Jim Jackson](#)
Subject: RE: case update
Date: Wednesday, April 17, 2024 10:55:00 AM

Ms. Slay, Mr. Dodson is represented by an attorney, Jim Jackson, who is copied on this email. The parties just completed depositions on April 15 and are due to give me an update in the next couple of days as to how long will be needed for a claim hearing. It is not unusual for claim involving discovery to take this long before a claim hearing is set.

I believe that Mr. Jackson will be in the best position to update his client.

Please let me know if you need anything else. Happy to help.

Kathryn Irby

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

From: Slay, Vicki <Vicki.Slay@arkansashouse.org>
Sent: Wednesday, April 17, 2024 8:43 AM
To: Kathryn Irby <kathryn.irby@arkansas.gov>
Subject: case update

You don't often get email from vicki.slay@arkansashouse.org. [Learn why this is important](#)

Good Morning, Ms. Irby,

A constituent of Representative McClure named Sterling Dodson has reached out to our office for help regarding a case involving an injury sustained on July 11, 2023, during an incident with the ARDot crew. Mr. Dodson has suffered permanent vision loss as a result of this injury. It has now been nine months since the incident, and he has not been informed of any progress regarding his case. We are seeking assistance to provide him with any information that we can without violating HIPAA or legal policies. Any information will be greatly appreciated.

Constituent: Sterling Dodson
Email- tldodson13@gmail.com
Spouse- Teresa Dodson
Cell- 501-337-6012

Vicki Slay
Legislative Analyst
Arkansas House of Representatives
State Capitol
500 Woodlane Street, Suite 350
Little Rock, AR 72201-1089
(501)-682-7771
Vicki.Slay@arkansashouse.org

From: [Jim Jackson](#)
To: [Kathryn Irby](#)
Subject: RE: case update
Date: Friday, April 19, 2024 10:55:34 AM
Attachments: [image.jpg](#)
[image.jpg](#)
[image.jpg](#)
[image.jpg](#)

Kathryn,

I am visiting with Ms. Slay now and getting this handled.

Ms. Dodson said there was a miscommunication.

Ms. Dodson knows there has been a lot of progress.

ARDot took the deposition of Mr. & Mrs. Dodson on Monday.

They know the process.

Ms. Dodson also used to work for [REDACTED].

Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



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

Sent: Wednesday, April 17, 2024 10:56 AM

To: Slay, Vicki <Vicki.Slay@arkansashouse.org>

Cc: Jim Jackson <jim@jimjacksonatty.com>

Subject: RE: case update

Ms. Slay, Mr. Dodson is represented by an attorney, Jim Jackson, who is copied on this email. The parties just completed depositions on April 15 and are due to give me an update in the next couple of days as to how long will be needed for a claim hearing. It is not unusual for claim involving discovery to take this long before a claim hearing is set.

I believe that Mr. Jackson will be in the best position to update his client.

Please let me know if you need anything else. Happy to help.

Kathryn Irby

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

From: Slay, Vicki <Vicki.Slay@arkansashouse.org>
Sent: Wednesday, April 17, 2024 8:43 AM
To: Kathryn Irby <kathryn.irby@arkansas.gov>
Subject: case update

You don't often get email from vicki.slay@arkansashouse.org. [Learn why this is important](#)

Good Morning, Ms. Irby,

A constituent of Representative McClure named Sterling Dodson has reached out to our office for help regarding a case involving an injury sustained on July 11, 2023, during an incident with the ARDot crew. Mr. Dodson has suffered permanent vision loss as a result of this injury. It has now been nine months since the incident, and he has not been informed of any progress regarding his case. We are seeking assistance to provide him with any information that we can without violating HIPAA or legal policies. Any information will be greatly appreciated.

Constituent: Sterling Dodson
Email- tldodson13@gmail.com
Spouse- Teresa Dodson
Cell- 501-337-6012

Vicki Slay
Legislative Analyst
Arkansas House of Representatives
State Capitol
500 Woodlane Street, Suite 350
Little Rock, AR 72201-1089
(501)-682-7771
Vicki.Slay@arkansashouse.org

From: [Martha Cox](#)
To: [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: amanda.andrews@ardot.gov; [Jim Jackson](#)
Subject: Sterling Dodson etal v. ARDOT; Claims Commission #240185
Date: Monday, April 22, 2024 12:16:57 PM
Attachments: [Notice of Deposition for Dr. John Pemberton.pdf](#)

Please find attached, for filing in the above-referenced claim, a Notice of Deposition for Dr. John Pemberton on May 1, 2024.

Thank you.

Martha Cox, PP, PLS
Paralegal for The Jackson Law Firm
700 West Broadway, Suite 200
North Little Rock, AR 72114
Phone: (501) 823-3610
Fax: (501) 823-3611
mcox@jimjacksonatty.com

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

STERLING D. DODSON

CLAIMANT

V.

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

NOTICE OF DEPOSITION

TO: ARKANSAS DEPARTMENT OF TRANSPORTATION
c/o Amanda J. Andrews, Staff Attorney
Post Office Box 2261
Little Rock, AR 72203-2261

NOTICE is hereby given that the plaintiff will take the deposition of Dr. John Pemberton on Wednesday, May 1, 2024, beginning at 2:30 p.m. at the Jones Eye Institute, UAMS Campus, 4105 Outpatient Circle, 6th Floor Conference Room, Room 629, Little Rock, AR 72205. The deposition will continue until completed. The deposition will be taken for all purposes, upon oral examination, before a Certified Court Reporter, duly authorized to administer oath, and recorded by stenographic means. The deposition, as well as any exhibit or visual aid, will also be recorded via audio-visual means.

Respectfully submitted,

BY: 
Jim R. Jackson, AR Bar #93-209
Jackson Law Firm
700 West Broadway St., Suite 200
North Little Rock, AR 72114-5528
(501) 823-3610 phone
(501) 823-3611 facsimile
Jim@JimJacksonatty.com
Attorney for Claimant

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing Notice of Depositions has been filed with the Arkansas Claims Commission electronically and served on the undersigned counsel of record electronically, this 19th day of April, 2024

Amanda J. Andrews, Staff Attorney
ARKANSAS DEPARTMENT OF TRANSPORTATION
Post Office Box 2261
Little Rock, AR 72203-2261
Amanda.Andrews@ardot.gov



Jim R. Jackson

From: [Martha Cox](#)
To: [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: amanda.andrews@ardot.gov; [Jim Jackson](#)
Subject: Sterling Dodson, etal. v. ARDOT; Arkansas Claims Commission #240185
Date: Monday, April 22, 2024 12:29:28 PM
Attachments: [Notice of Deposition for Dr. John Pemberton for 5-1-2024.pdf](#)

Please find attached, for filing in the above-referenced claim, a Notice of Deposition for Dr. John Pemberton in the above-referenced claim. The certificate of service on the previous Notice of Deposition contained an incorrect date. The attached Notice of Deposition has been revised to reflect the correct date of service. I apologize for any inconvenience this may have caused the Claims Commission.

Thank you.

Martha Cox, PP, PLS
Paralegal for The Jackson Law Firm
700 West Broadway, Suite 200
North Little Rock, AR 72114
Phone: (501) 823-3610
Fax: (501) 823-3611
mcox@jimjacksonatty.com

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

STERLING D. DODSON

CLAIMANT

V.

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

NOTICE OF DEPOSITION

TO: ARKANSAS DEPARTMENT OF TRANSPORTATION
c/o Amanda J. Andrews, Staff Attorney
Post Office Box 2261
Little Rock, AR 72203-2261

NOTICE is hereby given that the plaintiff will take the deposition of Dr. John Pemberton on Wednesday, May 1, 2024, beginning at 2:30 p.m. at the Jones Eye Institute, UAMS Campus, 4105 Outpatient Circle, 6th Floor Conference Room, Room 629, Little Rock, AR 72205. The deposition will continue until completed. The deposition will be taken for all purposes, upon oral examination, before a Certified Court Reporter, duly authorized to administer oath, and recorded by stenographic means. The deposition, as well as any exhibit or visual aid, will also be recorded via audio-visual means.

Respectfully submitted,

BY: 

Jim R. Jackson, AR Bar #93-209
Jackson Law Firm
700 West Broadway St., Suite 200
North Little Rock, AR 72114-5528
(501) 823-3610 phone
(501) 823-3611 facsimile
Jim@JimJacksonatty.com
Attorney for Claimant

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing Notice of Depositions has been filed with the Arkansas Claims Commission electronically and served on the undersigned counsel of record electronically, this ~~22nd~~ day of April, 2024

Amanda J. Andrews, Staff Attorney
ARKANSAS DEPARTMENT OF TRANSPORTATION
Post Office Box 2261
Little Rock, AR 72203-2261
Amanda.Andrews@ardot.gov



Jim R. Jackson

From: [Andrews, Amanda J.](#)
To: [Martha Cox](#); [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: [Jim Jackson](#)
Subject: RE: Sterling Dodson, etal. v. ARDOT; Arkansas Claims Commission #240185
Date: Monday, April 22, 2024 3:13:30 PM
Attachments: [image001.jpg](#)

Thank you. Received.

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



From: Martha Cox <mcox@jimjacksonatty.com>
Sent: Monday, April 22, 2024 12:29 PM
To: kathryn.irby@arkansas.gov; asccpleadings@arkansas.gov
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>
Subject: Sterling Dodson, etal. v. ARDOT; Arkansas Claims Commission #240185

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.

Please find attached, for filing in the above-referenced claim, a Notice of Deposition for Dr. John Pemberton in the above-referenced claim. The certificate of service on the previous Notice of Deposition contained an incorrect date. The attached Notice of Deposition has been revised to reflect the correct date of service. I apologize for any inconvenience this may have caused the Claims Commission.

Thank you.

Martha Cox, PP, PLS
Paralegal for The Jackson Law Firm
700 West Broadway, Suite 200
North Little Rock, AR 72114
Phone: (501) 823-3610
Fax: (501) 823-3611
mcox@jimjacksonatty.com

From: [Andrews, Amanda J.](#)
To: [Jim Jackson](#); [Kathryn Irby](#)
Cc: clf@cunninghamlawfirm.com; [Martha Cox](#); [Blakley, Sharon D.](#); [Davenport, Michelle L.](#)
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185
Date: Monday, April 22, 2024 11:00:58 AM
Attachments: [image.png](#)

Kathryn,

We are still waiting on reports from two (2) of the Claimant's expert witnesses, who will provide opinions as to economic damages. Because this an admitted liability case, damages are the key issue, so we really do need to review all expert reports to have a clear idea on witnesses.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Wednesday, April 17, 2024 11:49 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: Re: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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.

I think a half-day would be enough time.

We are taking the treating doctor deposition on May 1 so we will be close to having a full grasp of damages very soon.

Thank you

Jim
Jim Jackson
Attorney at Law
700 West Broadway St: Suite 2
North Little Rock, AR 72114
(501) 823-3610

On Apr 17, 2024, at 10:51 AM, Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

Jim and Amanda, I am following up on this claim. How long do the parties believe will be needed for the claim hearing?

Thanks,
Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Thursday, March 28, 2024 2:30 PM
To: Kathryn Irby <kathryn.irby@arkansas.gov>; Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Yes.
That will work.
Jim

<image001.jpg>

Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611
[<image002.jpg>](#)
[<image003.jpg>](#)

[<image004.jpg>](#)

From: Kathryn Irby <kathryn.irby@arkansas.gov>
Sent: Thursday, March 28, 2024 12:26 PM
To: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Jim and Amanda, will the parties confer after the April 15 depositions and let me know how much time will be needed for this hearing? I will wait to officially schedule this hearing until then.

Kathryn

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>
Sent: Wednesday, March 27, 2024 4:11 PM
To: Kathryn Irby <kathryn.irby@arkansas.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Kathryn,

Thank you for your email. While I do want this to be an in-person hearing, I cannot yet tell you how long the case may take to present. I am taking the depositions of the Claimant and his wife on April 15 and am waiting on dates for the doctor's deposition. After taking these depositions, I will have a better idea as to timeframe.

Since Mr. Jackson would like the matter scheduled, I believe a half day, in person hearing would be the safest option.

I appreciate your consideration of this request. Please do not hesitate to reach out if you have any questions or need additional information.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov

<image005.jpg>

From: Kathryn Irby <kathryn.irby@arkansas.gov>**Sent:** Wednesday, March 27, 2024 11:02 AM**To:** Jim Jackson <jim@jimjacksonatty.com>; Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com**Cc:** Martha Cox <mcox@jimjacksonatty.com>**Subject:** INFO NEEDED: Dodson v. ArDOT, Claim No. 240185**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.

Amanda, Jim Jackson called me about this hearing request, and he suggested that two hours would be sufficient for this damages hearing. I have a two-hour slot on November 7, but it is an in-person hearing day. Are you in agreement with Jim that a two-hour damages hearing will work? If so, I'll get this added to the November 7 docket and send out a hearing letter.

Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>**Sent:** Monday, March 4, 2024 12:51 PM**To:** Kathryn Irby <kathryn.irby@arkansas.gov>; amanda.andrews@ardot.gov; clf@cunninghamlawfirm.com; ASCC Pleadings <ASCCPleadings@arkansas.gov>**Cc:** Martha Cox <mcox@jimjacksonatty.com>**Subject:** Sterling Dodson, et ux v. Arkansas Department of Transportation Arkansas Claims Commission #240185

Kathryn,

Please see the attached letter requesting a hearing on damages.

Thank you,

Jim

<image001.jpg>

Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway
North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611

[<image002.jpg>](#)

[<image003.jpg>](#)

[<image004.jpg>](#)

From: [Martha Cox](#)
To: [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: [amanda.andrews@ardot.gov](#); [Jim Jackson](#); [clf@cunninghamlawfirm.com](#)
Subject: Sterling Dodson and Teresa Dodson v. ARDOT; Arkansas Claims Commission #240185
Date: Friday, April 26, 2024 10:03:44 AM
Attachments: [Claimant's First Supplemental Answers to Respondent's Int & RFP.pdf](#)

Please see attached Claimant's First Supplemental Answers to Respondent's Interrogatories and Requests for Production of Documents for filing in the above-referenced claim. A hyperlink is included in the Supplemental Answers. If you encounter any difficulty in opening the hyperlink, please let us know.

Thank you.

Martha Cox, PP, PLS
Paralegal for The Jackson Law Firm
700 West Broadway, Suite 200
North Little Rock, AR 72114
Phone: (501) 823-3610
Fax: (501) 823-3611
mcox@jimjacksonatty.com

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

STERLING D. DODSON

CLAIMANT

V.

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

**CLAIMANT'S FIRST SUPPLEMENTAL ANSWERS TO
RESPONDENT'S FIRST SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS**

Comes the claimant, by and through his attorneys, and for his First Supplemental Answers to the Respondent's First Set of Interrogatories and Requests for Production of Documents propounded to the claimant, states:

Interrogatory No. 3: Identify all persons whom Claimant will call as expert witnesses to give opinion testimony at the hearing of this case.

ANSWER:

1. Any and all physicians who have treated Sterling Dodson with respect to injuries he suffered on July 11, 2023, including but not limited to, [REDACTED]
2. Victoria Powell, RN, Life Care Planner
3. Stan Smith, Ph.D., Economist

SUPPLEMENTAL ANSWER:

4. Dr. John Pemberton
UAMS Jones Eye Institute
5. Michael Kaczkowski
Alloplastic Reconstruction
6. Claimant will not call Stan Smith to testify at trial.

Claimant reserves the right to supplement this answer, as discovery is ongoing.

Interrogatory No. 4: Identify each person who has knowledge of any facts connected to the incident that is the subject of this claim, state the facts known to each such person, and indicate whether the person has made a written or recorded statement, identifying the custodian of each statement.

ANSWER:

1. Sterling Dodson
It is anticipated that Sterling Dodson will testify as to the facts and circumstances surrounding his injury on July 11, 2023. Additionally, he will testify as to his injuries, medical treatment, damages, loss of wages, as well as his ongoing limitations. He will discuss his life prior to the accident, the

activities he enjoyed, and the extent that the quality of his life has been diminished as a result of his permanent injuries.

2. Fred Meek
It is anticipated that Fred Meek will testify as to his observations of the injuries sustained by Sterling Dodson on July 11, 2023. Mr. Meek spoke with Claimants' counsel on July 19, 2023, and provided a verbal statement of his observations.

Claimant reserves the right to supplement this answer, as discovery is ongoing.

SUPPLEMENTAL ANSWER:

3. Teresa Dodson
See the deposition of Teresa Dodson that was taken on April 15, 2024.
4. All of the claimant's medical providers as identified in the medical records and medical bills attached hereto have knowledge of the claimant's injuries and his care and treatment following the injury.

Interrogatory No. 5: Identify all documents and exhibits you will or may offer as evidence at the hearing of this matter and identify the custodians of each such item.

ANSWER:

1. Answer of ARDOT.
2. Text message from Wade ARDOT, July 11, 2023, 7:37 p.m.
3. AR State Police, Incident Report Number [REDACTED]
4. All medical records and billing statements of Sterling Dodson regarding treatment he received as a result of injuries he suffered on July 11, 2023.
5. Wage loss/employment information from [REDACTED]
6. Photographs depicting Sterling Dodson's injuries.

Claimant reserves the right to supplement this answer, as discovery is ongoing.

SUPPLEMENTAL ANSWER:

7. Videotaped deposition of Dr. John Pemberton
8. Income tax returns for Sterling Dodson 2020 – 2023
9. Reports generated by any expert witness

Claimant reserves the right to supplement this answer, as discovery is ongoing.

Interrogatory No. 9: State the name and address of every physical or mental health care practitioner or provider who was consulted or who examined or rendered treatment for any of the injuries that resulted from the incident that is the subject of this claim. For each such physical or mental health care provider or practitioner, please list the dates of consultation, examination or treatment and the nature of the injury for which consultation, examination or treatment was rendered.

ANSWER:

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Total		\$ 51,529.07

See included herewith an Excel spreadsheet itemizing the total amount of medical billing to date, as well as the total amount of medical billing paid by the claimant to date. Also included herewith are copies of the medical billing. Claimant reserves the right to supplement this response as billing records are obtained.

Interrogatory No. 11: If other than medical expenses, you have incurred financial or material loss or damage which you attribute to the incident that is the subject of this claim, please list, describe and itemize each and every such loss or expense.

ANSWER:

Yes, I was unable to work as a result of my injuries. This response will be supplemented upon receipt of my wage loss records.

SUPPLEMENTAL ANSWER:

The claimant has lost wages and lost future earnings. See included herewith the income tax returns for the claimant for the years 2020-2023 and a wage loss statement from his employer, [REDACTED].

<div style="background-color: black; width: 100%; height: 100%;"></div>	
TOTAL WAGES LOST	<u>\$15,813.40</u>

The claimant reserves the right to supplement this response as additional information is received.

Interrogatory No. 15: State whether you were unable to work as a result of any of the injuries you sustained in the incident that is the subject of this claim. If so, give the inclusive dates of such inability, the name of every doctor or other physical or mental health care provider or practitioner who advised you not to work and the first day that you were able to return to work. If you were unable to work for more than one period following the occurrence that is the subject of the claim, please provide the requested information for each such period. Further, if you were off from work following the incident that is the subject of

this claim, for any reason other than injuries sustained in the subject incident, please state the time periods and the reason why you were off from work.

ANSWER:

Yes, I was unable to work as a result of my injuries. This response will be supplemented upon receipt of my employer's records.

SUPPLEMENTAL ANSWER:

See Supplemental Answer to Interrogatory No. 11.

**CLAIMANT'S FIRST SUPPLEMENTAL RESPONSES TO
REQUESTS FOR PRODUCTION OF DOCUMENTS**

Request for Production No. 2: Please provide a copy of any reports or documents produced by any person identified in Answer to Interrogatory No. 3.

RESPONSE:

Please see all medical records identified in Claimant's Response to Request for Production No. 5 below. Additionally, Claimant will supplement with the reports of Victoria Powell, RN, Life Care Planner. The following Hyperlink contains a folder with all of the medical records, photographs, and medical billing. [REDACTED]

Claimant reserves the right to supplement this response as discovery progresses.

SUPPLEMENTAL RESPOSE:

Please see all medical records identified in Answer to Interrogatory No. 9 above and in Response to Request for Production No. 5 below.

Request for Production No. 4: Please provide copies of all documents, items, charts, models, diagrams or similar devices identified in Answer to Interrogatory No. 5.

RESPONSE:

See Claimant's Response to Request for Production Nos. 1 and 5.

SUPPLEMENTAL RESPONSE:

See the claimant's Answer to Interrogatory No. 5 and Supplemental Answer to Interrogatory No. 5 above, and Response and Supplemental Response to Request for Production No. 5 below.

Request for Production No. 5: Please provide all medical records which pertain to any and all injuries you allegedly sustained as a result of the incident that is the subject of this claim.

ANSWER:

See Answer to Interrogatory No. 9.

SUPPLEMENTAL ANSWER:

See the claimant's Answer to Interrogatory No. 5 and Supplemental Answer to Interrogatory No. 5 above.

Request for Production No. 6: Please provide all medical bills which pertain to any and all injuries you allegedly sustained as a result of the incident that is the subject of this claim.

ANSWER:

See Answer to Interrogatory No. 10.

SUPPLEMENTAL ANSWER:

¹ Please let counsel know if you have any issue opening this hyperlink.

See the claimant's Answer and Supplemental Answer to Interrogatory No. 10 above.

Request for Production No. 7: Please provide documentation of any other financial or material loss you incurred as a result of the incident that is the subject of this claim, including but not limited to, loss of earnings or loss of earning capacity.

ANSWER:

Claimant reserves the right to supplement this response when this information is ascertained.

SUPPLEMENTAL ANSWER:

See the claimant's Supplemental Answer to Interrogatory Nos. 11 and 15 above.

Respectfully submitted,

/s/ Jim Jackson

 Jim R. Jackson
 Ark. Bar #93-209
 Jackson Law Firm
 700 West Broadway Street, Suite 200
 North Little Rock, AR 72114-5528
 (501) 823-3610 Phone
 (501) 823-3611 Facsimile
Jim@JimJacksonAtty.com E-mail

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Claimant's First Supplemental Answers to Interrogatories and Requests for Production of Documents has been filed with the Arkansas Claims Commission and has been served upon the Respondent by sending a copy by electronic mail to the following:

Amanda J. Andrews, Staff Attorney
 Arkansas Department of Transportation
 Post Office Box 2261
 Little Rock, AR 72203-2261
Amanda.Andrews@ARdot.gov

/s/ Jim Jackson

 Jim R. Jackson

From: [Andrews, Amanda J.](#)
To: [Martha Cox](#); [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: [Jim Jackson](#); clf@cunninghamlawfirm.com
Subject: RE: Sterling Dodson and Teresa Dodson v. ARDOT; Arkansas Claims Commission #240185
Date: Monday, May 6, 2024 8:37:25 AM
Attachments: [image.png](#)

Received.

Thank you,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



From: Martha Cox <mcox@jimjacksonatty.com>
Sent: Friday, April 26, 2024 10:04 AM
To: kathryn.irby@arkansas.gov; ascpleadings@arkansas.gov
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com
Subject: Sterling Dodson and Teresa Dodson v. ARDOT; Arkansas Claims Commission #240185

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.

Please see attached Claimant's First Supplemental Answers to Respondent's Interrogatories and Requests for Production of Documents for filing in the above-referenced claim. A hyperlink is included in the Supplemental Answers. If you encounter any difficulty in opening the hyperlink, please let us know.

Thank you.

Martha Cox, PP, PLS
Paralegal for The Jackson Law Firm
700 West Broadway, Suite 200
North Little Rock, AR 72114

Phone: (501) 823-3610

Fax: (501) 823-3611

mcox@jimjacksonatty.com

From: [Andrews, Amanda J.](#)
To: [Kathryn Irby](#); [Jim Jackson](#)
Cc: clf@cunninghamlawfirm.com; [Martha Cox](#); [Blakley, Sharon D.](#); [Davenport, Michelle L.](#)
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185
Date: Tuesday, May 28, 2024 8:25:49 AM
Attachments: [image.png](#)

Ms. Irby,

Thank you for your email. We still have not received any reports from economic damages expert witnesses, and it is difficult to say how much time the parties will need without know the experts' opinions. The medical providers seem very straightforward, but without reviewing the remaining expert reports, I cannot give a certain response.

I apologize for not being more helpful. Just as soon as we receive these last reports, I will discuss with MR. Jackson and be in touch.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Tuesday, May 28, 2024 8:14 AM
To: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>
Cc: clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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Jim and Amanda, I am following back up on this one to see if the parties agree on how long will be needed for hearing.

Kathryn

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>
Sent: Monday, April 22, 2024 11:01 AM
To: Jim Jackson <jim@jimjacksonatty.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Kathryn,

We are still waiting on reports from two (2) of the Claimant's expert witnesses, who will provide opinions as to economic damages. Because this an admitted liability case, damages are the key issue, so we really do need to review all expert reports to have a clear idea on witnesses.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Wednesday, April 17, 2024 11:49 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: Re: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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I think a half-day would be enough time.

We are taking the treating doctor deposition on May 1 so we will be close to having a full grasp of damages very soon.

Thank you

Jim

Jim Jackson

Attorney at Law

700 West Broadway St: Suite 2

North Little Rock, AR 72114

(501) 823-3610

On Apr 17, 2024, at 10:51 AM, Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

Jim and Amanda, I am following up on this claim. How long do the parties believe will be needed for the claim hearing?

Thanks,

Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Thursday, March 28, 2024 2:30 PM

To: Kathryn Irby <kathryn.irby@arkansas.gov>; Andrews, Amanda J.

<Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com

Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D.

<Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Yes.

That will work.

Jim

<image001.jpg>

Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611

[<image002.jpg>](#)

[<image003.jpg>](#)

[<image004.jpg>](#)

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

Sent: Thursday, March 28, 2024 12:26 PM

To: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com

Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Jim and Amanda, will the parties confer after the April 15 depositions and let me know how much time will be needed for this hearing? I will wait to officially schedule this hearing until then.

Kathryn

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>

Sent: Wednesday, March 27, 2024 4:11 PM

To: Kathryn Irby <kathryn.irby@arkansas.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com

Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Kathryn,

Thank you for your email. While I do want this to be an in-person hearing, I cannot yet tell you how long the case may take to present. I am taking the depositions of the Claimant and his wife on April 15 and am waiting on dates for the doctor's deposition. After taking these depositions, I will have a better idea as to timeframe.

Since Mr. Jackson would like the matter scheduled, I believe a half day, in person hearing would be the safest option.

I appreciate your consideration of this request. Please do not hesitate to reach out if you have any questions or need additional information.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov

<image005.jpg>

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

Sent: Wednesday, March 27, 2024 11:02 AM

To: Jim Jackson <jim@jimjacksonatty.com>; Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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.

Amanda, Jim Jackson called me about this hearing request, and he suggested that two hours would be sufficient for this damages hearing. I have a two-hour slot on November 7, but it is an in-person hearing day. Are you in agreement with Jim that a two-hour damages hearing will work? If so, I'll get this added to the November 7 docket and send out a hearing letter.

Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Monday, March 4, 2024 12:51 PM

To: Kathryn Irby <kathryn.irby@arkansas.gov>; amanda.andrews@ardot.gov; clf@cunninghamlawfirm.com; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: Sterling Dodson, et ux v. Arkansas Department of Transportation Arkansas Claims Commission #240185

Kathryn,

Please see the attached letter requesting a hearing on damages.

Thank you,

Jim

<image001.jpg>

Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114






P (501) 823-3610

F (501) 823-3611

[<image002.jpg>](#)

[<image003.jpg>](#)

[<image004.jpg>](#)

From: [Kathryn Irby](#)
To: [Woodward, Joe](#); [Jim Jackson](#)
Cc: [Martha Cox](#); [Blakley, Sharon D.](#); [Davenport, Michelle L.](#)
Subject: HEARING SCHEDULED: Dodson v. ArDOT, Claim No. 240185
Date: Wednesday, July 24, 2024 4:20:00 PM
Attachments: [Dodson v. ArDOT, Claim No. 240185 \(claim, in person\).pdf](#)






Counselors, please see the attached hearing letter.

Thanks,
Kathryn

From: Woodward, Joe <Joe.Woodward@ardot.gov>
Sent: Monday, July 22, 2024 12:10 PM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Jim Jackson <jim@jimjacksonatty.com>
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>;
Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: Sterling Dodson v. ArDOT, Claim No. 240185

I believe 3-4 hours should be sufficient, but I do also anticipate having some negotiations with Mr. Jackson about the case.

Thank you,
Joe Woodward, Staff Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Office: (501) 569-2278
Fax: (501) 569-2164
Email: joe.woodward@ardot.gov



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Monday, July 22, 2024 11:47 AM
To: Jim Jackson <jim@jimjacksonatty.com>; Woodward, Joe <Joe.Woodward@ardot.gov>
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>;
Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: Sterling Dodson v. ArDOT, Claim No. 240185

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.

Jim, thanks for this information. As long as the parties are in agreement that a half-day or less will be needed, I can get this hearing schedule.

Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Monday, July 22, 2024 10:32 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; joe.woodward@ardot.gov

Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>;
Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: Sterling Dodson v. ArDOT, Claim No. 240185

Kathryn,

I just had a productive visit with Joe Woodward who is the new attorney on this matter.

We discussed the case and witnesses.

He is going to visit with Michelle about the timing and get back with me.

Also, we discussed the possibility of negotiating a settlement during this process.

Hopefully, we can have it resolved without the need of an actual hearing but I know a hearing date will assist us.

Joe and I will get back with you.

Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



From: Jim Jackson

Sent: Monday, July 22, 2024 8:09 AM

To: 'Kathryn Irby' <Kathryn.Irby@arkansas.gov>

Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>;
Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: Sterling Dodson v. ArDOT, Claim No. 240185

Good Morning Kathryn,

The estimate is mine alone.

I do not know who is representing the respondent now that Amanda Andrews has changed jobs.

I will call Michelle today and visit with her and we will get back with you for a joint estimate.

Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



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

Sent: Sunday, July 21, 2024 4:44 PM

To: Jim Jackson <jim@jimjacksonatty.com>

Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>;
Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: Sterling Dodson v. ArDOT, Claim No. 240185

Jim, thank you for this information. Have the parties discussed? Is the 3-hour estimation a joint estimation?

Thanks,

Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Tuesday, July 16, 2024 10:22 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>;
Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: Sterling Dodson v. ArDOT, Claim No. 240185

Kathryn,
I am writing to followup on requesting a hearing date in this matter.
The claimant has provided the report of Victoria Powell who is our life care planner.
Her report has the economic expenses being claimed.
We will have six witnesses.
I think the testimony will take 3 hours.
I would like to request that it be "in person."
Thank you,
Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611
□ □ □

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Tuesday, May 28, 2024 9:03 AM
To: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>
Cc: clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Thank you for this information.

Kathryn

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>
Sent: Tuesday, May 28, 2024 8:26 AM

To: Kathryn Irby <Kathryn.Irby@arkansas.gov>; Jim Jackson <jim@jimjacksonatty.com>
Cc: clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Ms. Irby,

Thank you for your email. We still have not received any reports from economic damages expert witnesses, and it is difficult to say how much time the parties will need without know the experts' opinions. The medical providers seem very straightforward, but without reviewing the remaining expert reports, I cannot give a certain response.

I apologize for not being more helpful. Just as soon as we receive these last reports, I will discuss with MR. Jackson and be in touch.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Tuesday, May 28, 2024 8:14 AM
To: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>
Cc: clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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Jim and Amanda, I am following back up on this one to see if the parties agree on how long will

be needed for hearing.

Kathryn

From: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>
Sent: Monday, April 22, 2024 11:01 AM
To: Jim Jackson <jim@jimjacksonatty.com>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Kathryn,

We are still waiting on reports from two (2) of the Claimant's expert witnesses, who will provide opinions as to economic damages. Because this an admitted liability case, damages are the key issue, so we really do need to review all expert reports to have a clear idea on witnesses.

Sincerely,

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Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov



From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Wednesday, April 17, 2024 11:49 AM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com; Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
Subject: Re: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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I think a half-day would be enough time.

We are taking the treating doctor deposition on May 1 so we will be close to having a full grasp of damages very soon.

Thank you

Jim

Jim Jackson

Attorney at Law

700 West Broadway St: Suite 2

North Little Rock, AR 72114

(501) 823-3610

On Apr 17, 2024, at 10:51 AM, Kathryn Irby <Kathryn.Irby@arkansas.gov> wrote:

Jim and Amanda, I am following up on this claim. How long do the parties believe will be needed for the claim hearing?

Thanks,
Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Thursday, March 28, 2024 2:30 PM

To: Kathryn Irby <kathryn.irby@arkansas.gov>; Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com

Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D.

<Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>

Subject: RE: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

Yes.

That will work.

Jim

<image001.jpg>

Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611

[<image002.jpg>](#)

[<image003.jpg>](#)

[<image004.jpg>](#)

From: Kathryn Irby <kathryn.irby@arkansas.gov>
Sent: Thursday, March 28, 2024 12:26 PM
To: Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; Jim Jackson <jim@jimjacksonatty.com>; clf@cunninghamlawfirm.com
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Kathryn

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Sent: Wednesday, March 27, 2024 4:11 PM
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Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>; Davenport, Michelle L. <Michelle.Davenport@ardot.gov>
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Kathryn,

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I appreciate your consideration of this request. Please do not hesitate to reach out if you have any questions or need additional information.

Sincerely,

Amanda J. Andrews, Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Office: (501) 569-2278

Fax: (501) 569-2164

Email: amanda.andrews@ardot.gov

<image005.jpg>

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

Sent: Wednesday, March 27, 2024 11:02 AM

To: Jim Jackson <jim@jimjacksonatty.com>; Andrews, Amanda J. <Amanda.Andrews@ardot.gov>; clf@cunninghamlawfirm.com

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: INFO NEEDED: Dodson v. ArDOT, Claim No. 240185

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Amanda, Jim Jackson called me about this hearing request, and he suggested that two hours would be sufficient for this damages hearing. I have a two-hour slot on November 7, but it is an in-person hearing day. Are you in agreement with Jim that a two-hour damages hearing will work? If so, I'll get this added to the November 7 docket and send out a hearing letter.

Kathryn

From: Jim Jackson <jim@jimjacksonatty.com>

Sent: Monday, March 4, 2024 12:51 PM

To: Kathryn Irby <kathryn.irby@arkansas.gov>; amanda.andrews@ardot.gov; clf@cunninghamlawfirm.com; ASCC Pleadings <ASCCPleadings@arkansas.gov>

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: Sterling Dodson, et ux v. Arkansas Department of Transportation Arkansas Claims Commission #240185

Kathryn,

Please see the attached letter requesting a hearing on damages.

Thank you,

Jim

<image001.jpg>

Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611

[<image002.jpg>](#)

[<image003.jpg>](#)

[<image004.jpg>](#)

ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

July 24, 2024

Mr. Jim Jackson
Jackson Law Firm
700 West Broadway
North Little Rock, Arkansas 72114

(via email)

Mr. Joe Woodward
Arkansas Department of Transportation
Post Office Box 2261
Little Rock, Arkansas 72203

(via email)

RE: *Sterling Dodson v. Arkansas Department of Transportation*
Claim No. 240185

Dear Mr. Jackson and Mr. Woodward:

The Commission has scheduled this claim for a three- to four-hour hearing on **Thursday, November 7, 2024**, beginning at 9:00 a.m. This hearing will be in-person at the Commission's office.

The following prehearing materials are due on or before **October 17, 2024**:

- 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 **October 17, 2024**.

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

From: [Jim Jackson](#)
To: [ASCC Pleadings](#); joe.woodward@ardot.gov; [Kathryn Irby](#)
Cc: [Martha Cox](#)
Subject: Sterling Dodson and Teresa Dodson v. ARDot Arkansas Claims Commission #240185
Date: Thursday, October 17, 2024 3:20:01 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[Letter to Kathryn Irby with Clement's Witness List and four bundles of Exhibits 10-17-2024.pdf](#)
[Trial Exhibit List.pdf](#)
[Witness List and Exhibit List.pdf](#)

Please find attached 3 PDF files and a hyperlink below containing the Claimant’s Witness and Exhibits for the upcoming trial.

An original and 3 copies of these were hand delivered earlier today to the Arkansas Claims Commission.

Please let me know if you have any questions or issues opening the hyperlink which will require me to re-activate it after 30 days.

I have a couple of very short video clips of Mr. Dodson having the implant fitted which I will bring on a flash drive on the morning of the hearing.

The two clips are less than 90 seconds each.



Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611





October 17, 2024

Hand-Delivered

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

Re: Sterling Dodson v. ARDOT
Arkansas Claims Commission #240185
Incident Date: July 11, 2023

Dear Kathryn:

Please find enclosed four copies of the Claimant's Witness and Exhibits list, as well as four binders containing the Claimant's Exhibits. Exhibit 10 is a video of the implantation of Mr. Dodson's prosthetic eye and will be submitted on a flash drive at the hearing.

Although the claimant, Sterling Dodson, and his wife, Teresa Dodson, will be testifying live at the hearing, I am enclosing three copies of each of their depositions for review by the Commissioners.

Please call me at (501) 823-3610 with any questions or suggestions. My e-mail address is Jim@JimJacksonatty.com.

Sincerely,

Jim R. Jackson

JRJ/mc
Enclosures

cc/enc.: Mr. Joe Woodward (via email only)

JIM JACKSON // Attorney at Law

700 W. Broadway Street; Suite 200
North Little Rock, AR 72114-5528

501.823.3610
Fax: 501.823.3611

Jim@JimJacksonAtty.com

www.JimJacksonAtty.com

ARKANSAS STATE CLAIMS COMMISSION

STERLING D. DODSON

CLAIMANT

V.

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

CLAIMANT'S WITNESS AND EXHIBIT LIST

Comes the claimant, Sterling D. Dodson, by and through his attorney, Jim R. Jackson, and submits the following Witness and Exhibit List for the trial scheduled for November 7, 2024:

Live Witnesses

Witnesses by Deposition

Sterling Dodson
Teresa Dodson
Blake Dodson
Victoria Powell
Michael Kaczkowski, Real Life Faces

Dr. John Pemberton

EXHIBITS

EXHIBIT #

DESCRIPTION

- 1(a-f) Photos of damage to Sterling Dodson's eye
- 2 Victoria Powell Life Care Plan, *Curriculum Vitae*, And three (3) photos
- 3 Deposition of Dr. John Pemberton with Exhibits
- 4(a-i) Medical Records of Sterling Dodson

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 5 Medical Billing Summary of \$59,375.14
- 6 Payroll Journal Summary from [REDACTED]
- 7 Income Taxes Returns of Sterling Dodson 2020 – 2023
- 8(a-d) Photos of mowers working
- 9 Statement of Fred Meeks
- 10 Video of prosthetic eye implantation (flash drive to be provided at the hearing)

Respectfully submitted,

BY: /s/ Jim Jackson

Jim R. Jackson, AR Bar #93-209
 Jackson Law Firm
 700 West Broadway Street, Suite 200
 North Little Rock, AR 72114-5528
 (501) 823-3610 phone
 (501) 823-3611 facsimile
 Jim@JimJacksonatty.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Witness & Exhibit List was served on the following counsel of record by email on October 17, 2024:

Mr. Joe Woodward
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261

/s/ Jim R. Jackson
 Jim R. Jackson

From: [Jim Jackson](#)
To: [ASCC Pleadings](#); joe.woodward@ardot.gov; Kathryn Irby; sharon.blakley@ardot.gov
Cc: [Martha Cox](#)
Subject: Sterling Dodson and Teresa Dodson v. ARDot Arkansas Claims Commission #240185
Date: Thursday, October 17, 2024 3:27:03 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[Letter to Kathryn Irby with Clerk's Certificate of Mailing and four copies of Exhibits 10-17-2024.pdf](#)
[Trial Exhibit List.pdf](#)
[Witness List.pdf](#)

All,
 I am re-submitting the attachments and email below with the hyperlink.
 I just learned that Mr. Woodward is no longer with ARDot.
 I am cc'ing Ms. Sharon Blakely of ARDot on this email transmission.
 Thank you,

Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
 North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611

From: Jim Jackson
Sent: Thursday, October 17, 2024 3:20 PM
To: ascpleadings@arkansas.gov; joe.woodward@ardot.gov; kathryn.irby@arkansas.gov
Cc: Martha Cox <mcox@jimjacksonatty.com>
Subject: Sterling Dodson and Teresa Dodson v. ARDot Arkansas Claims Commission #240185

Please find attached 3 PDF files and a hyperlink below containing the Claimant's Witness and Exhibits for the upcoming trial.
 An original and 3 copies of these were hand delivered earlier today to the Arkansas Claims Commission.
 Please let me know if you have any questions or issues opening the hyperlink which will

require me to re-activate it after 30 days.

I have a couple of very short video clips of Mr. Dodson having the implant fitted which I will bring on a flash drive on the morning of the hearing.

The two clips are less than 90 seconds each.



Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

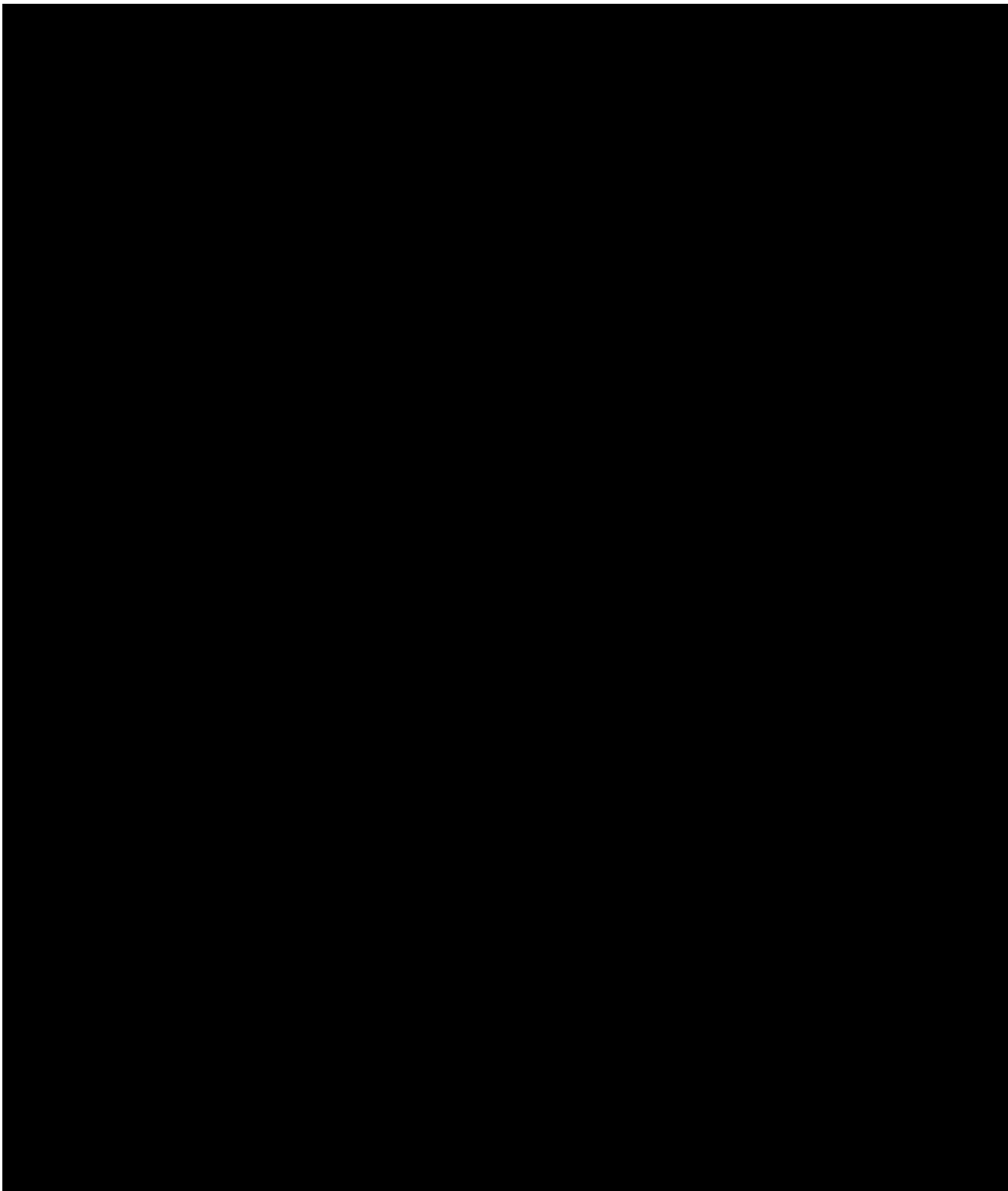
700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611

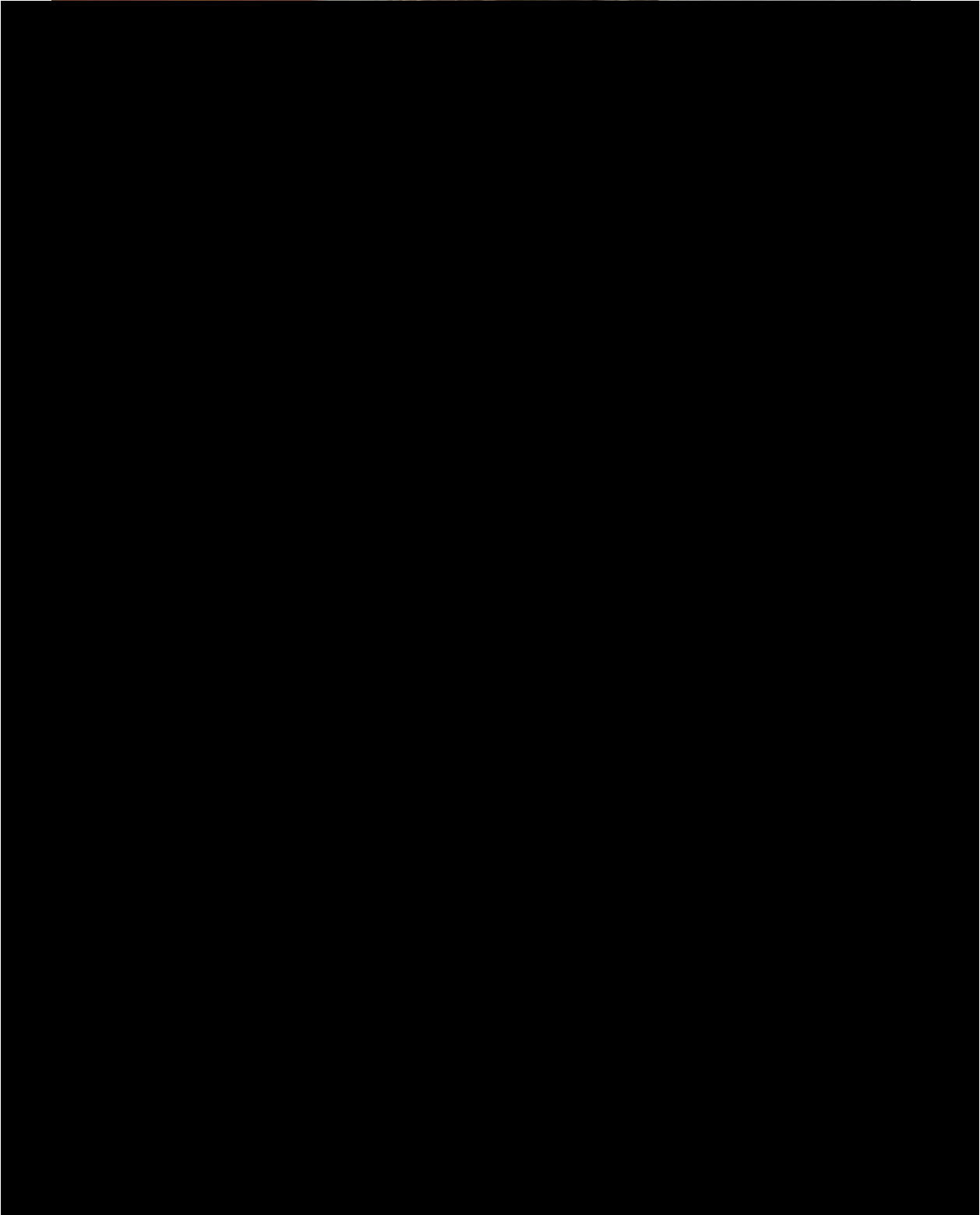




STERLING DODSON AT JONES EYE INSTITUTE

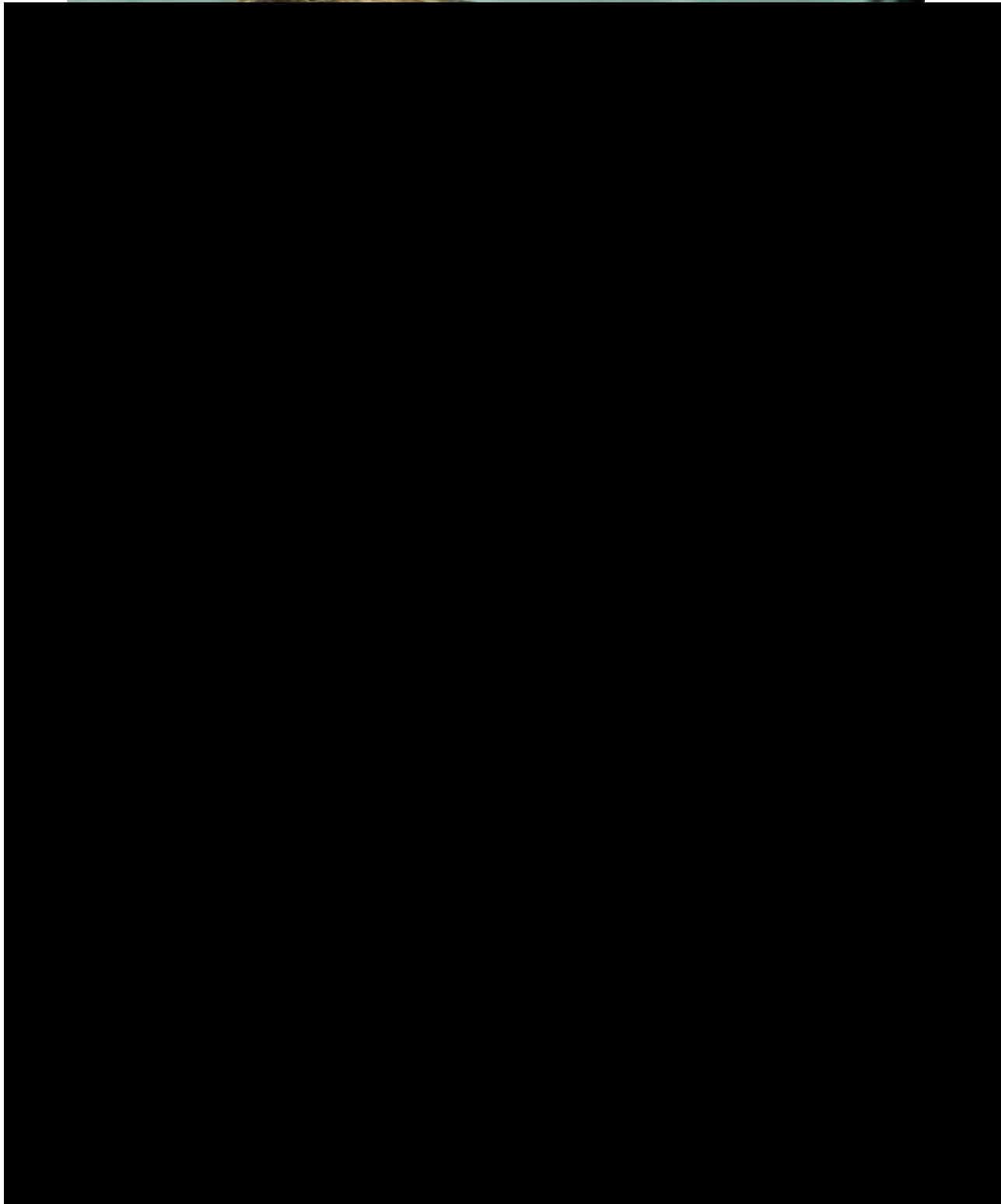
EXHIBIT
1 a

Sterling Dodson Bates #0001



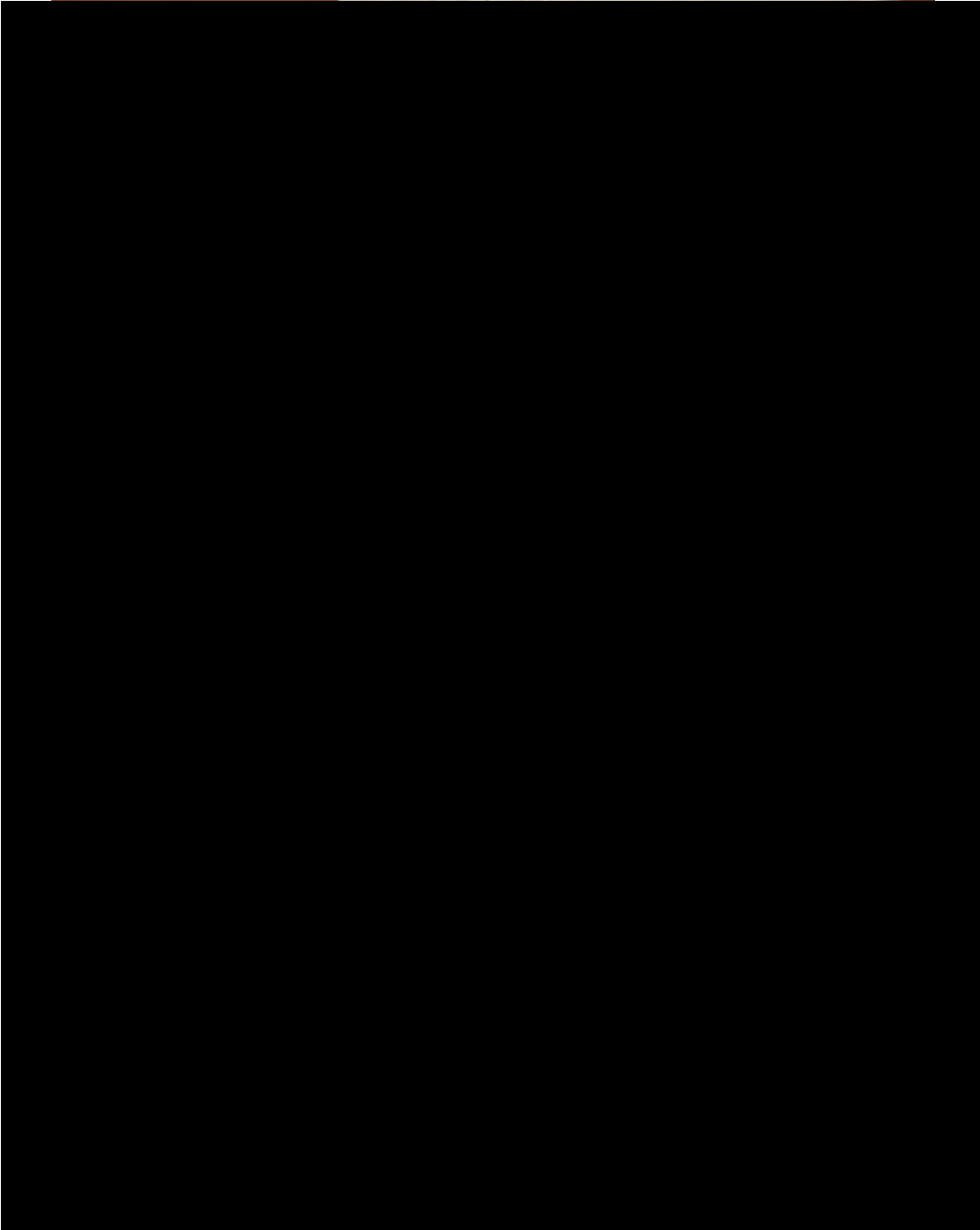
STERLING DODSON - POST SURGERY
JONES EYE INSTITUTE

EXHIBIT
1 b



EXHIBIT

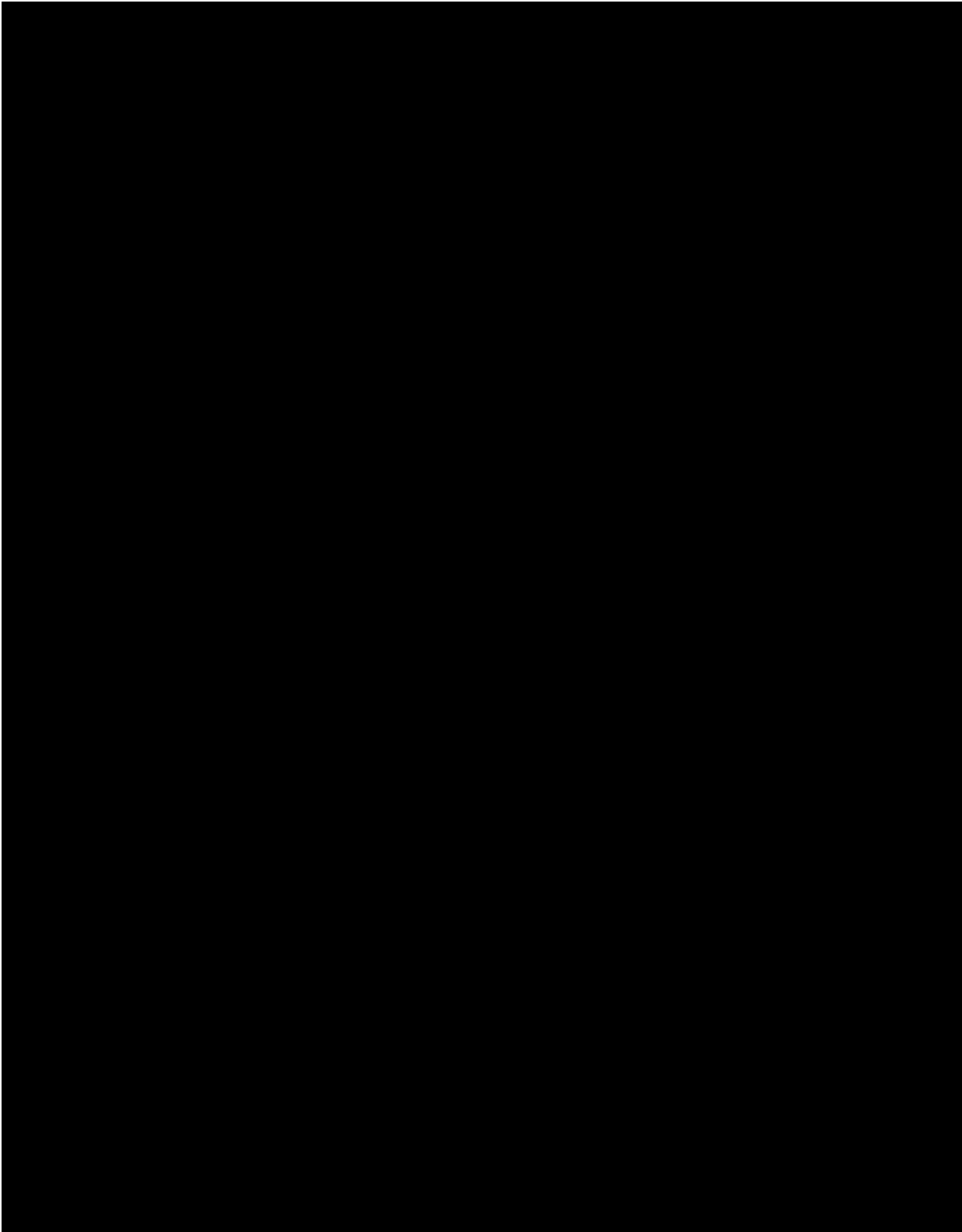
1 c



STERLING DODSON - JONES EYE INSTITUTE

EXHIBIT

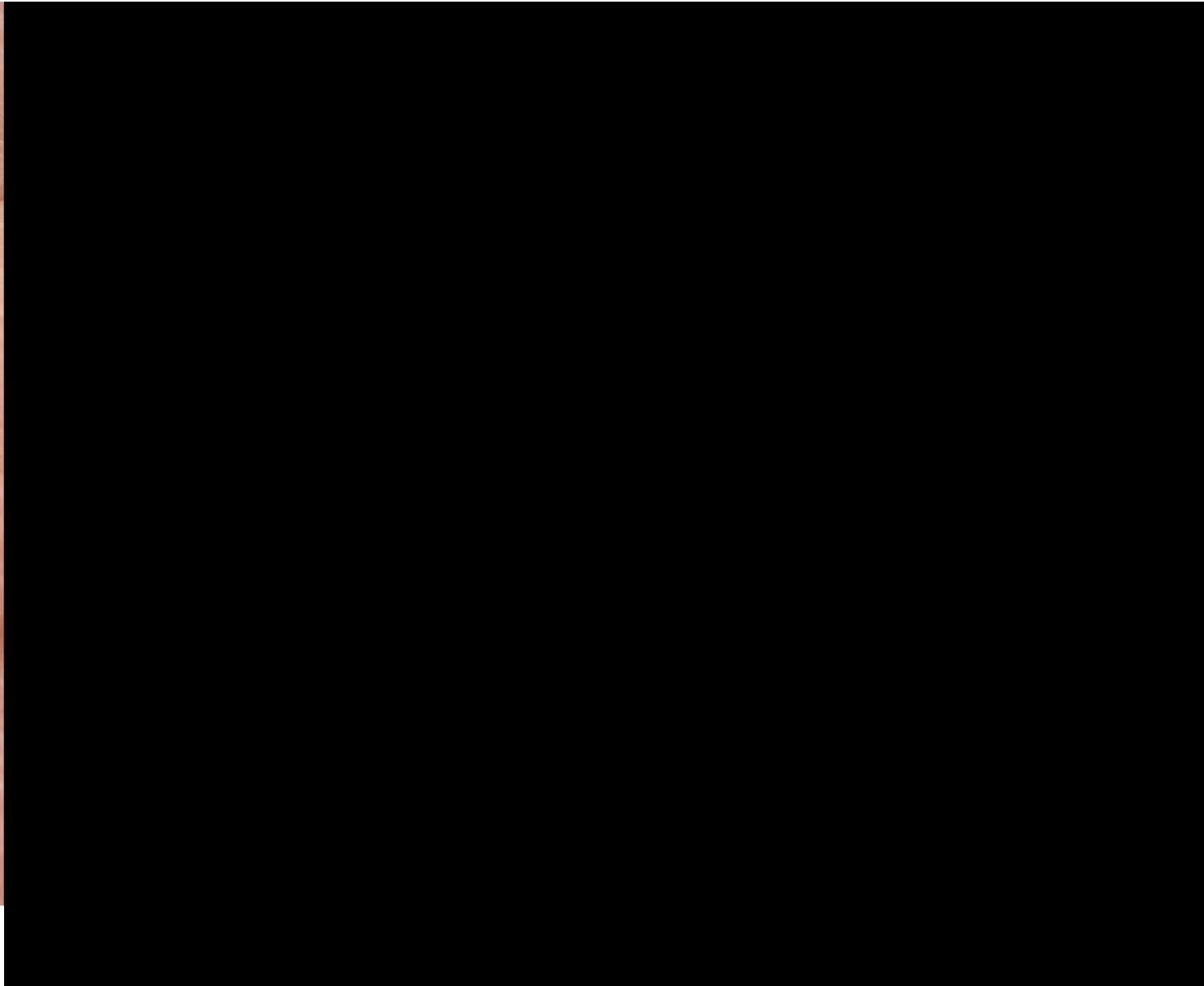
1 d



STERLING DODSON

EXHIBIT

1 e



Sterling Dodson - Closeup of Left Eye

EXHIBIT

1 f



**Sterling
Dodson**

Life Care Plan

Attached is the life care plan for the above-named patient. Please share the plan with the patient and family so they may review the recommendations while planning future care.

Prepared by: Victoria Powell

EXHIBIT

2

Methodology

The American Nurses Association (ANA) defines nursing as the protection, promotion, and optimization of health and abilities, prevention of illness and injury, alleviation of suffering through the diagnosis and treatment of human response, and advocacy in the care of individuals, families, communities, and populations. The human response includes the response of the individual and family to actual or potential health problems. ANA notes "...Nurses are educated to be attuned to the whole person, not just the unique presenting health problem. While a medical diagnosis of an illness may be fairly circumscribed, the human response to a health problem may be much more fluid and variable and may have a great effect on the individual's ability to overcome the initial medical problem. In what some describe as a blend of physiology and psychology, nurses build on their understanding of the disease and illness process to promote the restoration and maintenance of health in their clients...Nursing is a key element in patient survival as well as in the maintenance, rehabilitation, and preventive aspects of healthcare.." (ANA Nursing's Social Policy Statement, Second Edition, 2003).

The American Association of Nurse Life Care Planners (AANLCP®) defines nurse life care planning as the specialty practice in which the nurse life care planner utilizes the nursing process in the collection and analysis of comprehensive, client specific data in the preparation of a dynamic document. This document provides an organized, concise plan that estimates reasonable and necessary (and reasonably certain to be necessary) current and future healthcare needs with the associated costs and frequencies of goods and services. The nurse life care plan is developed for individuals who have experienced an injury or have chronic healthcare issues. Nurse life care planners function within their individual professional scope of practice and, when applicable, incorporate opinions arrived upon collaboratively with various health professionals. The nurse life care plan is considered a flexible document and is evaluated and updated as needed. (AANLCP®, 2008)

Utilizing our science-based education, nurse life care planners employ the nursing process, or critical thinking methodology when developing a life care plan through the diagnosis and treatment of the human response to alleviate suffering, prevent future illness and injury while promoting and optimizing health and abilities, and advocating for care of the individual and their family. The nurse life care planner may delegate the implementation and ongoing evaluation of the life care plan to a registered nurse case manager, or other nurse life care planners (AANLCP® Scope of Practice, 2011).

The nursing process is the foundation of developing the nursing care plan. The nursing process includes an assessment, nursing diagnosis, plan of care, and implementation as well as evaluation of the plan of care. Nurse Life Care Planners also use the nursing process as the foundation to formulate a plan of care entitled a Nurse Life Care Plan. The Nurse Life Care Planner initiates the nursing process with reviewing medical records to understand the course of medical treatment/complications/outcomes and conducts a nursing assessment using a holistic approach with the client/family/caregiver to understand present symptoms/limitations/activities of daily living/psychosocial aspects/family dynamics. The Nurse Life Care Planner then identifies an appropriate nursing diagnosis to describe the client's individual needs. When applicable, a collaborative approach is used with other health care providers when determining these needs. Research is also performed to determine long term outcomes/complications, costs, and maintenance/replacement frequency of recommended medical and non-medical needs. Nurse life care planning is an extension of case management where the nurse has learned to perform an assessment, formulate a plan of care in collaboration with the health care team members, facilitate medical needs, and negotiate costs related to care. A Nurse Case Manager can be introduced to implement the Nurse Life Care Plan recommendations and evaluate the response to complete the nursing process.

The Nurse Life Care Plan is specific to the individual and is intended to follow the client throughout his/her lifetime to ensure funds will be available to properly care for the client. Costs for medical care are obtained through actual/potential healthcare providers and national databases with a geographical zip code modifier. Other costs are obtained through research with suppliers, facilities, pharmacies, and other resources. Where applicable, costs are obtained from various vendors and the reasonable base cost is listed in the Nurse Life Care Plan. The costs included in the Nurse Life Care Plan are based on today's dollars. No provision has been made for future inflation and an economist should be considered. Costs have been rounded to the nearest dollar. The Nurse Life Care Plan should be reviewed/updated when there are significant changes to the medical condition.

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LIFE CARE PLAN REPORT

ATTORNEY:	Matthew Cunningham	PLAINTIFF:	Sterling Dodson
LAW FIRM:			
ADDRESS:	330 North 2nd Ave Phoenix, AZ 85003	ADDRESS:	[REDACTED]
PHONE:	602-257-1750	PHONE:	[REDACTED]
FAX:		DOB:	[REDACTED]
EMAIL:	clf@cunninghamlawfirm.com	DOI:	07/11/2023

REFERRAL DATE: 07/31/2023
INTERVIEW DATE: 03/15/2024

REPORT DATE: 05/28/2024
PREPARED BY: Victoria Powell

Introduction

Mr. Dodson was referred by Attorney Matthew Cunningham of Cunningham Law Firm for the development of a Life Care Plan to address current and future medical/psychological/rehabilitation needs. On 7/11/2023, Mr. Dodson suffered a severe eye injury resulting in the loss of his left eye.

The calculated costs are based on a usual/customary & reasonable charge within the geographical location and may be based on one or all the following sources: Physicians' Fee Reference, Medical Fees 2024, and current healthcare provider/vendor charges based on treatment rendered along with projected treatments according to their diagnoses. Medication costs are determined from online retailers, GoodRX.com, PriceChecker.com, or local pharmacy quotes. When applicable, medical costs are based on the actual charges. Reasonable estimated costs are included when actual costs were not attainable. These costs are rounded to the nearest dollar. All prices included are based on today's dollars. Shipping is included in costs if the product is unavailable in the local area or is less expensive when purchased online. Equipment maintenance varies with individual needs and frequency of equipment use. This projection assumes that either technology will not advance, or tomorrow's technology will be available at the same cost as today's technology. Costs do not reflect inflationary trends of the health care industry and no provision has been made for future inflation. Allowances for inflation and any medical care cost trends should be determined by a qualified economist.

This projection cannot guarantee absence of errors and omissions, nor can it guarantee optimal outcomes with suggested interventions. The plan provides a guide for optimizing the client's rehabilitation to prevent possible complications, maintain, and

improve quality of life. Implementation cannot guarantee the absence of complications, predict with certainty the client’s future needs, or guarantee all costs related to the client’s future medical and care needs.

This report does not include any assessment regarding loss of income. A qualified vocational counselor or economist should be consulted for this purpose.

The author of this Life Care Plan is a nurse with 30 years’ experience and holding certifications in life care planning, Medicare Set Asides, and case management. The recommendations are based on a review of the information provided, as well as knowledge/experience from this Certified Nurse Life Care Planner, consultation with medical providers, and applicable research.



Records Reviewed

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

NURSING PROCESS: ASSESSMENT

Summary of Accident

Mr. Dodson reported he was driving with his window down while a road crew was working on the side of the road. An object struck Mr. Dodson in the left eye causing a laceration to his upper lid and a severe globe injury. Mr. Dodson never saw anything. It was just a quick impact and then he pulled off to the right. He was unsure what to do or how to get help. He saw the store just up ahead so he moved 100 yards to get there because he knew someone there could help him.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Nursing Assessment

[Redacted]

Past Medical History

[Redacted]

[Redacted]

Social History

[Redacted]

Surgical History

[Redacted]

Family Medical History

[Redacted]

Medications

[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

Drug Allergies: [Redacted]

Review of Systems

INTEGUMENTARY

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

HEENT	
[REDACTED]	[REDACTED]

PAIN	
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Symptoms/Limitations

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Transportation

[Redacted]

Financial

[Redacted]

[Redacted]

Education/Vocational Information

[Redacted]

[Redacted]

Testing/Surveys

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NURSING PROCESS: NURSING DIAGNOSIS

A nursing diagnosis is a clinical judgment concerning a human response to health conditions/life processes, or a vulnerability for that response, by an individual, family, group or community. A nursing diagnosis provides the basis for selection of nursing interventions to achieve outcomes for which the nurse has accountability (NANDA International, 2013).

Nursing Diagnoses:

[REDACTED]

NURSING PROCESS: OUTCOME IDENTIFICATION

Collaboration

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

Complications

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NURSING PROCESS: PLANNING

[REDACTED]

Life Expectancy

[Redacted]

[Redacted]

Thank you for the opportunity to assist in Mr. Dodson's case.

Victoria Powell

Victoria Powell, RN, CCM, LNCC, CNLCP[®], CLCP, MSCC, CBIS, CEAS^{II}
Certified Case Manager, Legal Nurse Consultant & Nurse Life Care Planner

Enclosures: Curriculum Vitae

Resources

- Ackley, B. J., Ladwig, G. B., & Makic, M. B. (2017). *Nursing Diagnosis Handbook An Evidence-Based Guide to Planning Care Eleventh Edition*. St. Louis, MO: Elsevier.
- American Association of Nurse Life Care Planners. (2013). *A Core Curriculum for Nurse Life Care Planning*. Bloomington, IN: IUniverse, LLC.
- American Medical Association (2024). *Current Procedural Terminology: CPT® 2023 professional edition*. Chicago: Author. Current Procedural Terminology is copyrighted by the American Medical Association. All rights reserved.
- American Nurses Association. (2015). *Nursing Scope and Standards of Practice 3rd Edition*. Silver Spring, MD: Nursesbooks.org.
- Braddom, R. L. (2011). *Physical Medicine & Rehabilitation Fourth Edition*. Philadelphia, PA: Elsevier Saunders.
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- Lundy-Ekman, L. (2007). *Neuroscience Fundamentals for Rehabilitation, Third Edition*. St. Louis, MO: Saunders Elsevier.
- Marini, I., Vang, C., Antol, D. L., M., M. E., Quijano, P., Pinon, R. M., & Cuevas, S. (2019; Vol. 17, No. 2). *Redux: Empirical Validation of Medical Equipment Replacement Schedules in Life Care Plans*. *Journal of Life Care Planning*, 5-17.
- Martz, E., & Livneh, H. (2007). *Coping with Chronic Illness and Disability*. New York, NY: Springer.
- Mullahy, C. M. (2014). *The Case Manager's Handbook Fifth Edition*. Burlington, MA: Jones & Bartlett Learning.
- National Academies of Science, Engineering, and Medicine; Health and Medicine Division; Board on Population Health and Public Health Practice; Committee on Public Health Approaches to Reduce Vision Impairment and Promote Eye Health, Welp A., Woodbury, R.B., McCoy, M.A., et al., editors. *Making Eye Health a Population Health Imperative. Vision for Tomorrow*. Washington DC. National Academies Press. 2016, Sept 15.
- Weed, R. &. (2009). *Life Care Planning and Case Management Handbook, 3rd Edition*. Boca Raton, FL: CRC Press.

- Weed, R. O. (2004). Life Care Planning and Case Management Handbook Second Edition. Boca Raton, FL: CRC Press Taylor & Francis Group.
- Weed, R. O., & Berens, D. E. (2019). Life Care Planning and Case Management Handbook Fourth Edition. New York, NY: Routledge.

Claimant Name: Sterling Dodson

Medical Care

Prepared By: VP Medical
Victoria Powell

	RECOMMENDATIONS	DURATION	FREQUENCY	CODE	UNIT COST	UNITS	TOTAL	TOTAL w/GAF	FREQ	TOTAL	ROUNDED	COST REFERENCE
■	██████████	██████	██████ ██████	████	██████	■	██████	██████	■	██████	██████	██████████
■	██████████	██████	██████ ██████	████	██████	■	██████	██████	■	██████	██████	██████████
■	██████████	██████	██████	████	██████	■	██████	██████	■	██████	██████	██████████
■	██████████	██████	██████	████	██████	■	██████	██████	■	██████	██████	██████████
■	██████	██████	██████	████	██████	■	██████	██████	■	██████	██████	██████
■	██████	██████	██████	████	██████	■	██████	██████	■	██████	██████	██████
								TOTAL		\$14,575.64	\$14,576.00	

Claimant Name: Sterling Dodson

Therapies

Prepared By: VP Medical
Victoria Powell

	RECOMMENDATIONS	DURATION	FREQUENCY	CODE	UNIT COST	UNITS	TOTAL	TOTAL w/GAF	FREQ	TOTAL	ROUNDED	COST REFERENCE
■	██████████	██████	██████████	████	████	■	████	████	■	████	████	██████████
■	██████████	██████	██████	████ ████ ████	████	■	████	████	■	████	████	██████████
■								████		████	████	
								TOTAL		\$2,387.56	\$2,387.00	

Claimant Name: Sterling Dodson

Lab Work

Prepared by: VP Medical
Victoria Powell

	RECOMMENDATIONS	INDICATION	DURATION	FREQUENCY	CODE	UNIT COST	UNITS	TOTAL	TOTAL w/GAF	FREQ	TOTAL	ROUNDED	COST RESOURCE
1	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
TOTAL											\$5,537.89	\$5,538.00	

Claimant Name: Sterling Dodson

Medications

Prepared by: VP Medical
Victoria Powell

	RECOMMENDATIONS	DURATION	FREQUENCY	COST	FREQ	TOTAL	ROUND TOTAL	COST RESOURCE
I	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
I	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
I	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
I	[REDACTED]	[REDACTED]						[REDACTED]
				TOTAL		\$12,049.24	\$12,049.00	

Claimant Name: Sterling Dodson

Medical Supplies/DME/Aids for Independent Function

Prepared by: VP Medical
Victoria Powell

	RECOMMENDATIONS	DURATION	FREQUENCY	COST	FREQ	TOTAL	TOTAL	COST RESOURCE
■	██████████ ██████████ ██████████	██████	██████████ ██████	██████	■	██████	██████	██████ ██████████
■	██████████	██████	██████████	██████	■	██████	██████	██████ ██████████
■	██████████ ██████████ ██████	██████	██████████	██████	■	██████	██████	██████
■	██████████	██████	██████████	██████	■	██████	██████	██████████
■	██████████	██████	██████████ ██████	██████	■	██████	██████	██████████
■	██████████	██████	██████████	██████	■	██████	██████	██████████
■	██████████ ██████	██████	██████████	██████	■	██████	██████	██████████
■	██████████	██████	██████████	██████	■	██████	██████	██████████
■	██████████	██████	██████████	██████	■	██████	██████	██████████
■	██████████	██████	██████████	██████	■	██████	██████	██████████
						TOTAL	\$61,067.26	\$61,068.00

Claimant Name: Sterling Dodson

Transportation

Prepared by: VP Medical
Victoria Powell

	RECOMMENDATIONS	INDICATION	DURATION	FREQUENCY	COST	FREQ	TOTAL	TOTAL	COST RESOURCE
■	██████████ ██████	██████████ ██	██████	██████████	██	██	██████	██████	██████████
■	██████████	██████	██████	██████████	██	██	██████	██████	██████████
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					TOTAL		\$6,648.08	\$6,648.00	

Claimant Name: Sterling Dodson

Lifetime Totals

Prepared by: VP Medical
Victoria Powell

RECOMMENDATIONS	TOTAL
Medical Care	\$14,576.00
Therapeutic Evaluations & Modalities	\$2,387.00
Lab work	\$5,538.00
Medications	\$12,049.00
Durable Medical Equipment/Aids for Independent Function	\$61,068.00
Transportation	\$6,648.00

TOTAL

\$102,266.00



Chronological Timeline for Sterling Dodson

Date	Document/Provider	Notes
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]



		[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]



Victoria Powell, RN, CCM, LNCC, CNCLP®, CLCP, MSCC, CEAS^{II}, CBIS

1201 Military Road, Ste. 2, Box #214, Benton, Arkansas 72015

501-778-3378 or Victoria@VP-Medical.com

Licensure/Certification

RN licensure (1994) #R049631
 BLS Provider (2022-2024) 2254-13494960
 Legal Nurse Consultant Certified (2006) #57921
 Certified Case Manager (2004) #00071936
 Certified Nurse Life Care Planner (2007) #3120741R
 Certified Life Care Planner (2007) #1141
 Medicare Set-Aside Consultant Certified (2007) #0522
 Certified Ergonomic Assessment Specialist (2004)
 Certified Ergonomic Assessment Specialist Level II (2006)
 Certified Brain Injury Specialist (2014) #13822

Professional Experience

Registered Nurse: Graduated with honors. Began practicing at the bedside in a Med-Surg unit. Trained as charge nurse for the unit. Experience in a long-term, ventilator dependent, step-down unit. Nurse Manager for neurodiagnostic center and trained in electrodiagnostic studies. Office manager for large multi-specialty orthopedic group. Neuromuscular sales representative responsible for holding clinic fitting appointments in neurology and pain management clinics. Designated nurse trainer with a national medical case management firm. Currently practicing community care nursing to include medical and catastrophic case management, special needs trust case management, as well as Life Care Planning, Medicare Set Aside allocations, community health education, and Legal Nurse Consulting.

Certified Medical Case Manager: Case manager since 2002; certified since 2004. Community care duties include coordinating resources and creating flexible, cost-effective options for catastrophically or chronically ill or injured individuals on a case-by-case basis to facilitate quality, individualized treatment goals. Facilitate communication and coordination among all members of the health care team to minimize fragmentation of the health care delivery system. Provide liaison services for the individual and the providers, as well as the community. Encourage appropriate use of medical facilities and services, improve quality of care, independent function, and maintain cost effectiveness while preventing complications and secondary conditions. Experienced in workers compensation case management, catastrophic case management, special needs trust case management, as well as private care management.

Legal Nurse Consultant Certified: Began practicing in this role in 2002; certified since 2007. Utilize current nursing skills, knowledge, education, and expertise to screen cases for merit or perform comprehensive review of medical records, research Standards of Care, locate expert witnesses, create demonstrative evidence for the courtroom and present written and oral opinions. Completed Core Curriculum for Legal Nurse Consulting sanctioned by the American Association of Legal Nurse Consultants (AALNC) and received specialty certification in 2007. Experienced with both plaintiff and defense work in medical malpractice, personal injury, toxic tort, family law, and workers compensation cases.

Certified Nurse Life Care Planner: Develop lifelong care plans, utilizing nursing diagnoses and the nursing process, for those with catastrophic injury or illness. The plans outline medical and non-medical needs and the costs associated with care, which is often documented in medical malpractice and personal injury cases as well as many workers compensation cases. The plan not only outlines costs used in

determination of damages, but it also acts as a plan of care and budget tool for the injured party over their lifetime. Utilizing an abbreviated form of the plan, I provide medical cost projections for claims when requested; often used when setting insurance reserves or preparing for mediation. The plans have been used to assist trust companies in structuring settlement funds to best serve the trustee's longterm needs. Certification received in 2007 from Nurse Life Care Planner Cert Board. Also received certification from the International Commission on Health Care Certification (ICHCC) as a Certified Life Care Planner in 2009.

Certified Medicare Set-Aside Consultant: Certification requires knowledge in the complex area of Medicare Set Aside allocations as it relates primarily to protecting Medicare's interest in accordance with Section 111 of the Medicare as Secondary Payer Act. Requires knowledge of Medicare guidelines, coding, cost analysis, and research. Services are provided for both workers compensation and liability cases. Obtained certification from the International Commission on Health Care Certification in 2007.

Certified Ergonomic Assessment Specialist: OSHA-compliant ergonomics analysis for industrial & office jobs. Completed an additional advanced level certification for enhanced skills in ergonomics job assessment with use of evaluation tools, techniques for cost effective solutions, compiling client reports and developing proposals as well as the impact of ergonomics on the aging workforce. Obtained Level I certification in 2004 and Level II certification in 2006.

Certified Brain Injury Specialist: Demonstrates expertise in working in brain injury services and was obtained in 2014 by training and exam with continuing education requirements of 8 hours per year specifically within brain injury. This certification demonstrates that the holder provides improved quality of care for persons with brain injury.

Education

- **University of Florida**, Risk Management Course, 80 hours 2012-2013
- **University of Florida**, Forensic Science for Nurses Course, 80 hours 2012-2013
- **Chamberlain College of Nursing**, course work toward BSN
- **Kelync**, Salt Lake City, UT, Nurse Life Care Planning certificate, 66.9 hours 2007
- **Kelync**, Salt Lake City, UT, Medicare Set Aside certificate, 30 hours 2007
- **LNI Institute**, Tampa, FL, Advanced Legal Nurse Consulting certificate, 50.4 hours, 2006
- **Back School of Atlanta**, Atlanta, GA, Certification in Ergonomic Assessment, 2004 and Advanced certification in 2006
- **Baptist School of Nursing**, Little Rock, AR, Nursing Diploma 1994
- **Henderson State University**, Arkadelphia, AR, Nursing, Undergraduate Studies, 1991-1993
- **University of Arkansas at Little Rock**, Little Rock, AR, Business Administration Undergraduate Studies, 1985-1986
- **Benton High School**, Benton, AR, Graduate Diploma, 1985

Employment History

2005–present *VP Medical Consulting, LLC (Benton, AR)*

Consultant

- Legal Nurse Consulting; plaintiff and defense work
- Nurse Life Care Planning; plaintiff and defense
- Case Management-WC, Special Needs Trusts, Pre/Post litigation

March 5, 2024

- Ergonomic Assessments for industrial and office positions
- Private Care Management and patient advocacy supervision
- Medicare Set-Aside Consultant
- In Home Fall Assessments
- Long Term Disability Assessments
- Community Health Education
- Bill Review consultant

2013–present *Remington Enterprises, LLC DBA Remington Publishing (Benton, AR)*

Owner/Author/Editor

- Publishing company providing tools and resources for healthcare and medical legal professionals to inspire, educate, and empower readers to reach their practice goals
- Collaborative book publishing and editing services for the legal nurse or life care planner or associated professional organizations

2002–2005 *GENEX Services, Inc. (Oklahoma City, OK)*

Medical Case Manager

- Work related injuries
- Catastrophic cases
- Long Term Disability
- Trainer for Arkansas staff case managers

2000–2002 *RS Medical, Inc. (Vancouver, WA)*

Sales Representative

- Neuro-muscular stimulator sales
- In clinic patient fittings and physician education

2000-2000 *St. Joseph's Regional Health Center (Hot Springs, AR)*

Registered Nurse

- Step-down unit for ventilator dependent patients
- Long term illness unit

1999-2000 *Arkansas Specialty Orthopedics (Little Rock, AR)*

Care Center Manager

- Managed 8 physicians and 36 employees spread over 9 locations
- Worked with case managers to obtain and coordinate patient care
- Responsible for billing practices of the clinic, supervised certified coders and collectors
- Participated in educational and community projects such as Arthritis Foundation Jingle Bell Run and Susan B. Komen Race for the Cure

1995-1999 *Arkansas Neurodiagnostic Ctr. (Little Rock, AR)*

Registered Nurse / Office Manager

- Managed two physicians and 8 staff in three locations
- Neurodiagnostic technician (EMG/NCVS)

March 5, 2024

- Physician hospital rounds
- Patient education
- Research coordinator for pharmaceutical drug studies
- Records and employee management
- Accounts payable/receivable clerk
- Area of focus-general neurology, movement disorders, neurodiagnostic testing, head injury, peripheral neuropathy

1992-1995 *Saline Memorial Hospital (Benton, AR)*

Registered Nurse (1994-1995)

- Med-Surg staff nurse
- Primarily Cardiac and Respiratory patients
- Unit Charge Nurse

Patient Care Technician/Aide (1992-1994)

Special Interests

- Amputation injury
- Special Needs Trust Case Management
- Orthopedic multi-trauma or neurologic injury
- Head injury/traumatic or acquired

Professional Affiliations

- American Association of Nurse Life Care Planners (AANLCP) (2007-present)
 - Executive Board Member (2014-2016)
 - Student Track liaison (2015-2017)
 - Lifeline Mentor (2016-present)
 - Research Committee (2021-present)
 - Marketing liaison to AANLCP Executive Board (2013-2015)
 - Journal committee member (2011-2014)
 - Editorial board member (2009-2011)
 - Journal Peer Reviewer (2009-2014)
 - Conference committee member (2009-2011)
 - Marketing committee chairperson (2009-2012)
 - Conference committee chairperson (2020-2021)
- International Association of Rehab Professionals (IARP) (2009-present)
 - International Academy of Life Care Planners (IALCP)
 - Rehabilitation and Disability Case Management
- Member of International Society for Prosthetics and Orthotics (ISPO) N°11509 (2016-present)
- Member of Amputee Coalition (2008-present)
 - Upper Limb Advisory Council (ULAC) (2018-2020 absorbed by SciMAC)
 - Scientific & Medical Advisory Council (SciMAC) (2020-present)
 - First Steps Task Force (December 2019-April 2020)
- American Academy of Orthotics and Prosthetics (2017-present)
- Member American Congress of Rehabilitation Medicine (2020-2021)
 - Limb Restoration Rehabilitation Networking Group (LRRNG)
- Enhancing Skills for Life -nonprofit focused on education, programs, resources and connections for individuals living without both arms or more.
 - Board of Directors (2023-present)

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- Refined Athletics-nonprofit adaptive fitness program for the disabled
 - Board of Directors (2019-2020)
- American Academy of Physician Life Care Planners (2016-2017)
- West Virginia/Upper Ohio Valley Chapter of AALNC (2017-present)
- Association of Rehab Nurses (ARN) (2013-2015)
- National Nurses in Business Association (NNBA) (2009-present)
 - Lifetime member as Hall of Fame recipient
- American Association of Legal Nurse Consultants (AALNC) (2007-present)
 - Previously served as President of the Arkansas Chapter of AALNC
 - Arkansas Chapter failed to renew its charter
- Case Management Society of America (CMSA) (2003-present)
- Member of the Little Rock Chapter of CMSA (2003-present)
- Past Member of the Juris Educational Resource Knowledge for LNCs
- Past Member of the National Alliance of Medicare Set Aside Professionals (NAMSAP)
- Past member of the Academy of Legal Medicine (ACLM) (2015-2016)
- Past member of the American Amputee Foundation (now defunct)
- Past member of Academy of Certified Case Managers (ACCM)
- Past member of American Association of Neuroscience Nurses (AANN)
- Past member of National Association of Physician Nurses (NAPN)
- Past member of the American Association of Electrodiagnostic Technicians (AAET)

Honors and Awards

- Honor Graduate from Baptist School of Nursing
- Visionary Award from AANLCP 2017 “For outstanding vision, dedication, and commitment to excellence”
- NNBA Lifetime Hall of Fame Recipient in 2011
“For contribution of the greatest value to the promotion, support and education of nurses in business; a tribute for the difference made in the lives of like-minded nurses and all humanity”
- Journal of Legal Nurse Consultant Award 2017-Honorable Mention for article “Niche Marketing Concepts for the LNC” Volume 28, No. 1, Spring 2017
- AANLCP Distinguished Service Award 2020 “for outstanding support through significant contributions made to the American Association of Nurse Life Care Planners”

Professional Education for the past 12 months

March 1, 2023-March 4, 2023

AAOP Annual Meeting and Scientific Symposium
Nashville, TN (hours)

March 9, 2023-March 12, 2023

AANLCP Annual Conference
Memphis, TN (17.2 hours/1.0 ethics)

March 23, 2023

Capitalizing on the Continuum
QLI Webinar (1.0 hour)

March 23, 2023

ODG for Work Comp
ODG by MCG webinar (1.0 hour)

March 5, 2024

May 3, 2023

Macroeconomic Trends Influencing the Healthcare and Insurance Industries
HSPO/NSO webinar (1.0 hour)

May 4, 2023

2023 Arkansas Trauma Rehabilitation Symposium
Hybrid conference (6.25 hours)

May 4-7, 2023

Medical & Health Symposium
Ohio Bureau of Workers' Compensation (6.5 hours)

May 10, 2023

Assistive Technology for the person with Brain Injuries
AANLCP Webinar (1.0 hour)

May 31, 2023

Home Modifications to Overcome Stairs
Lifeway Mobility LIVE008 (1.0 hour)

June 15, 2023

Safe Living Solutions
IARP Webinar (1.0 hour)

June 15, 2023

Using Evidence Based Literature to
Support Your Life Care Plan
AANLCP Webinar (1.0 hour)

June 20, 2023

Nutrition and Chronic Pain
UAMS Webinar (1.0 hour)

June 20, 2023

Parkinson's Disease Management
UAMS Learn on Demand webinar (1.0 hour)

June 21, 2023

The Pathway to Well-Being Following Upper Limb Amputation
Hanger Institute Webinar (1.0 hour)

July 28, 2023

Special Needs Trusts for the Rehabilitation Professional
IARP Learns (1.0 hour)

August 2-5, 2023

Amputee Coalition National Conference
Amputee Coalition, Orlando, FL (8 hours)

October 12, 2023

Fall Virtual Conference

March 5, 2024

AANLCP (8 hours)

October 25, 2023

Integrating Diet and Intense Physical Activity into the Recovery Model
OLI Webinar (1.0 hour)

October 11, 2023

AWCC Educational Conference
Arkansas Work Comp Commission, Little Rock (2.0 hours)

November 8, 2023

Resources for the LCP Client with Visual Impairments
AANLCP Webinar (1.0 hour)

November 16, 2023

Vestibular Function and Balance
QLI Webinar (1.0 hour)

December 20, 2023

Impaired Self-Awareness Secondary to Brain Injury
QLI Webinar (1.0 hour)

February 20-22, 2024

The Last Waltz 2024 L&L Conference
Ajijic, Mexico (9.5 hours with 4.25 Ethics hours)

Professional Achievements

Board Involvement

American Association of Nurse Life Care Planners (AANLCP) Executive Board Member

- President Elect (2014)
- President (2015)
- Past President (2016)
- Board representative to the Nursing Organizations Alliance (2014-2016)
- Board representative to the National Quality Forum (2015-2016)

Refined Athletics-nonprofit for adaptive fitness for the disabled

- Board of Directors (2019-2020)

Enhancing Skills for Life

- Board of Directors (2023-present)
- Strategic Planning Committee (2024-present)

Contributing Faculty Member

University of Florida Forensic Science for Nurses program: <http://fsn.dce.ufl.edu/instructors.shtml>
Capital Law University Life Care Planning Program <https://law.capital.edu/LifeCarePlannerProgram/>

Author

Kinney, S., Powell, V. (expected publication Spring 2024). Amputation Chapter. A Core Curriculum for Nurse Life Care Planning. AANLCP.

Powell, V. (2023). *LNC Professional Practice Course: Module 15: Workers' Compensation Case Evaluation*. American Association of Legal Nurse Consultants.

March 5, 2024

- Powell, V. (editor/author). *Nurses Chart a New Course, Navigating the Way to Nurse Life Care Planning*. May 2023. Remington Publishing, Benton, AR. Editor. Author.
- Hoffman, D., Powell, V. (2020). *How to Build and Communicate with your Healthcare Team*. In Motion Living Well with Limb Loss and Limb Difference. Volume 30, Issue 6. November/December 2020 issue. Amputee Coalition. Knoxville, TN.
- Powell, V. (2020). *Prosthetic Components & Design*. The Journal of Nurse Life Care Planning. Spring 2020, vol. 20, no 2. American Association of Nurse Life Care Planners.
- Powell, V., et al. (March 2020). *First Step; A Resource for Adapting to Limb Loss*. 2020 Edition, Volume 8. Amputee Coalition. Knoxville, TN.
- Powell, V. (2020). Chapter 15. *Workers' Compensation Case Evaluation*. Legal Nurse Consulting: Principles & Practice 4th Edition. Routledge. Taylor & Francis. New York, NY.
- Howland, W., Husted, L., Latham, S., Powell, V., Schofield, J. (2017). *Rebutting Motions to Strike or Limit Nurse Life Care Planning Testimony: Qualifying under Daubert or Frye*. Journal of Legal Nurse Consulting. Fall 2017, vol. 28, no. 3, pgs. 39-46.
- Wan, Stormy G. (2017) *Round Table: LNCs talk about their niche roles*. (Contributor). Journal of Legal Nurse Consultants. Spring 2017.
- Powell, Victoria. (2017) *Niche Marketing Concepts for the LNC*. (Author). Journal of Legal Nurse Consultants. Spring 2017. Honorable Mention for journal article of the year 2018.
- Powell, V. (2016-2018) AANLCP Student Track. Educational blog posts (primary author).
- Czarnik, B., Dickson, L., Godlove-Morris, J., et al. (2016). *Nurse Life Care Planning Scope and Standards of Practice*. American Association of Nurse Life Care Planners. Salt Lake City, UT. January 28, 2016.
- Bullen, D. (2016) *Switching Gears: Nurses find fulfillment in jobs outside traditional settings*. (Contributor) ADVANCE for Nurses.
- Powell, V. (2015). *Samples for Success: Life Care Plans from Practicing Life Care Planners*. Remington Publishing, Benton, AR. Editor. Author.
- Minding Your Business*. (2012-2013). American Association of Nurse Life Care Planners Newsletter. Regular feature published bimonthly. Members only publication.
- Powell, V. (2013). Qualifying as an Expert Witness. *Journal of Nurse Life Care Planning*, XIII (3). Fall 2013.
- Powell, V. (2012). The Medical-Legal News. Richmond, VA. Published bi-monthly. (contributing author).
- Profiles in Case Management*. (2012). (contributing author). Published August 2012 by The Healthcare Intelligence Network.
- Powell, V. (2012). Cochlear implants: Interview with Two Families. *Journal of Nurse Life Care Planning*, XII (2). Summer 2012.

- Iyer, P., Adams, A. (2012). *The Path to Legal Nurse Consulting: The Collective Wisdom of Successful Legal Nurse Consultants*. (contributing author/reviewer). Published March 2012.
- Powell, V. (2011). Technology for the Visually Impaired. *Journal of Nurse Life Care Planning*, XI (2) Pages 408-411, Retrieved from <http://www.aanlcp.org/resources/journal-archives.htm>
- Scala, E. (2011). *Learning through Experience: An Inspirational Resource Booklet of Professional Interviews*, Volume III. (Contributing author/nurse expert). Published February 2012.
- Powell, V. (2011). Smartphones as Adaptive Technology for the Disabled. *Journal of Nurse Life Care Planning*, XI (1) Pages 329-343, Retrieved from <http://www.aanlcp.org/resources/journal-archives.htm>
- Yudkoff, M., Dayanim, A., & Powell, V. (2011). Life Care Planning. P. Iyer, B. Levin, K. Ashton, V. Powell (Ed.), *Nursing Malpractice: Foundations of Nursing Malpractice Claims* (pp. 319-329). Tucson, AZ: Lawyers and Judges.
- Powell, V. (2011). *Nursing Malpractice: Foundations of Nursing Malpractice Claims*. Fourth Edition. (editor) ISBN-978-1-933264-94-3. Copyright May 1, 2011.
- Powell, V. (2011). *Nursing Malpractice: Roots of Nursing Malpractice*. Fourth Edition. (editor) ISBN 978-1-933264-96-7. Copyright May 1, 2011.
- Powell, V. (2010). Smartphone Comparison for the NLCP. *Journal of Nurse Life Care Planning*, X (4) Pages 294-305. Retrieved from <http://www.aanlcp.org/resources/journal-archives.htm>
- Powell, V. (2010). *Nurse's On the Run. Why They Come, Why They Stay*. (contributing author). Pg. 87 "My Heart Sings." ISBN: 978-160844-336-9. Published by Dog Ear Publishing; February 2010.
- Powell, V. (2009, Dec 10). *A Nurse Provides Tips for Interviewing the Disabled Person*. [Web log message]. Retrieved from <http://blog.reduceyourworkerscomp.com/2009/12/a-nurse-provides-tips-for-interviewing-the-disabled-person/>
- Powell, V. (2009, Dec 9). *Physical Ability is Major Consideration of Our Aging Workforce*. [Web log message]. Retrieved from <http://blog.reduceyourworkerscomp.com/2009/12/physical-ability-is-major-consideration-of-our-aging-workforce/>
- Powell, V. (2009). *Social Media and its use by the Nurse Life Care Planner in Marketing and Research*. (E-book author) Published October 2009.
- Powell, V. (2009). Keeping Current in Orthotics and Prosthetics: A resource for life care planners. *Journal of Nurse Life Care Planning*, IX (4) Part I, Retrieved from <http://www.aanlcp.org/resources/journal-archives.htm>
- Powell, V. (2009). Partial hand amputation: a case study. *Journal of Nurse Life Care Planning*, IX (4) Part II, Retrieved from <http://www.aanlcp.org/resources/journal-archives.htm>.
- Powell, V. (2009). Amputation resources and glossary. *Journal of Nurse Life Care Planning*, IX (4) Part III, Retrieved from <http://www.aanlcp.org/resources/journal-archives.htm>

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Powell, V. (2009, September 30). *Seven Qualities You Must Have in Your Nurse Case Manager, An Insider's Perspective*. [Web log message]. Retrieved from <http://blog.reduceyourworkerscomp.com/2009/09/seven-qualities-you-must-have-in-your-nurse-case-manager-by-a-nurse-case-manager/>

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Powell, V. (2009, September 28). *22 Reasons to Refer a Claim to Nurse Case Management for Controlling Work Comp Costs*. [Web log message]. Retrieved from <http://blog.reduceyourworkerscomp.com/2009/09/22-reasons-to-refer-a-claim-to-nurse-case-management-for-controlling-work-comp-cost-control/>

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Presentations

Holakiewicz, L., Powell, V. (Scheduled for Feb 2024) Special considerations in amputation related cases. The 11th Annual L&L Workshop. Ajijic, Jalisco, Mexico.

March 5, 2024

- Powell, V. (2023). Catastrophic Catastrophe and How to Avoid It. AWCC Annual Conference, Little Rock, AR. October 18, 2023
- Powell, V. (2023). Aging after Limb Loss. Amputee Coalition National Conference. August 2, 2023.
- Powell, V. (2023). Take Back Your Power; You are Your Own Expert. Amputee Coalition National Conference. August 3, 2023.
- Powell, V. (2022). *Preventing Falls to Live Your Best Life*. Lunch Bunch Seniors. St. James UMC, Little Rock, AR. October 15, 2022.
- Powell, V. (2022). *Work-Related Amputation Care Coordination Considerations*. CCMC Virtual Conference. October 11, 2022.
- Powell, V. (2022). *Smart Home Adaptations and Modifications for Upper Limb Loss*. Skills For Life Conference. Houston, TX. October 5, 2022.
- Powell, V. (2022). *Medical Negligence Issues Leading to Limb Loss*. West Virginia Ohio Valley LNC Chapter. Scheduled for September 22, 2022.
- Powell, V. (2022). *Take Back Your Power; You are Your Own Expert*. Amputee Coalition National Conference. Scheduled for August 12, 2022.
- Clarence, M., Holakiewicz, L., Powell, V., Schwieger, S. (2021). *The Nurse Life Care Planner Conducts a Home Assessment: A Panel Presentation*. American Association of Nurse Life Care Planners Annual Conference. May 20, 2021.
- Clarence, M., Powell, V., Schofield, J., Schwieger, S. (2021). *The Nurse Life Care Report*. American Association of Nurse Life Care Planners Annual Conference. May 20, 2021.
- Hoffman, D., Powell, V. (2020). *Prepared, Proactive, and (almost) Pushy; Learning to build and communicate with your healthcare team to reach your potential*. Amputee Coalition National Conference. Virtual Interactive Conference Offering. August 22, 2020.
- Brueckner, I., Powell, V. (2020). *Setting up Your Home for Success Now and Later*. Amputee Coalition National Conference. Virtual Interactive Conference Offering. August 22, 2020.
- Hoffman, D., Powell, V., et al. (2020). *Quick Fire Session*. Amputee Coalition National Conference. Virtual Interactive Conference Offering. August 22, 2020.
- Latham, S., Powell, V., Robert, E., et al. (2020). *Testimony Preparation for the Advanced Life Care Planner*. AANLCP Annual Conference. San Diego, CA. March 5, 2020.
- Powell, V. (2020). *Medical Cost Projections; A Tool for Negotiation*. Saline County Bar Association. February 28, 2020.
- Powell, V. (2020). *35 Years of Wisdom from the Trenches*. West Virginia Ohio Valley Chapter of AALNC. Webinar. January 22, 2020.
- Powell, V. (2019). *Is this Real Life? Targeted Muscle Reinnervation; A Case Study*. Arkansas Workers' Compensation Commission Annual Conference. November 7, 2019. Little Rock, AR.

Powell, V. (2019). *Navigating the Medical Maze*. Amputee Coalition National Conference. July 27, 2019. San Antonio, TX.

Powell, V. (2019). *Protecting Life (and Remaining Limbs)*. Amputee Coalition National Conference. July 27, 2019. San Antonio, TX.

James, K., Powell, V. (2019). *Intro to Adaptive Fitness*. Amputee Coalition National Conference. July 26, 2019. San Antonio, TX.

Powell, V. (2019). *Targeted Muscle Reinnervation: A Case Study*. AANCLP Annual Conference. March 23, 2019. Las Vegas, NV.

Giles, S., Latham, S., Powell, V., et al. (2019). *Motions to Suppress*. The 10th Annual Leisure & Learn Workshop. February 23, 2019. Ajijic, Jalisco, Mexico.

Cornetto, A., Powell, V. Schofield, J. (2019). *Building a Successful Life Care Planning Practice*. The 10th Annual Leisure & Learn Workshop. February 23, 2019. Ajijic, Jalisco, Mexico.

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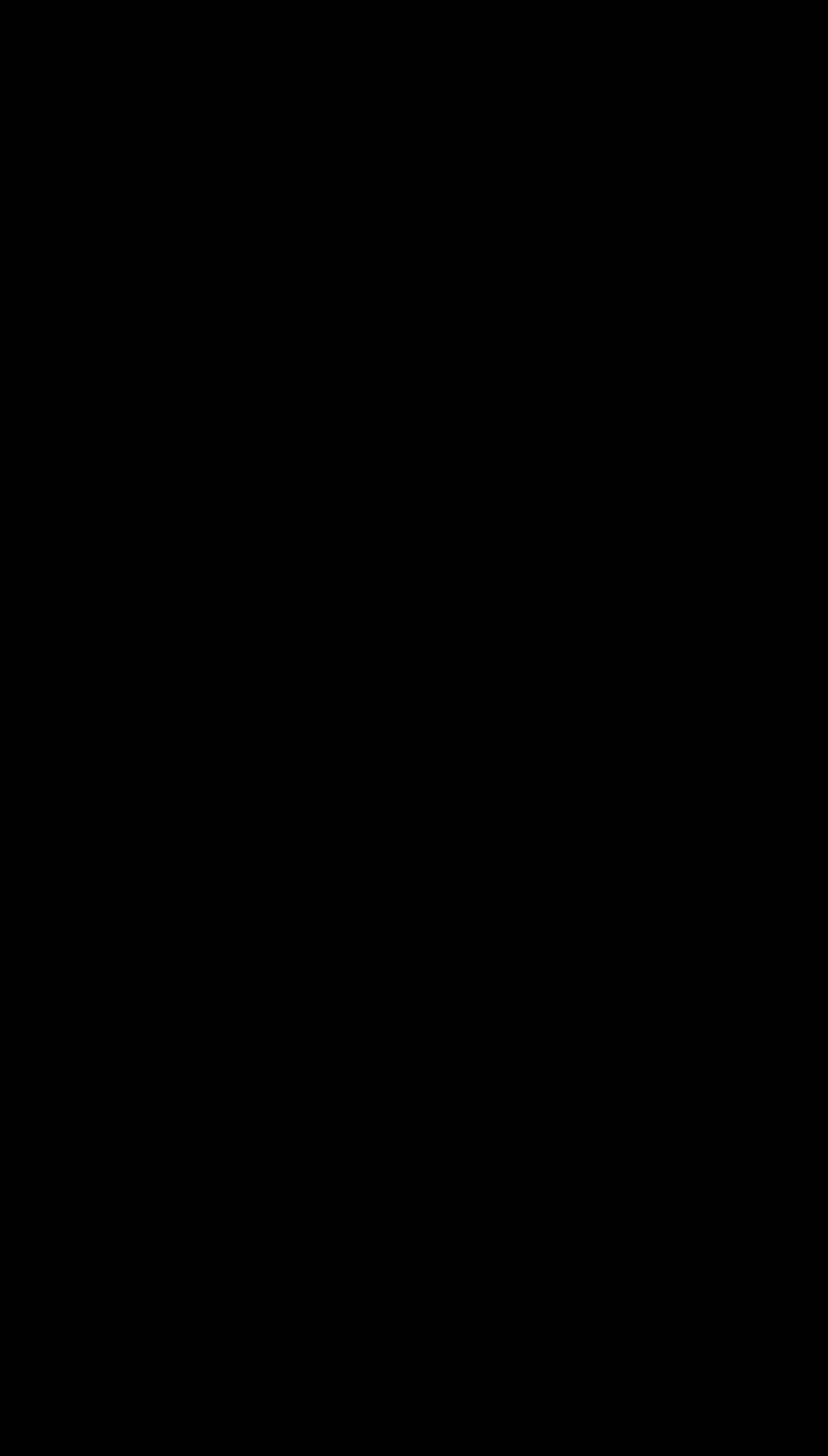
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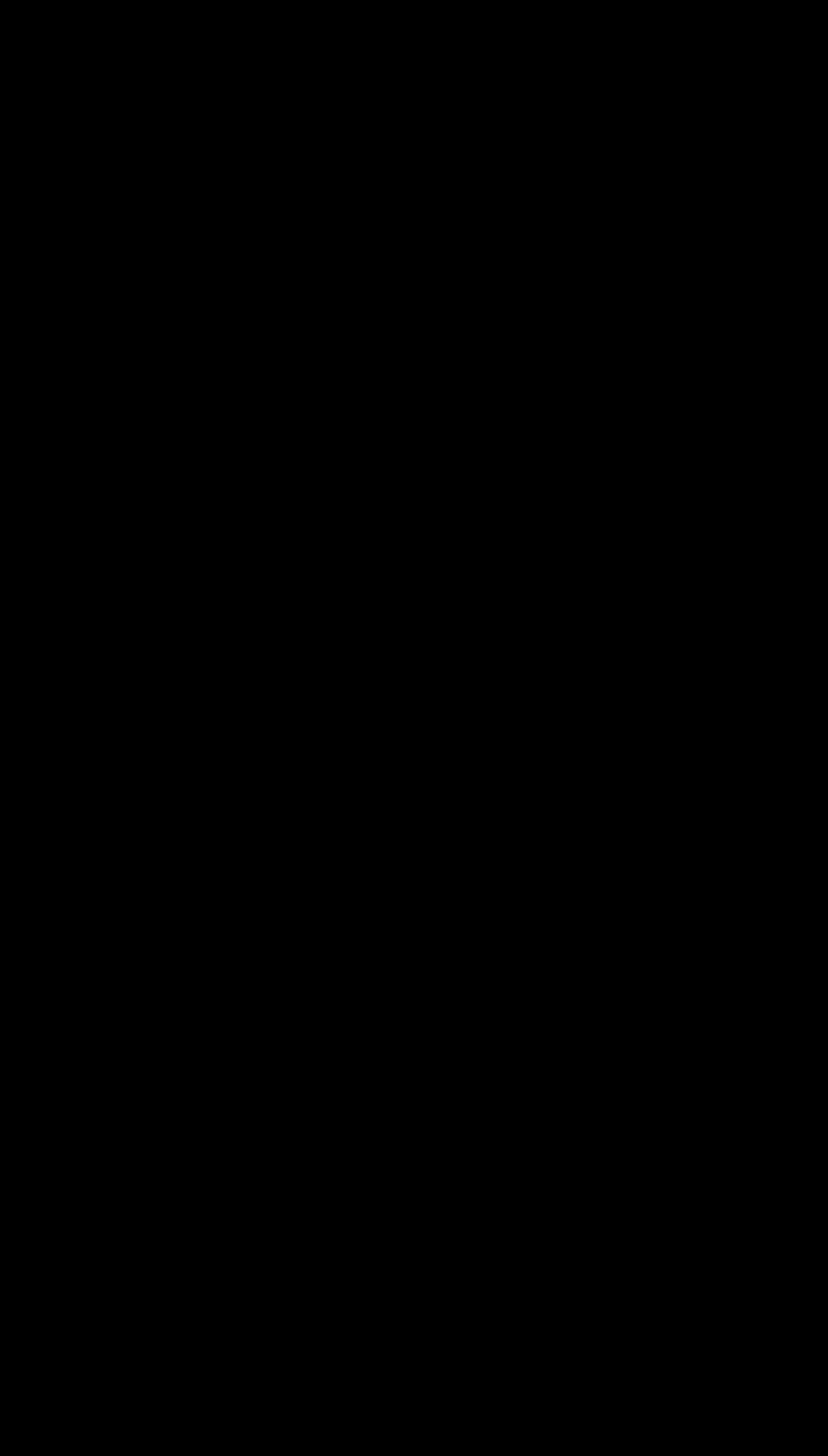
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March 5, 2024





BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

STERLING D. DODSON

CLAIMANT

V

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

VIDEO DEPOSITION OF
DR. JOHN PEMBERTON

Little Rock, Arkansas
May 1, 2024, at 2:43 p.m.

CRIS M. BRASUELL, CCR
ArkansasCourtReporter.com

A P P E A R A N C E S

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VIDEOGRAPHER: CHRIS FOREMAN

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1 P R O C E E D I N G S

2 VIDEOGRAPHER: Good afternoon. I'm Chris
3 Foreman representing the Arkansas Realtime
4 Reporting and I'll be your videographer today.

5 Today's date is May 1st, 2024. The time
6 is now three -- 2:43 p.m. The deposition is
7 taking place at the Jones Eye Institute, sixth
8 floor conference room, Little Rock, Arkansas.

9 Claim Number 240185, before the State
10 Claims Commission of the State of Arkansas,
11 Sterling D. Dodson versus the Arkansas
12 Department of Transportation.

13 The deponent is Dr. John Pemberton. Our
14 court reporter is Cris Brasuell.

15 If counsel will introduce themselves, then
16 the witness will be sworn.

17 MR. JACKSON: Jim Jackson, attorney for
18 the claimant.

19 MS. ANDREWS: Amanda Andrews, staff
20 attorney with the Arkansas Department of
21 Transportation.

22 (WHEREUPON, Dr. John Pemberton was duly
23 sworn to tell the truth, the whole truth, and
24 nothing but the truth and gave the following
25 testimony to wit.)

CRIS M. BRASUELL, CCR
ArkansasCourtReporter.com

DIRECT EXAMINATION

BY MR. JACKSON:

Q Dr. Pemberton, introduce yourself to the members of the Claims Commission.

A I'm Dr. John Pemberton, an ocular plastic surgeon and ophthalmologist here at the Jones Eye Institute. Been here about 14 years. And I'm on faculty as well as a full professor here now.

Q And what type of patients population do you generally see?

A The gamut can run anywhere from general ophthalmology all the way to full trauma. Periorbital trauma's pretty much my specialty.

Orbital fractures, eyelid lacerations, trauma to the eye. There's other stuff, but it mostly covers anything around the eye and some things in the eye.

Q How did Sterling Dodson come to be a patient of yours?

A He was referred to me after he had initiated a -- initially had a trauma on July 11 in which he was brought

[REDACTED]

1 [REDACTED]
2 I don't have the documents. I've read them, but I
3 didn't -- wasn't there present for the [REDACTED] And that
4 [REDACTED]
5 [REDACTED] [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED] [REDACTED]
12 [REDACTED]
13 Q There was a what?
14 A [REDACTED]
15 Q Okay.
16 A [REDACTED]
17 [REDACTED]
18 [REDACTED] [REDACTED]
19 [REDACTED]
20 Q [REDACTED]
21 A [REDACTED]
22 Q Okay.
23 A [REDACTED]
24 [REDACTED] [REDACTED]
25 [REDACTED]

1 Most fractures aren't repaired. They're usually
2 healed in four weeks.

3 And that's about all I had with him. [REDACTED]

4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 Q What was his condition as far as his level of pain
11 at that time?

12 A Typical --

13 Q Do you --

14 A -- of what you'd see in the one week after. Pretty
15 moderate, you know, mild to moderate pain.

16 [REDACTED]

17 [REDACTED] [REDACTED]

18 [REDACTED] [REDACTED]

19 [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED]

22 [REDACTED] [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED]

25 That's when I determined it looks like we could

1 probably do a prosthesis. [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 Typically, I would like to wait three months after
5 any kind of surgery; because, if you fit a prosthesis too
6 soon, it'll be too small. You fit it properly at three
7 months, you end up getting a proper fit.

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 Q And is that [REDACTED]

12 A [REDACTED]

13 Q [REDACTED]

14 A Uh-huh.

15 Q Okay. And do -- I want to hand you what we'll mark
16 as Exhibits 1 through, I believe, 6. It's a series of
17 photographs --

18 A Oops.

19 Q -- that I pulled from the UAMS chart.

20 (WHEREUPON, the documents were marked for
21 identification as Exhibits 1-6 and are attached
22 hereto.)

23 BY MR. JACKSON:

24 Q Those --

25 A Okay.

1 Q Can you tell us what those photos depict?
2 A Yeah. So this first photo is of the left eye. And
3 it is a July 11, which was the [REDACTED]
4 [REDACTED]
5 Q Yes.
6 A [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED] [REDACTED] [REDACTED]
10 [REDACTED]
11 [REDACTED] [REDACTED]
12 [REDACTED] [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED] [REDACTED]
16 [REDACTED] [REDACTED]
17 [REDACTED] [REDACTED]
18 [REDACTED]
19 Q [REDACTED] [REDACTED]
20 A [REDACTED]
21 Q Okay.
22 A Like the earth is round, the eye's typically round.
23 [REDACTED]
24 [REDACTED]
25 That's that picture. It looks like that's the

1 [REDACTED] [REDACTED]
2 [REDACTED]
3 Next one looks very similar. Almost the same thing,
4 unless it -- it may be the same.
5 [REDACTED] [REDACTED]
6 [REDACTED]
7 [REDACTED] [REDACTED]
8 [REDACTED]
9 [REDACTED] [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED] [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED] [REDACTED] [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED] [REDACTED]
23 [REDACTED] [REDACTED]
24 [REDACTED]
25 [REDACTED] [REDACTED]

1 [REDACTED] [REDACTED]

2 [REDACTED] [REDACTED]

3 Q And that's going to be the Exhibit No. 5?

4 A Yeah. So one, two, three, four, five. So --

5 anyway.

6 As far as Exhibit 3 and 4, those look like [REDACTED]

7 [REDACTED]

8 Q Okay.

9 A [REDACTED]

10 [REDACTED]

11 And then this is Exhibit 5. And this is a

12 [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED]

18 Then I saw him in Exhibit 6, I guess.

19 Q Yes.

20 A Six. Saw him on the -- this will probably be the

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]

17 Q Explain to us how the back of his eye works, as far
18 as the muscles, tendons and things, that would make your
19 eye move left or right and up and down.

20 Were those affected by this injury?

21 A Typically, they're not. They -- the muscles, you
22 have six muscles that mobilize the eye. We call -- the
23 four main ones called recti, it means straight muscles.
24 They come from the back of the orbit or the socket all
25 the way to the eyeball and intersect, insert onto the

1 medial and lateral aspects of the eye.

2 And then two more go to the top and the bottom of
3 the eye. And that's what gives you your cardinal
4 directions east, west, north, south movement.

5 And then you have two kinds of oblique ones that
6 help with twisting the eye. When your eye is looking
7 this way, it'll help move the eye down, so it gives you
8 more oblique action.

9 Q And when a patient has a prosthetic in, do those
10 muscles continue to work and operate?

11 A They -- they do. They move. And, in his case, we

12 [REDACTED]
13 [REDACTED]
14 [REDACTED] [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED] [REDACTED]
20 [REDACTED]
21 [REDACTED] [REDACTED]
22 [REDACTED] [REDACTED]
23 [REDACTED]

24 Q What are things that you counsel a patient with
25 that's [REDACTED] and has a sudden eye trauma, total

1 loss of vision?

2 What are things that you counsel them on to expect
3 changes of and be prepared for?

4 A Yeah. Typically, you know, you lose one eye -- in
5 this particular case, [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 So sympathetic ophthalmia is an autoimmune reaction
6 due to trauma in one eye causing autoimmune reactions
7 into the other eye.

8 Q How do you prevent that from occurring if you see it
9 started?

10 A It's so rare, we just don't -- if you ever have eye
11 pain, you come in.

12 Q Okay.

13 A The treatment's very easy. Put them on steroids, it
14 goes away. It used to be a big problem, Civil War, you
15 know, pre-steroid era, that they'd go blind in it. So it
16 used to be a bigger deal.

17 Now, it's more about education. Make sure you go to
18 your annual exams, wear your glasses, be aware if you
19 have eye pain or discomfort, that we should look at it.
20 But it's fairly easy to recognize and treat.

21 But super uncommon in trauma. It's more common in
22 vitrectomies, which is retinal surgery. And they do
23 that, you know, they probably did ten or -- cases this
24 week. And those are more likely to get sympathetic
25 ophthalmia in regular routine cases than they are in

1 trauma.

2 In fact, we really don't think a whole lot about
3 sympathetic ophthalmia trauma. We're just aware of it
4 because it's in the lexicon and our literature.

5 Q Okay. What else do you counsel them on?

6 A I'm trying to think. I mean, those are my top big
7 ones, is [REDACTED]

8 [REDACTED]

9 Q With Mr. Dodson, he is a auto body painter.

10 A Uh-huh.

11 Q Was at the time. And the -- he's testified that the
12 depth perception or lack of depth perception from this
13 has caused him to not be able to paint cars.

14 Would you have --

15 A Yeah.

16 Q -- reason to disagree with him on that?

17 A No, I wouldn't disagree. The -- you know, he was
18 born with two eyes. He learned to visualize the world,
19 which is somewhat learned behavior, having two eyes.

20 They're both coming in at different angles. So our
21 depth perception is typically pretty close up like -- and
22 I'm assuming painting is somewhere in this arm's-length
23 range.

24 So it might take him time to learn how to deal with
25 learned visual cues with one eye. The literature's

1 pretty significant in the sense of how long does it take
2 for someone to go from losing one eye, having stereo
3 vision, losing an eye, taking one eye and being able to,
4 you know, retain or continue to have, you know, work,
5 drive a car, read books, and be able to grab the salt
6 shaker when right now it's a little bit off cue because
7 of the stereo vision. It's typically about a year.

8 Most patients -- not everyone, but most patients
9 tend to learn. Their brain learns how to develop not
10 stereopsis but functional vision.

11 Of course, it's loose and some people don't and they
12 always have some lack of stereop -- they're going to have
13 stereopsis lag, period. Because you need two eyes to
14 have stereopsis.

15 So if the question is, has the lost stereopsis, yes.
16 Can he learn how to acclimate to his job and his career,
17 whether that be painting or driving a car or a cook or
18 whatever, probably can.

19 Whether or not he'll be able to do his job, like
20 military, you can't join, you have to have two eyes and
21 the worst vision 2400. He's got one eye, so he could
22 never join.

23 Surgery, you work with a scope. Well, the scopes
24 require two eyes in order to function to do 3D surgery.
25 So he can't develop 3D images because they come in at

1 different angles.

2 So there's certain things you can't do. I don't
3 know if he could learn to paint cars again. It's going
4 to be something that over the next year that he might
5 learn to do. Or -- I don't know. I can't really give
6 you a hundred percent that he's going to be able to do it
7 or not.

8 Q And what warnings is -- do you give somebody like
9 him who's going to be -- who continues to work in a body
10 shop more as a foreman, but what does he need to be
11 careful with about, in particular, his right eye? His
12 good eye.

13 A Right. His good eye. So definitely protecting his
14 eye.

15 We all focus, you know, initially on this left eye
16 that he lost. But, ultimately, the most important thing
17 we do is taking care of his right eye. And that means
18 ongoing eye care, glasses, education about, you know,
19 returning to your eye appointments. Which that's what I
20 want to see, so --

21 Q Does he -- do patients complain about eyestrain when
22 they're using their good eye after something like this or
23 having strain headaches, et cetera?

24 A Not in my experience. I think initially they're --
25 they have trouble.

1 They might describe I'm having a little trouble when
2 I try to grab a salt shaker because that's what they're
3 doing. Or my -- anything in front of me, my glass of
4 water, that's -- but, like I said, that gets better
5 within a year.

6 Strain, typically not. If you have good glasses on,
7 you're not usually going to get what we call asthenopia,
8 which is this big sense of eye pain due to focus. As
9 long as you're focused, they should do fine with the
10 right, proper eyewear.

11 Q As far as driving, what limitations would somebody
12 have for driving?

13 A Well, the -- as far as I know, the rule for the
14 state to have a driver's license is one eye, 20/40 vision
15 or better. He's at 20/20, if I recall. His last visit
16 with me was 20/20.

17 And his visual field, when you look, it's going to
18 be over 120 degrees, which is essentially just about 40
19 degrees off your nose and 90 degrees off the ear. So
20 that's all you have to have to drive a car.

21 And then he'll learn how to pick up the other
22 remaining degrees to get to about 180 by just a quick
23 shift of the head and then he'll pick up the rest.

24 Q Do you -- and I know all of this is new technology.
25 But, as far as, you know, automobiles, of lane assist and

1 those type of things, would that be something you'd
2 recommend for --

3 A Yes, sir. Anything he can use to help get him --
4 or, you know, increase his safety changing lanes.

5 Because his left side, you know, obviously, we change
6 lanes to the left a lot. And we tend to do this.

7 Well, he's not going to see it. He has to do a
8 little bit more and pick up that other part. Use his
9 rearview, use his technology. So fields are important.

10 Most people develop good -- they learn how to adapt
11 to it quite well. It's just going to take them some time
12 to get used to it because they're used to doing this,
13 which is what I do, and now he's got to do that, which is
14 a little bit more taxing. But they pick it up.

15 Q If he says, that when he's driving, he has to put
16 his right eye forward, just looking ahead, is that
17 something you -- just to keep that field of vision more
18 straight, is that what you would expect?

19 A I'm not sure of that question. He has to keep his
20 eye --

21 Q He says he has to kind of turn his head a little bit
22 while he's driving to keep that, to get his whole full
23 field of vision at --

24 A Oh, he's -- probably what he's doing is picking up
25 that visual field, trying to get that -- you know, right

1 now, it's picking up so much, he's doing that to pick up
2 a little bit more of the -- a lot of our driving is cues
3 of things moving side to side. And that gives us a
4 field.

5 So, when you're like this, he's like -- he's picking
6 up road moving here, road moving there, this gives him
7 more comfort. It's probably just more -- makes him more
8 warm and fuzzy and comfortable with the driving
9 experience he had before he lost his eye.

10 Q What is the difference in depth perception and
11 peripheral vision?

12 A So depth perception is two eyes and being able to
13 pick up a 3D material, like depth.

14 You look at like a washer sitting in front of you.
15 And it might look a little bit flat to him with one eye.
16 And, for someone that has both eyes, they can pick up
17 that depth.

18 But the other part of depth perception is learned,
19 and that's shadows, how light hits things. And so a lot
20 of them pick up -- they see a shadow, they know that's a
21 washer, they're able to process that. Besides what they
22 see, they go, that's a washer, and they go -- and
23 understand the depth of it.

24 So a lot of vision and depth perception is kind of
25 -- it's neat. But, really, most of our vision's learned

1 through experience.

2 Q And peripheral vision --

3 A Oh, yeah.

4 Q -- you touched on it a little bit earlier.

5 A Yeah, peripheral vision is just what you see when
6 you're looking straight ahead, what do you see over here.

7 It's not your fine tune vision. Can't necessarily
8 read something with it but you can see something moving
9 towards you.

10 Q And what about tracking? I saw that word used
11 throughout on some therapy. What is tracking?

12 A Tracking's movement, just how your eye's moving
13 towards targets. So you present a target, either a slow
14 moving target or you can have them look at two targets
15 and say I want you to go from there to there. And so
16 they're able to go to it.

17 And that's usually cerebellar and frontal, how it
18 processes the information. It goes how do you go to
19 there and there and so the cerebellum will tell it to go
20 there and stop and then go to here and stop.

21 Some people blow past it and then come to it. But
22 that's usually more of a brain injury than it is part of
23 an ocular injury.

24 Q What is your experience as far as anxiety with loss
25 of one eye, worry about the other eye?

1 Is that something that you touch on with your
2 patients?

3 A Well, I don't really notice that. I -- I don't have
4 a lot of experience with the, I guess, the psychological
5 aspects of it for them, other than what I've read in
6 literature. And that is most of them do fine after a
7 year.

8 And they go back to saying I feel like I have both
9 eyes. Even though they've lost the eye, they -- their
10 sensation, their feeling in the world is that they
11 develop a comfortability that they can see with both
12 eyes.

13 Is your brain doesn't -- it's not like you feel like
14 you've lost the eye. You know you lost the eye. But you
15 feel like you have both. The -- if something's coming
16 this way, you still feel like it's on the left and you
17 can see it from your left eye.

18 Like they haven't lost vision, technically. The
19 vision still exists in their brain. What they've lost is
20 the ability to take in new images from the left eye.

21 But the -- everything's picked up into the right.
22 And then the images go to the brain and it processes the
23 information as if he has two eyes.

24 Q Where -- what issues will he have with the
25 prosthetic? Or is that something that he'll follow up

1 with Michael with? Or will you see him with that on --

2 A Yeah.

3 Q -- that --

4 A He'll either see an ophthalmologist, you know, once
5 a year; one for an eye exam, the other to look at the
6 socket.

7 The socket is when you take the eye out, what's
8 underneath the prosthesis. How does the tissue look, the
9 conjunctiva, how's the lids, how's the pockets that it
10 sits in.

11 Because it's natural tissue that could -- you know,
12 you got to make sure it's healthy. You've got to make
13 sure the eye has not got an infection, there's no cancer.
14 Because you can get -- still get tissue cancer because
15 there's -- his tissue's there. It's not fake. So, once
16 a year, he's got to have that checked.

17 Of course, Mike sees the patient typically for
18 prosthetic every six months. And he does a cleaning of
19 the prosthesis to take off the calcium deposits. If he
20 sees something unusual, he'll send me an e-mail or call
21 and I'll see the patient sooner.

22 Q And how often will he need to follow up with you?

23 A Typically, we see patients once a year. Yeah.

24 Q And that's different from the ophthalmology visit;
25 is that correct?

1 A For me, it duals as both. I mean, it could very
2 well be that he sees an ophthalmologist locally and then
3 I see him once a year just for a socket check and, you
4 know, a fit.

5 If I don't like the way it's fitting or it's not
6 holding the prosthesis, the lower lid's getting loose and
7 he leans over and the prosthesis falls out easily, I'll
8 do a socket repair. That could be tightening the lid,
9 which is pretty common.

10 Or we do an upper eyelid tightening because the
11 prosthesis sits in there for five, ten -- you know, for
12 life. And it can change. The tissue expands and so
13 we'll shorten the tissue up.

14 Those are all relatively pretty easy surgeries to
15 do. Thirty minutes, so --

16 Q Oh, outpatient?

17 A Yeah. [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 Typically, every five years, we're looking at a new
23 prosthesis because it -- they just wear out. And you
24 start getting bio film and bacteria on it and they can't
25 clean it anymore. So about five to six years, get a new

1 prosthesi s.

2 As far as eyelid repairs, I'd be guessing, but
3 probably once every ten years, maybe we're doing
4 something to the lid to help hold that prosthesis in
5 place.

6 Q And that's a regular procedure and it could be done
7 here at the Jones Eye Institute?

8 A Yep. I do them a lot, yeah.

9 Q Okay.

10 A But, the cost, I don't know.

11 Q Right.

12 A I would assume probably a couple thousand dollars
13 for each of those surgeries, you know.

14 Q I want to hand you what we'll mark as Exhibit 7,
15 your record.

16 (WHEREUPON, the document was marked for
17 identification as Exhibit No. 7 and is attached
18 hereto.)

19 BY MR. JACKSON:

20 Q Will you identify -- and that's what your telephone
21 was on. We'll mark that as Exhibit 7.

22 A Okay.

23 Q Does that appear to be your records from your eye
24 clinic here at [REDACTED]?

25 A Uh-huh. It has my name on it so far, but -- that's

1 not my photo.

2 These are all from the resident and [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] I don't seem to remember who this is.

5 These are all kind of the other doctors up until
6 here, the 17th. This will be me. So that looks like my
7 note so far. The discharge, HPI.

8 Q And, on the bottom right, there's a page, I think
9 starting at Page 25, would that be --

10 A These are actually my photos. These are post op.
11 So Exhibit, was it, 4, 5 and 6 --

12 Q Yes.

13 A -- looks like a -- this is post op. Must be because
14 it was post op.

15 I didn't see the date on it, but that's probably my
16 hand, because he's in my clinic, because it's on the 17th
17 still.

18 Yeah. So, anyways, that was a post-op photo.

19 And what was your question, sir?

20 Q So does Exhibit 7 have your clinic notes and clinic
21 records along with a couple of photos from --

22 A Yeah. So --

23 Q -- U -- from [REDACTED]

24 A So far it does. I mean, I recognize that note.

25 This is like a duplicate of the same note, 20/20

1 vision, NLP, that's my note. That's after visit summary.
2 That's the go -- goes to the patient. It's all the same
3 note.

4 So these are separated by date?

5 Q By date.

6 A Okay.

7 Q A sheet of paper is going to separate the dates.

8 A Okay. I was like, man, that's a lot of notes.

9 Yeah, that's me. [REDACTED]

10 Q Oh, were --

11 A Yeah. This is all my stuff here.

12 Q What ongoing medications and eyedrops will he need?

13 A [REDACTED] [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]

17 [REDACTED]
18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED] [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 [REDACTED] [REDACTED] [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED] [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 Q Okay.

17 A I mean -- I mean, I shouldn't -- it's not bad. It's

18 just not necessary.

19 Q Right.

20 A In fact, I think, by the time he probably saw me in

21 August or -- when was it. August -- no. August and

22 September. Let's see if we can find that.

23 [REDACTED] [REDACTED] [REDACTED]

24 [REDACTED] [REDACTED]

25 [REDACTED] [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 Q And is the eye, the left eye, any more prone to
9 infections and things --
10 A Left eye.
11 Q -- from infections?
12 A Not this far out. I wouldn't -- that wouldn't be on
13 my radar of higher risk of infection, because that is
14 natural tissue. I'm trying to think.
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 Q So --
11 A Good.
12 Q Dr. Pemberton, I've asked you a series of questions
13 regarding Mr. Dodson's medical care and condition and
14 future.
15 Have all your responses been within a reasonable
16 degree of medical probability?
17 A Yes.
18 Q Okay.
19 MR. JACKSON: Pass the witness.
20 CROSS EXAMINATION
21 BY MS. ANDREWS:
22 Q Dr. Pemberton, before we went on the record, I
23 introduced myself. I'm Amanda Andrews and I'm a staff
24 attorney with the Arkansas Department of Transportation.
25 I'm defending ARDOT in this incident. I have a few just

1 follow-up questions.

2 Specifically, looking at post-op, did -- were there
3 any restrictions that were placed on Mr. Dodson after he
4 was released to go home?

5 A Restrictions?

6 Q Uh-huh. Any restrictions on his day-to-day life or
7 work?

8 A I don't recall us having a discussion particularly
9 on you're restricted. We might have filled out FMLA but
10 I don't have that in front of me, so --

11 Q Was --

12 A Usually they just don't go to work because they're
13 trying to heal within the first month. So, I mean, I
14 might've said -- I usually don't tell them. It's up to
15 them if they can go to work.

16 So I'd say that the only restriction I would have is

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 A lot of times, the job restrictions in my career,
21 as far as military and some -- his job, they have job
22 descriptions that require you to have both eyes to do the
23 job or if you're going, undergoing an injury, you can't
24 come back to work. And that's usually done at the job
25 level.

1 And I can give an opinion, if they give me
2 restrictions, does he meet this criteria. I don't think
3 I was ever presented, what's his criteria to work from a
4 job.

5 A lot of people don't even have that. Like you can
6 work here because you have such and such vision and you
7 can physically lift 50 pounds is usually a job
8 requirement. And it makes it easier for me to go, he
9 meets the criteria because he's got one eye, 20/20; yes,
10 his other eye is injured, so maybe you guys could give
11 him time to recover.

12 But this is all -- I don't have -- recall us ever
13 getting paperwork from the work to tell him what he can
14 or can't do. Because I -- I don't think that's my job,
15 to tell him what he can or can't do.

16 I can say from the post-op, which I didn't do
17 surgery, would be don't do this because you're going to
18 damage my surgery and that's going to mean we're going to
19 have to go back to the OR.

20 But, as far as can he go back to work, the only
21 restriction I would have is, as a professional, is you've

22

23 So I don't have an answer about his restrictions
24 unless there's something that I might have filled out --

25 Q Okay.

1 A -- for him, from what we call FMLA or his job
2 requirement paperwork.

3 Q So any specific post-op restrictions would have been
4 from the operation side of things --

5 A Right.

6 Q -- as opposed to --

7 A Most likely, yeah.

8 Q -- from your side? Right.

9 A So --

10 Q Mr. Jackson indicated that -- he shared with you a
11 little bit about Mr. Dodson's employment.

12 Did Mr. Dodson ever sit down with you and say, you
13 know, hey, this is the kind of work that I do, is there
14 anything I'm going to face or is there anything that's
15 going to help me do my job going forward?

16 A I don't recall having a --

17 Q Okay.

18 A -- one-on-one discussion about what he's going to do
19 with his job.

20 Q Okay.

21 A So --

22 Q Certainly.

23 You testified -- and this is going to more be kind
24 of a global question.

25 You testified to things that you counsel patients

1 about after an eye injury. Can you explain generally
2 what a patient goes through after losing vision? That
3 process as they're healing, what would that be like for
4 them, kind of being in a space, trying to do things?

5 Just, in your expert opinion, what is that like?

6 A Well, in my opinion, because I don't really know a
7 hundred percent --

8 Q Uh-huh.

9 A -- it's just what people, mostly patients, tell
10 other doctors that have written literature. And so I
11 don't know what his experience is.

12 So it's hard to go, well, this is what everyone's
13 experience is going to be. Everybody's a little bit
14 different in how they heal.

15 Other than the fact that he's got one eye,

16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED].

24 How well, how long does it take them, I don't know.
25 Some people might have been outliers and takes two years

1 and some people were quick at six months. Maybe it's age
2 related. So younger patients, more plastic, they learn
3 faster; and, when you're older, it takes longer to learn.

4 So I don't -- you know, where is he at in that
5 spectrum, I don't know.

6 Q Do you recall Mr. Dodson ever bringing up to you
7 his, any kind of specific hardship that he's having with
8 learning the new vision or adapting to the vision loss?

9 A [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED] [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED] [REDACTED]
24 [REDACTED] [REDACTED]

25 Q Okay.

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 Q And I guess that's my question, is at any point over
18 the last year or so, did Mr. Dodson say to you, hey, I'm
19 kind of having some struggles in this area such that you
20 make those recommendations for other services?

21 A [REDACTED]

22 Q Certainly.

23 A [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED] [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED] [REDACTED]
11 [REDACTED]

12 Q And, on that point, you spoke earlier about learning
13 visual queues. Do patients every return to pre-injury
14 capacity, as far as their depth perception is concerned?

15 A Zero. Because depth perception requires two eyes,
16 so it's impossible.

17 Now, he might be able to function as if he has depth
18 perception. And that's quite plausible. But, to say
19 will he ever get depth perception back, that is a hundred
20 percent no.

21 Q All right. As far as functioning like he has depth
22 perception, what percentage of patients are able to
23 return to their pre-injury capacity?

24 A Percentage is hard, because the literature is --
25 it's hard to always prove cause and effect.

1 Q Uh-huh.

2 A It's basically done with a power and competence
3 intervals of less than .05.

4 And some of this research is subjective on the
5 patient's questionnaire.

6 Q Uh-huh.

7 A And so it's hard to give object, give an objective
8 answer to a bunch of subjective research.

9 So the experience, in my just non-published and
10 without cause, you know, competence intervals and
11 statistics to prove is that most patients do quite well.
12 It just take some time and it's typically a year.

13 Q The remaining eye, the uninjured eye, is it common
14 for vision or how often do you see that vision -- well,
15 no. Scratch those terrible questions.

16 Does vision in the remaining good eye ever decrease?

17 A Due to the injury?

18 Q For any reason.

19 A In general. Well, aging will. Cataracts and
20 retinal disease and glaucoma. You know, things that
21 would happen to anybody, regardless of injury, that's
22 still possible in his seeing eye.

23 So, yes, [REDACTED]

24 [REDACTED] [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED] It's
4 unlikely. That's not something I've ever seen.

5 I've seen sympathetic ophthalmia, but it's usually
6 in these vitrectomy patients that we do surgery. And we
7 do vitrectomies every week. I don't personally, but my
8 retinal colleagues, they do vitrectomies. Like I said,
9 they probably did ten already. Those more likely to get
10 sympathetic ophthalmia.

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 Once again, there's not enough cases, so it's very
18 loose. It's cause and effect, hard to prove. Confidence
19 interval's very weak because we don't have enough cases
20 to even prove that it exists. We just know it doesn't
21 happen.

22 [REDACTED]

23 [REDACTED]

24 Q So one of the things that Mr. Jackson and I have the
25 job to do is educate the Claims Commission who will be

1 hearing this matter and, frankly, as well as ourselves.

2 And there is this kind of understanding that I have
3 in my mind, when I'm thinking, is that compensation or
4 overcompensation, let's say you injure one limb and
5 you're compensating using the other.

6 A Uh-huh.

7 Q Would that apply in an eye injury situation?

8 A I see what you're saying. So typically -- I -- I
9 don't think so.

10 Q Okay.

11 A I think it's -- I don't think because you're not
12 using your left because you can't, that you're going to
13 be overusing your right.

14 That's almost like saying, you sit too close to the
15 TV, you're going to damage your eyes. But that's not
16 necessarily true. That's all just, you know, untrue
17 information. No one's ever proven that. Maybe from the
18 radiation of the TV or something but not from being too
19 close.

20 Typically, [REDACTED]
21 [REDACTED]
22 [REDACTED] [REDACTED] [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 Q Thank you.

2 Trying to get a really -- just a clear understanding

3 of not only what he went through but what he's facing

4 down the road.

5 Are there resources for an eye injury patient to

6 adapt to the loss of vision in one eye?

7 A Can you say that again?

8 Q Yeah.

9 A I missed part of -- caught the last part, and the

10 first part, I didn't quite get.

11 Q We've spoken about this a little bit, but are there

12 resources for an eye injury patient to adopt, to adapt to

13 loss of vision in one eye?

14 A I don't know, other than them learning how to do it.

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 Q Are there resources to help him --

20 A [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 Q I see.

24 A [REDACTED]

25 Q Okay.

1 A I just don't see that that's common in anything I've
2 done or read. And it's not in the journals, it's not in
3 the textbooks I've read forward and back.

4 It may be something out there we need to look into,
5 but it's not something I recall being a common standard
6 of care for referring them for light therapy.

7 And I've heard about this stuff, but I don't really
8 think anybody believes it really helps.

9 Q Okay.

10 Were there any modifications to Mr. Dodson's home
11 that you recommended?

12 A I didn't. That would be, like I said, refer to
13 experts, occupational therapy, home environment changes.

14 But that's more going to be patients that are 2200
15 in the best seeing eye. So 2200, 2200, those are legally
16 blind patients and then they need help. That's where we
17 go to low-vision therapy and they get, you know, things
18 to help them ambulate like canes, magnifiers, computer
19 screens that enlarge the letters, words read so they can,
20 you know, get a phone call and they can hear what's going
21 on.

22 But it's not -- [REDACTED] I really don't
23 see that that would be beneficial to him. Certainly
24 something if he wants to try it. I just don't think I
25 can guarantee that that's education I -- would be the

1 term. But the evidence is there to support doing
2 something like that.

3 Q Over time, in your experience or for a patient like
4 Mr. Dodson, are there any modifications that may become
5 medically necessary?

6 A Modifications?

7 Q To his home environment or work environment.

8 A That's out of my -- I don't -- I don't think so.
9 But I don't know.

10 In my opinion, probably not. But, the -- you know,
11 I'm not him and I don't -- I'm not with him day to day to
12 know what -- how his environment is, how this is
13 really affecting him.

14 I just go from what I see. And he's got -- he meets
15 criteria for driving a car. He meets criteria to go to
16 his job, I believe. I've just never seen his job
17 requirements. And he should function quite well with

18

19 Q Speaking of the car, you were asked earlier about
20 the lane assist in a, in a vehicle.

21 Is that feature medically necessary for a patient
22 like Mr. Dodson?

23 A Medically necessary? I don't know if I can even
24 expand on that. I don't know.

25 I certainly think of a safety reason it would make

1 sense. Just as a driver myself, I would like to know
2 that he doesn't change lanes.

3 Any modality to help him not get in my lane or hurt
4 himself or hurt somebody else, I think makes sense. I
5 don't -- I wouldn't -- I don't have any literature to go
6 they must have this, it's medically necessary.

7 I think it physically might be reasonable to help
8 him navigate the world driving and make him safe around
9 everybody else in public too. So --

10 Q Do you have a patients or is there a percentage of
11 patients that report to you, hey, I went and got a car
12 with this feature?

13 A No.

14 Q Okay.

15 A Sorry. No, that's not something I talk about.

16 Just me hearing about it sounds great, but it's not
17 something that I have even -- I don't even have it in my
18 car. So I wouldn't mind having it, actually. But I
19 certainly --

20 Q Same.

21 A -- as to go with him, it might be nice to have, so
22 --

23 Q Yeah.

24 Because of Mr. Dodson's injury and vision loss, does
25 he require any feature or modifications to be able to

1 drive?

2 A Features or modifications to his environment of the
3 car?

4 Q Yes.

5 A I mean, like I said, that might be better asked by
6 someone that -- there's no literature for me to tell you
7 that I know of. There might be some out there that's
8 new.

9 I think common sense says it makes sense. And, I
10 mean, that's just me talking. But I can't sit here and
11 go it's standard of care for me to tell all patients that
12 have one eye should have these type particular features.

13 One, you know, I've been practicing for 20 years, 14
14 years here, I don't even -- see, I've never been in a car
15 with lane assist. I've heard about it, it sounds cool.

16 And I don't even know how long it's been around. So
17 it's probably the literature is not there and there's not
18 enough cases for us to even put it together to write
19 about it. So I think you just have to leave it to common
20 sense, safety of the public, safety of the patient, and
21 go this is reasonable.

22 So I'd say it's reasonable to put modifications to
23 improve him driving a vehicle to protect him from himself
24 and him from hitting other people.

25 But, do I have anything to support, yes, this is

1 standard of care, I recommend they do that, I think it's
2 hard to do that.

3 I do a lot of things with evidence-based medicine
4 and facts to try to make a decision. But here's a
5 decision I'd be like that's just an opinion. My opinion.
6 It's not a medical-evidence based literature from PubMed.

7 Q And in -- the type of injury though that Mr. Dodson
8 has sustained and his vision loss and his circumstances,
9 there wasn't anything that you recommended though?

10 A Nothing other than the standard of care, which is --

11 Q Right.

12 A [REDACTED] Those are the main
13 ones. And then if we need to modify things.

14 And modifications I will do isn't the car of the
15 house. [REDACTED] [REDACTED]

16 [REDACTED]

17 [REDACTED] [REDACTED]

18 [REDACTED]

19 So that's kind of my realm. I can go, yes, these
20 are how we fix these. This is going to happen, gravity
21 is going to win. [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED] [REDACTED]
2 [REDACTED] [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED] [REDACTED]
8 Q All right.
9 Thank you, Dr. Pemberton.
10 A All right.
11 MS. ANDREWS: That's all I have.
12 MR. JACKSON: No further questions. Thank
13 you for your time.
14 THE WITNESS: Thank you.
15 MR. JACKSON: Off the record.
16 VIDEOGRAPHER: This concludes the
17 videotaped deposition of Dr. John Pemberton.
18 It is now 3:34 p.m.
19 (WHEREUPON, the proceedings were concluded
20 in the matter at 3:35 p.m.)
21 * * * * *
22 (WITNESS EXCUSED)
23
24
25

C E R T I F I C A T E

STATE OF ARKANSAS)
COUNTY OF PULASKI)

I, CRIS M. BRASUELL, Certified Court Reporter and Notary Public do hereby certify the proceedings which appear in the foregoing pages are the proceedings taken by me verbatim through the use of the voice-writing method and was thereafter reduced to typewritten form under my supervision; that the witness, Dr. John Pemberton, was duly sworn by me; that the foregoing pages contain a true and correct record of the testimony given by said witness held to the best of my ability, along with all items of evidence admitted hereto.

In accordance with Rule 30(e) of the Arkansas Rules of Civil Procedure, review of the transcript was not requested by the deponent or any party thereto.

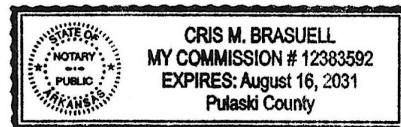
I FURTHER CERTIFY, that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise, in the outcome of this action, and that I have no contract with any parties within this action that effects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties in the action.

WITNESS MY HAND AND SEAL this 13th day of May, 2024.

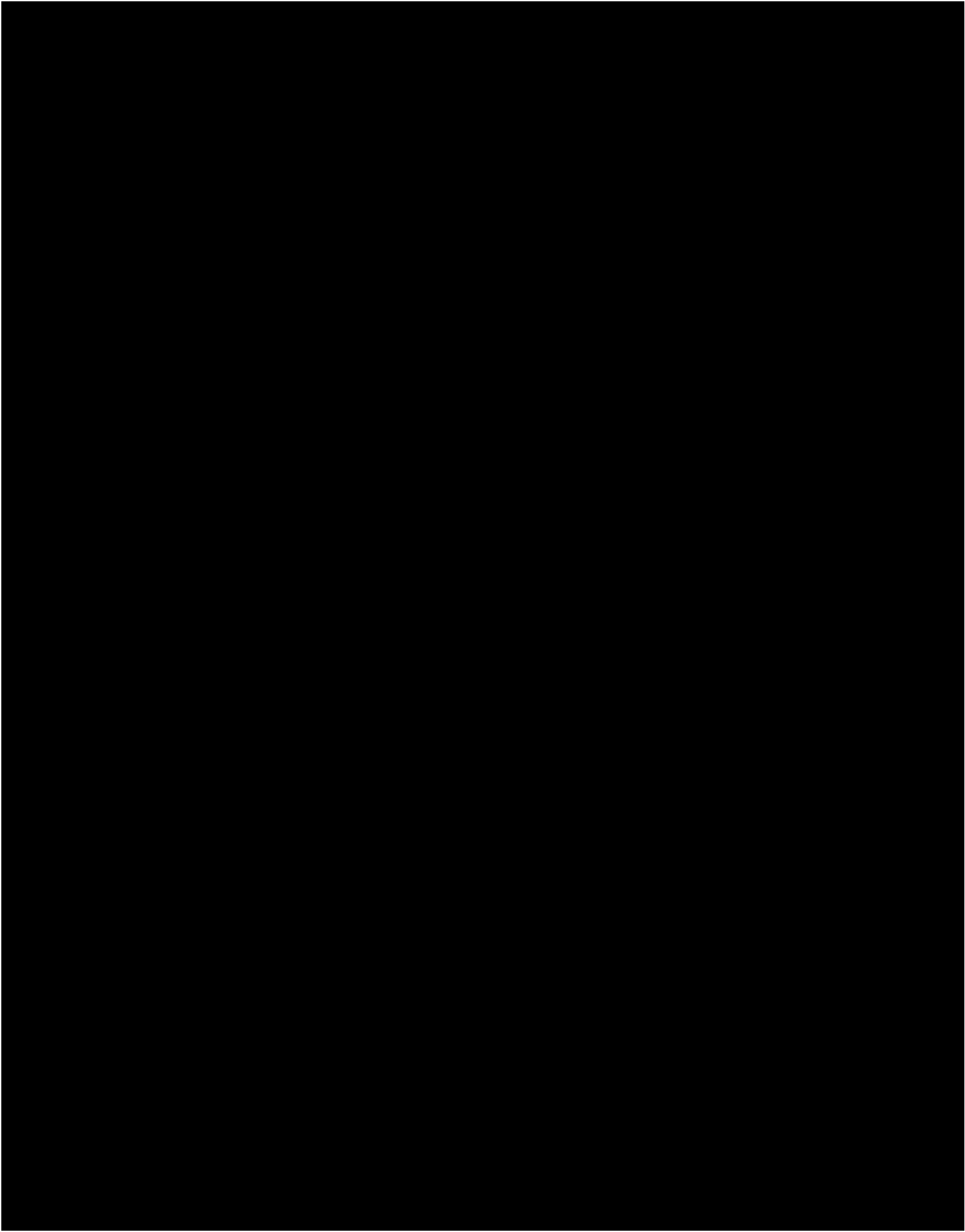


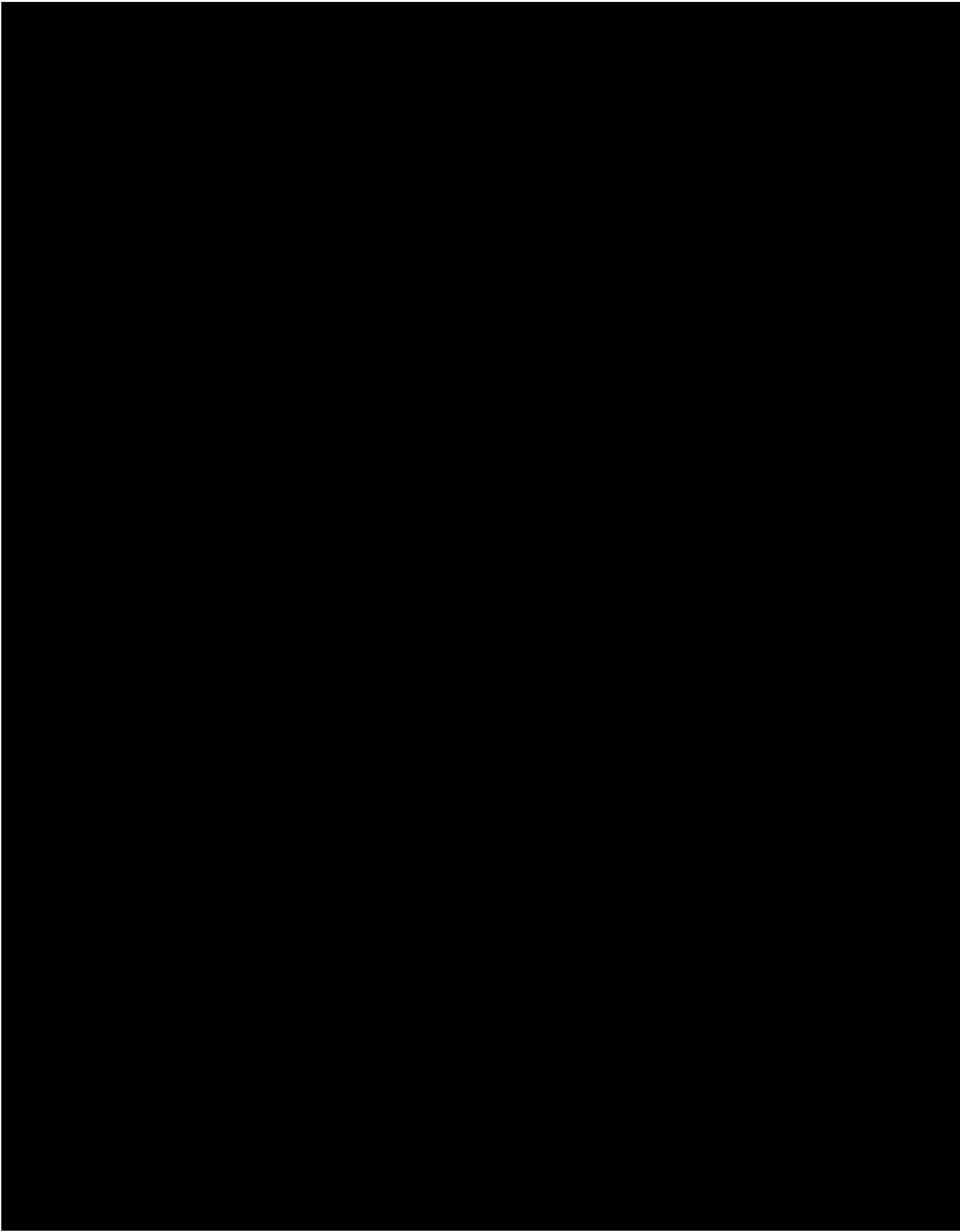
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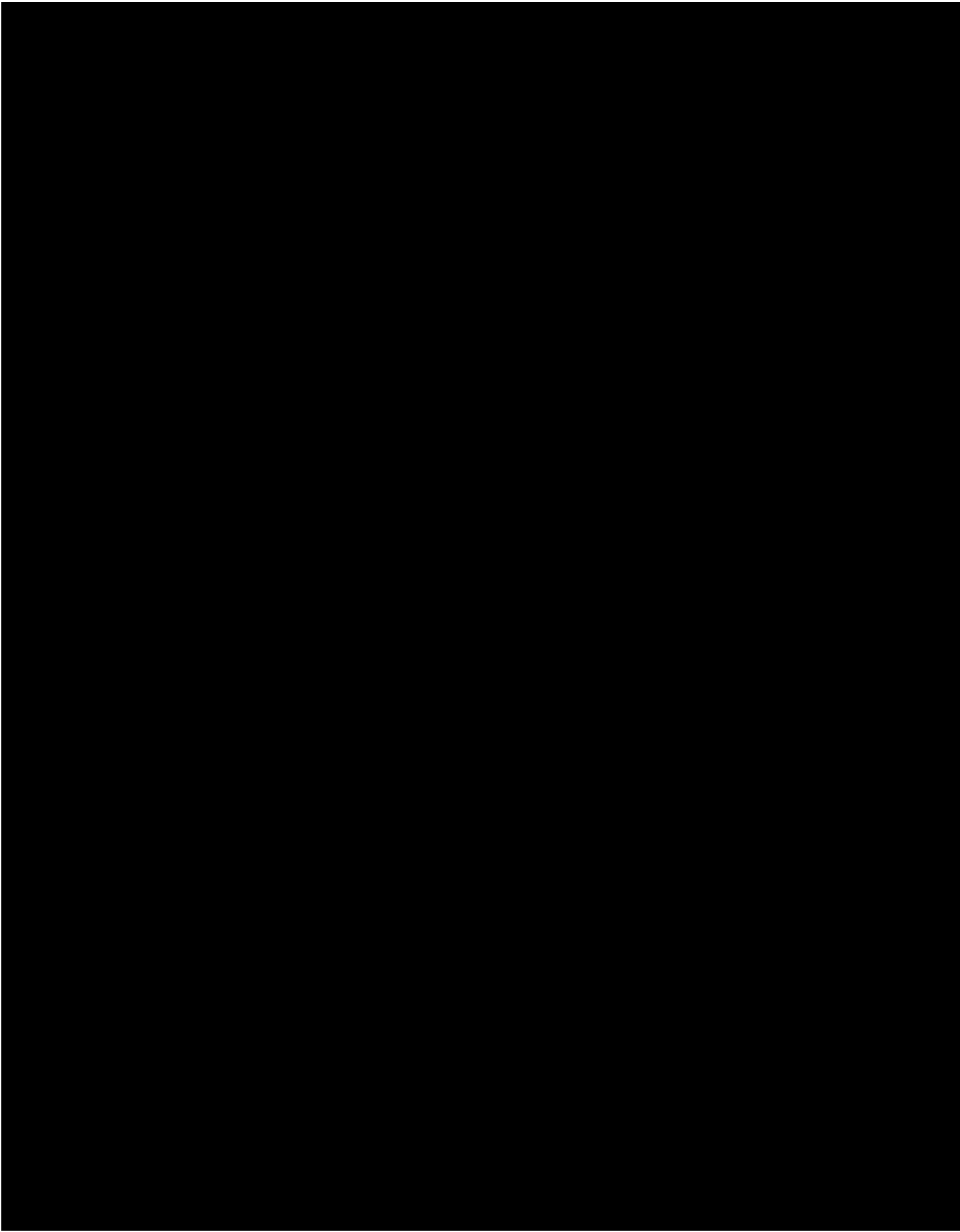
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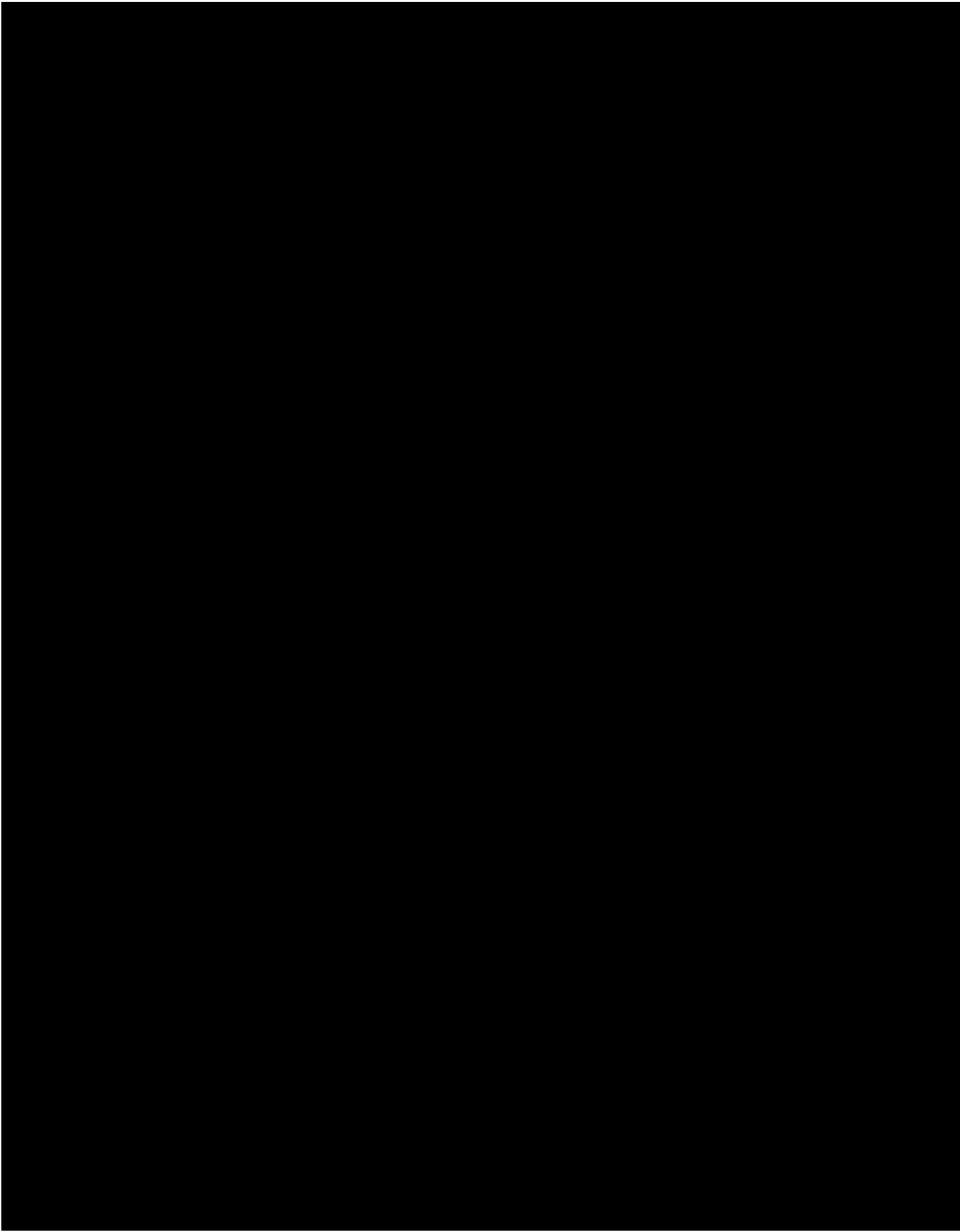


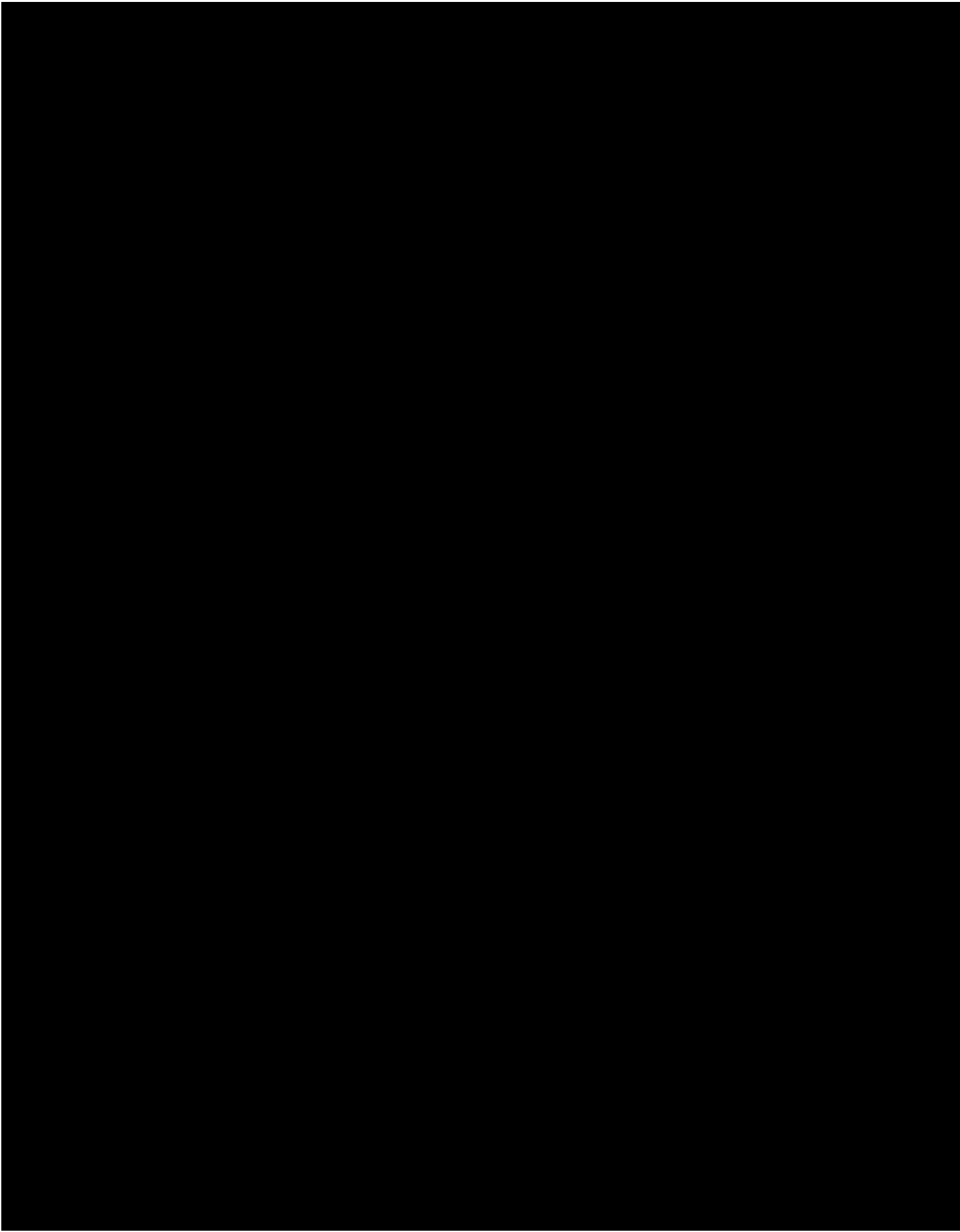
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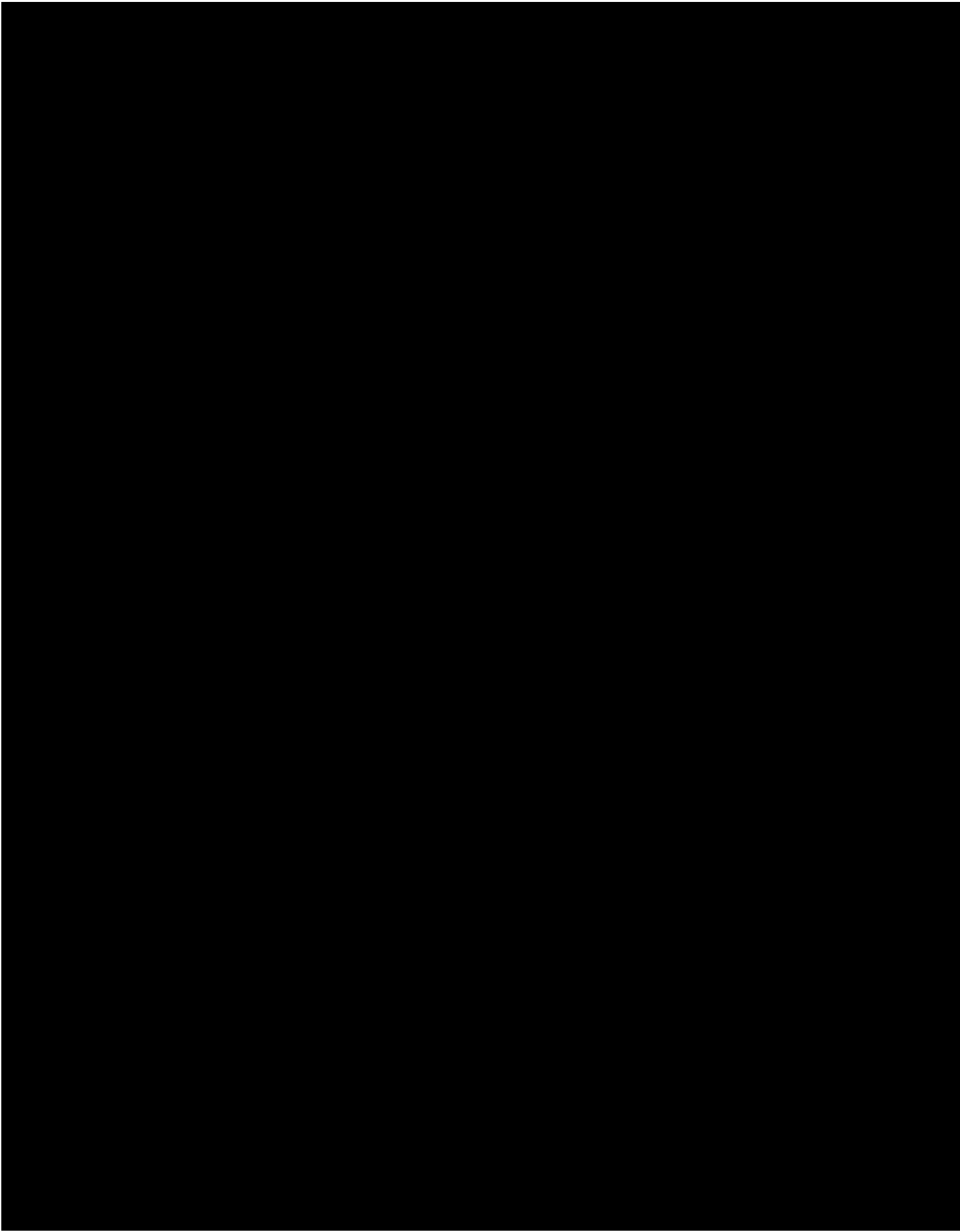












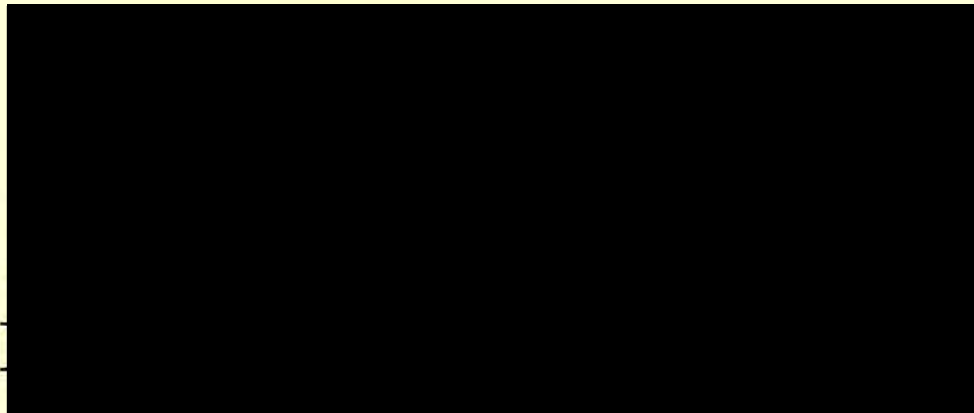
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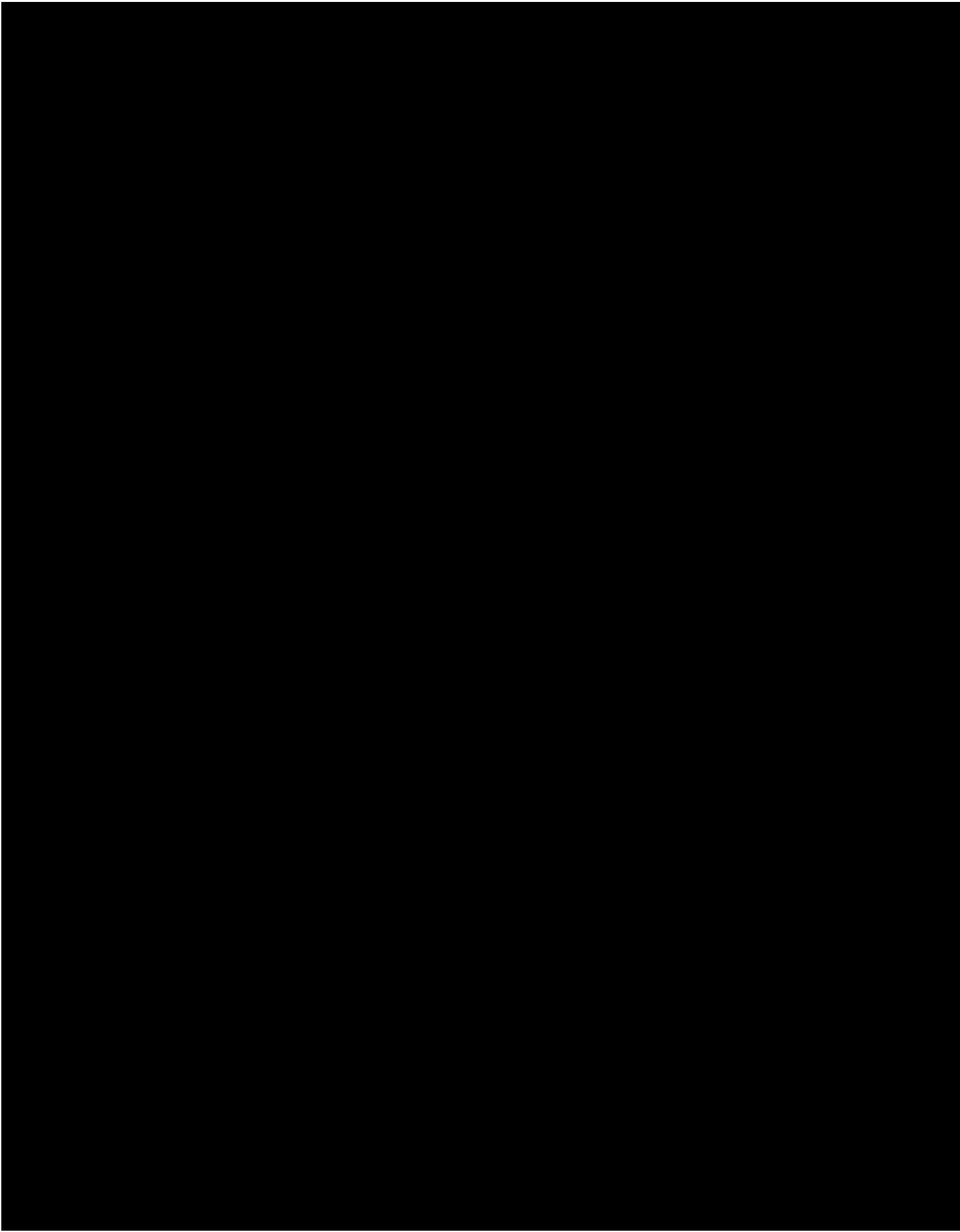
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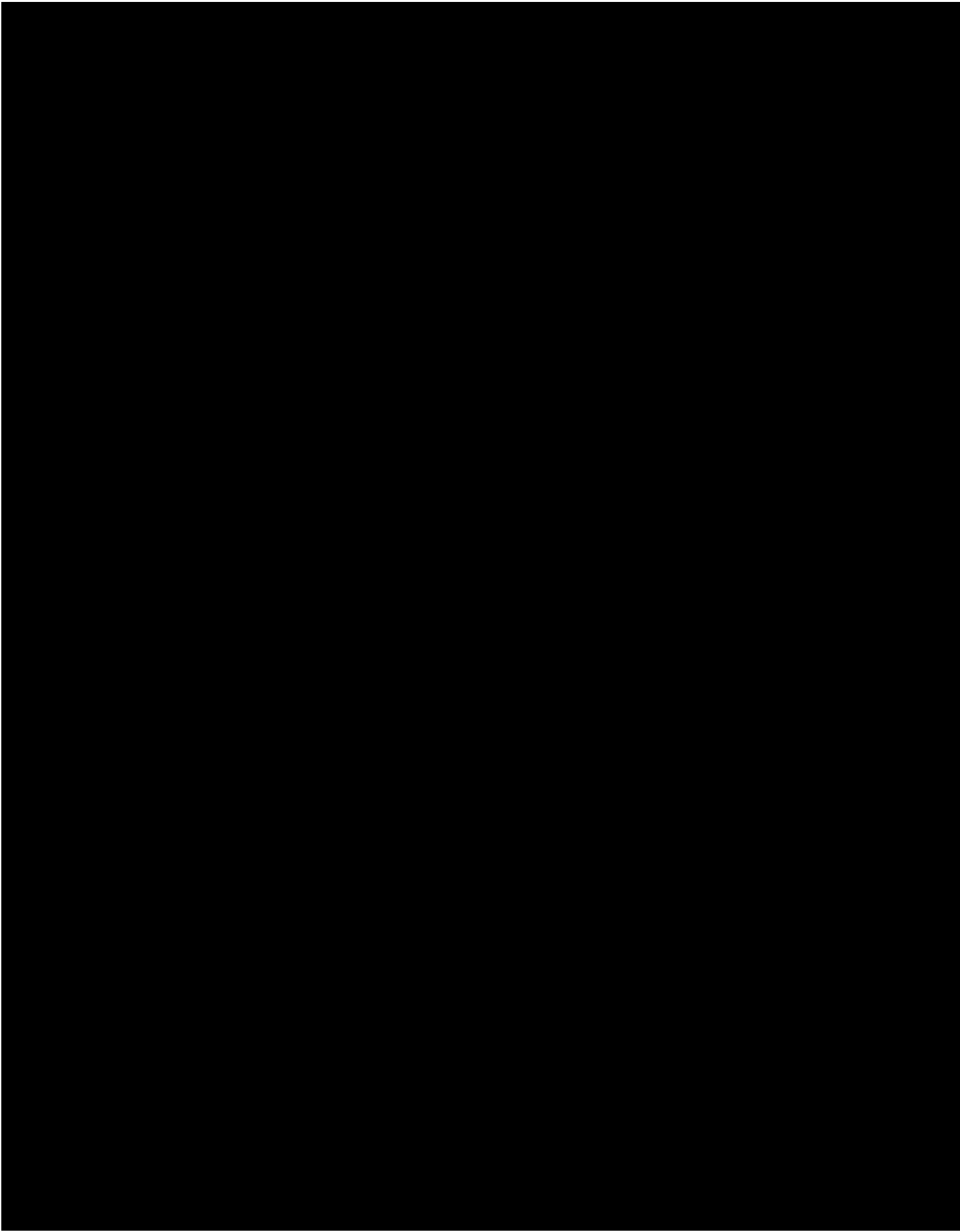
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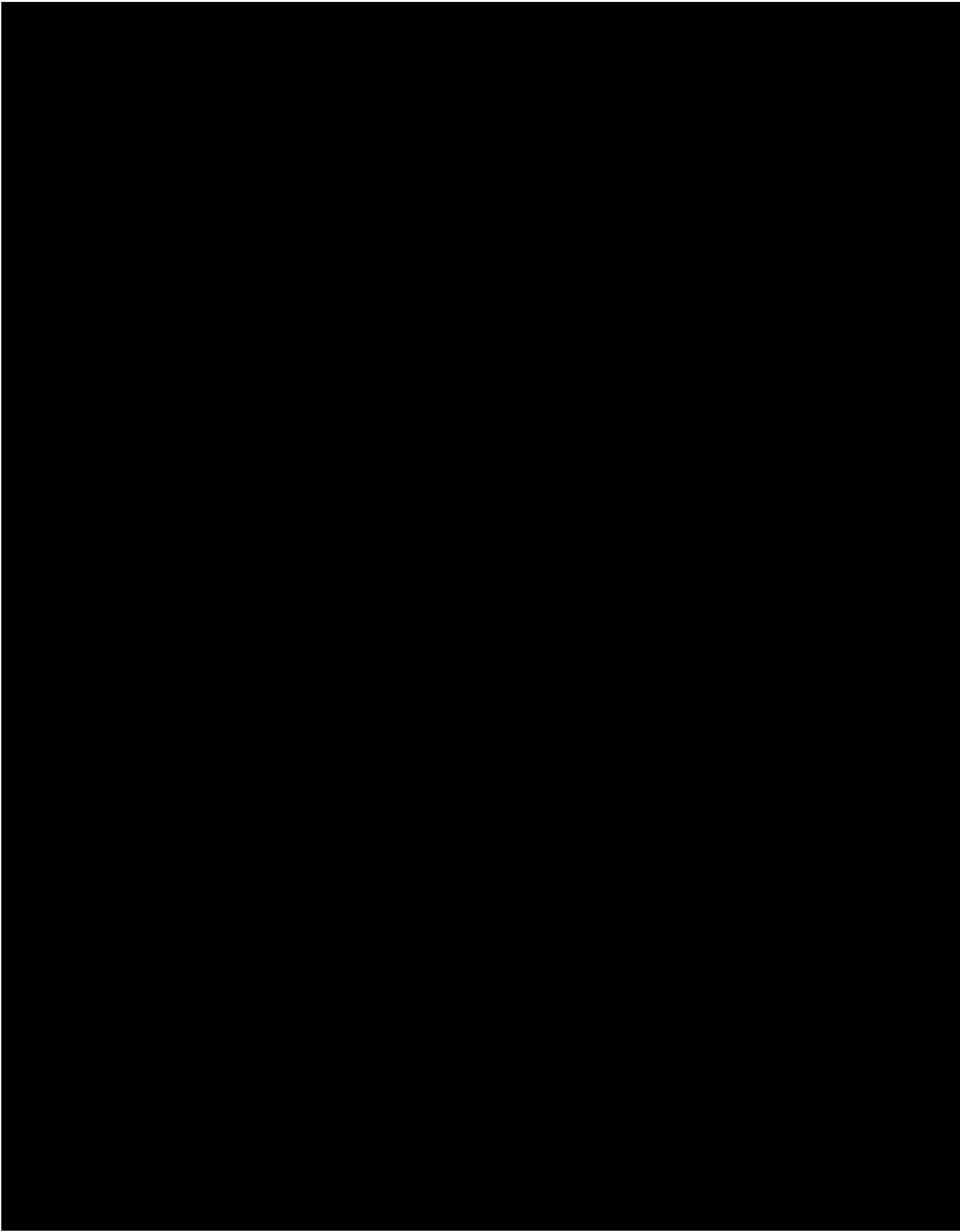
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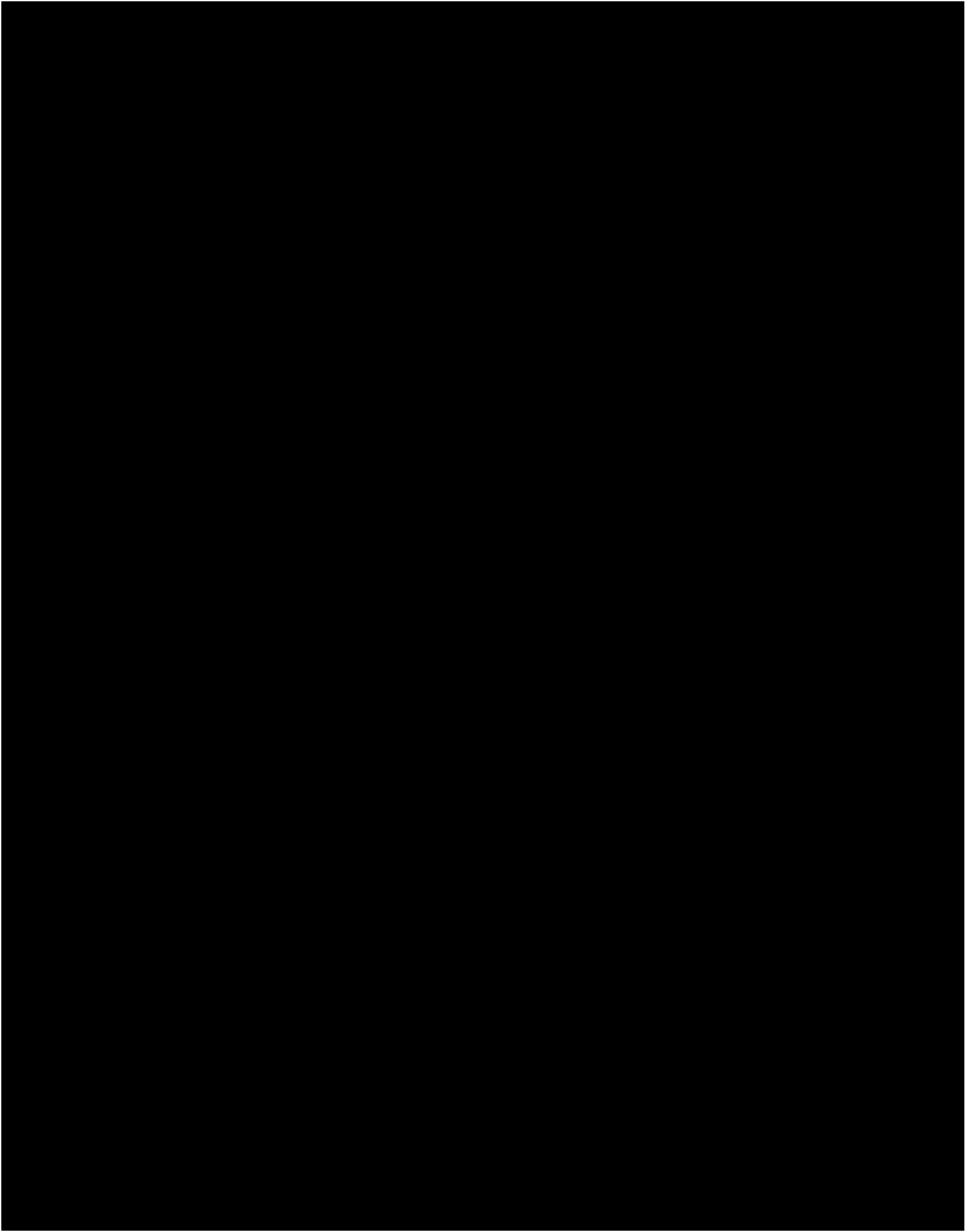


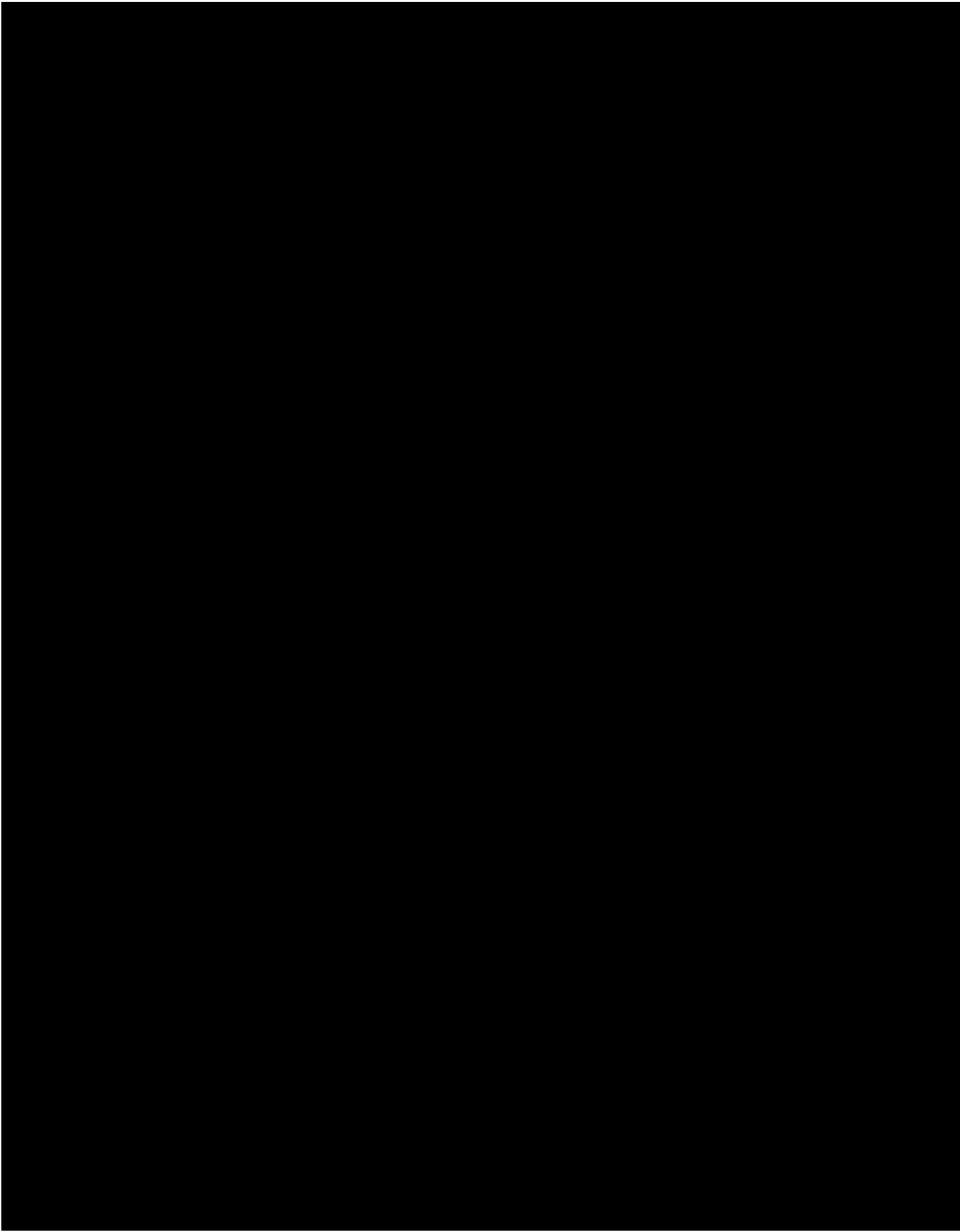
Sterling Dodson Bates #0113

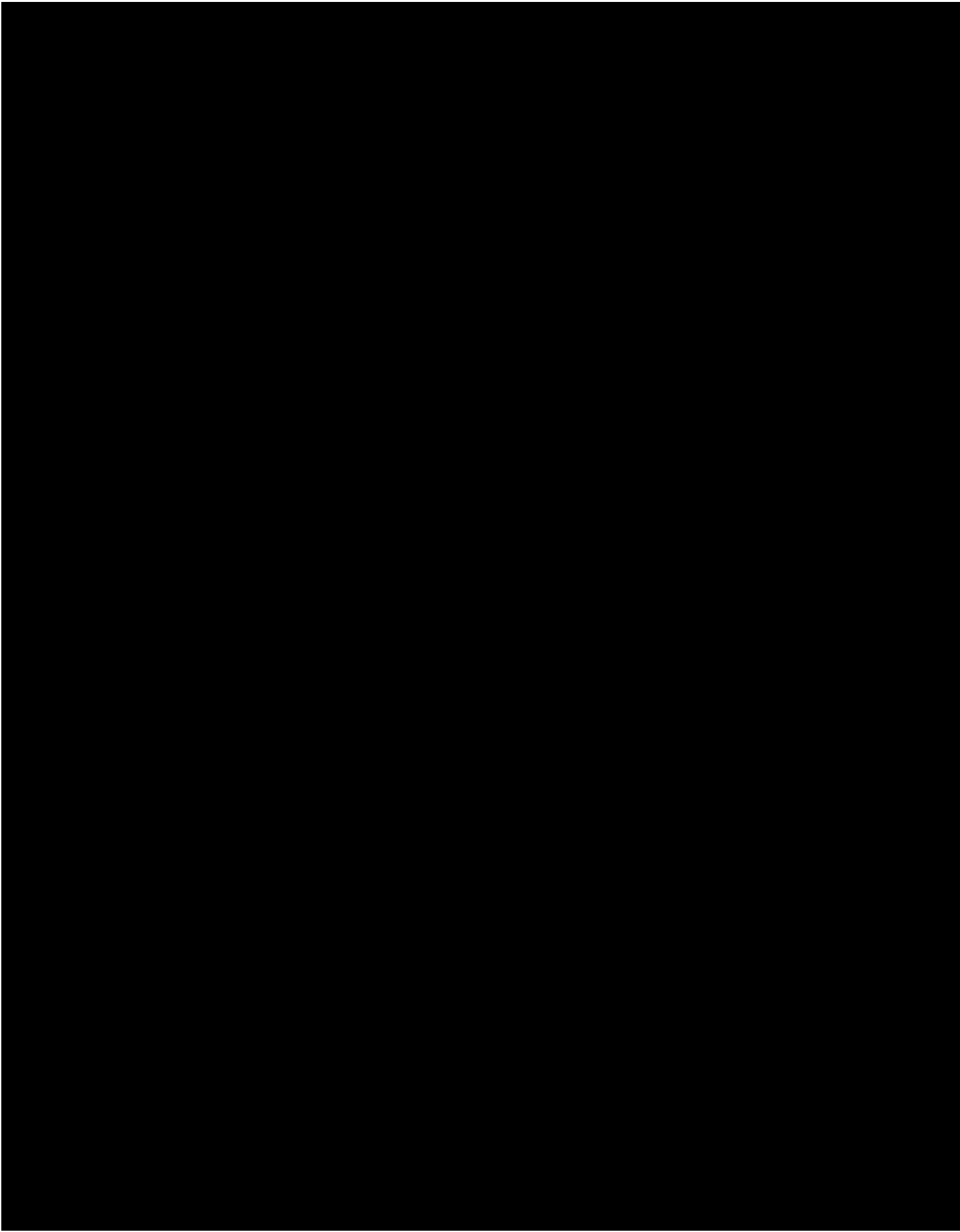


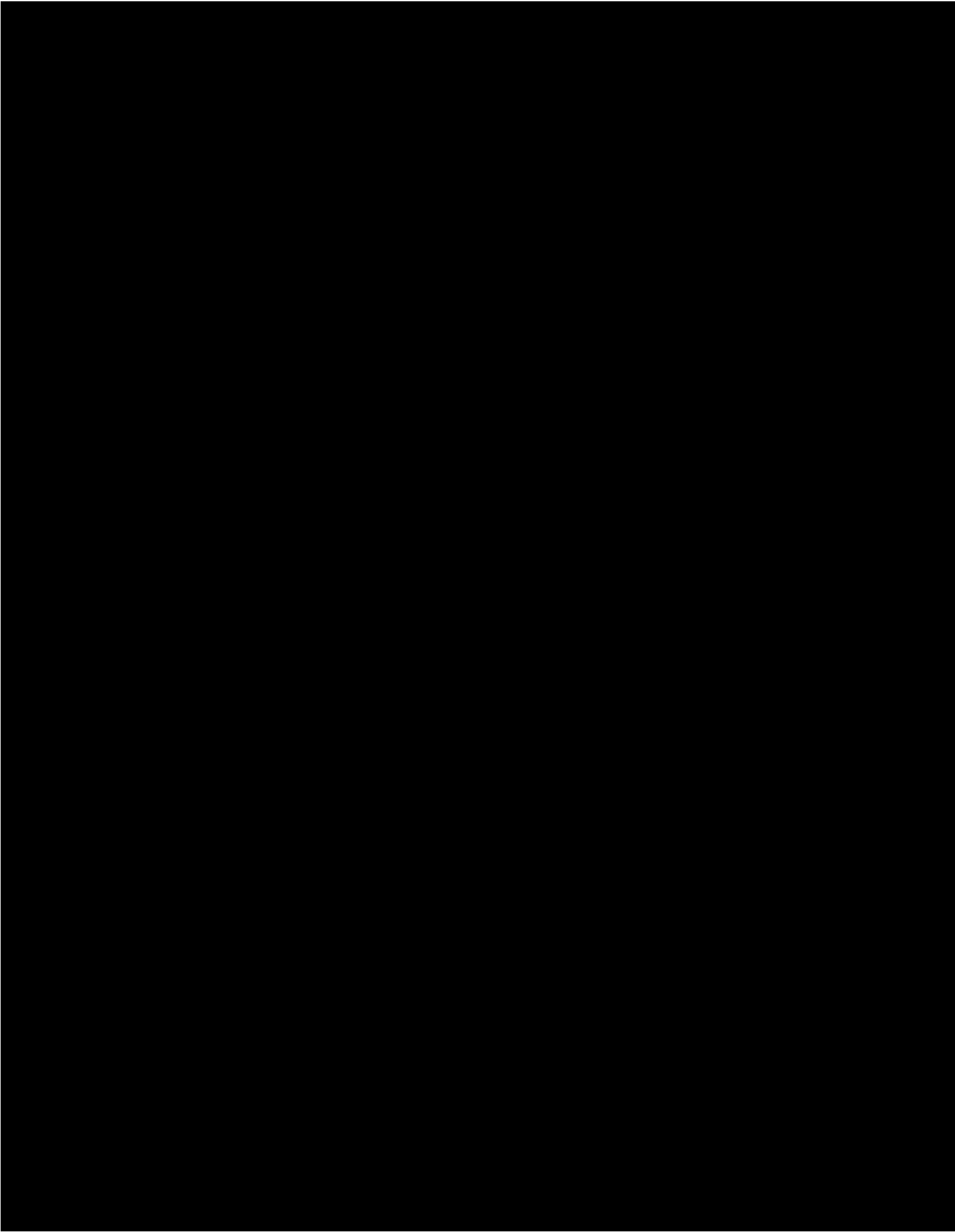


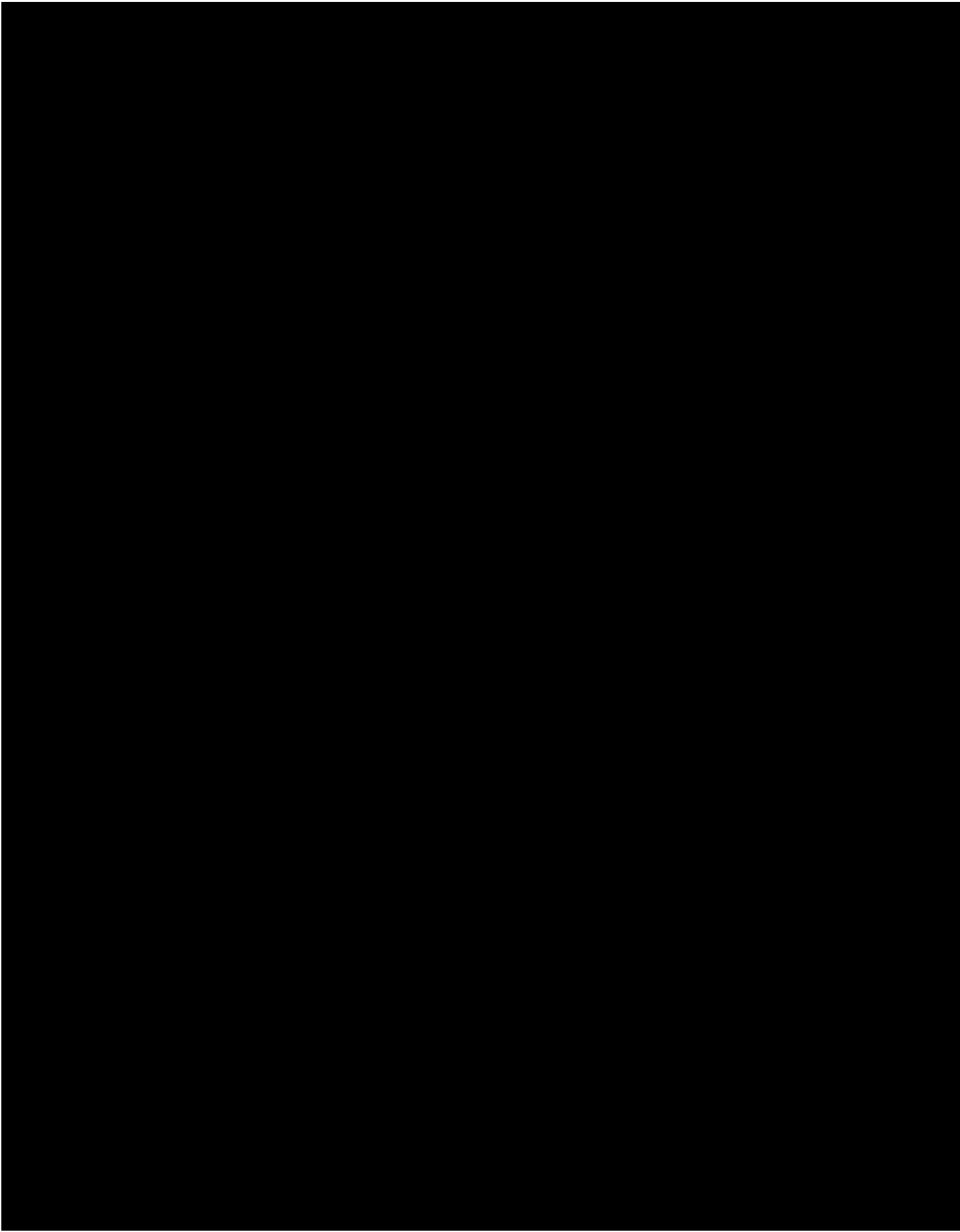


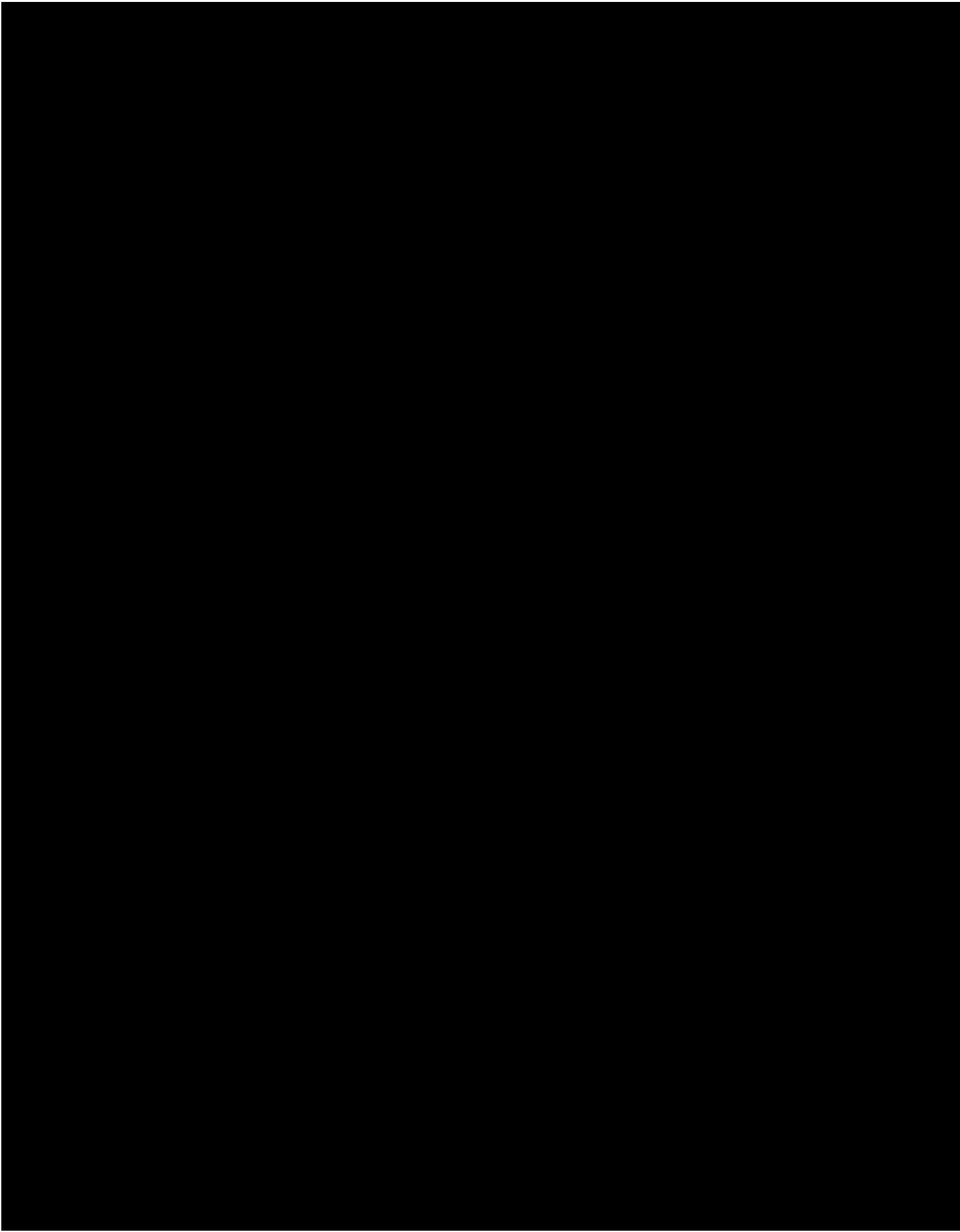


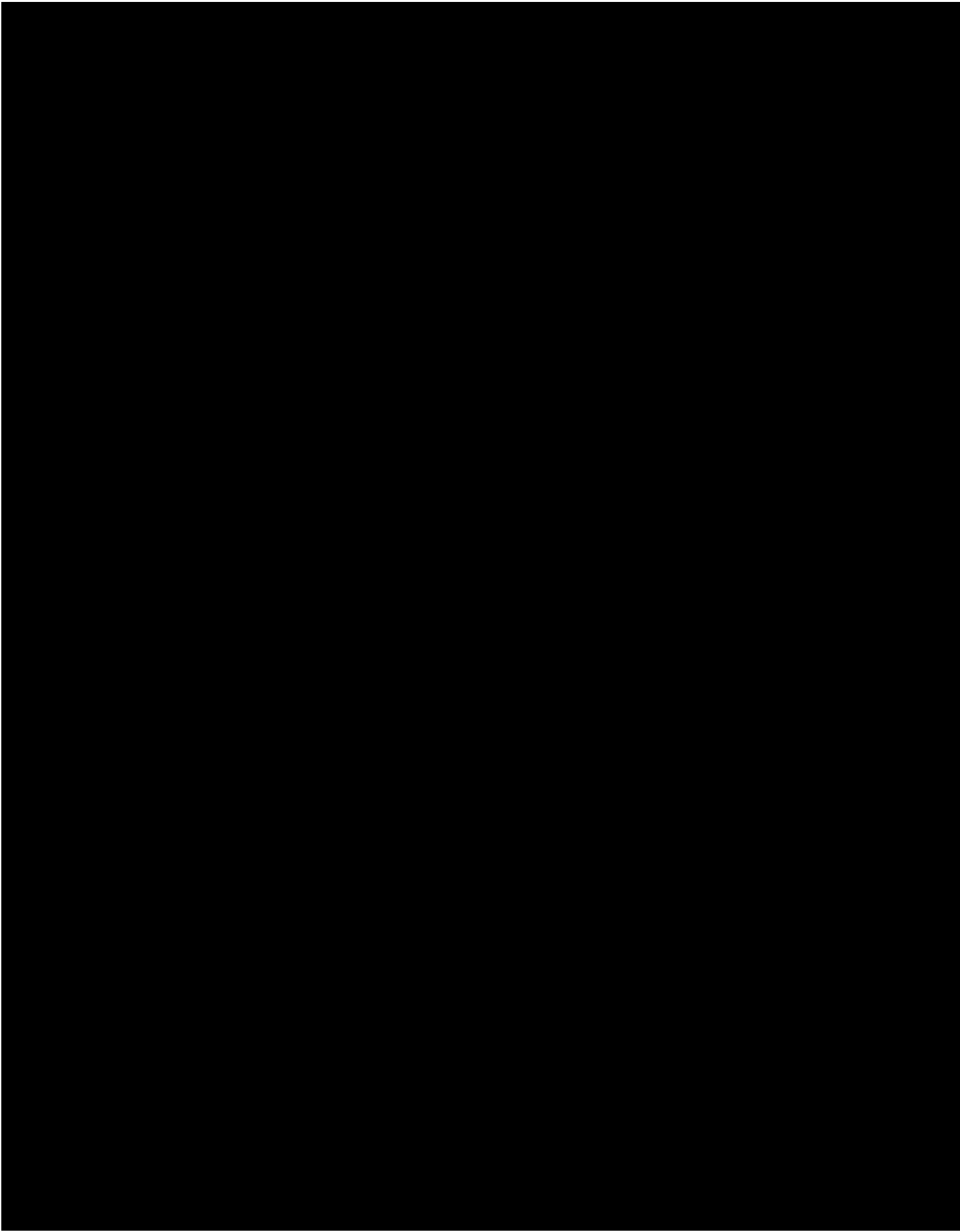


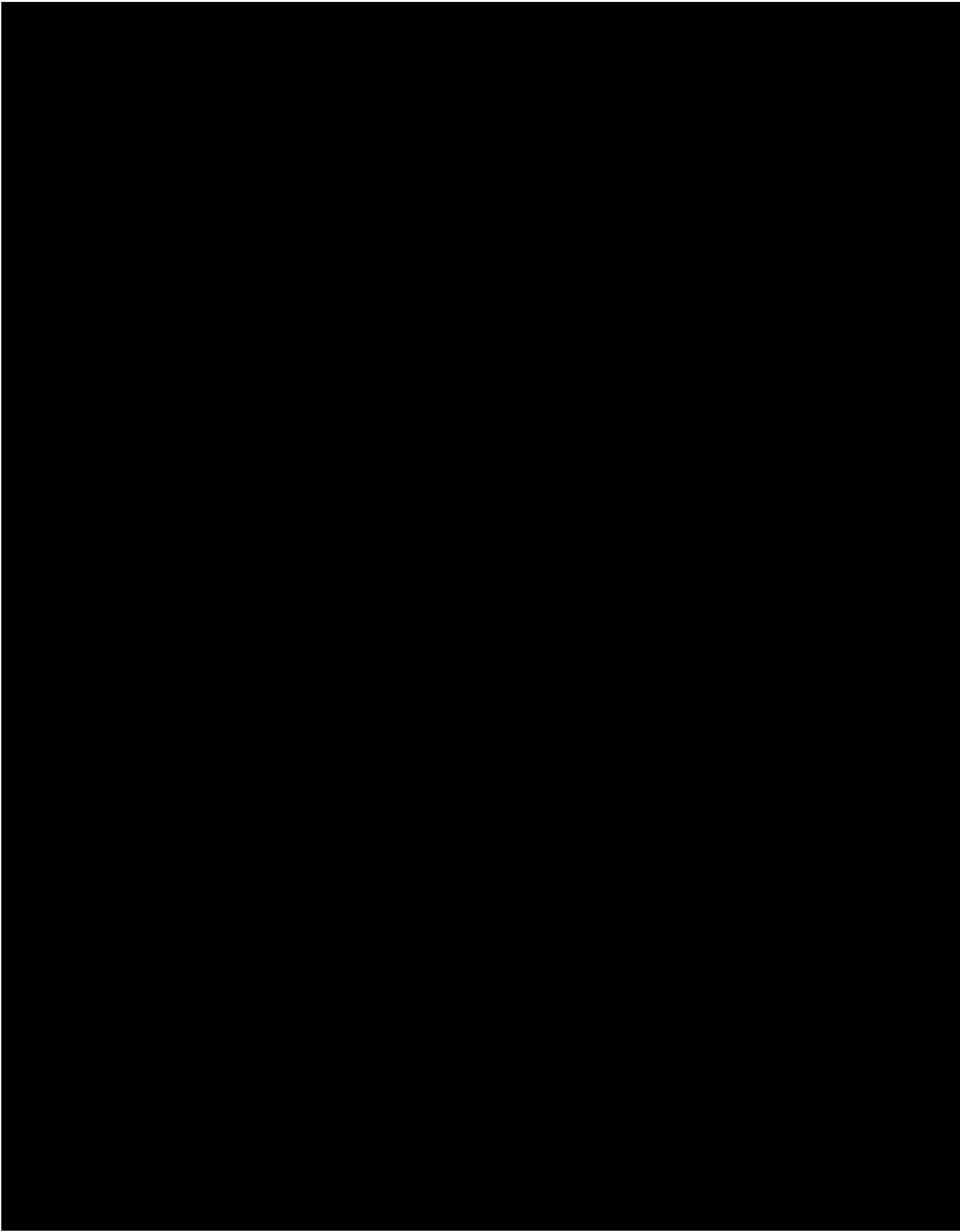


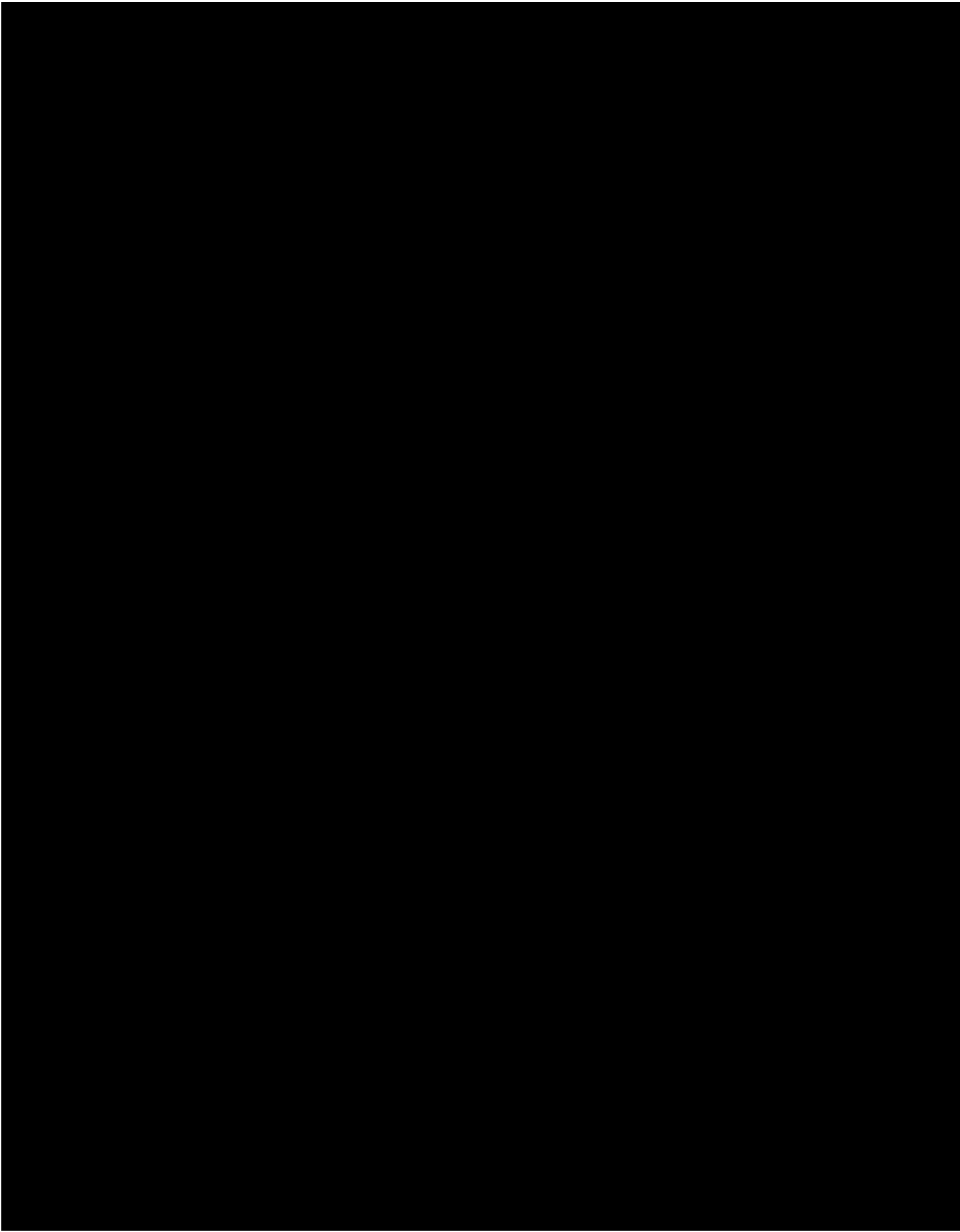


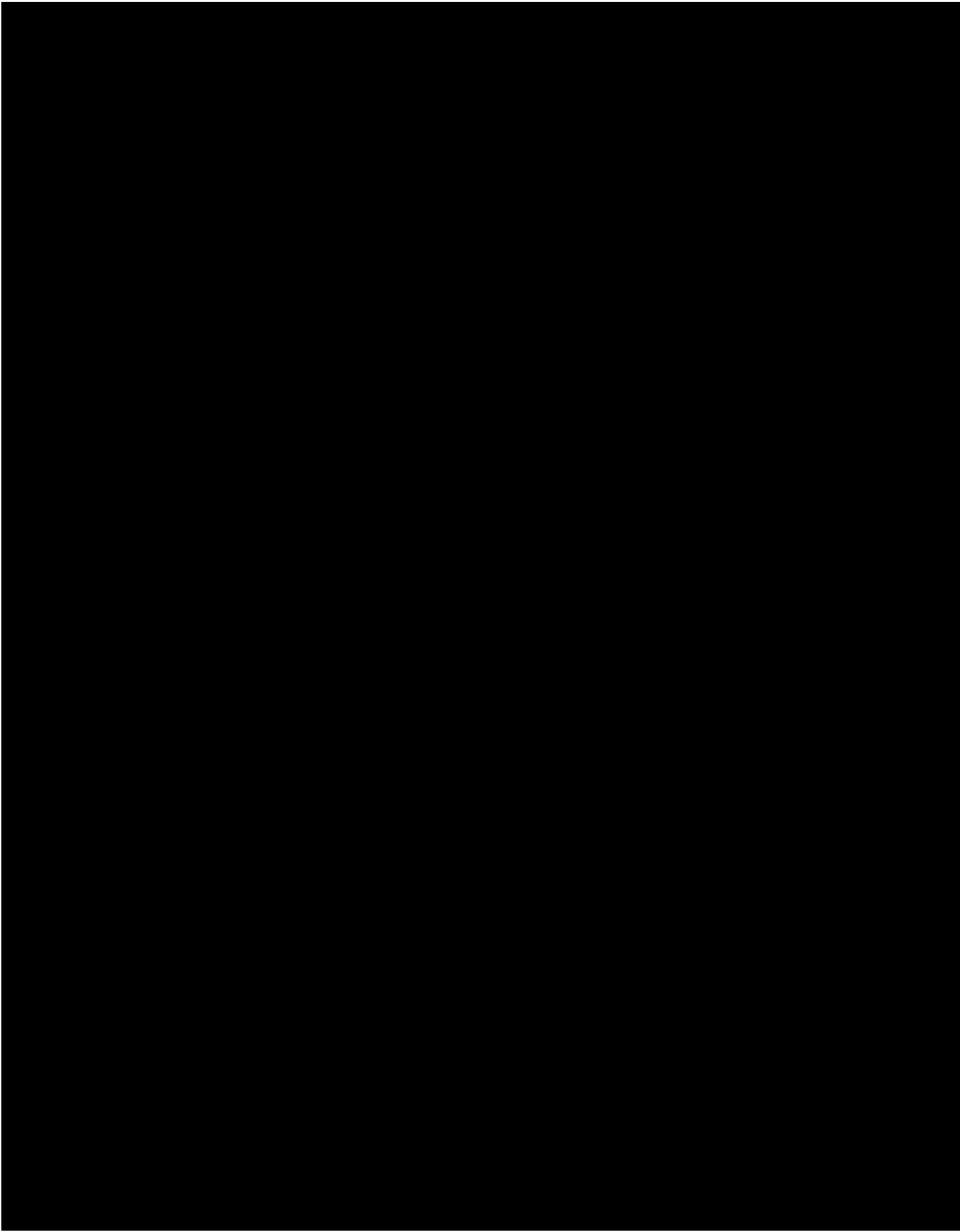


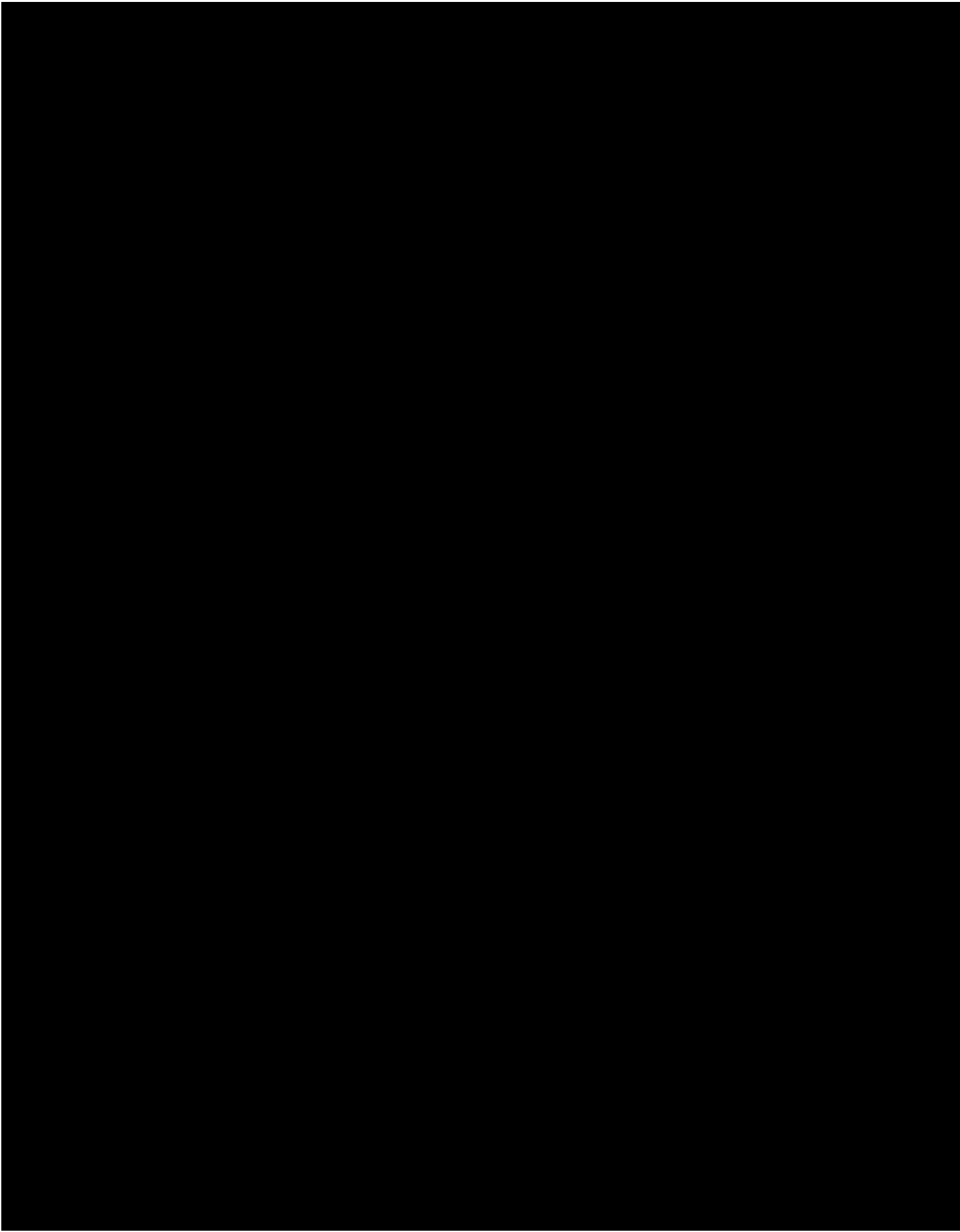


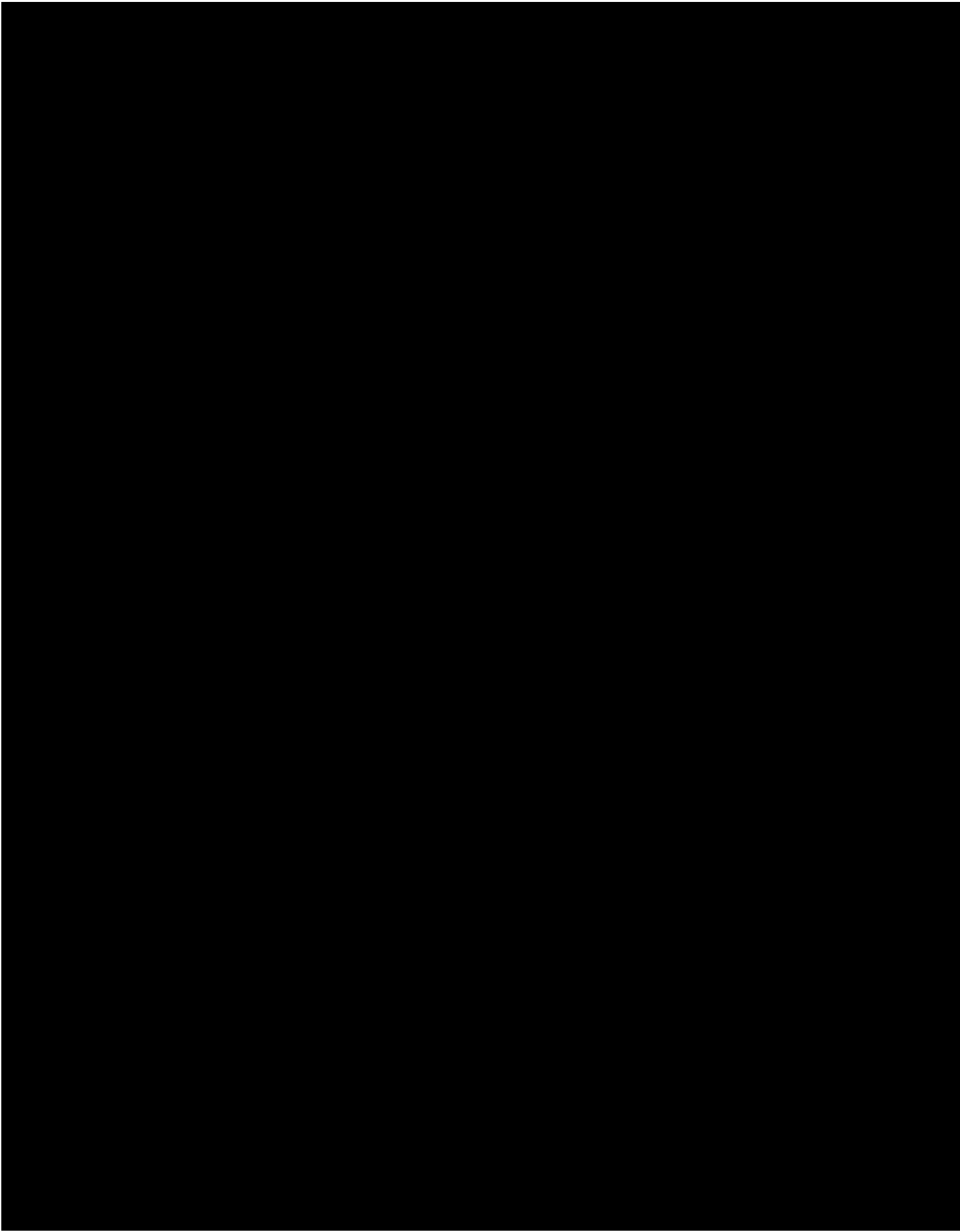


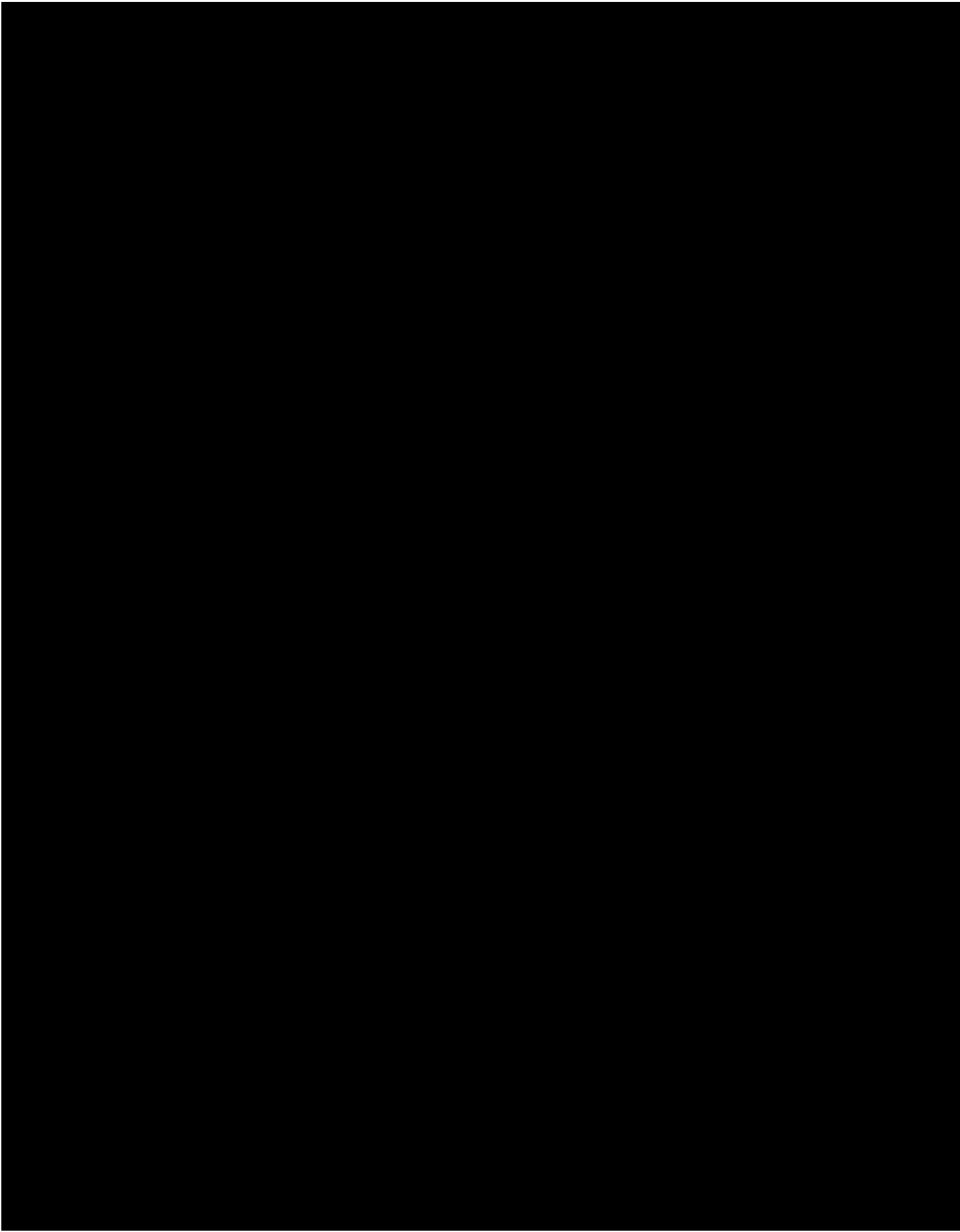


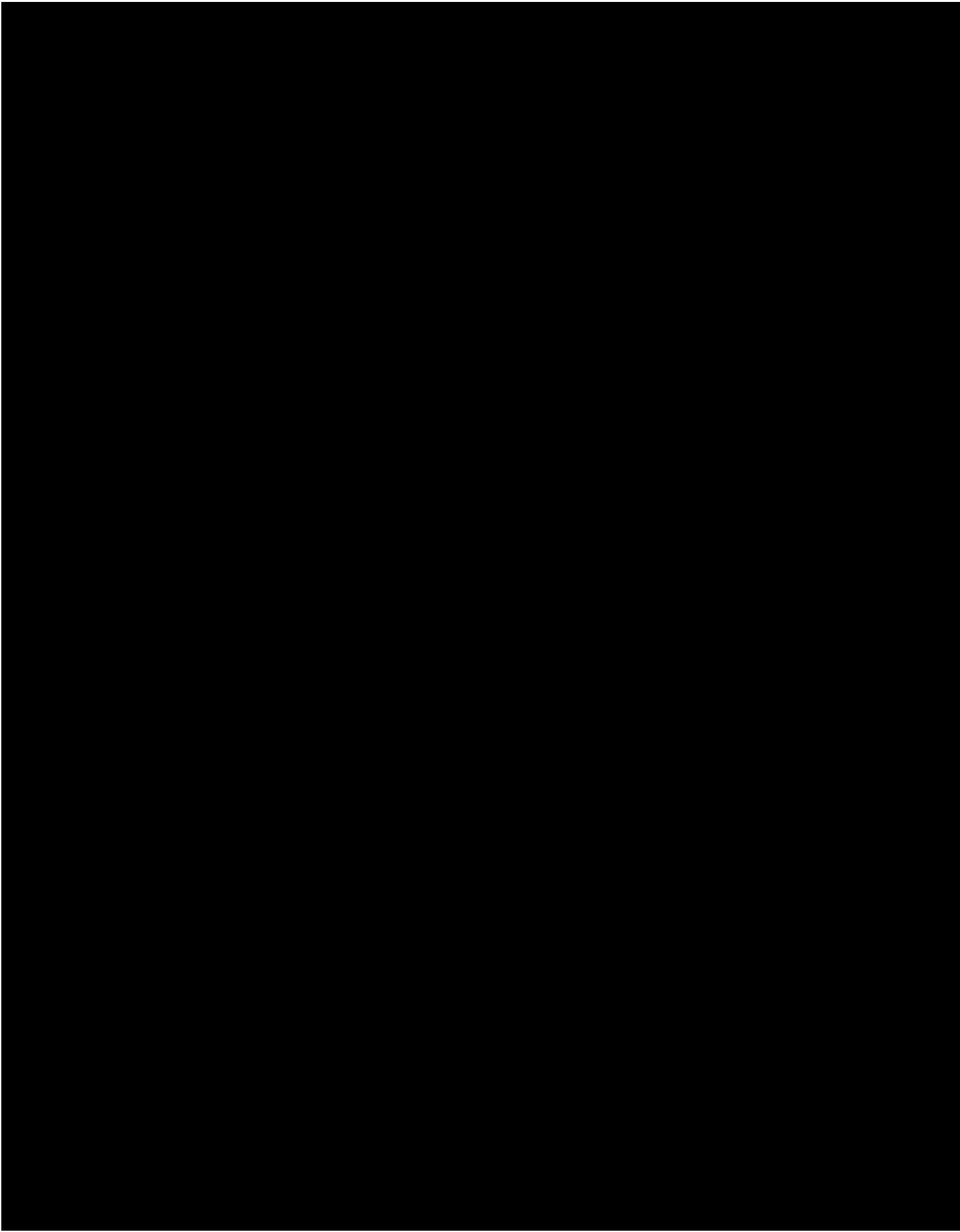


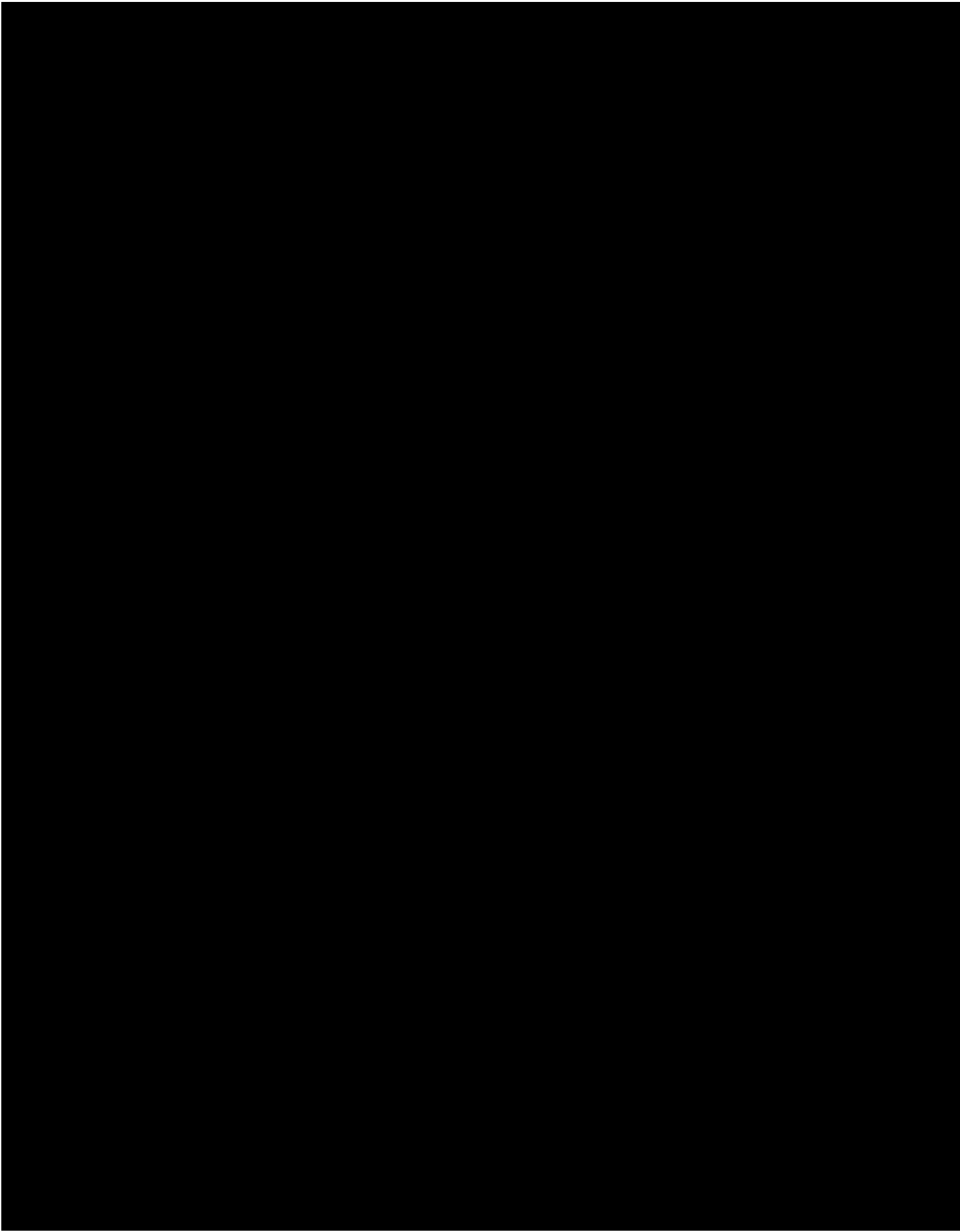


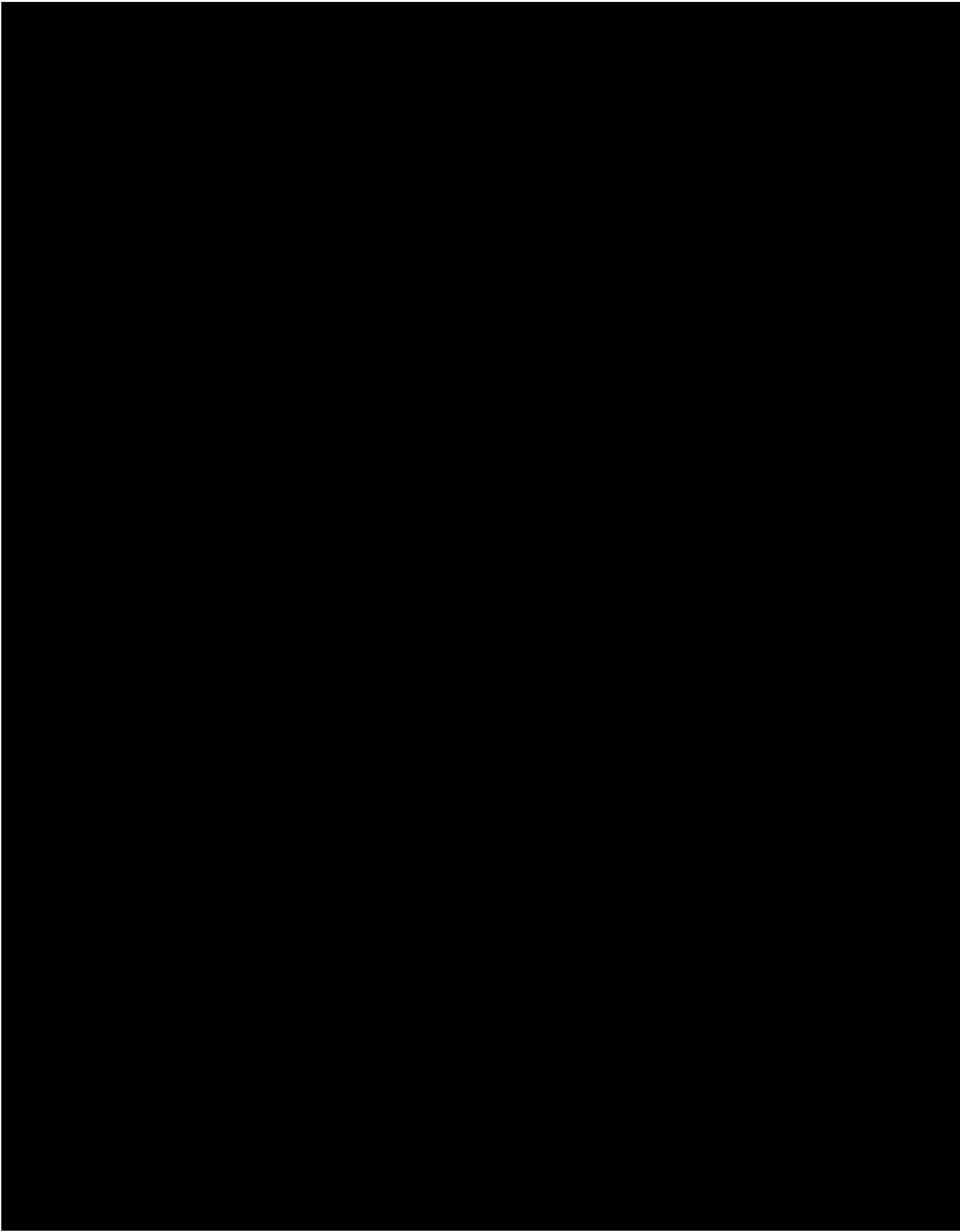


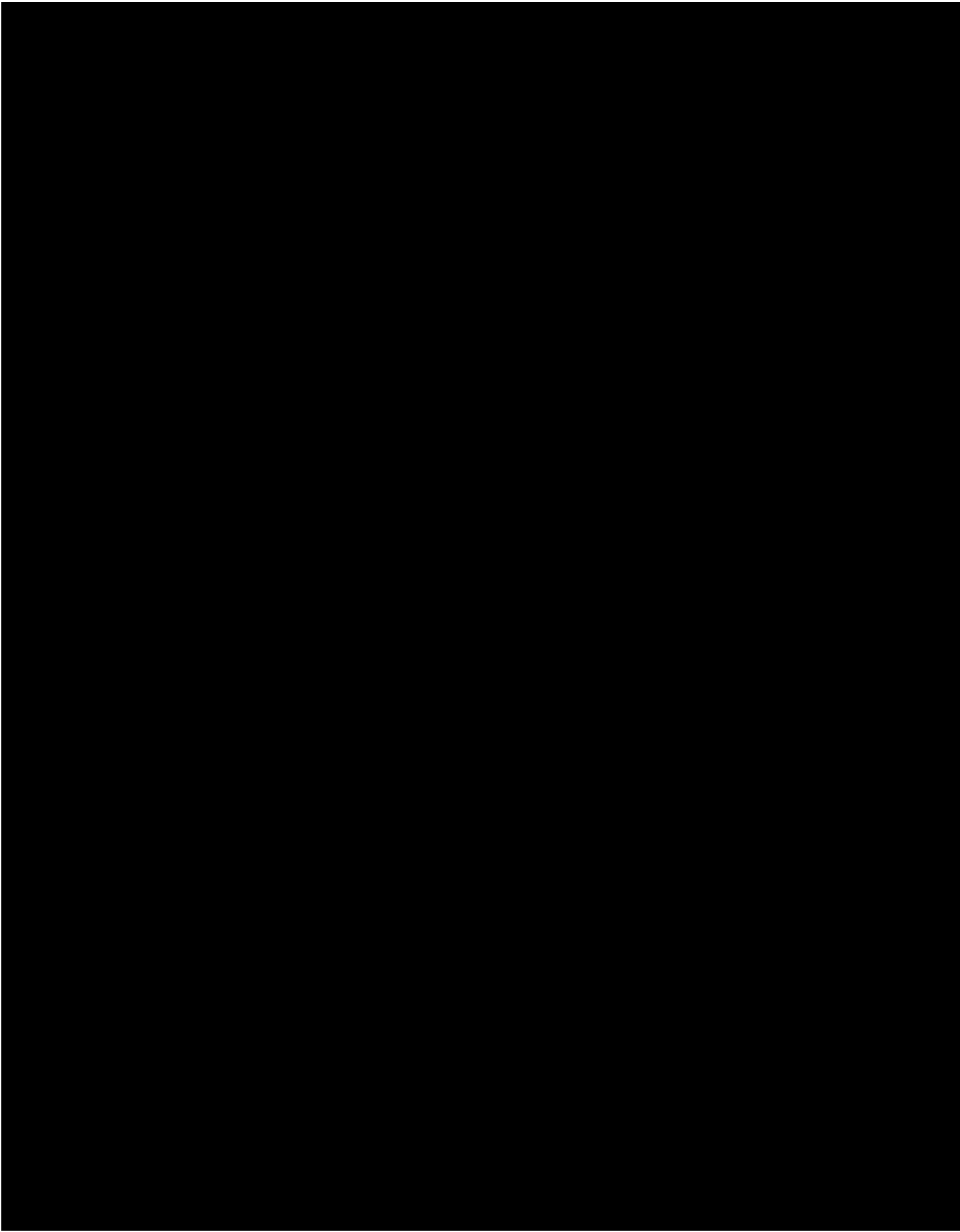


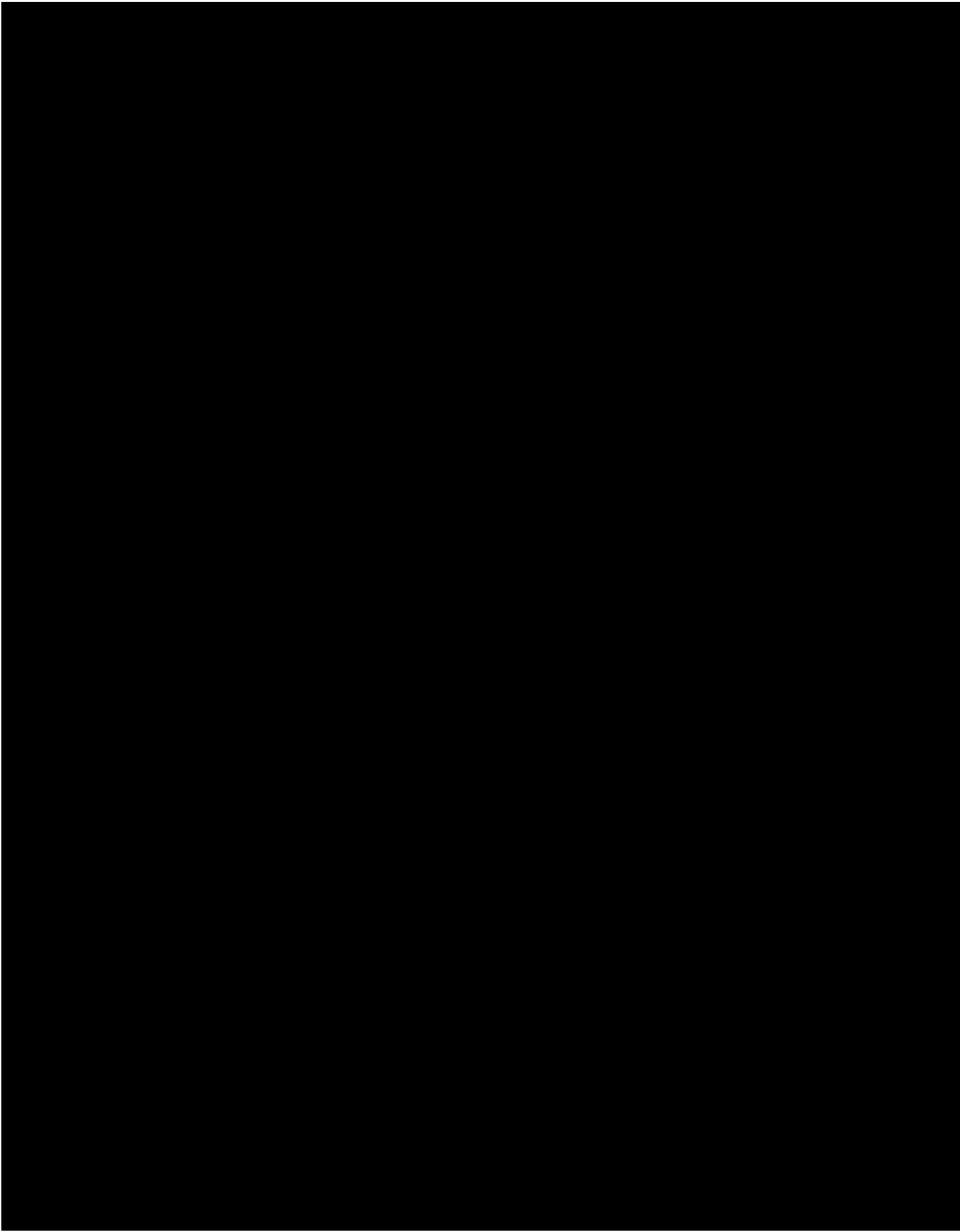


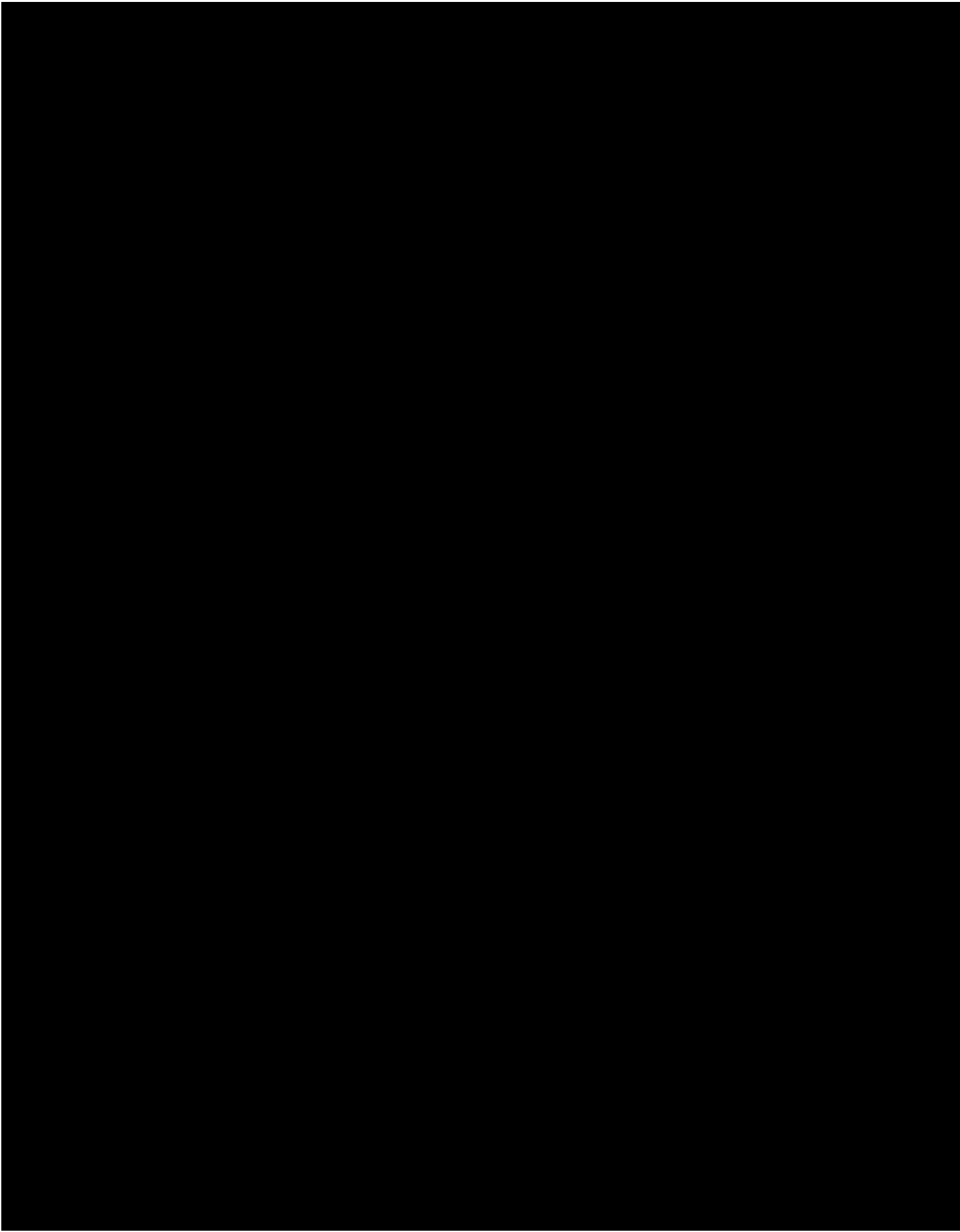


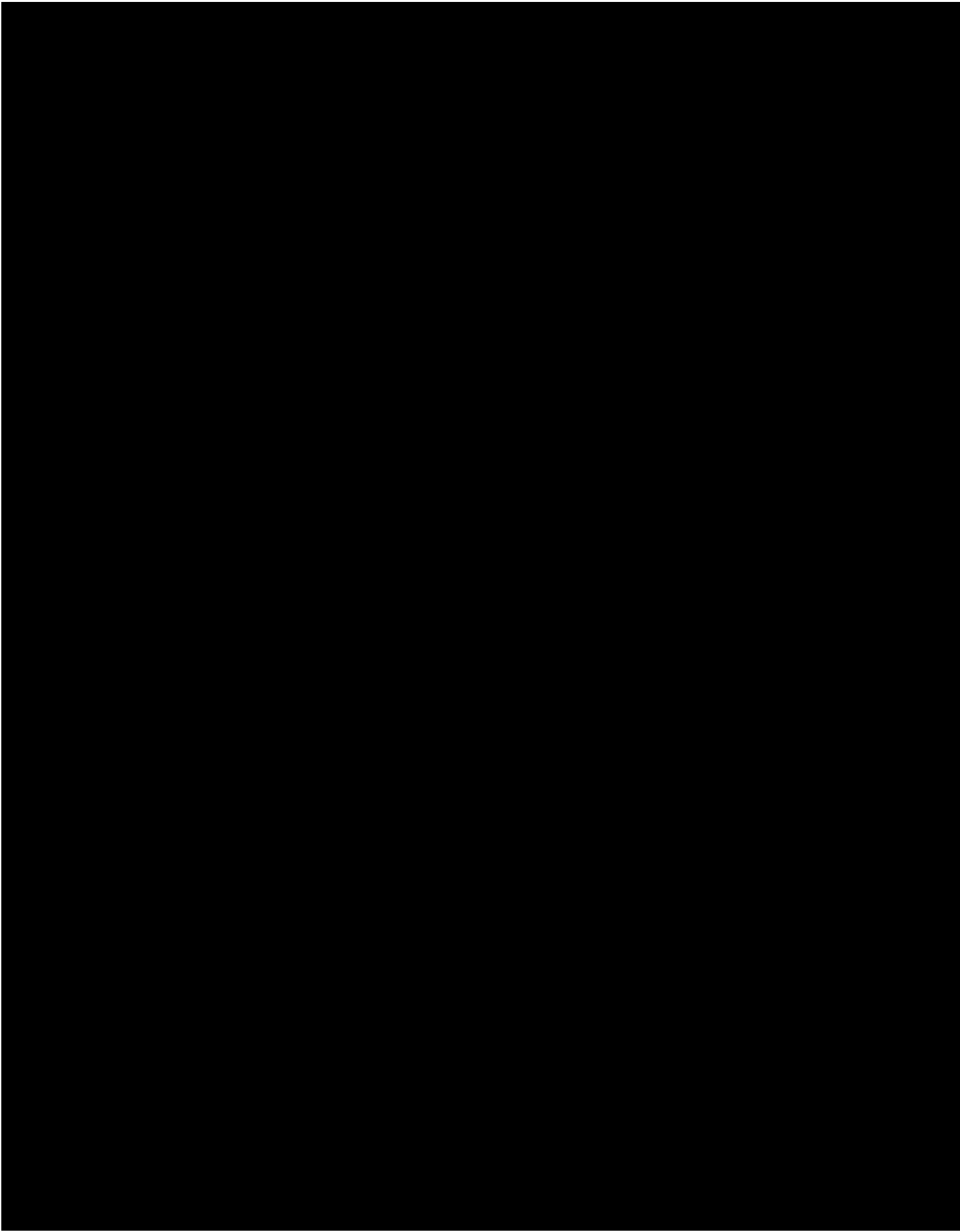


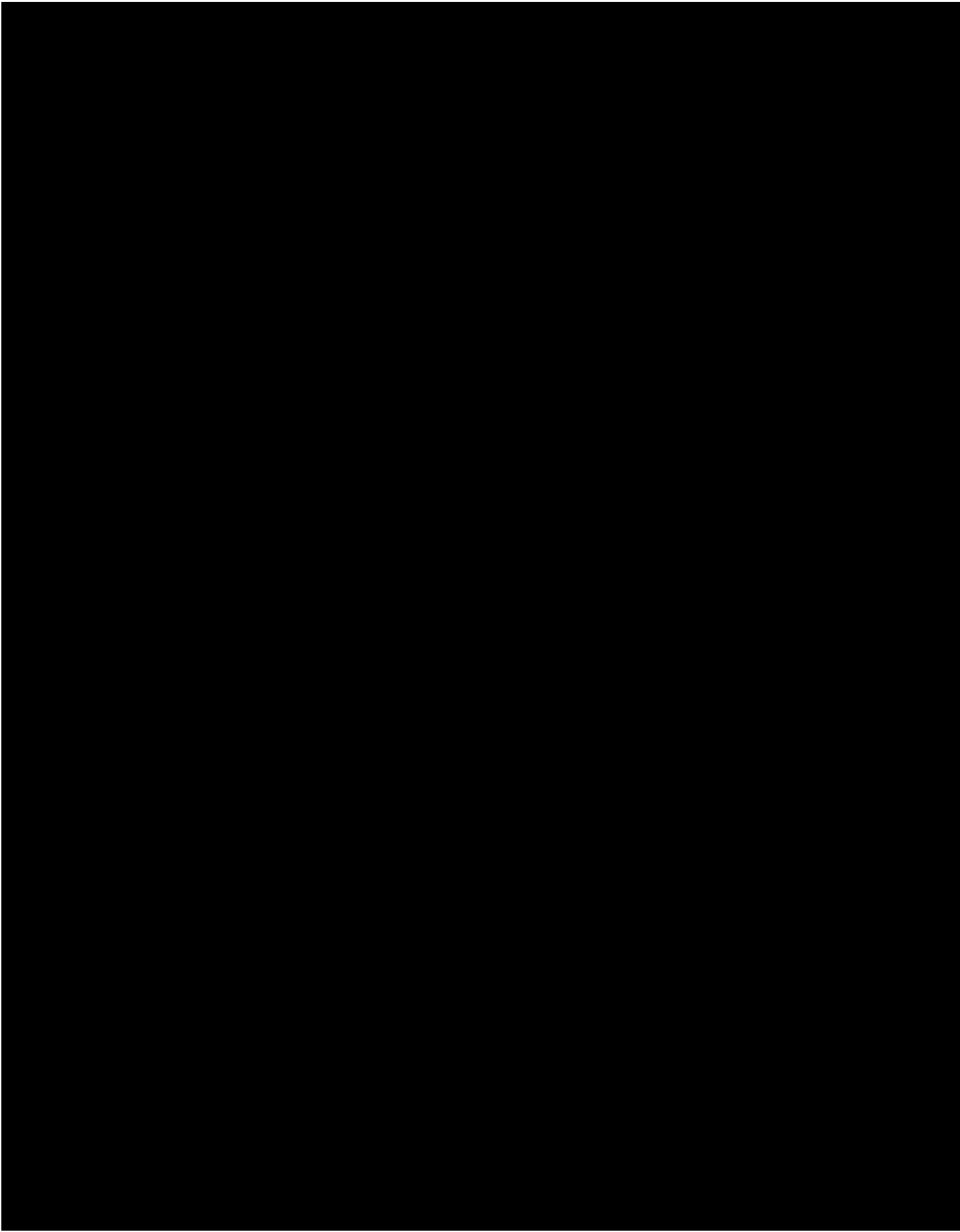


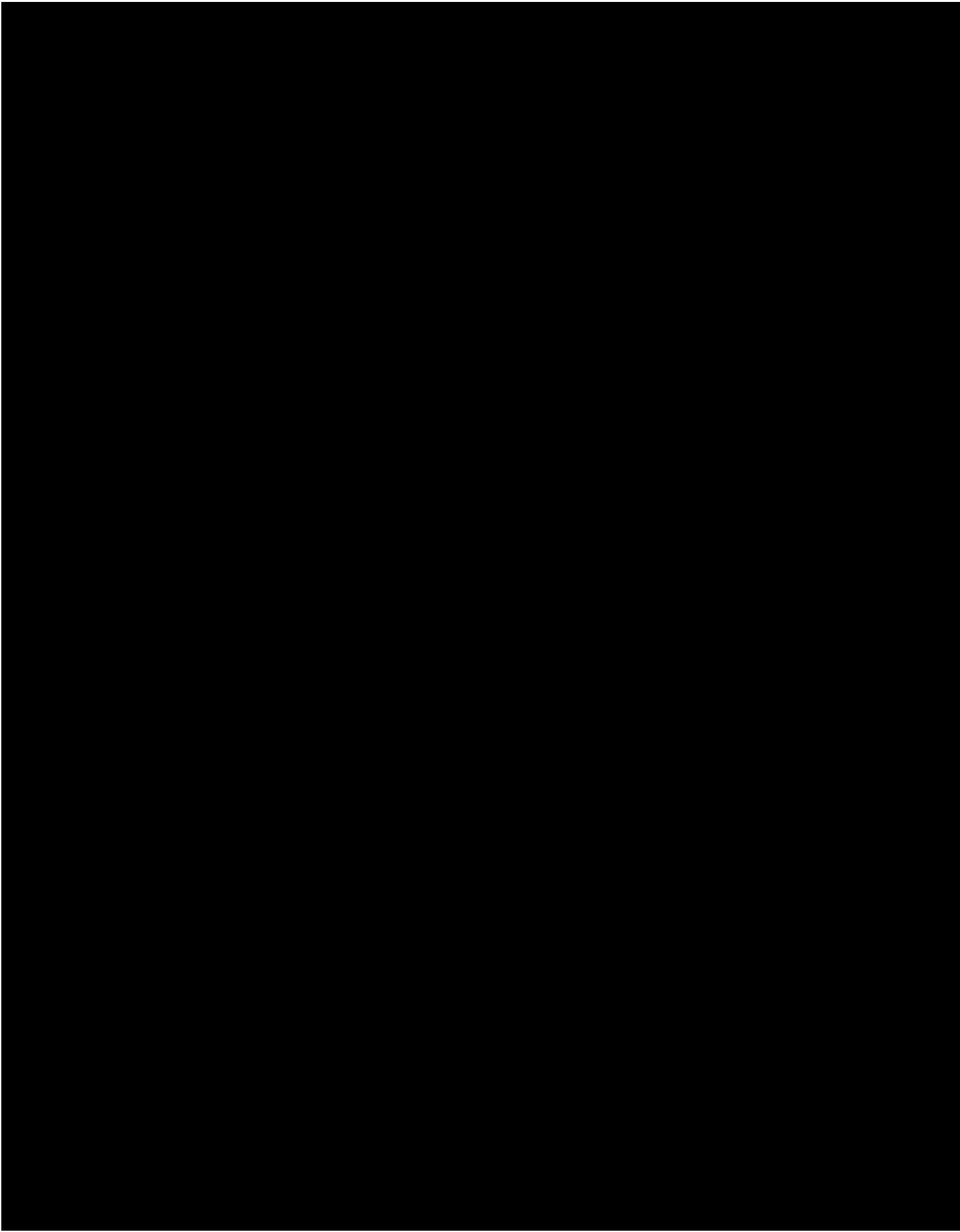


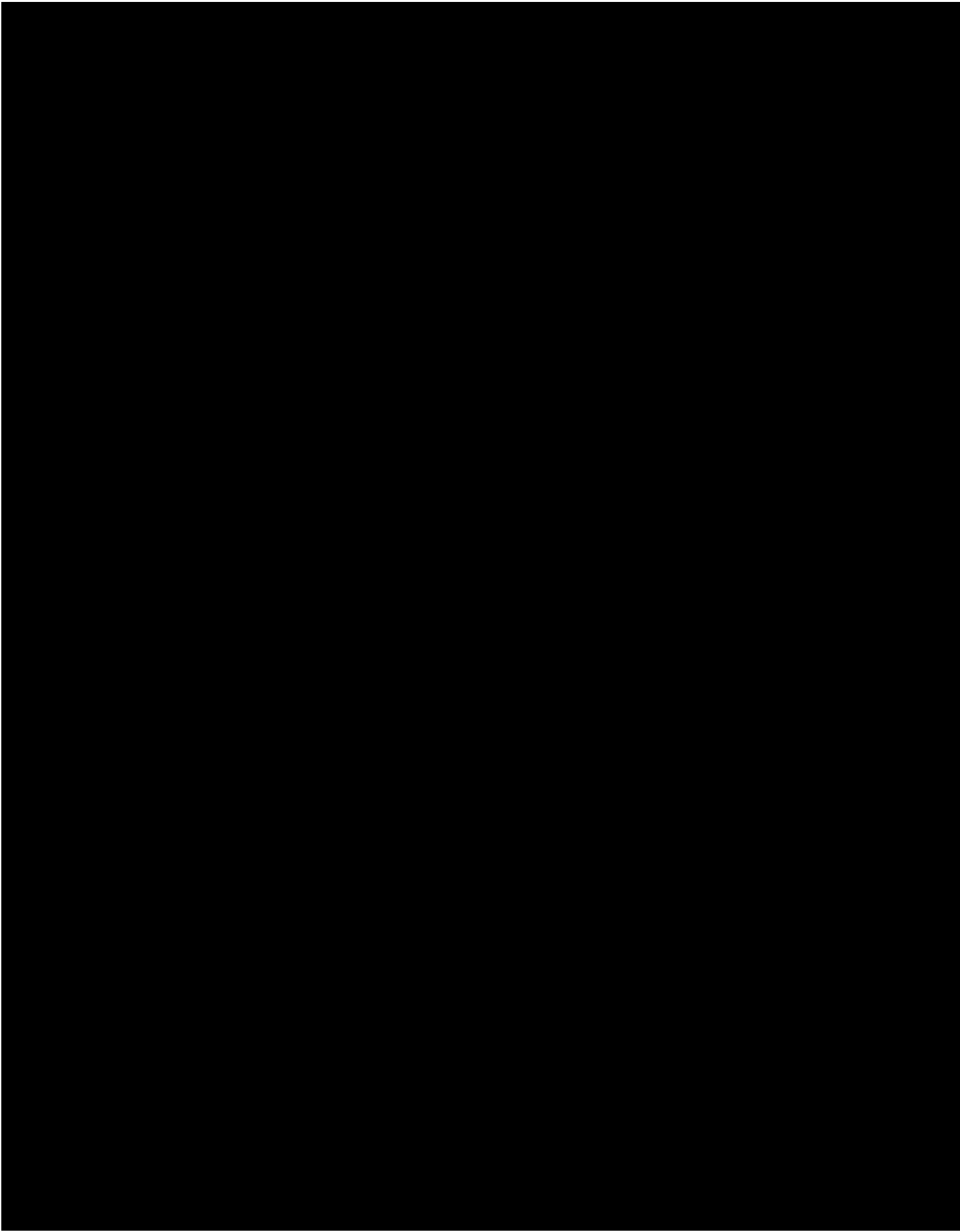


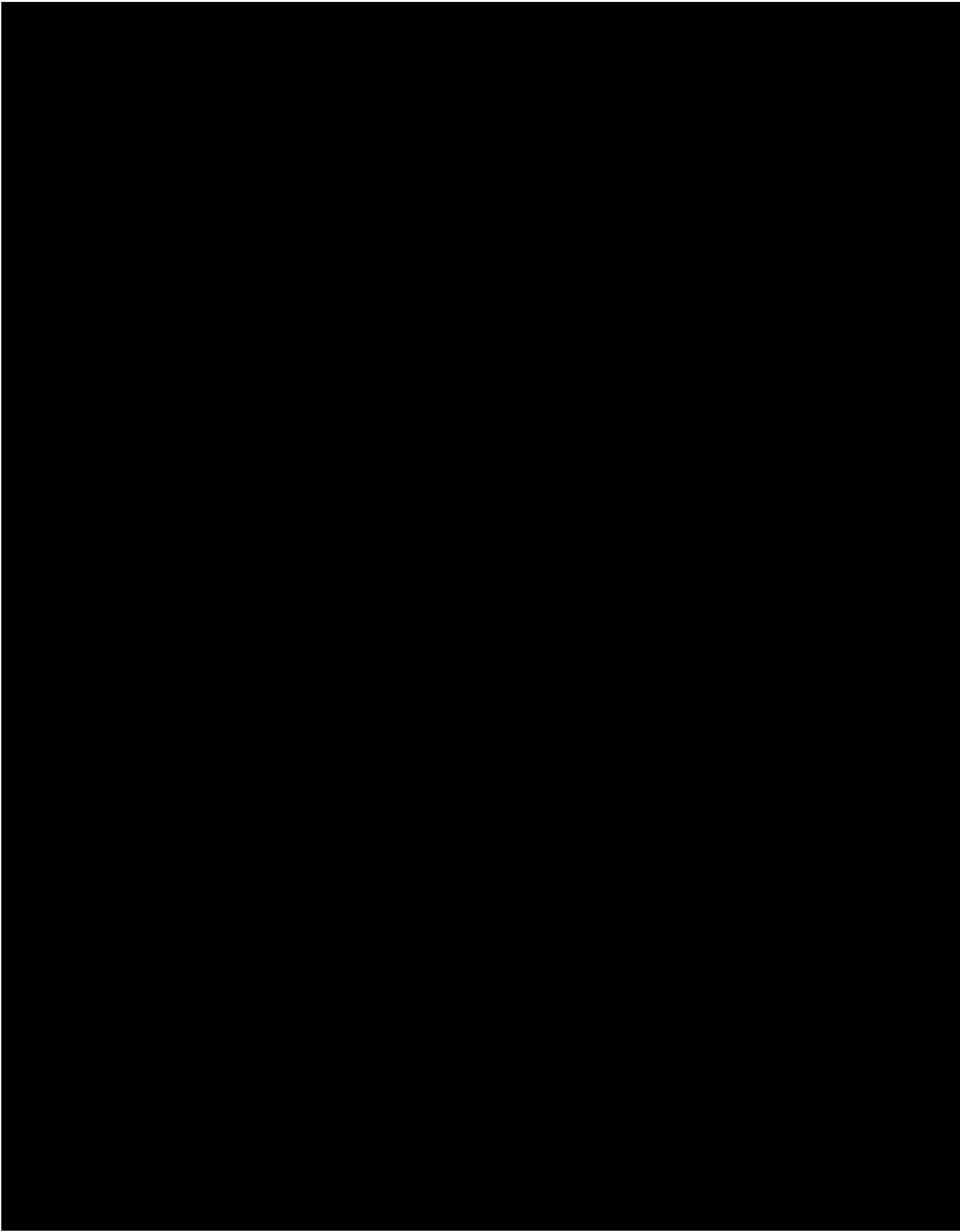


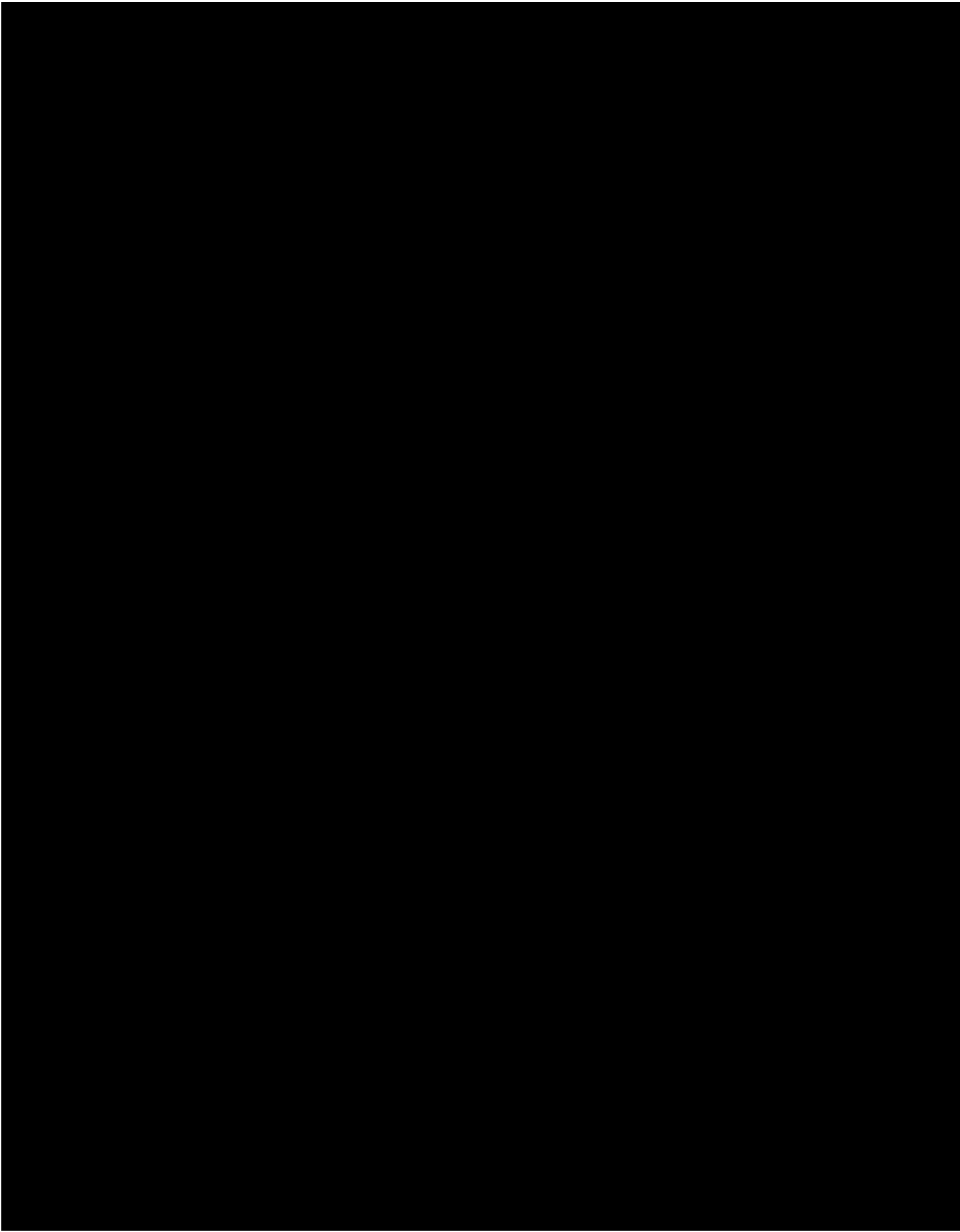


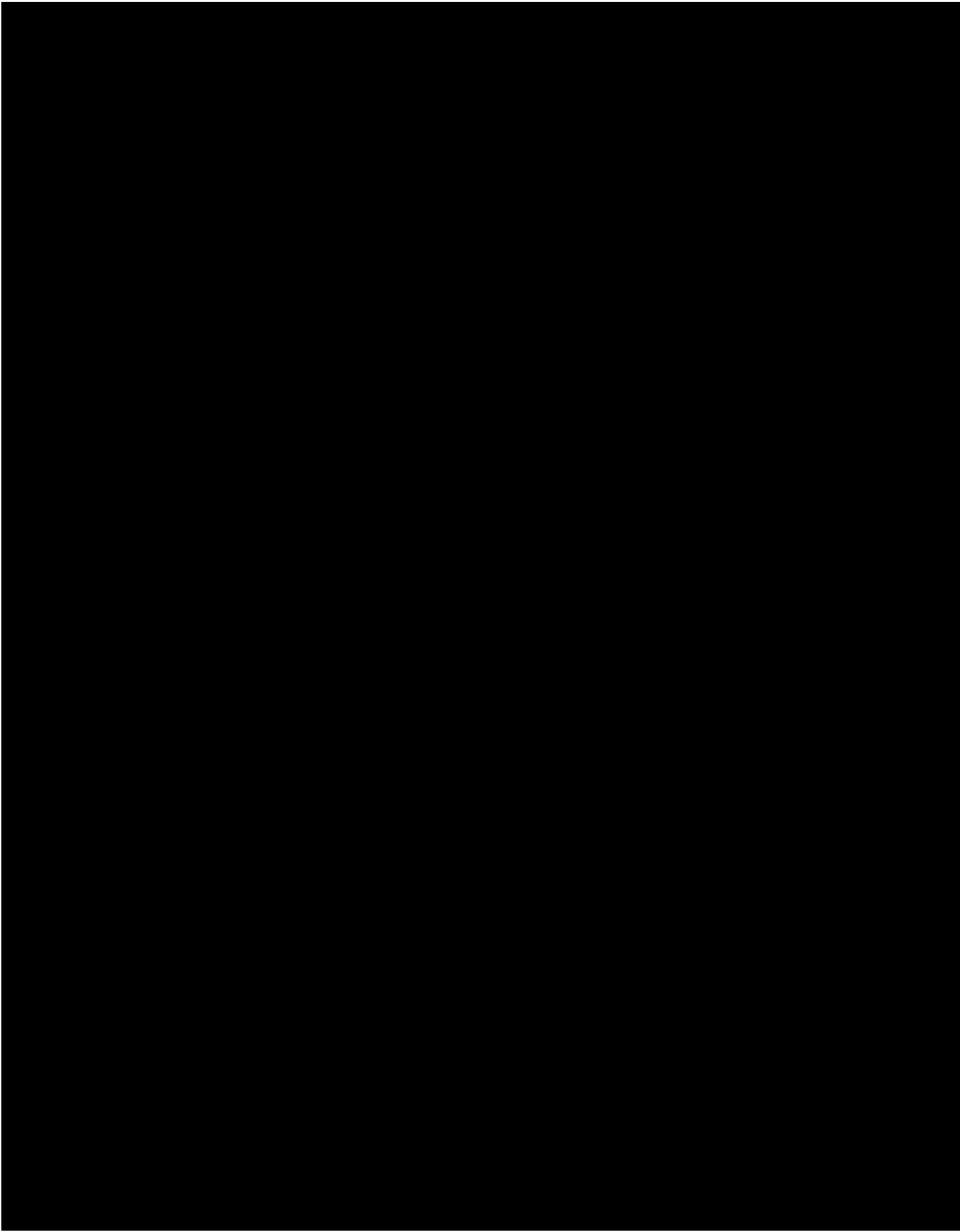


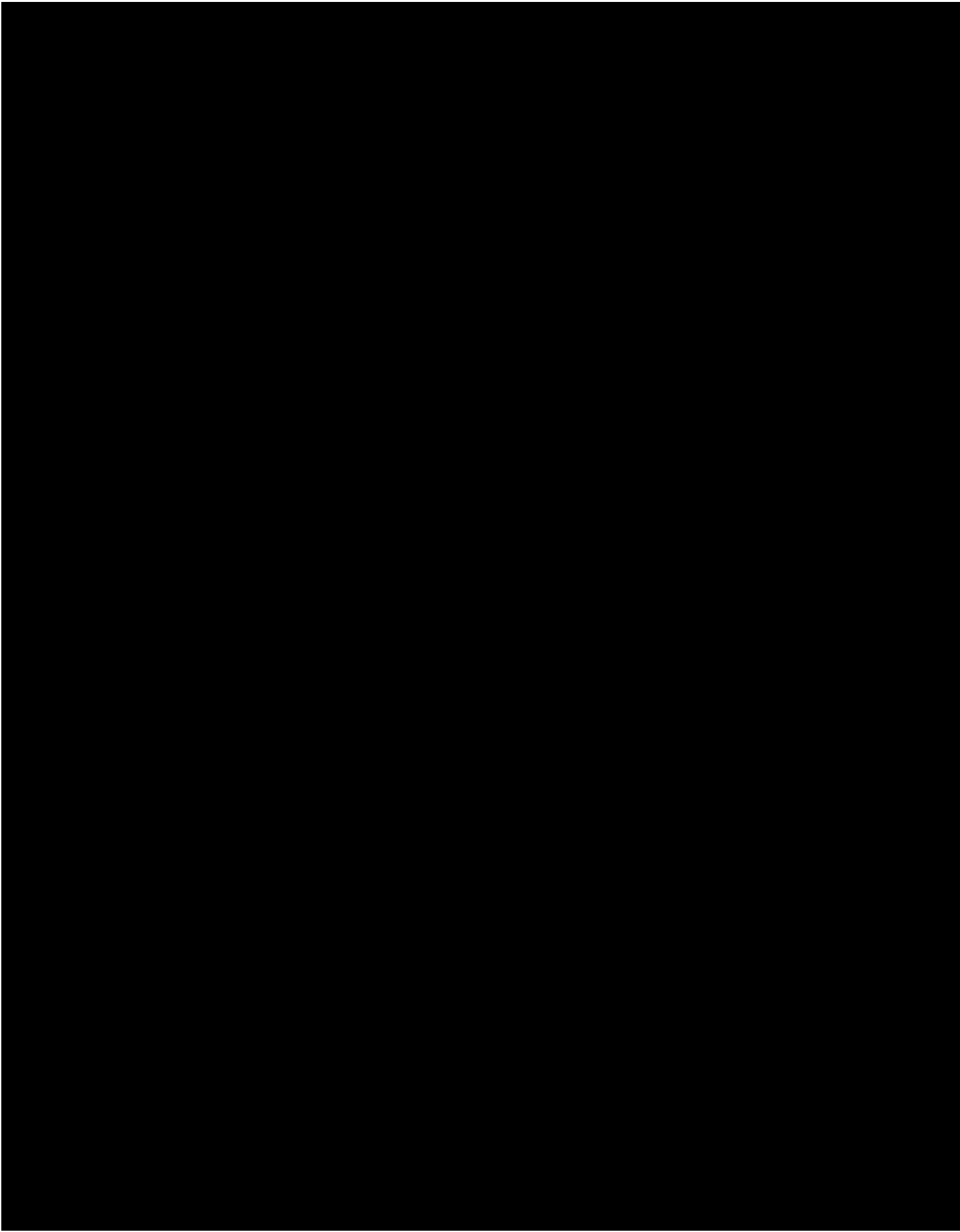


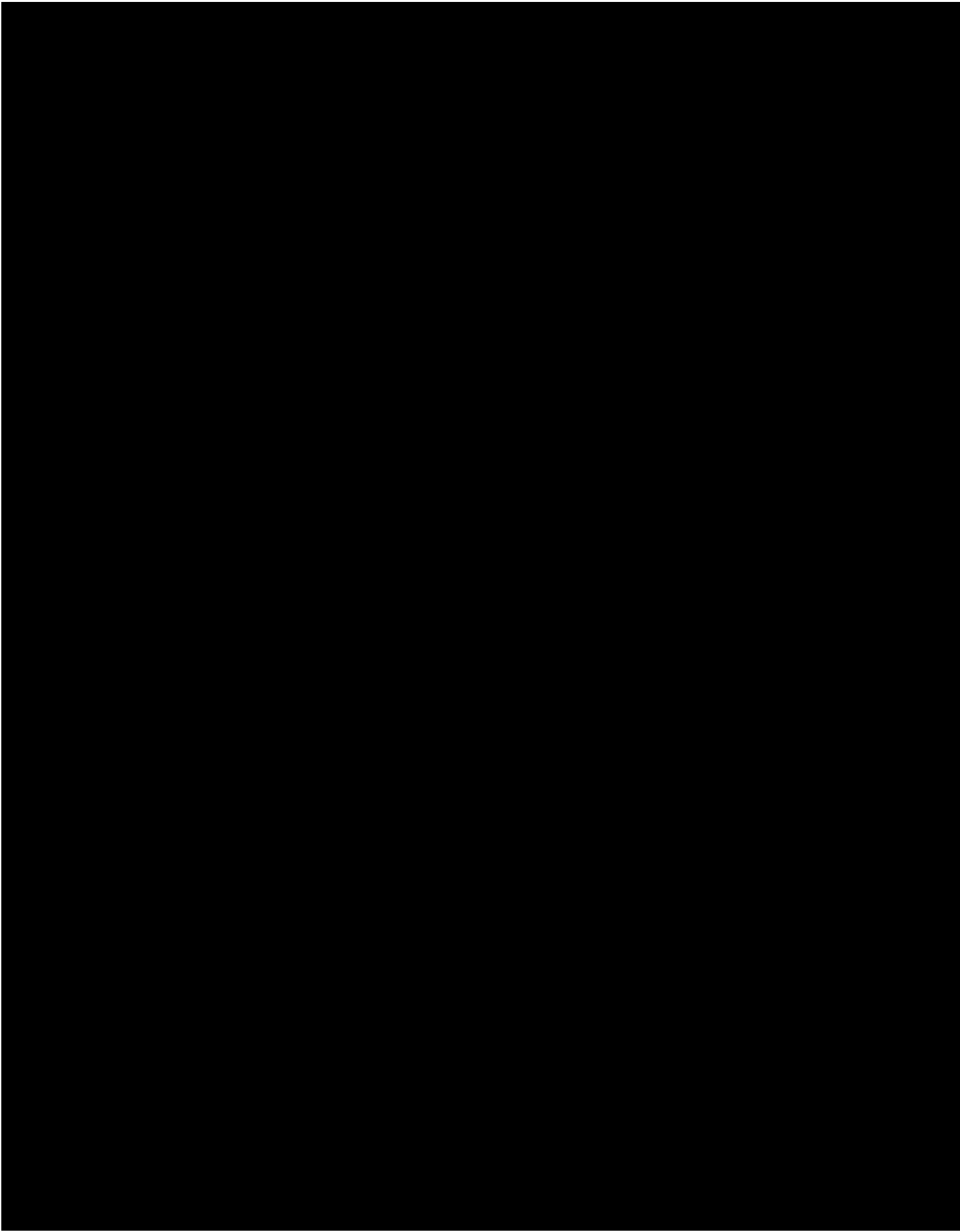


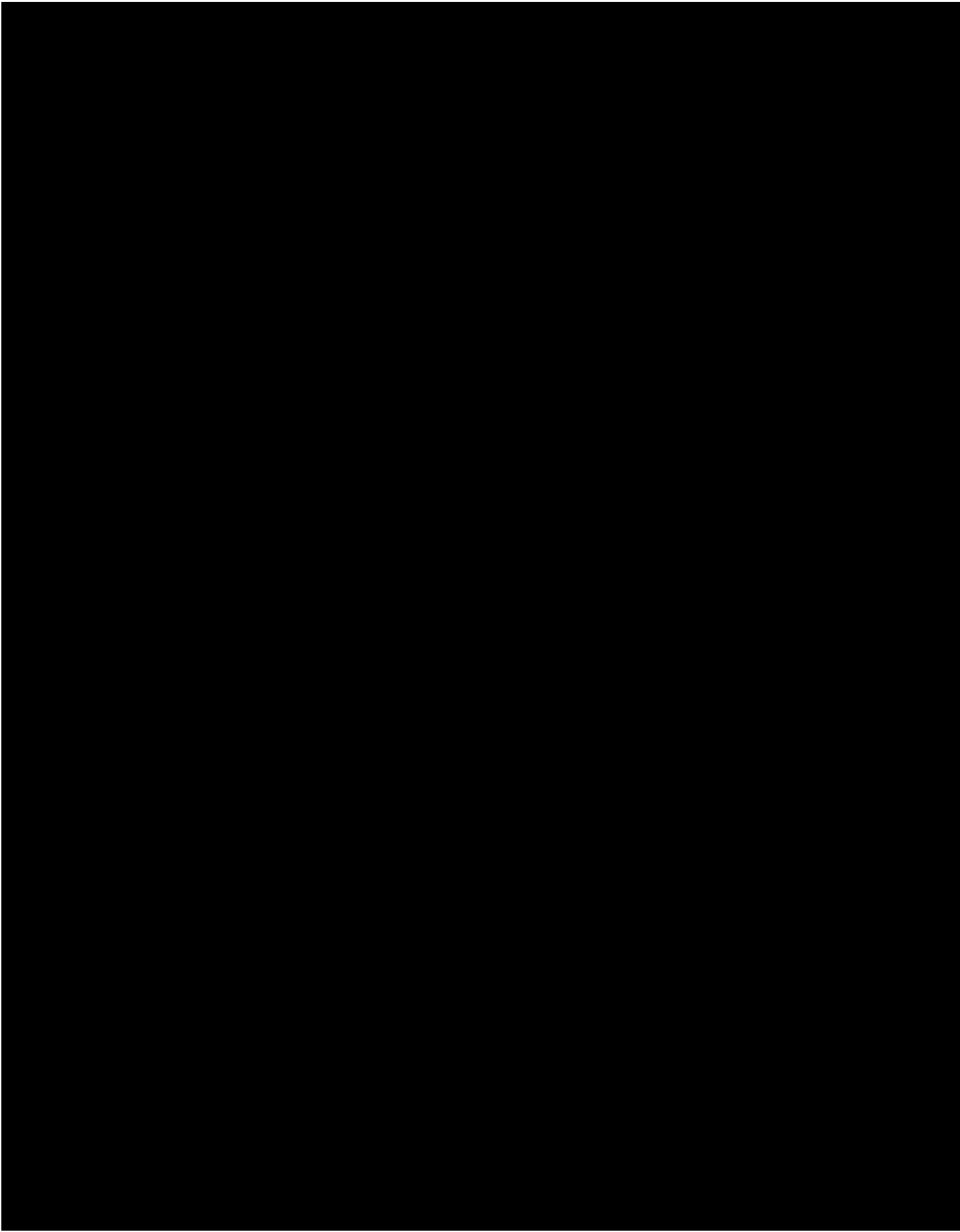


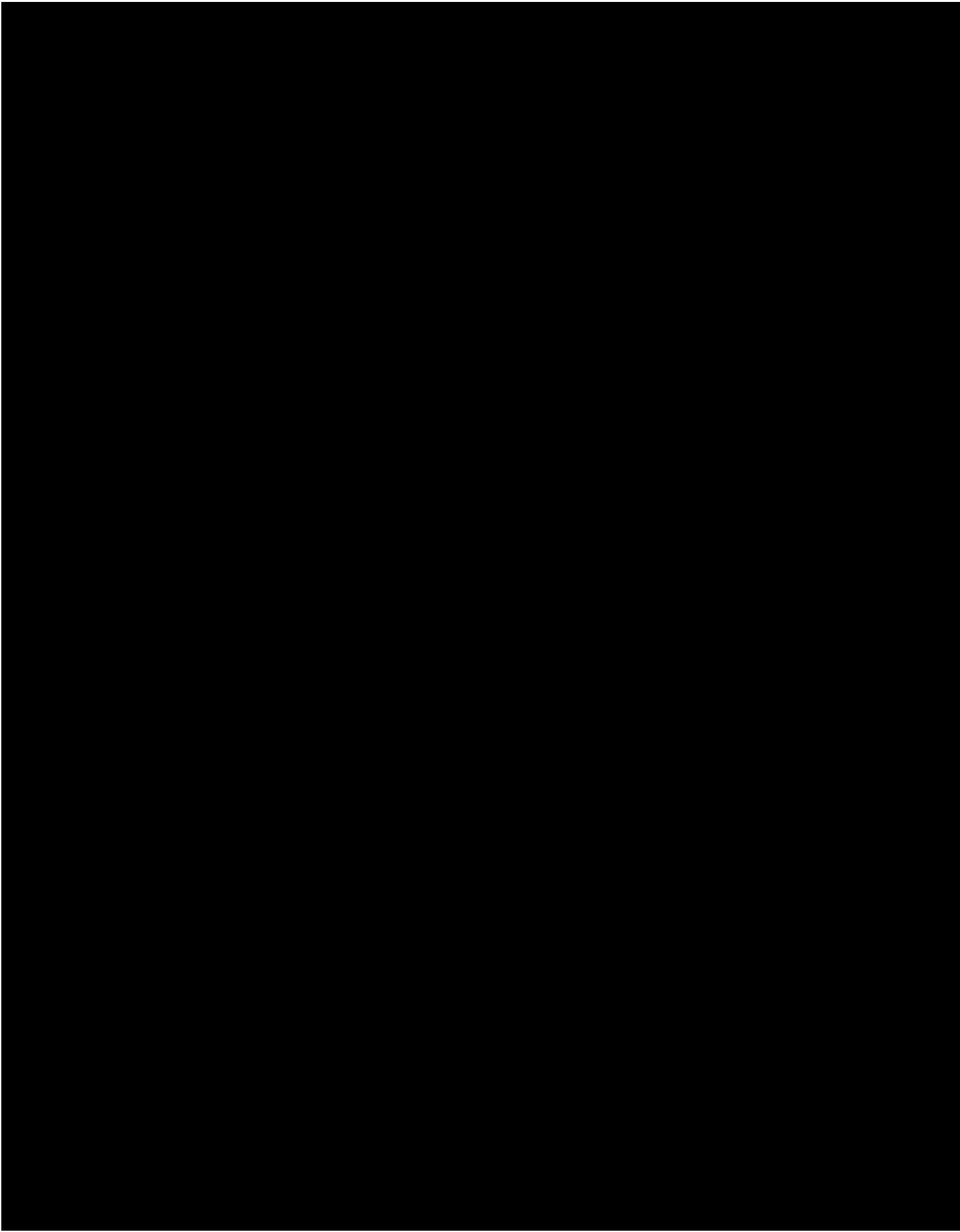


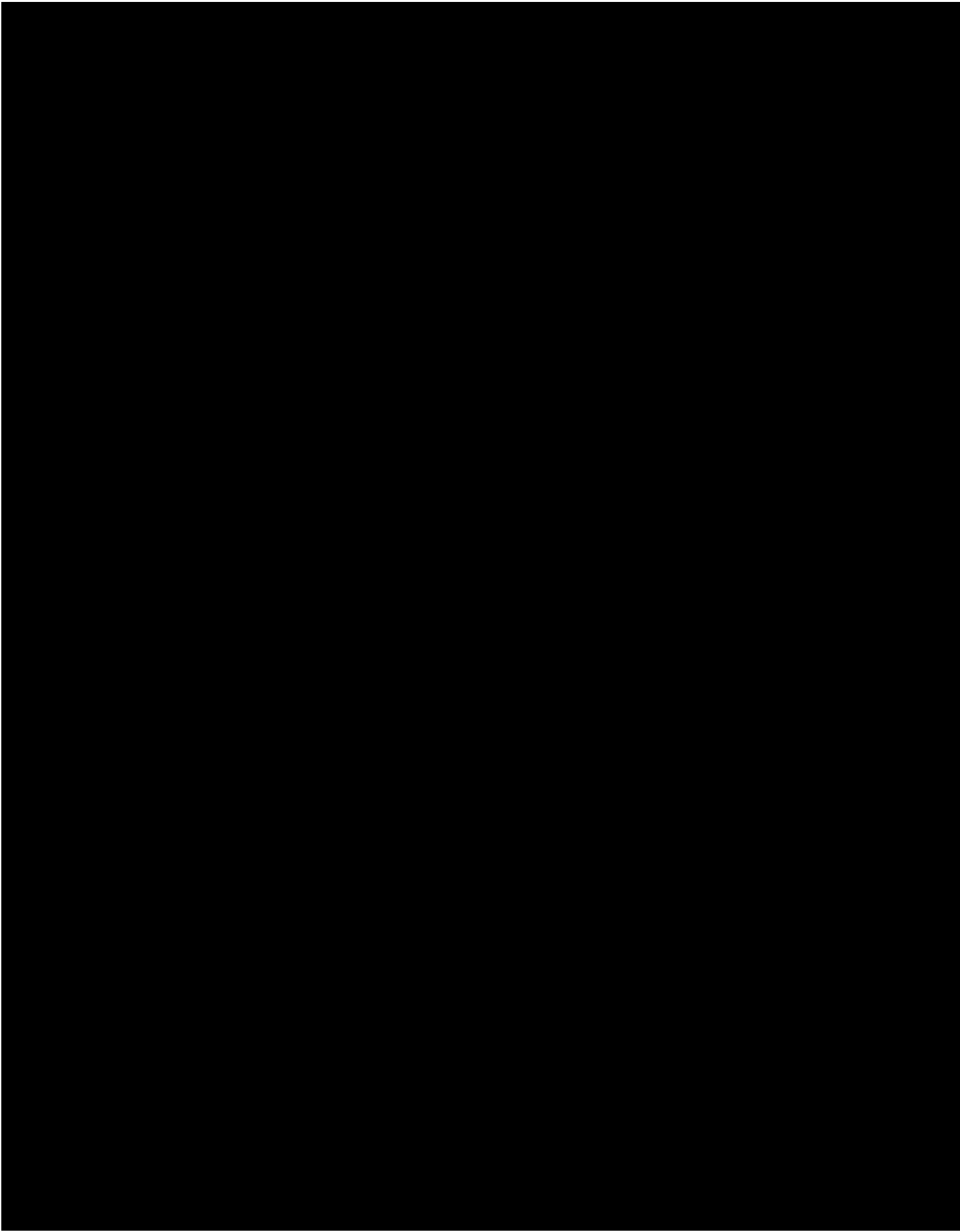


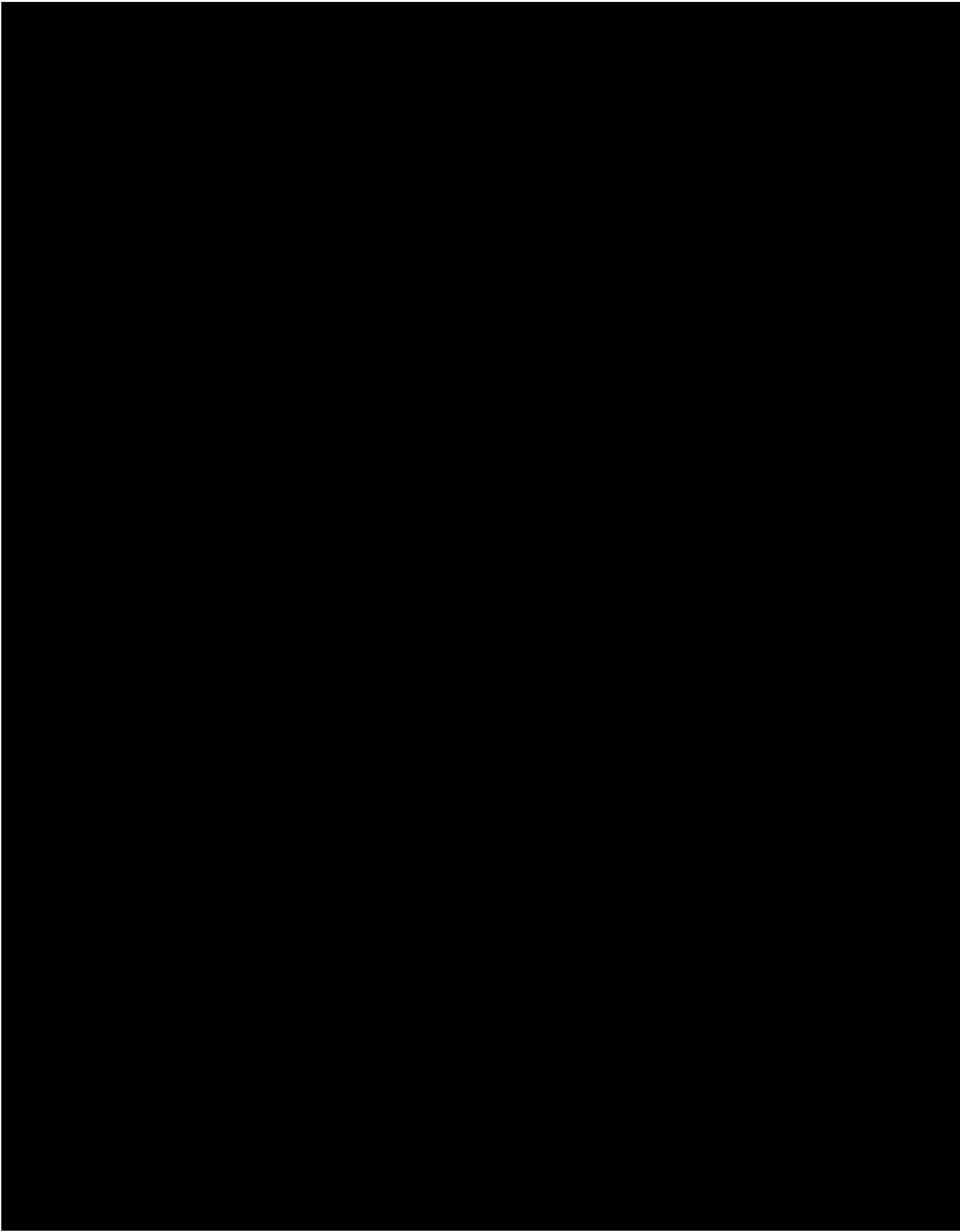


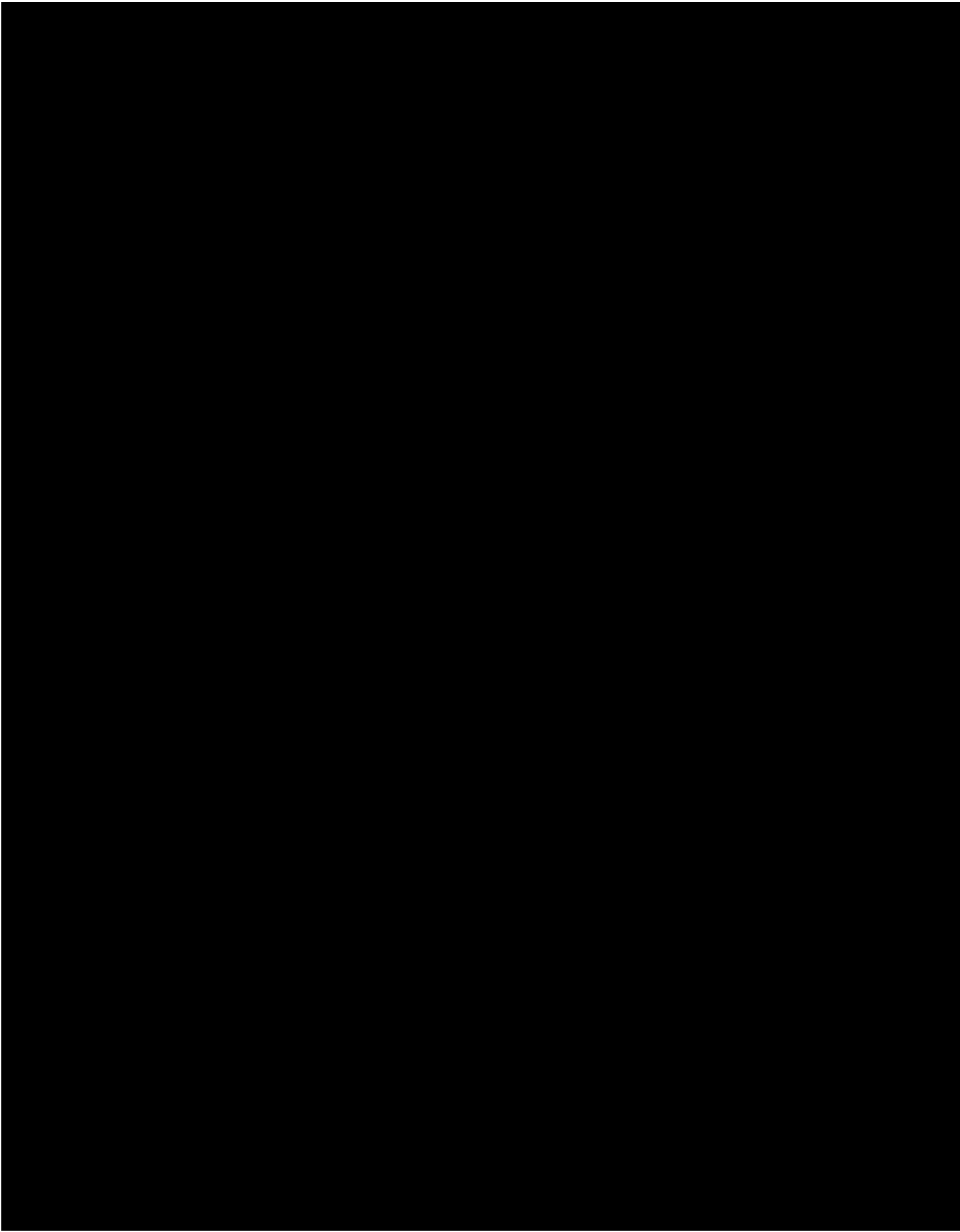


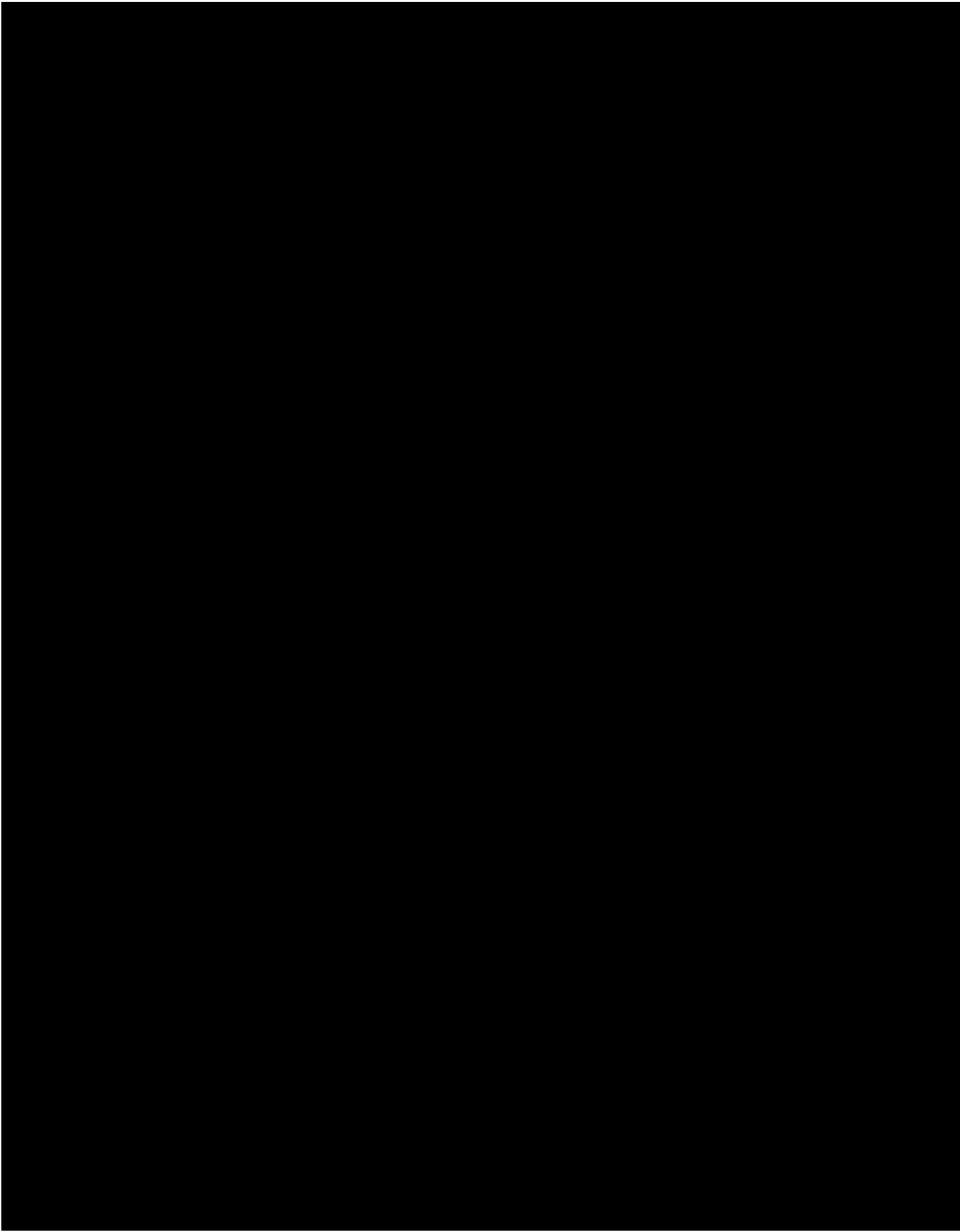


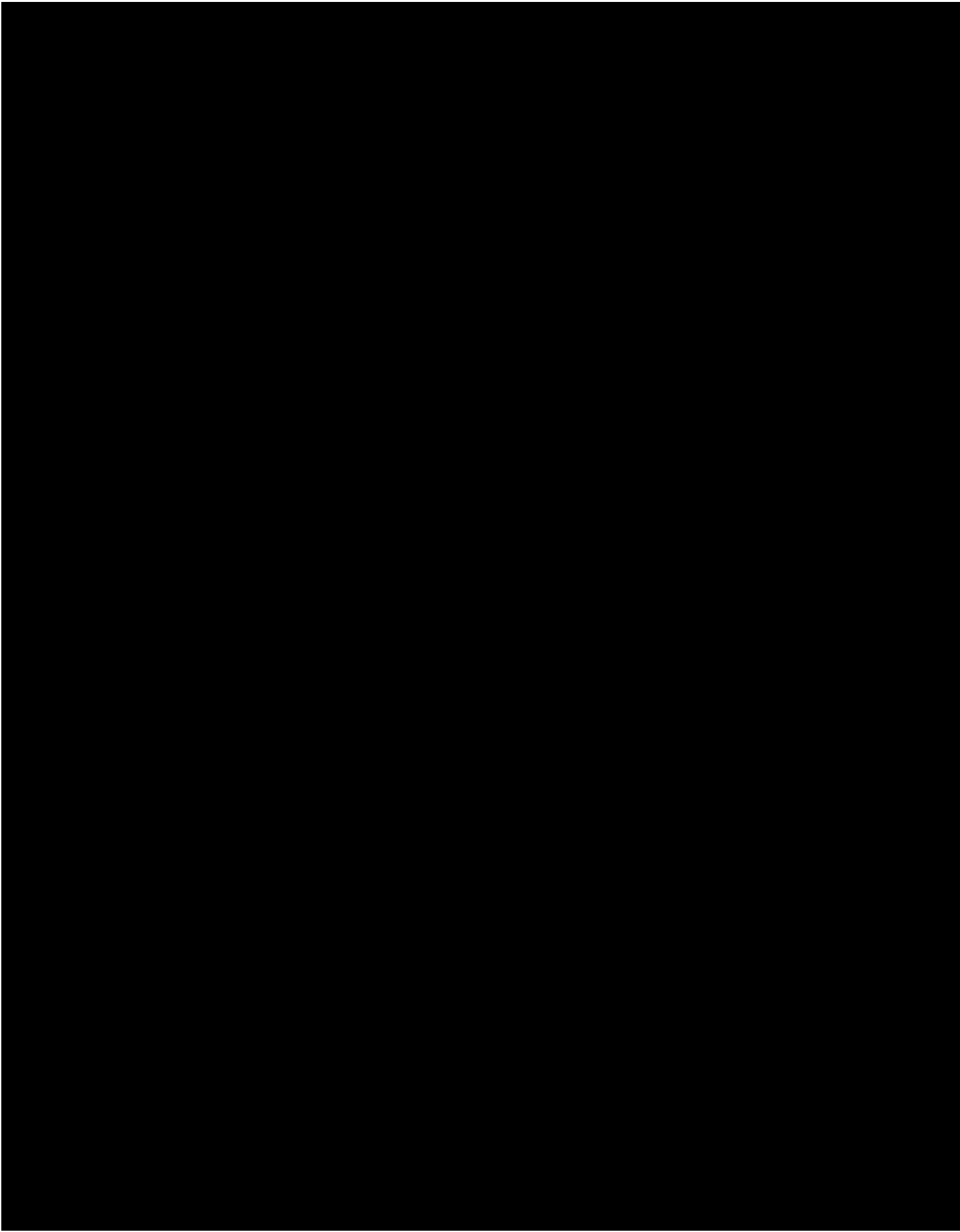


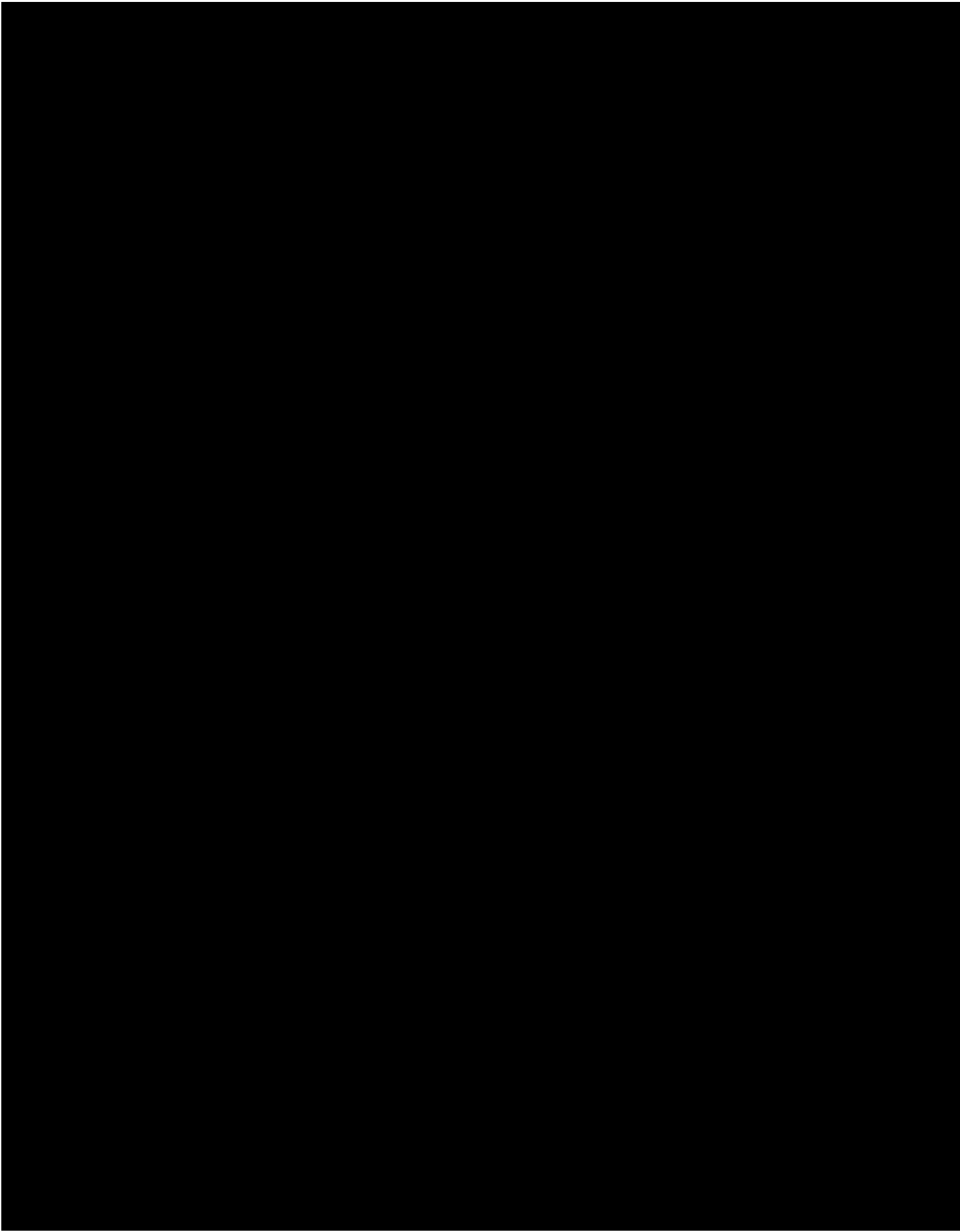


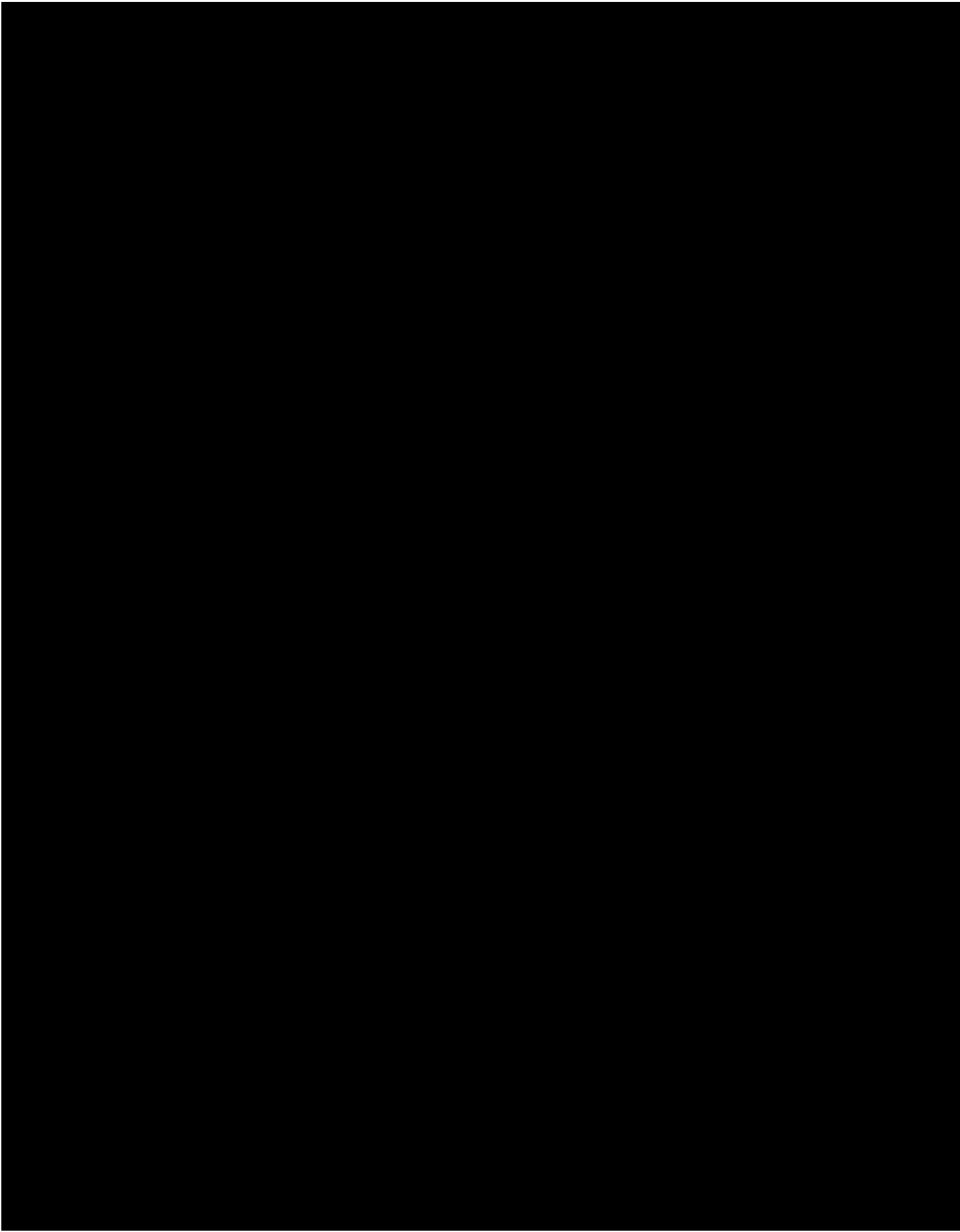


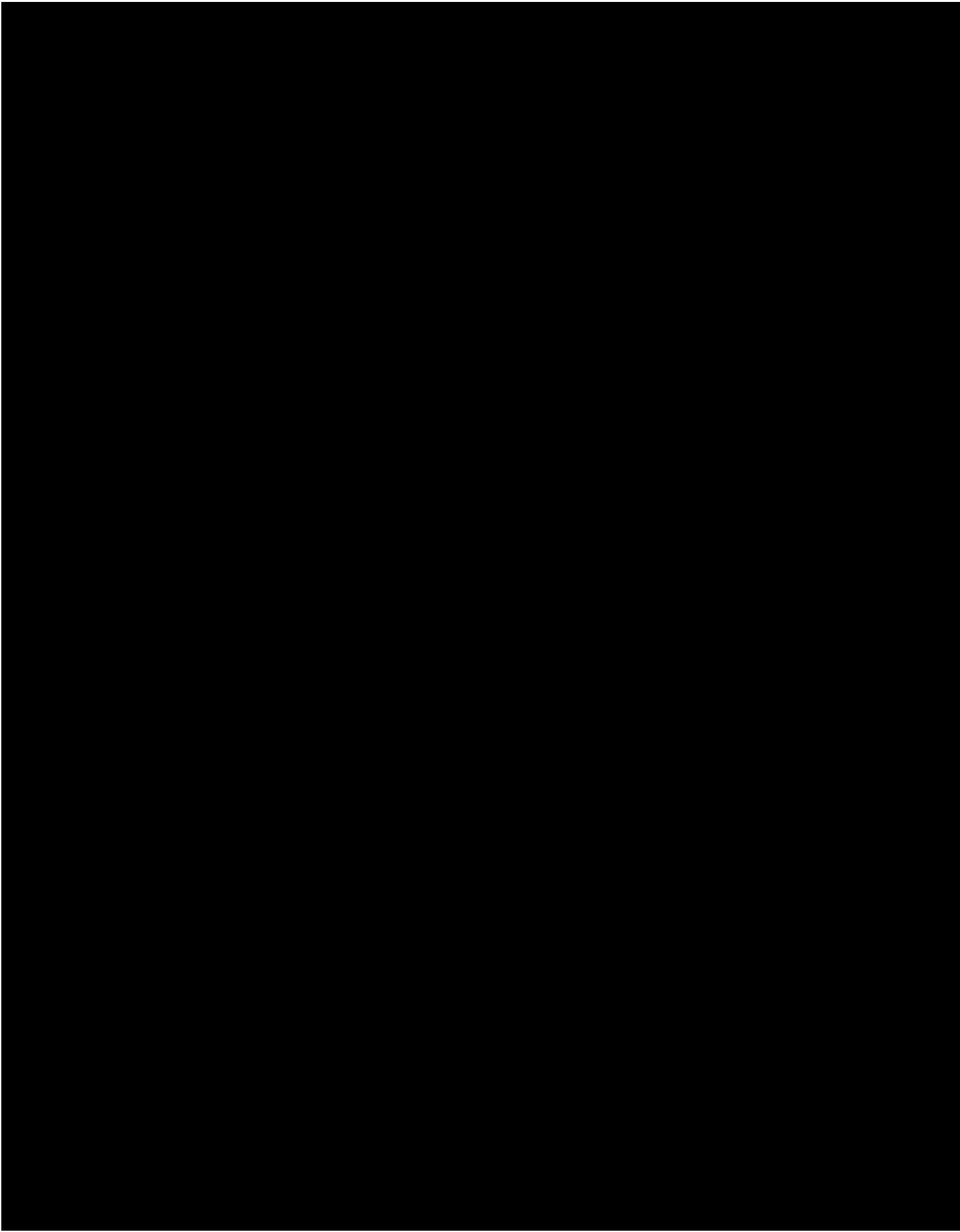


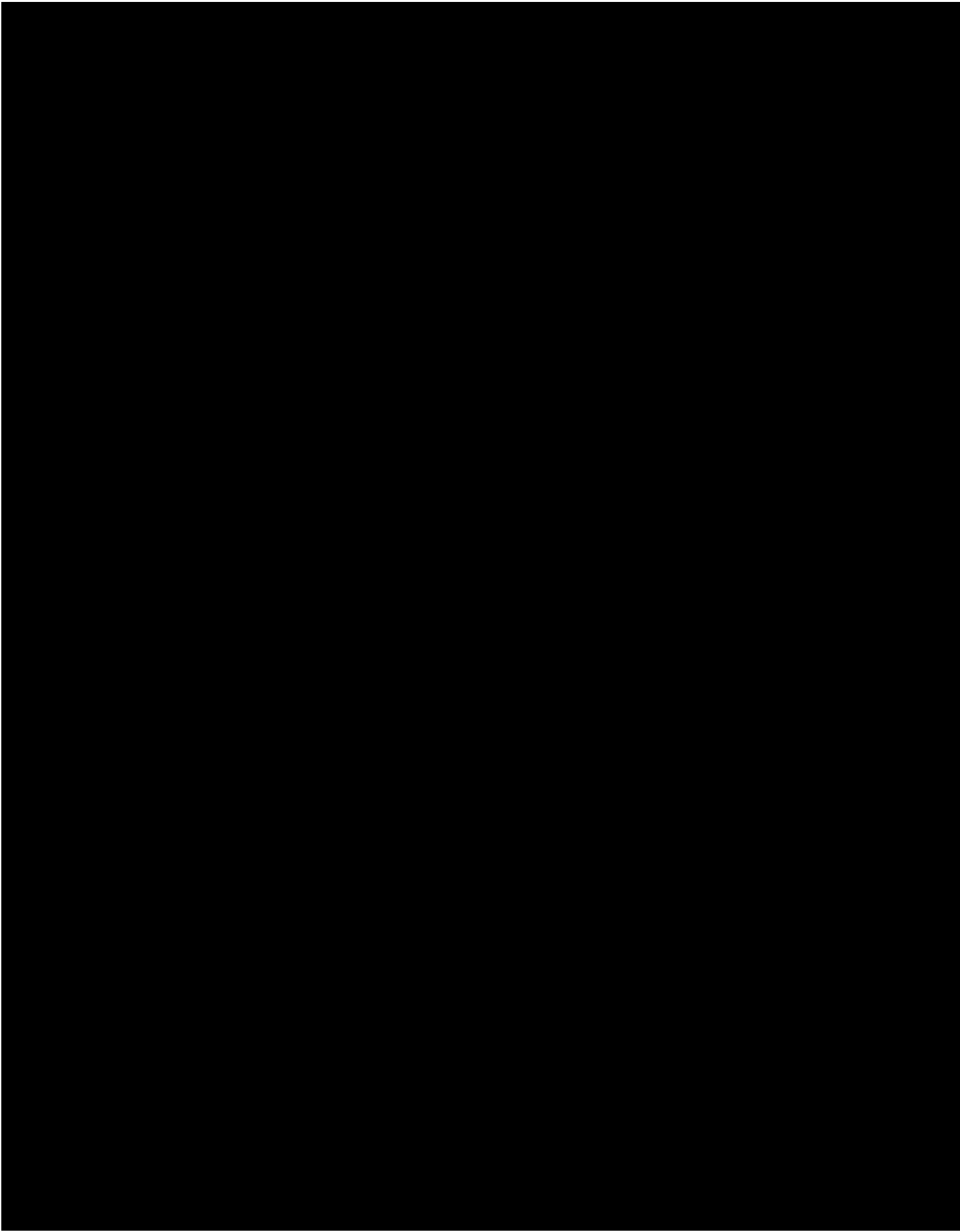


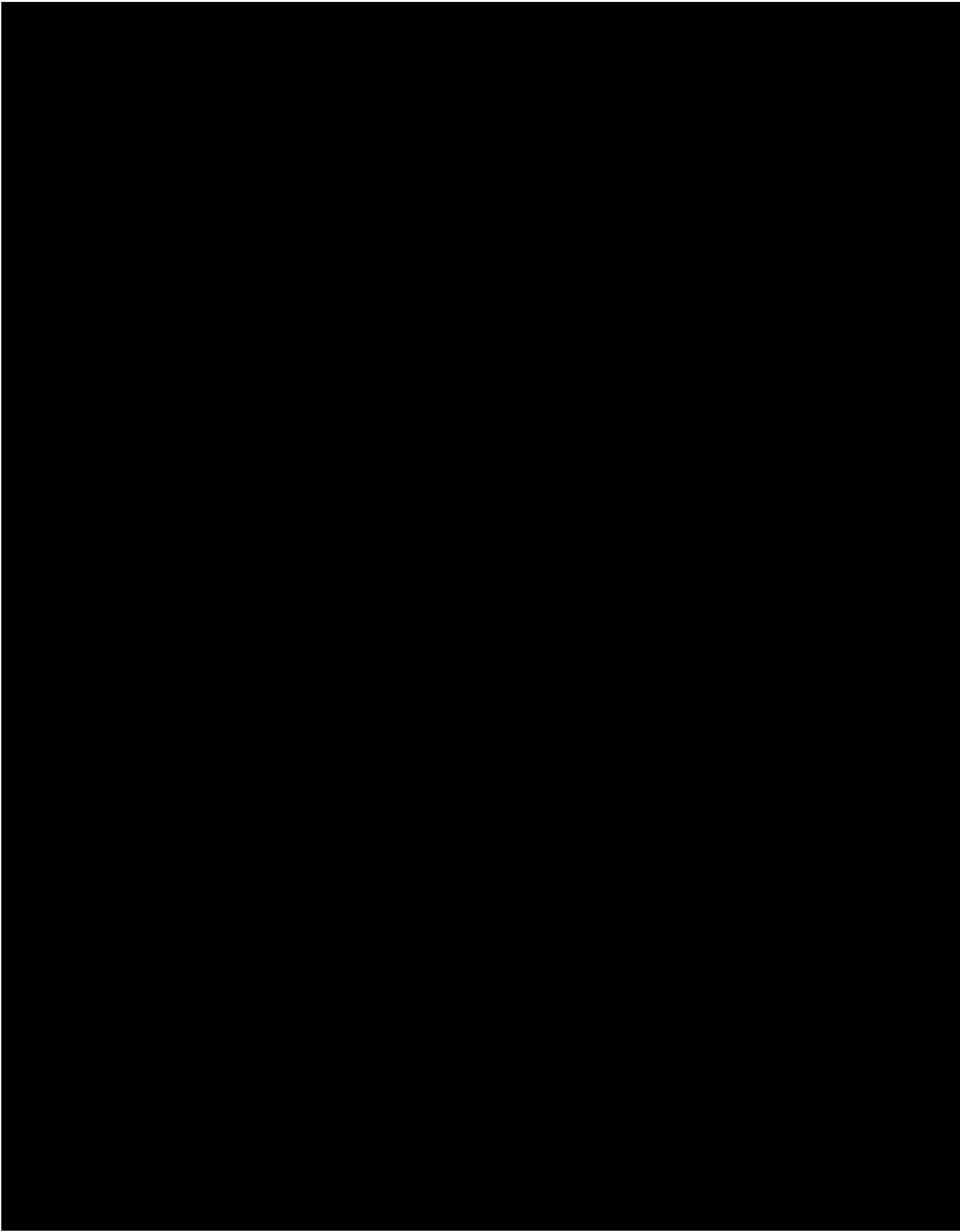


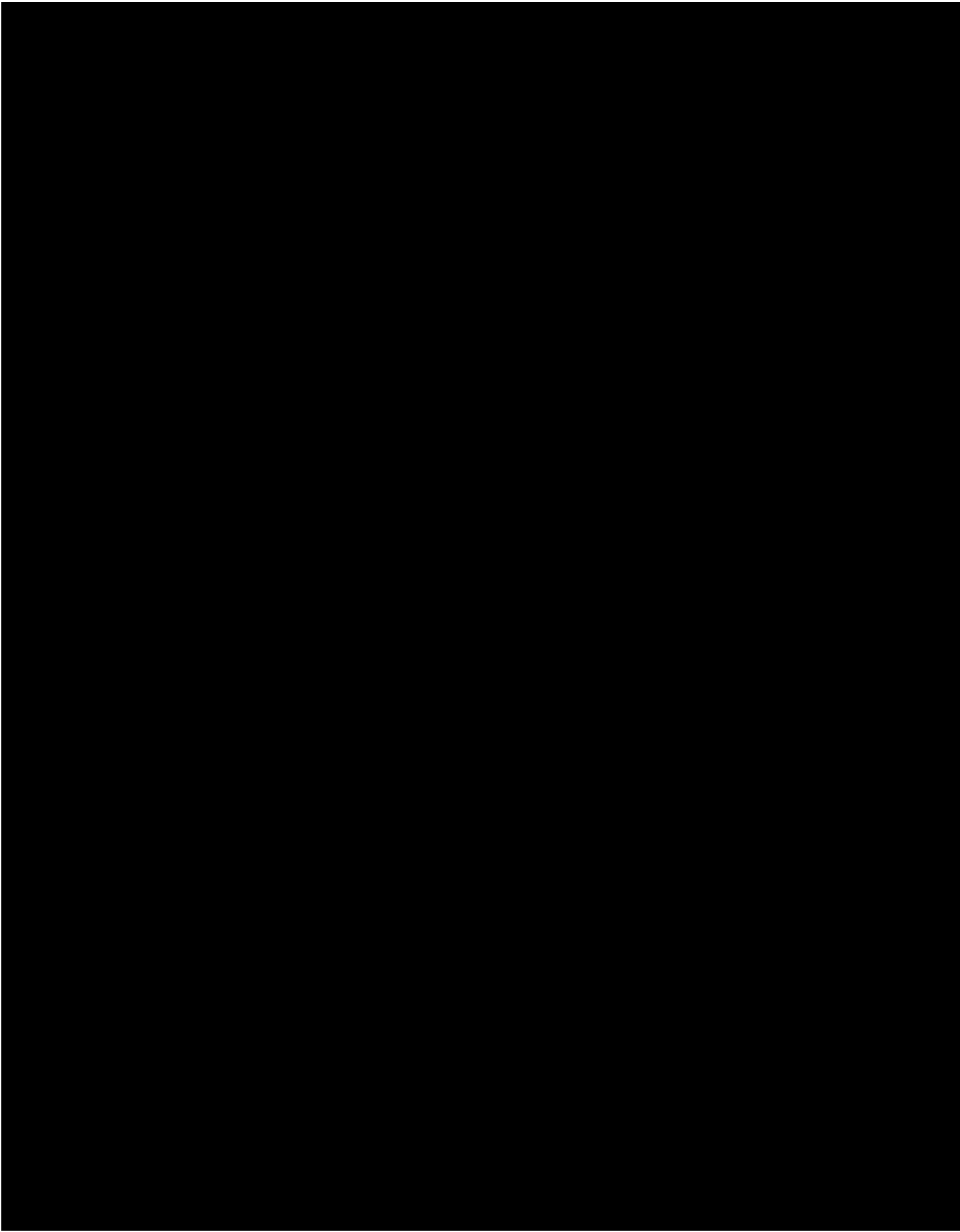


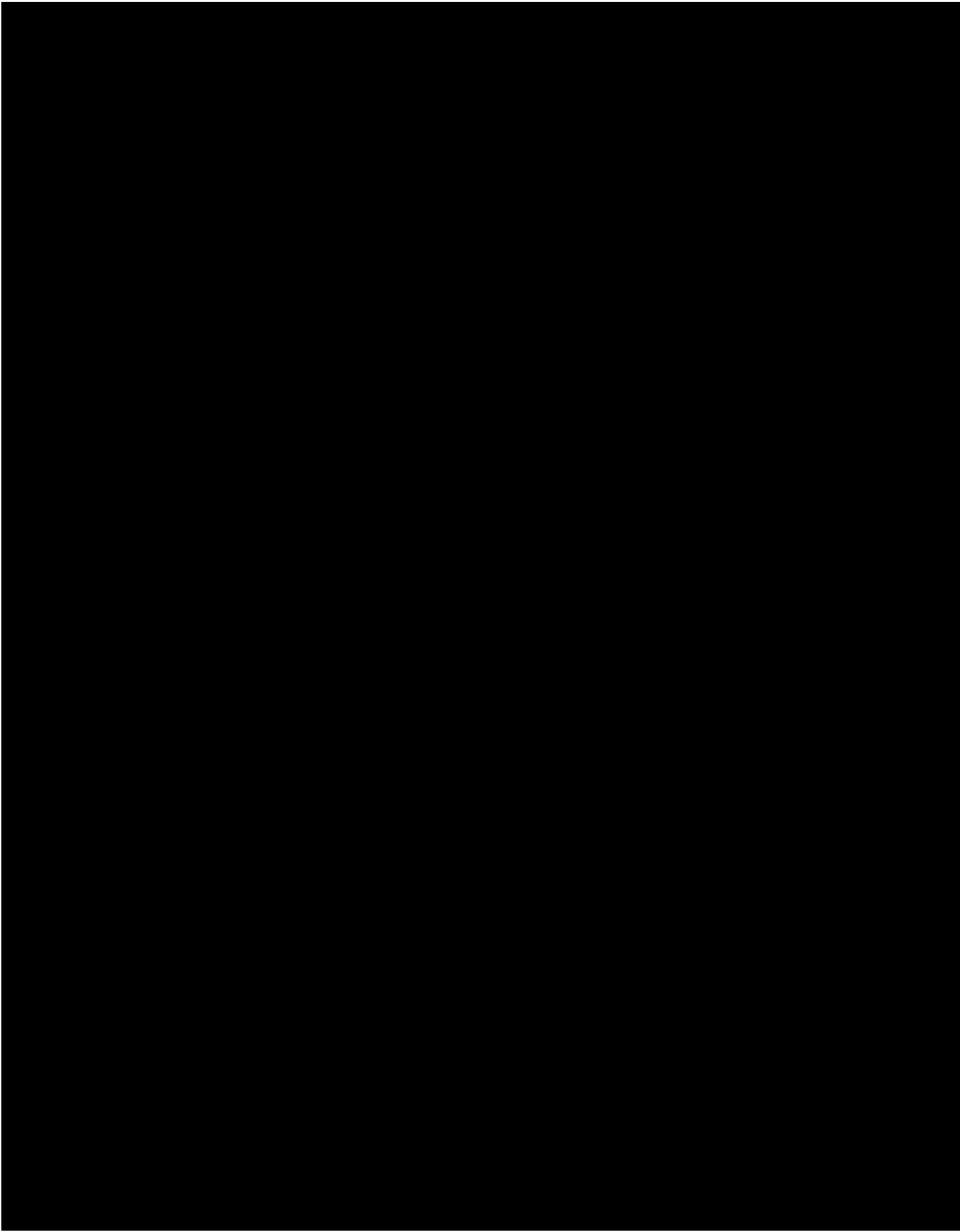


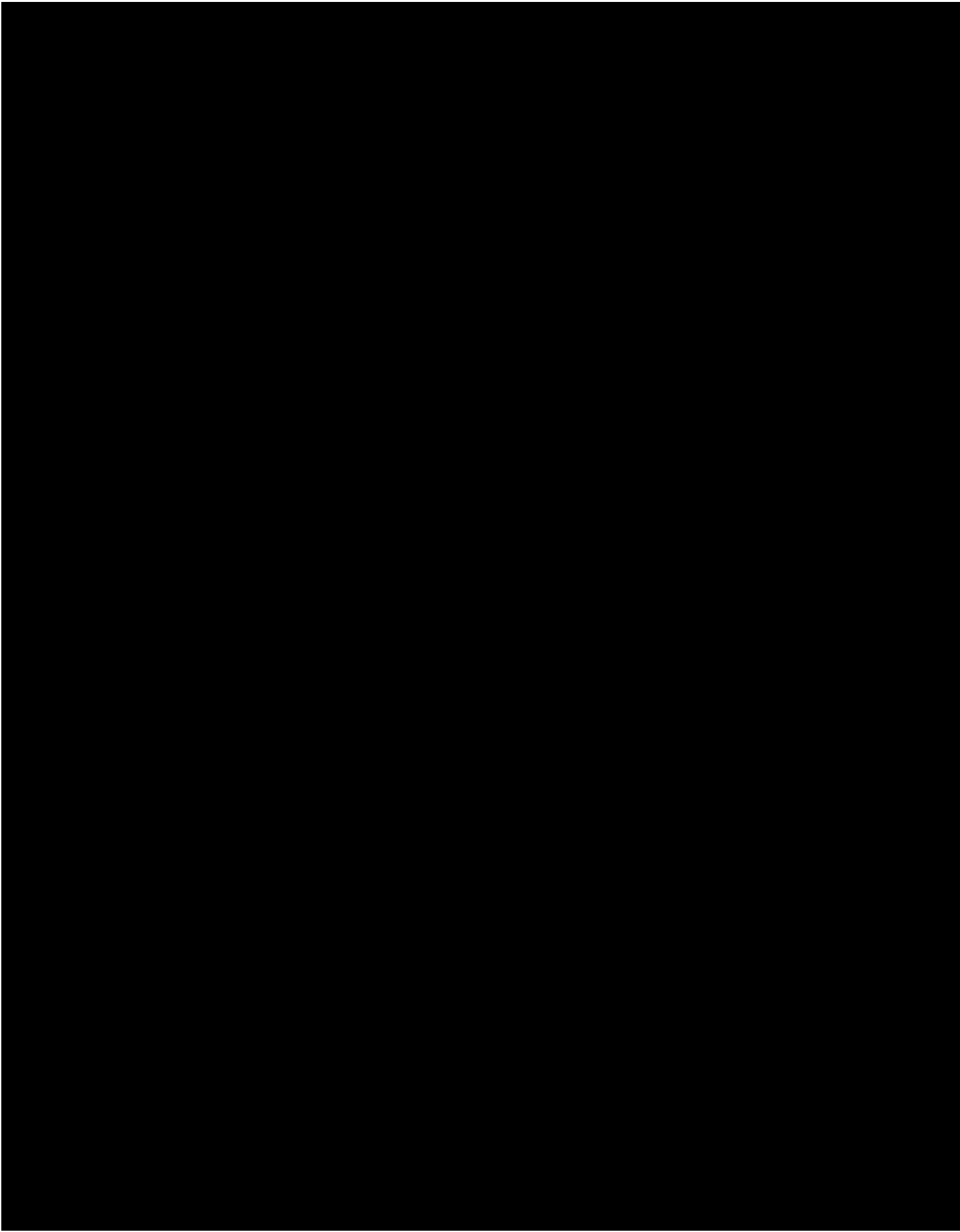


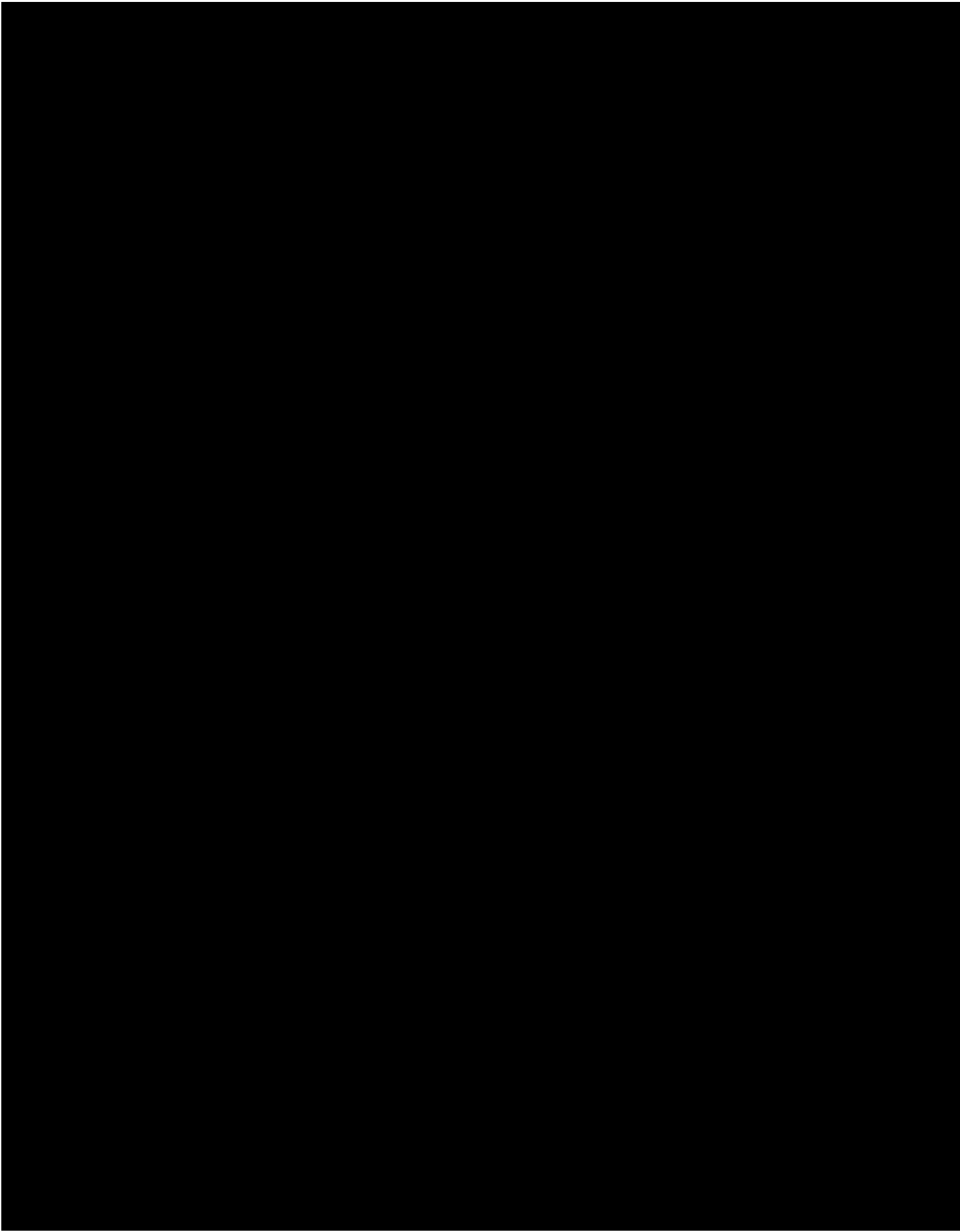


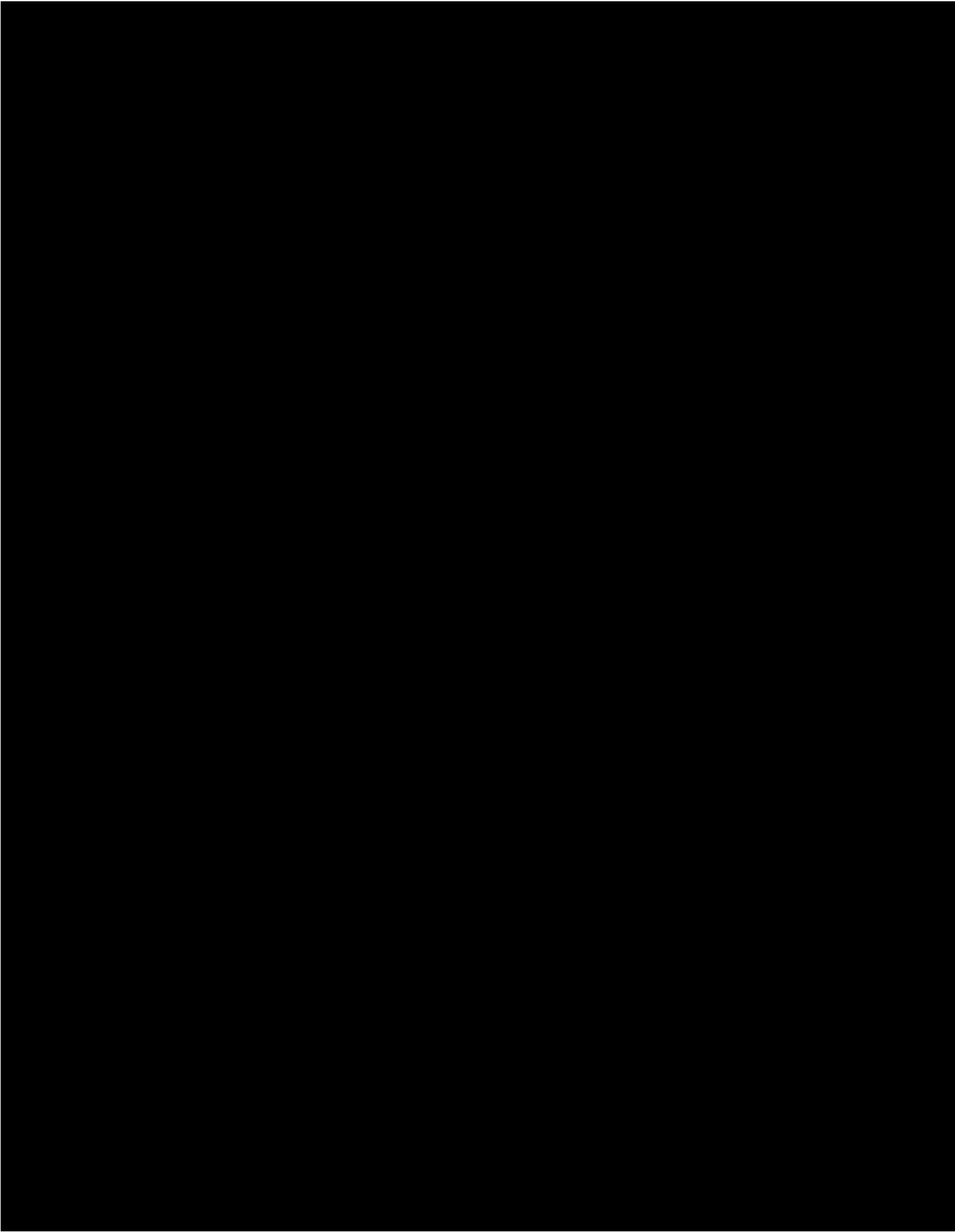


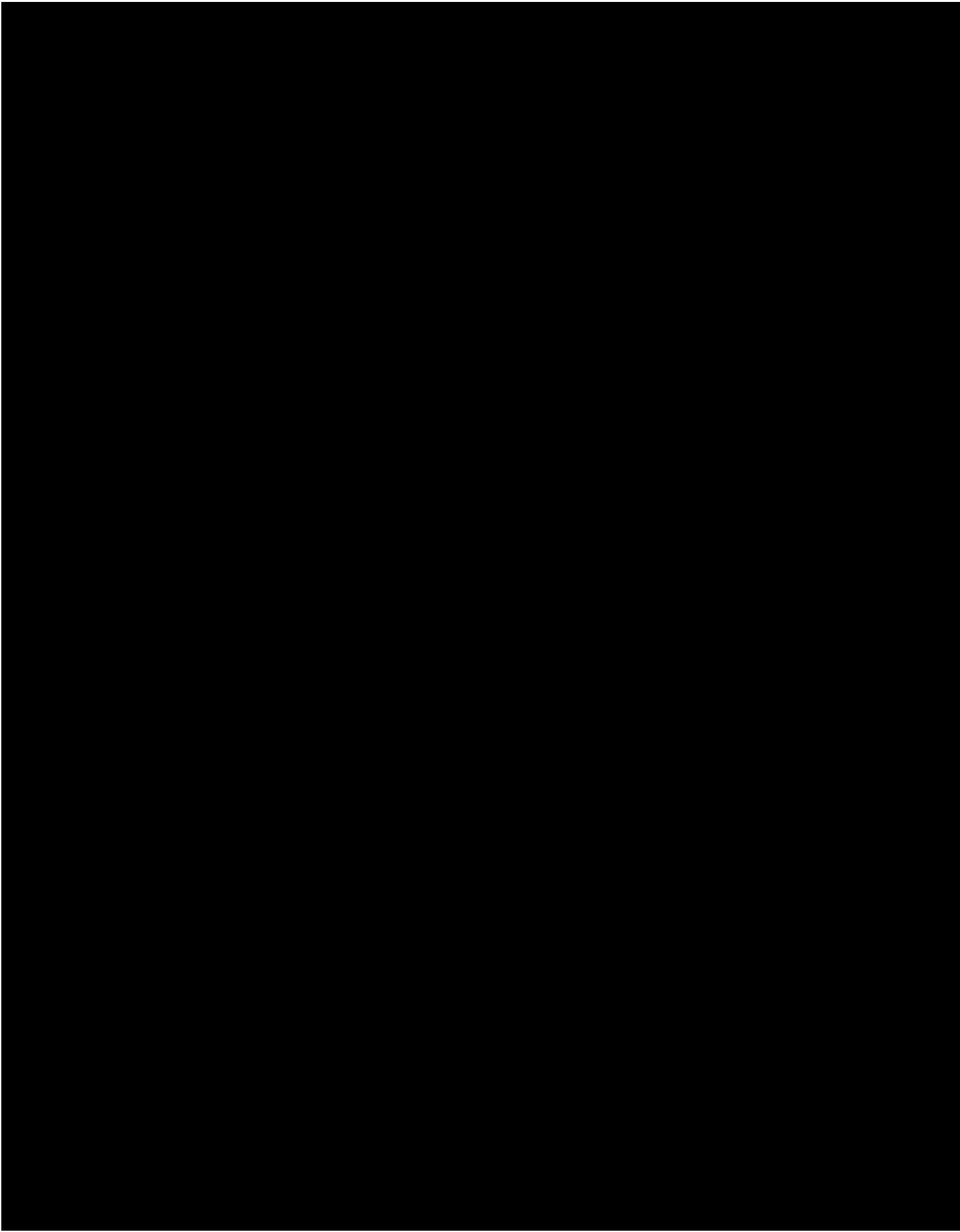


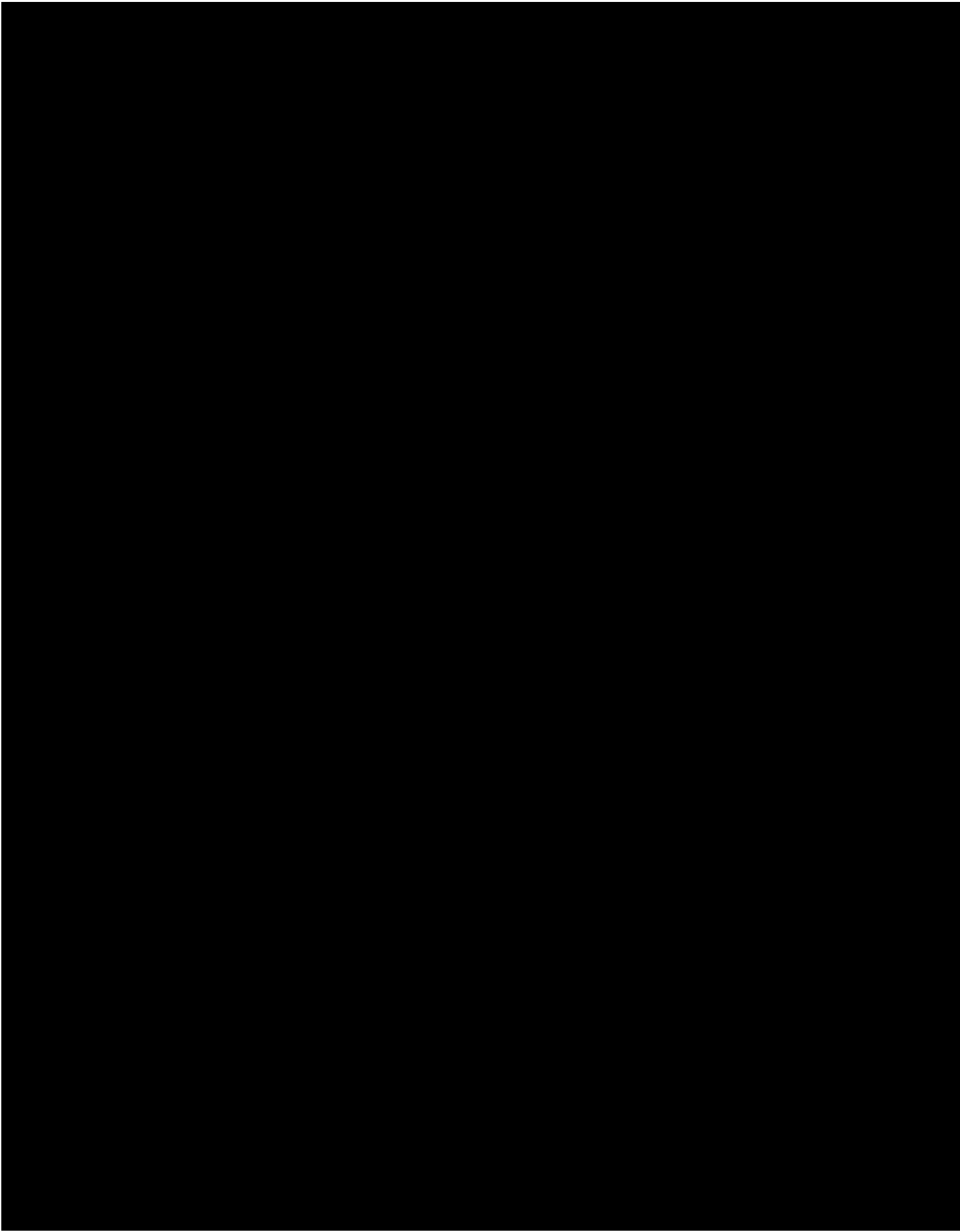


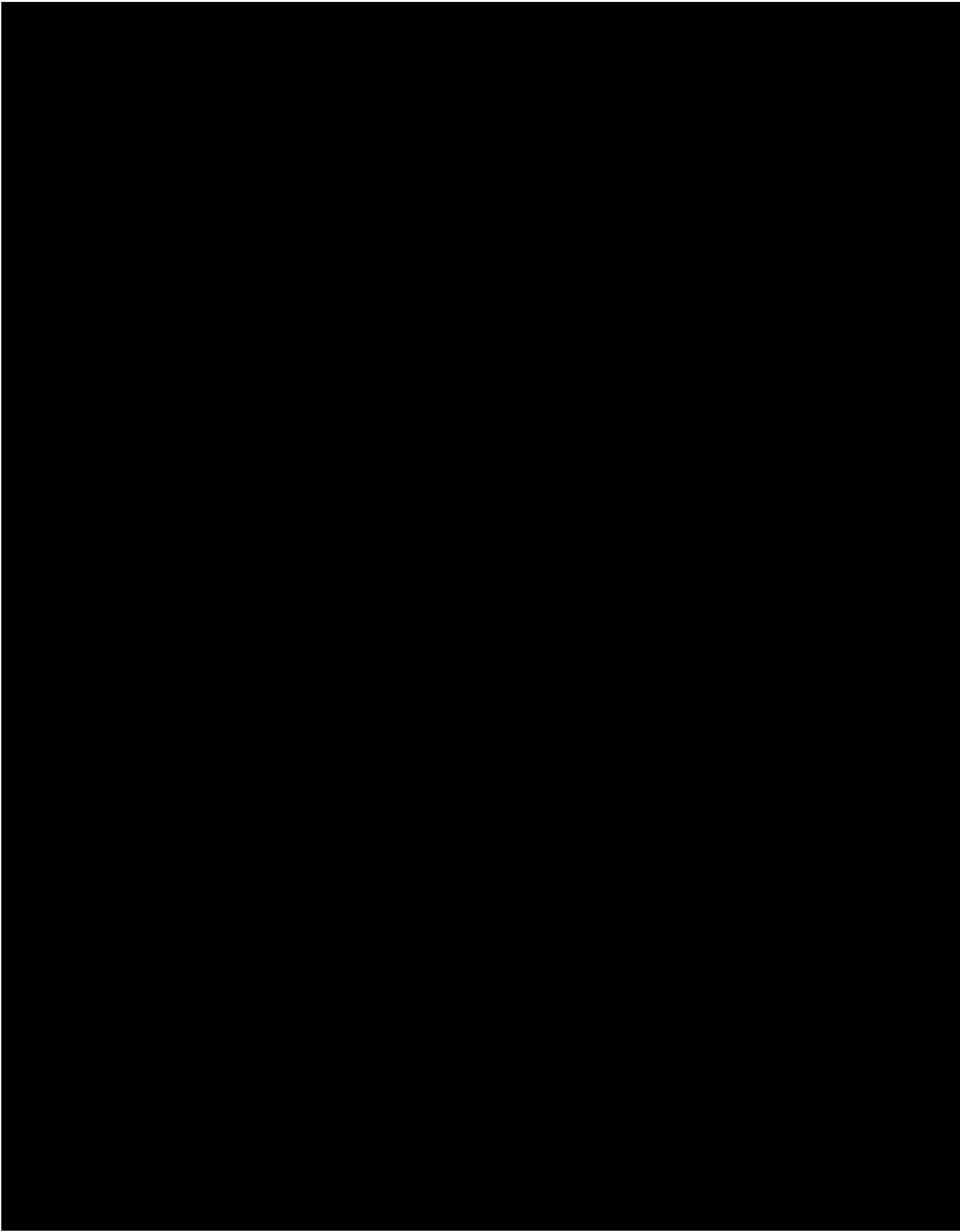


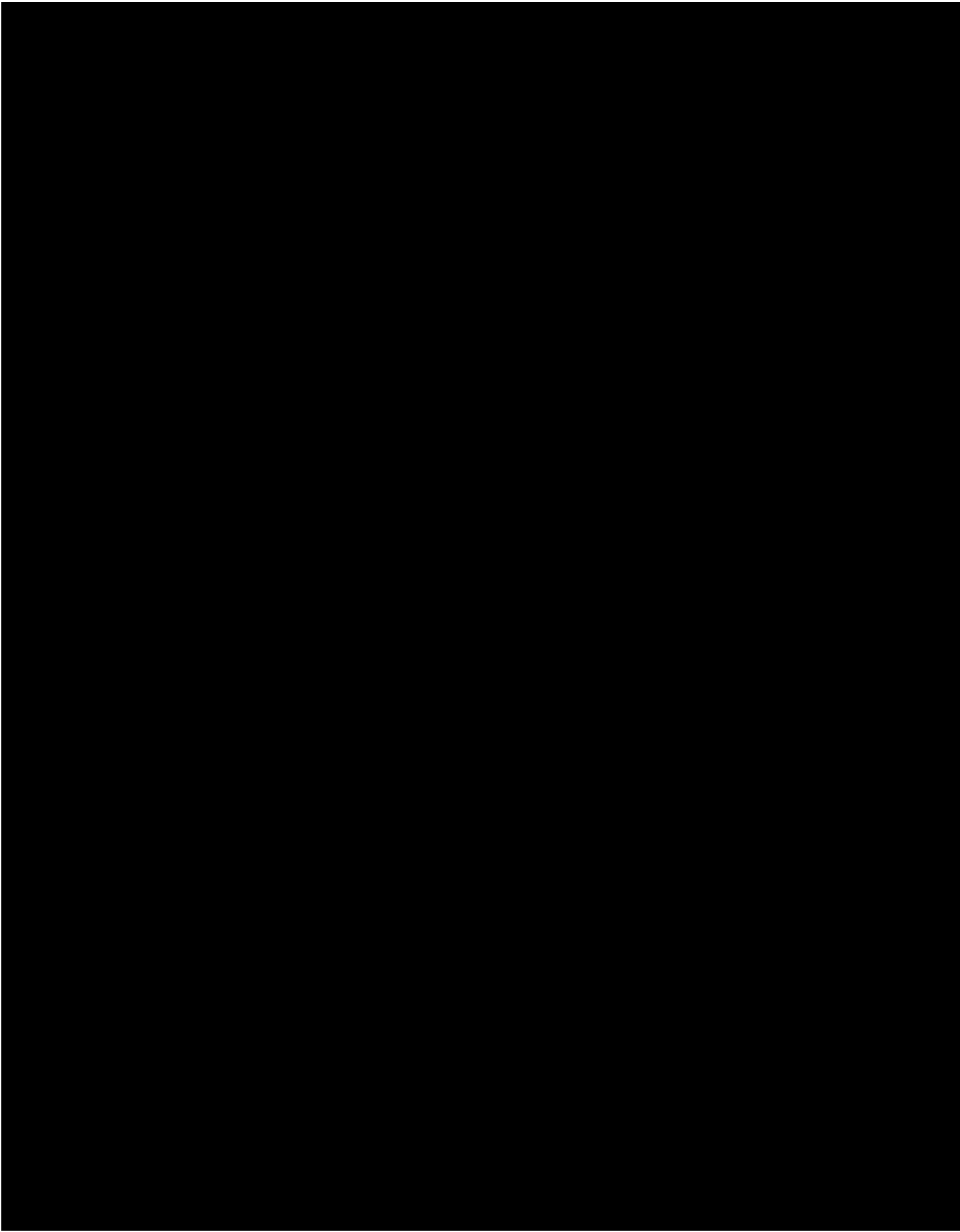


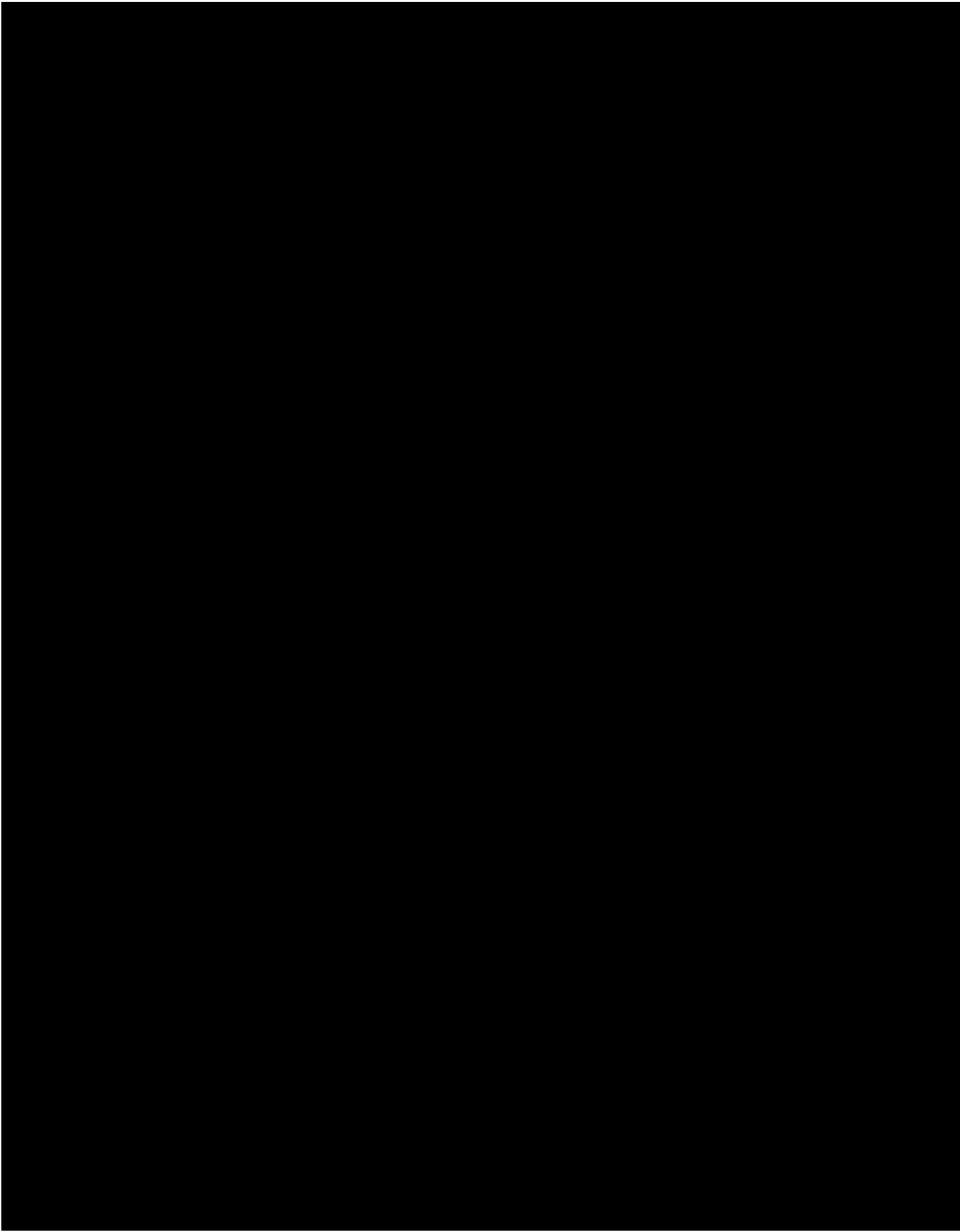


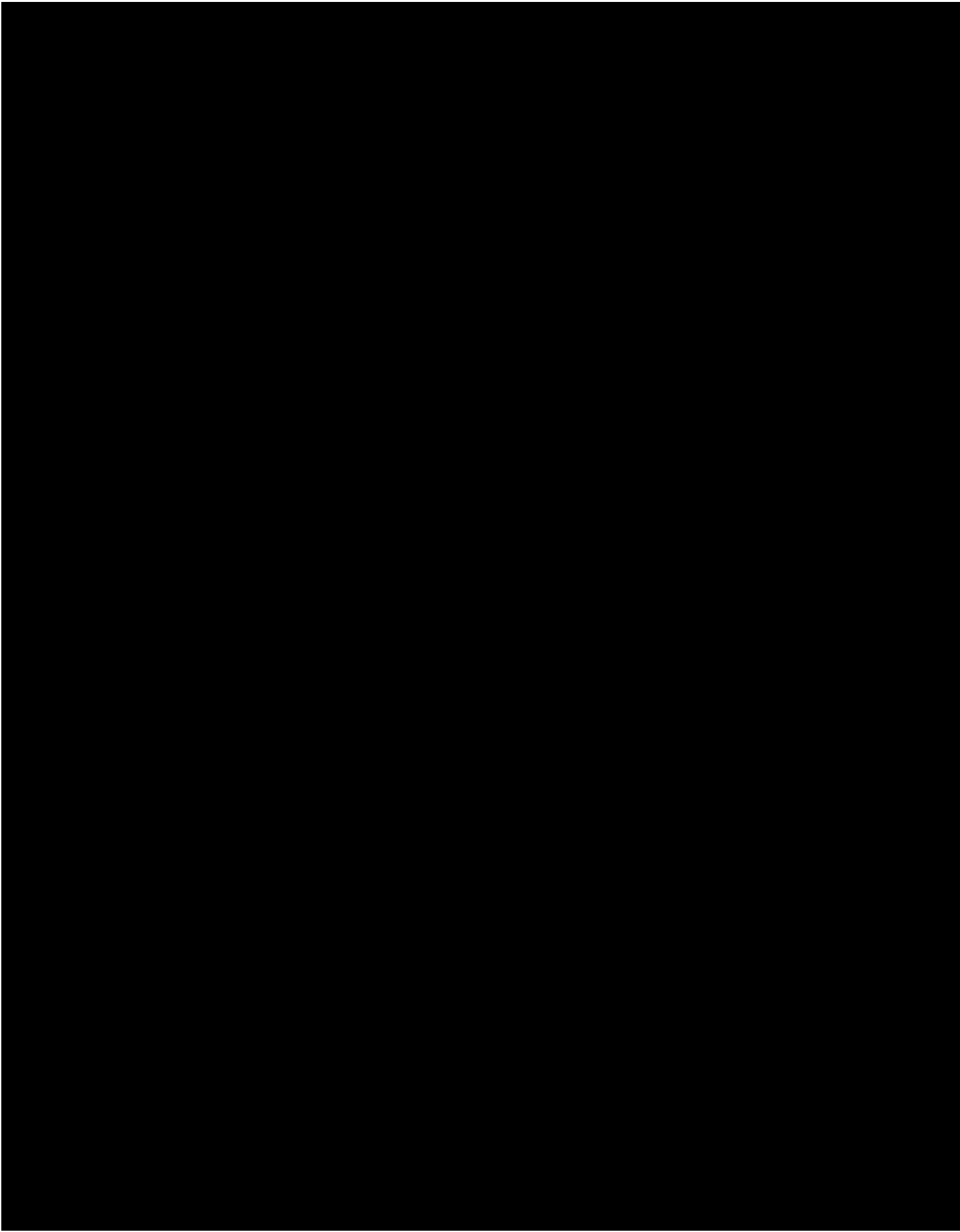


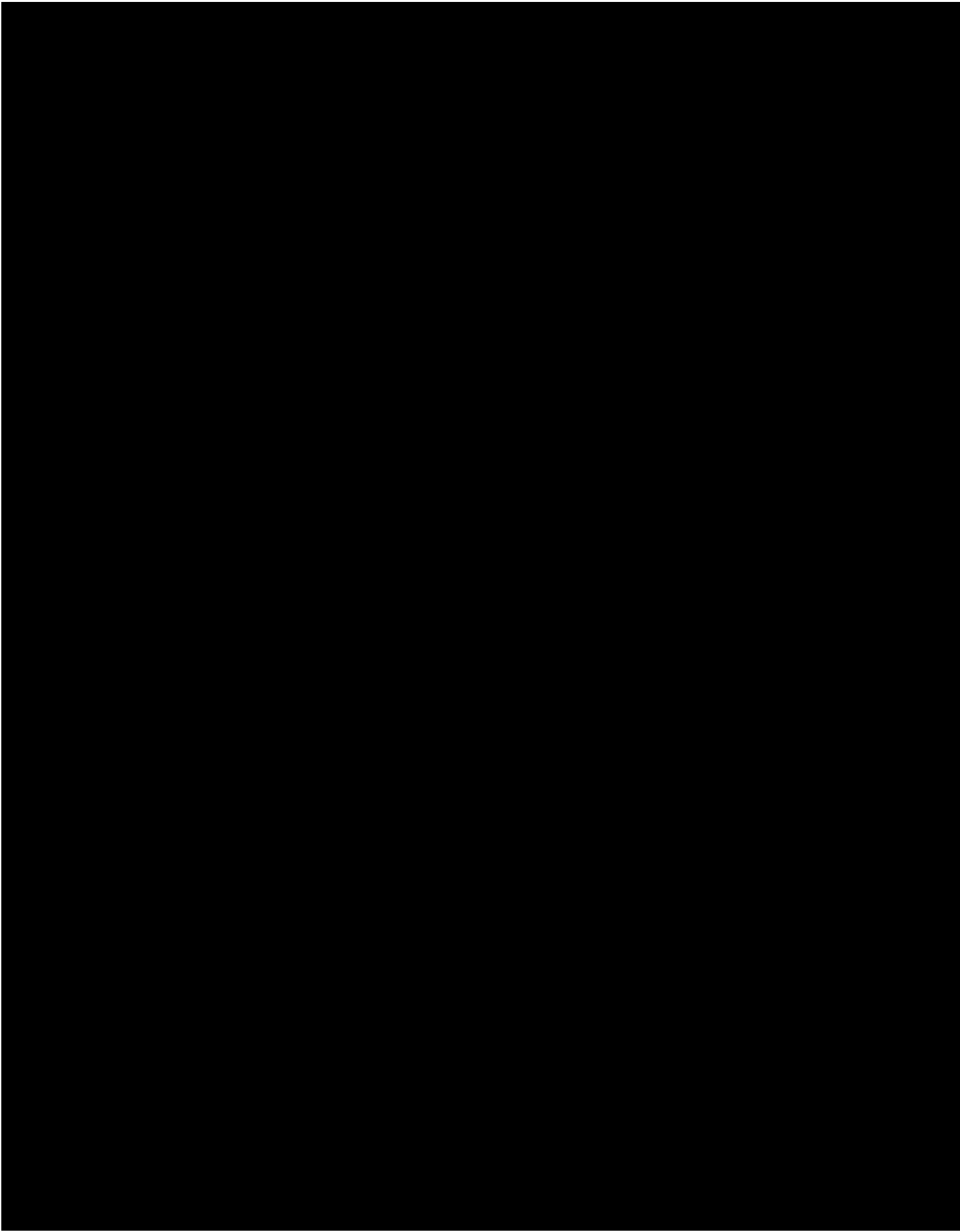


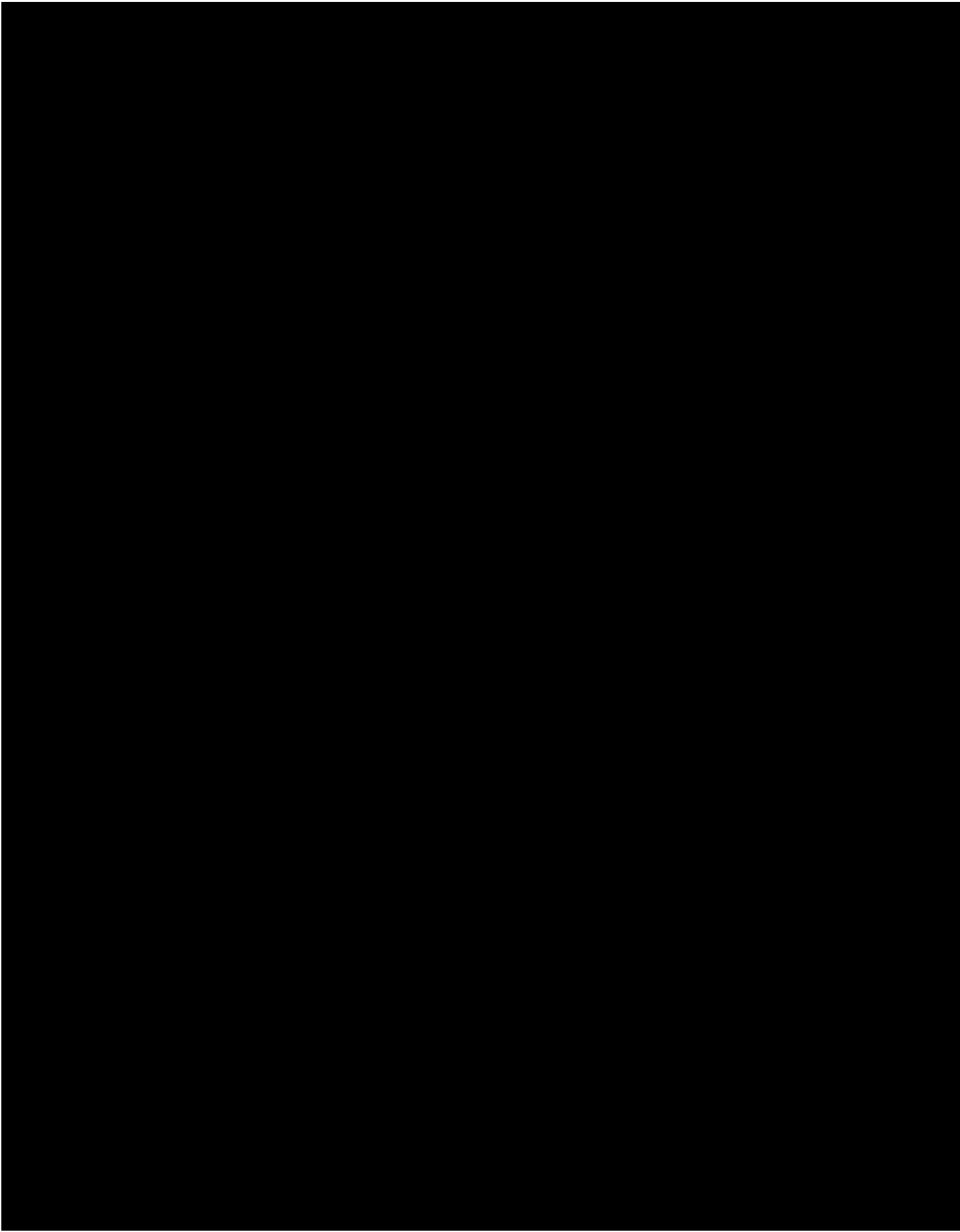


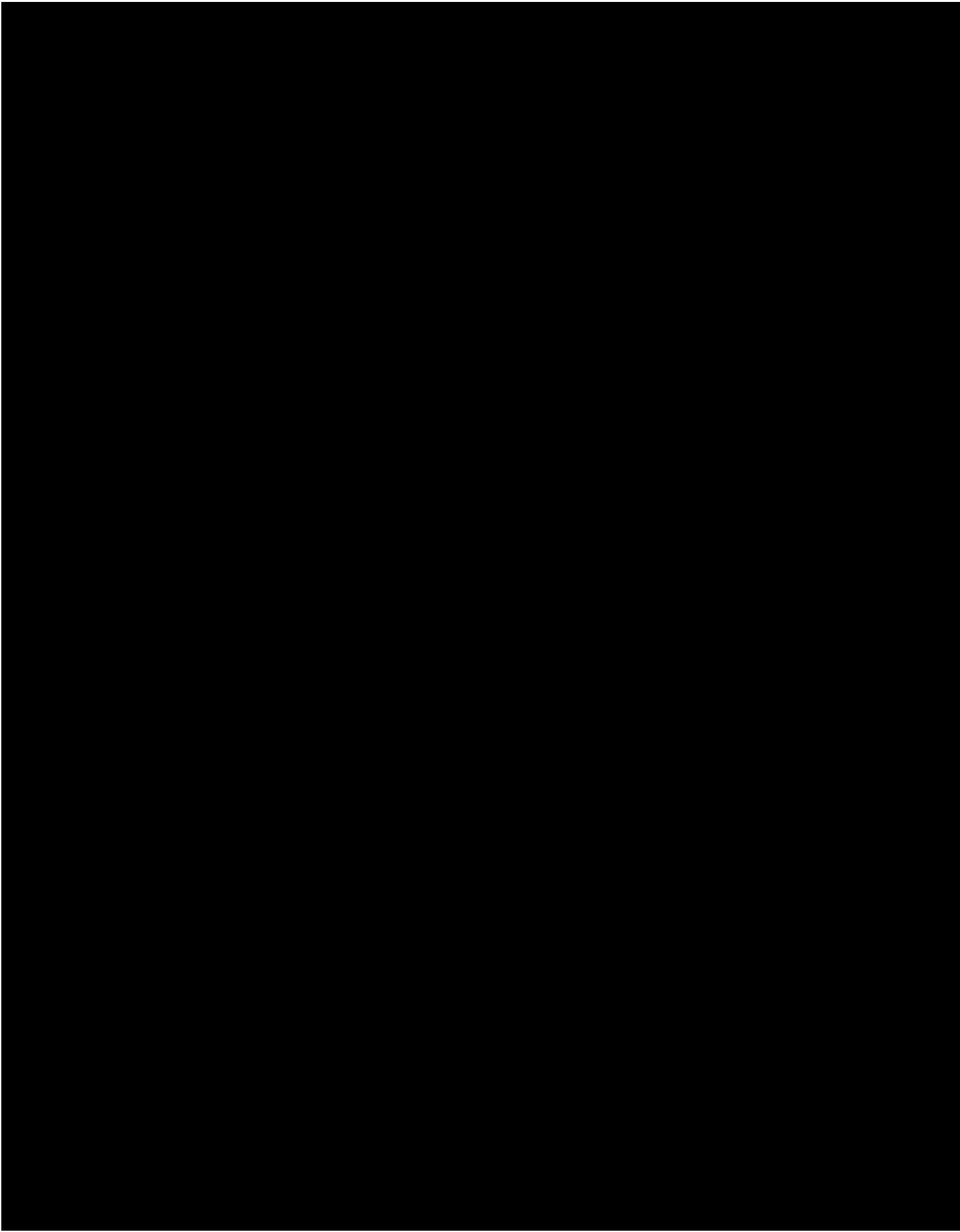


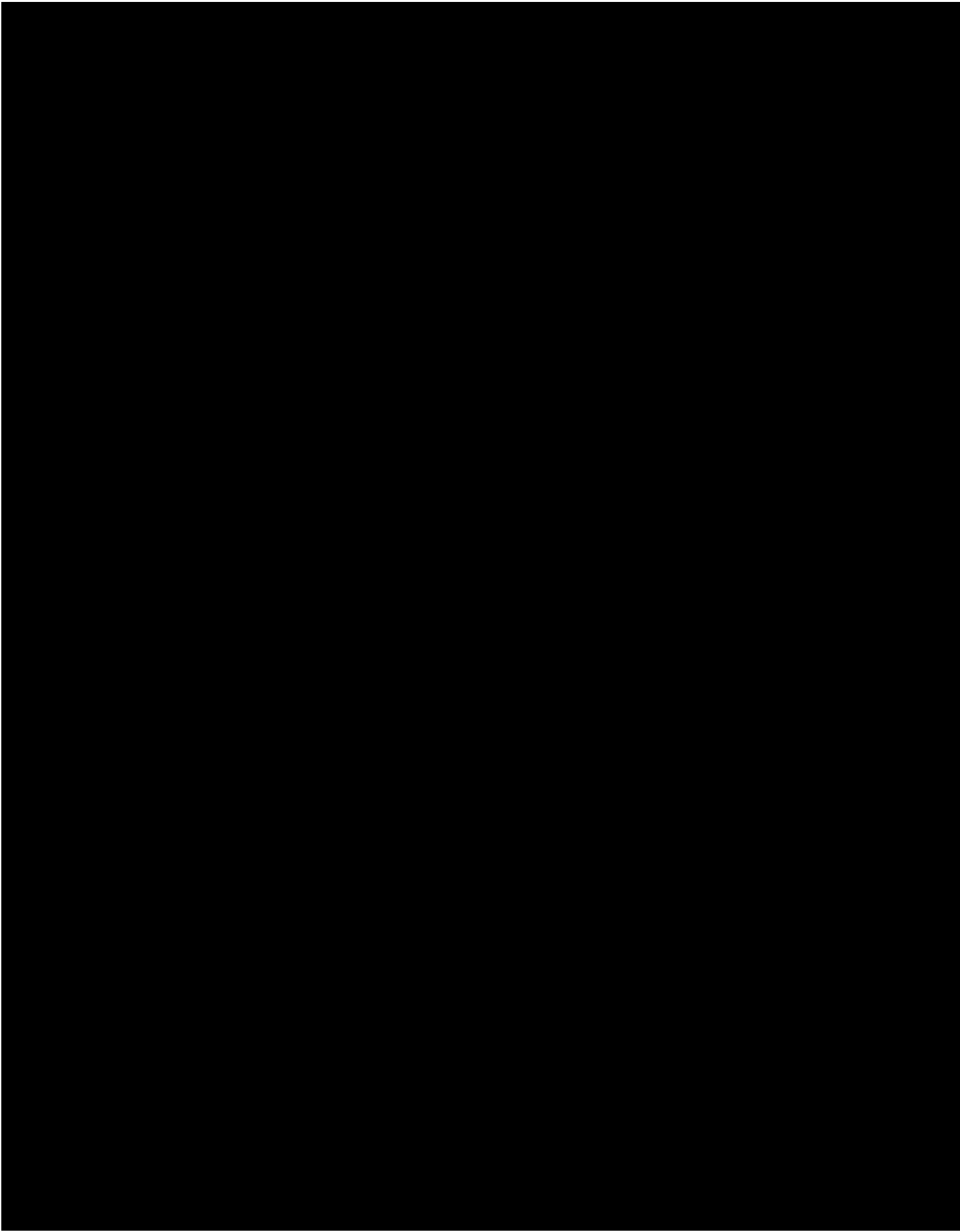


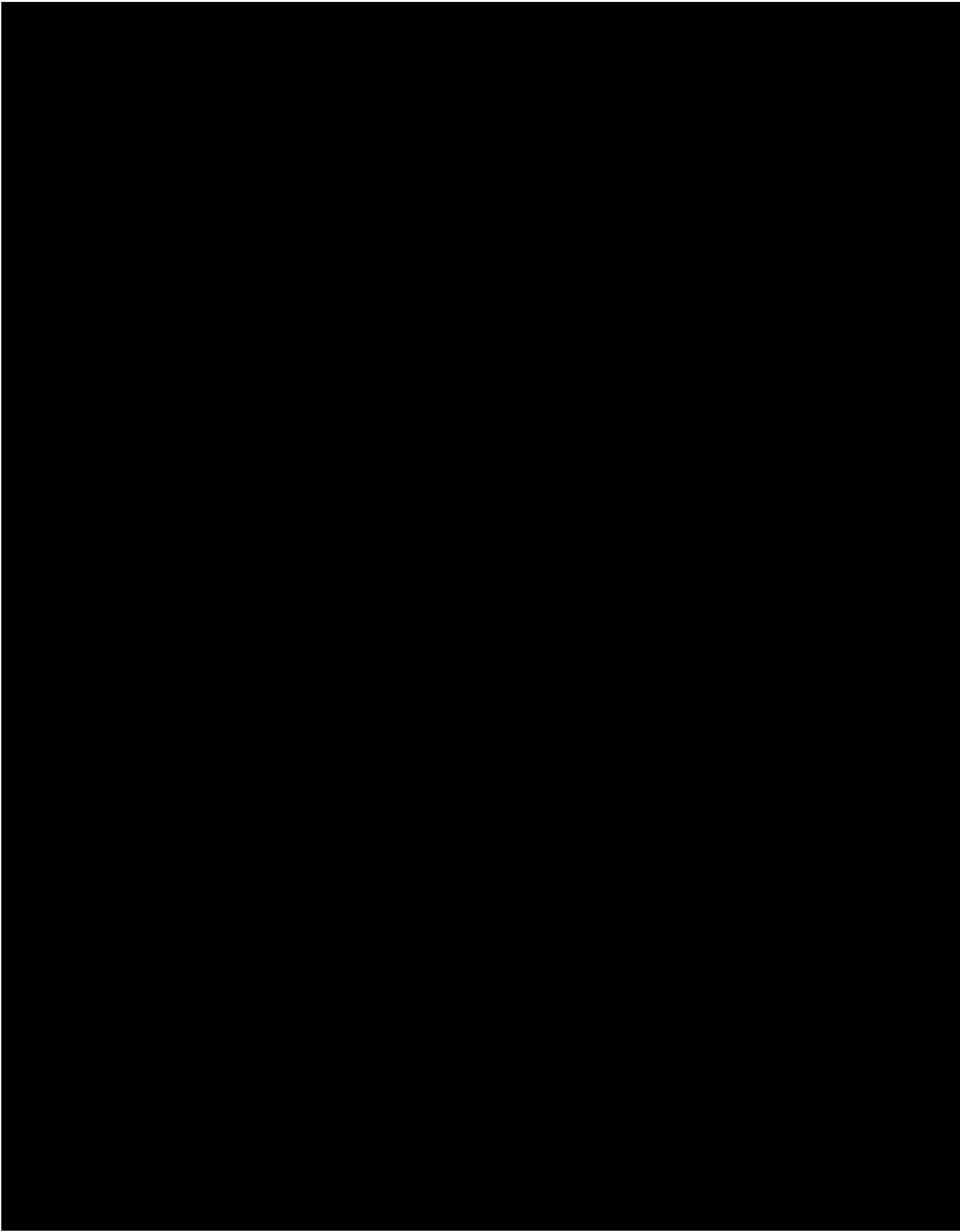


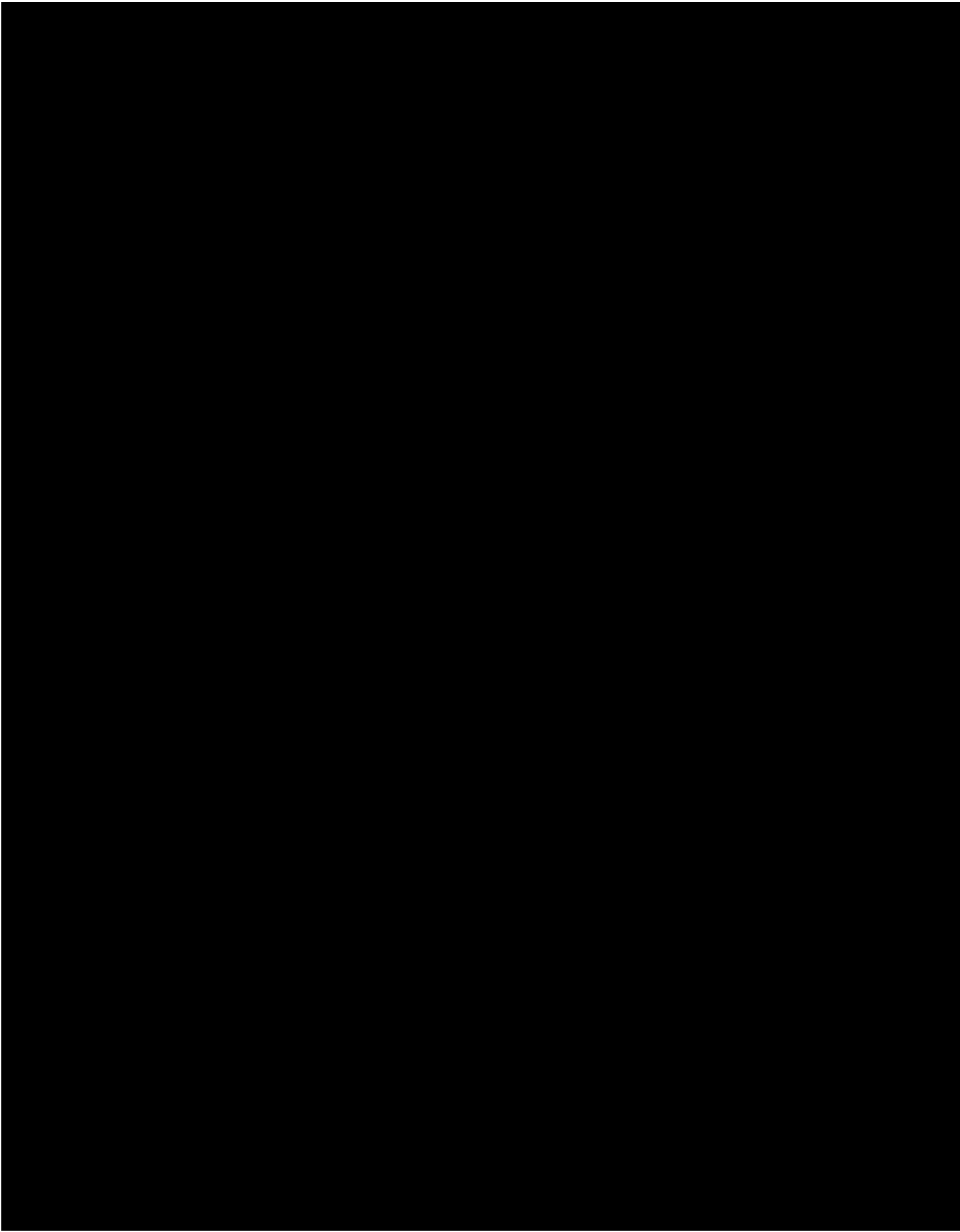


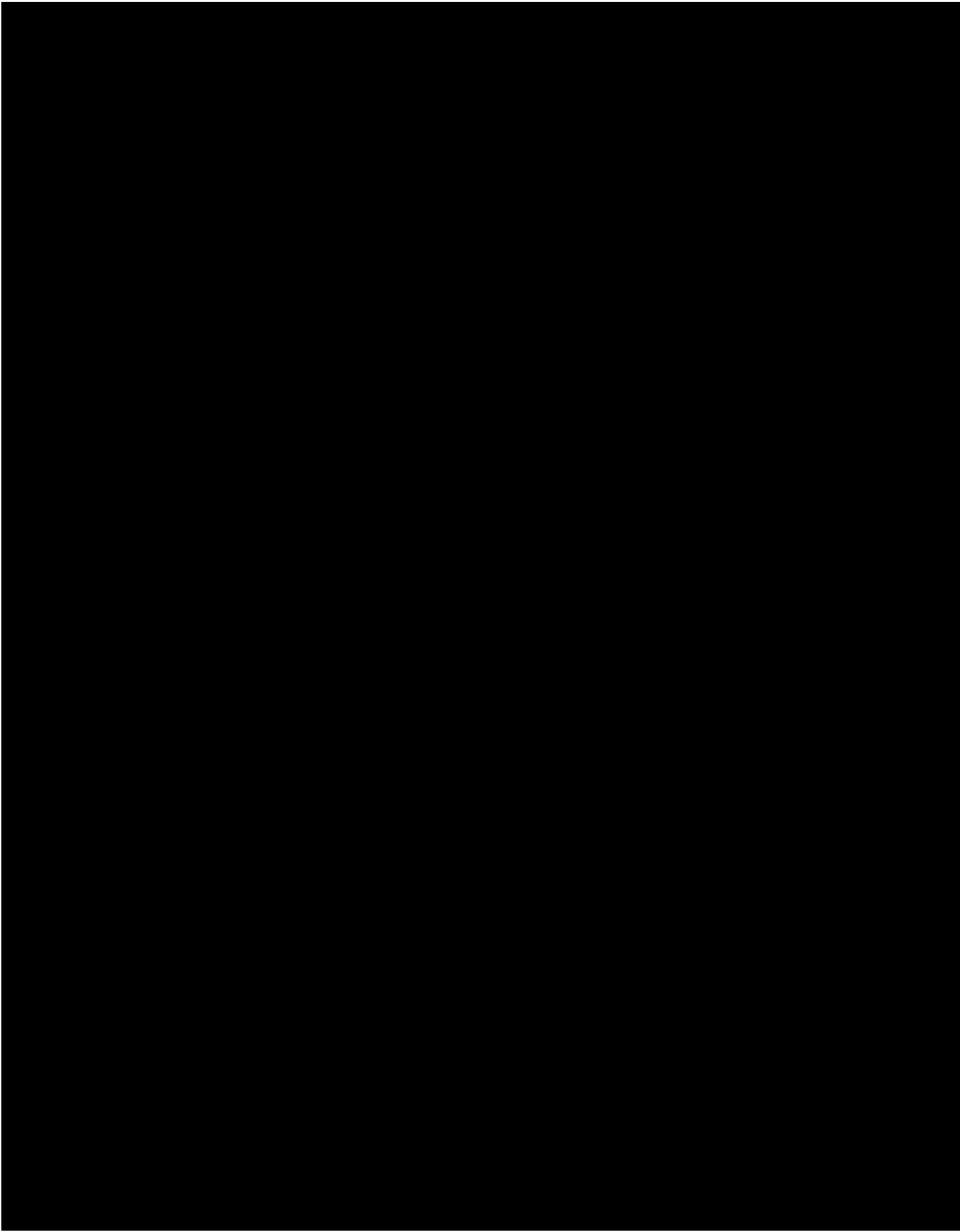


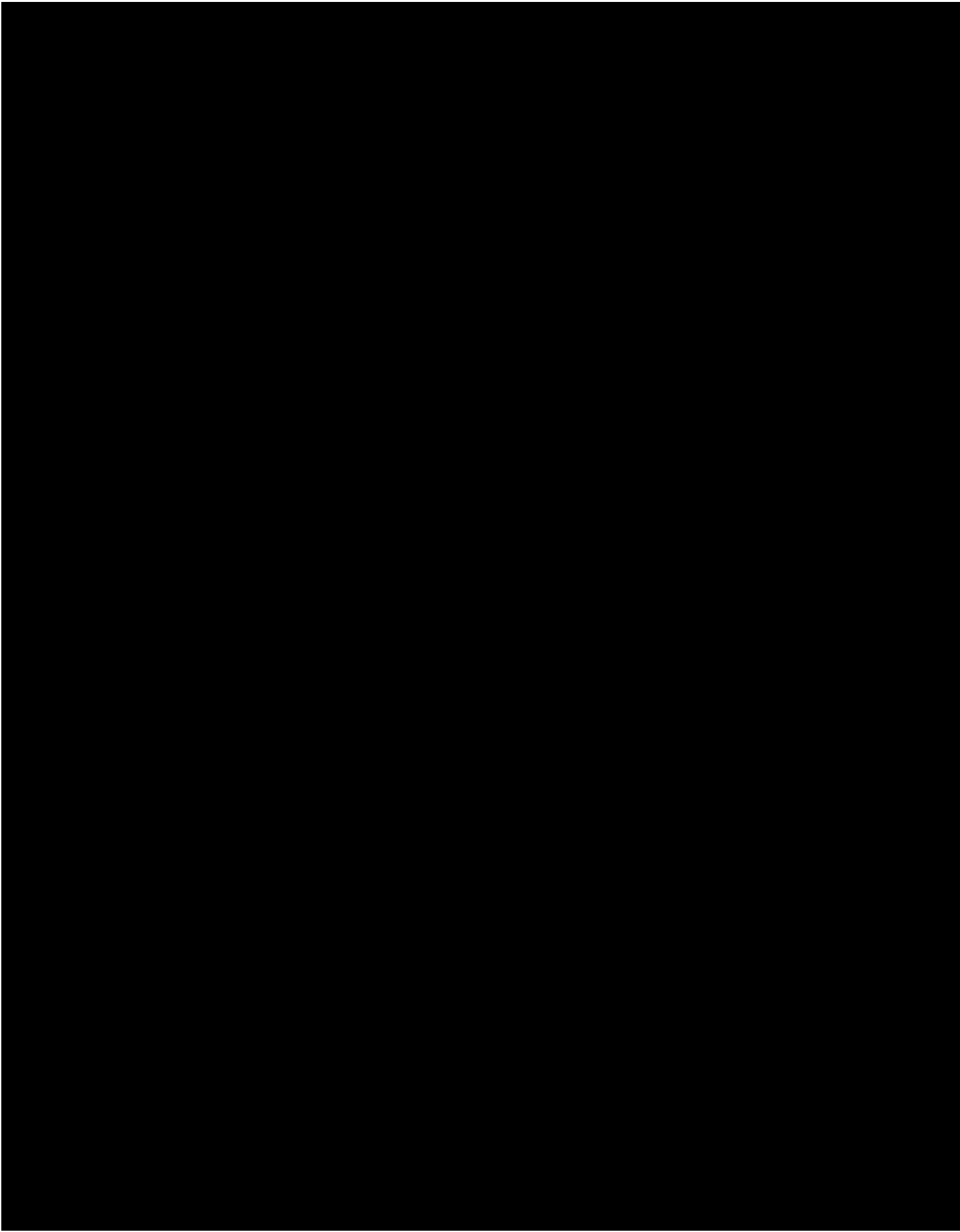


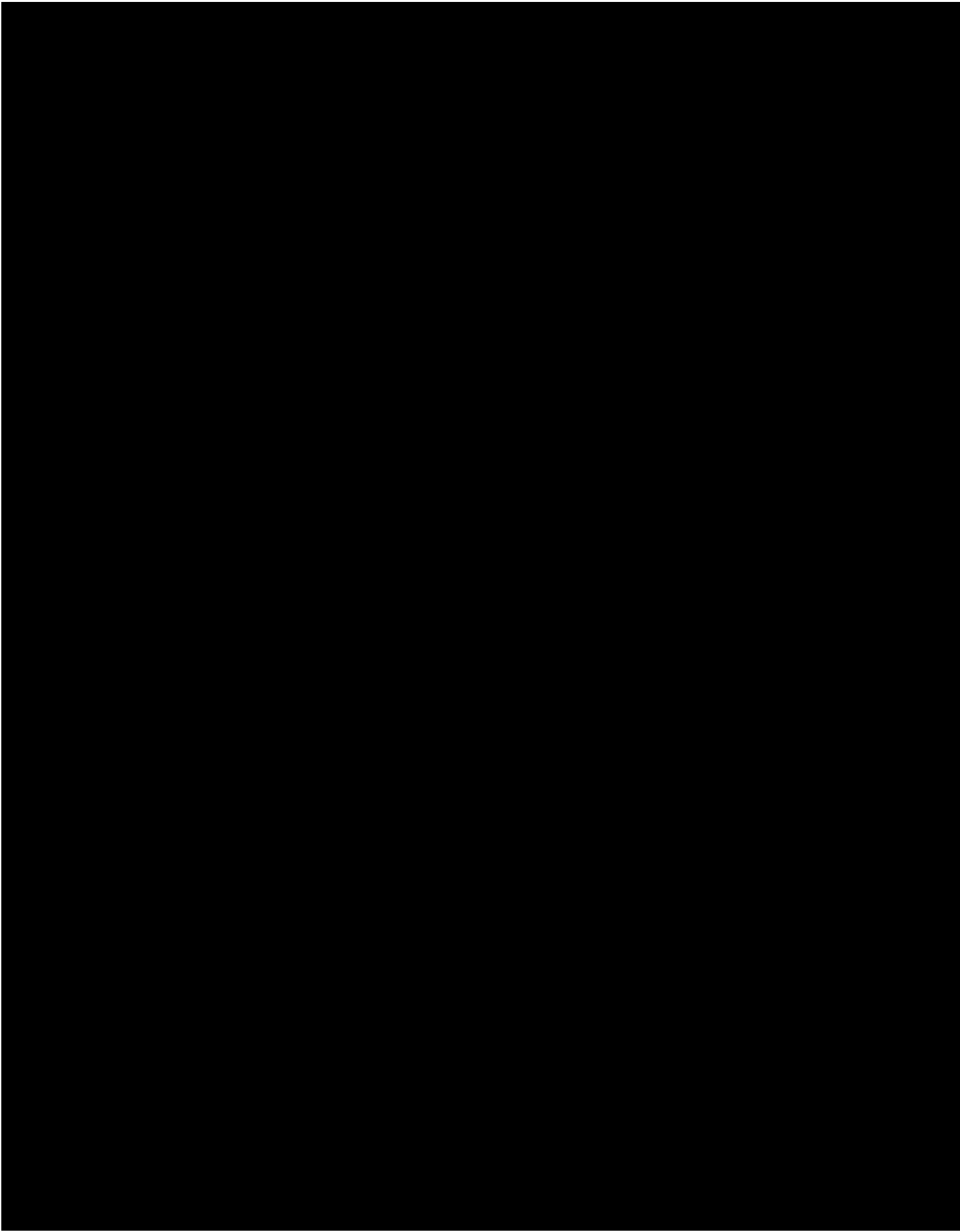


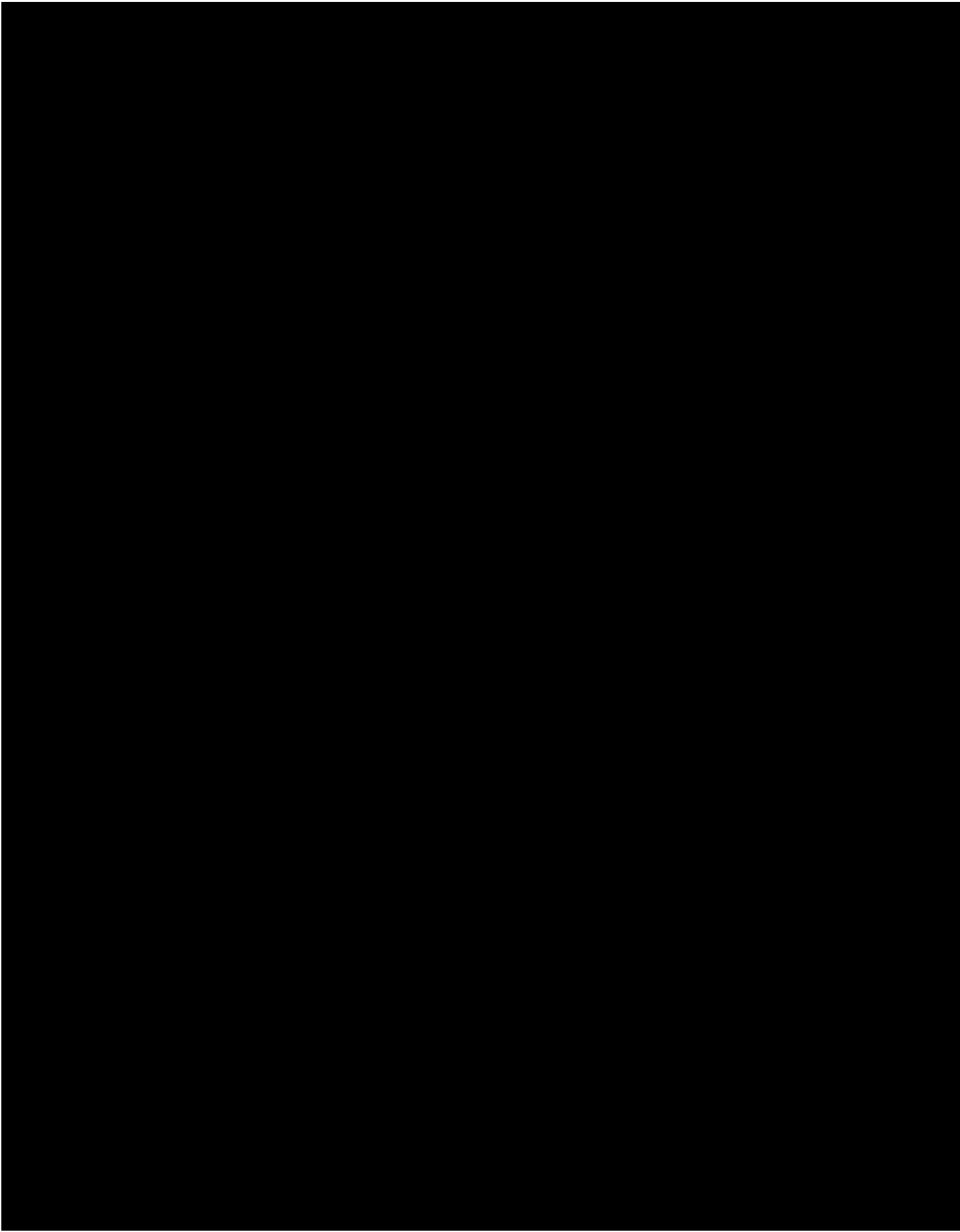


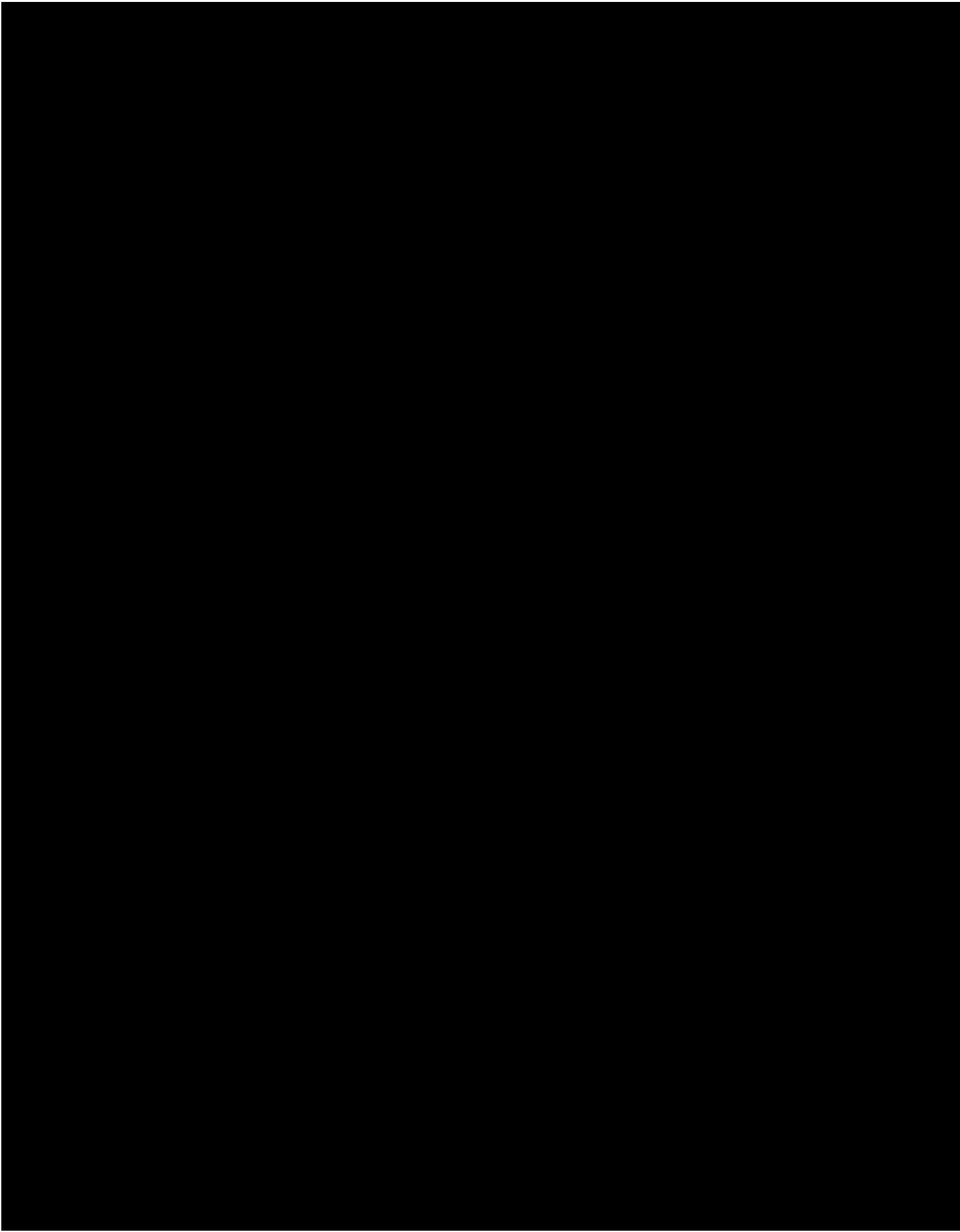


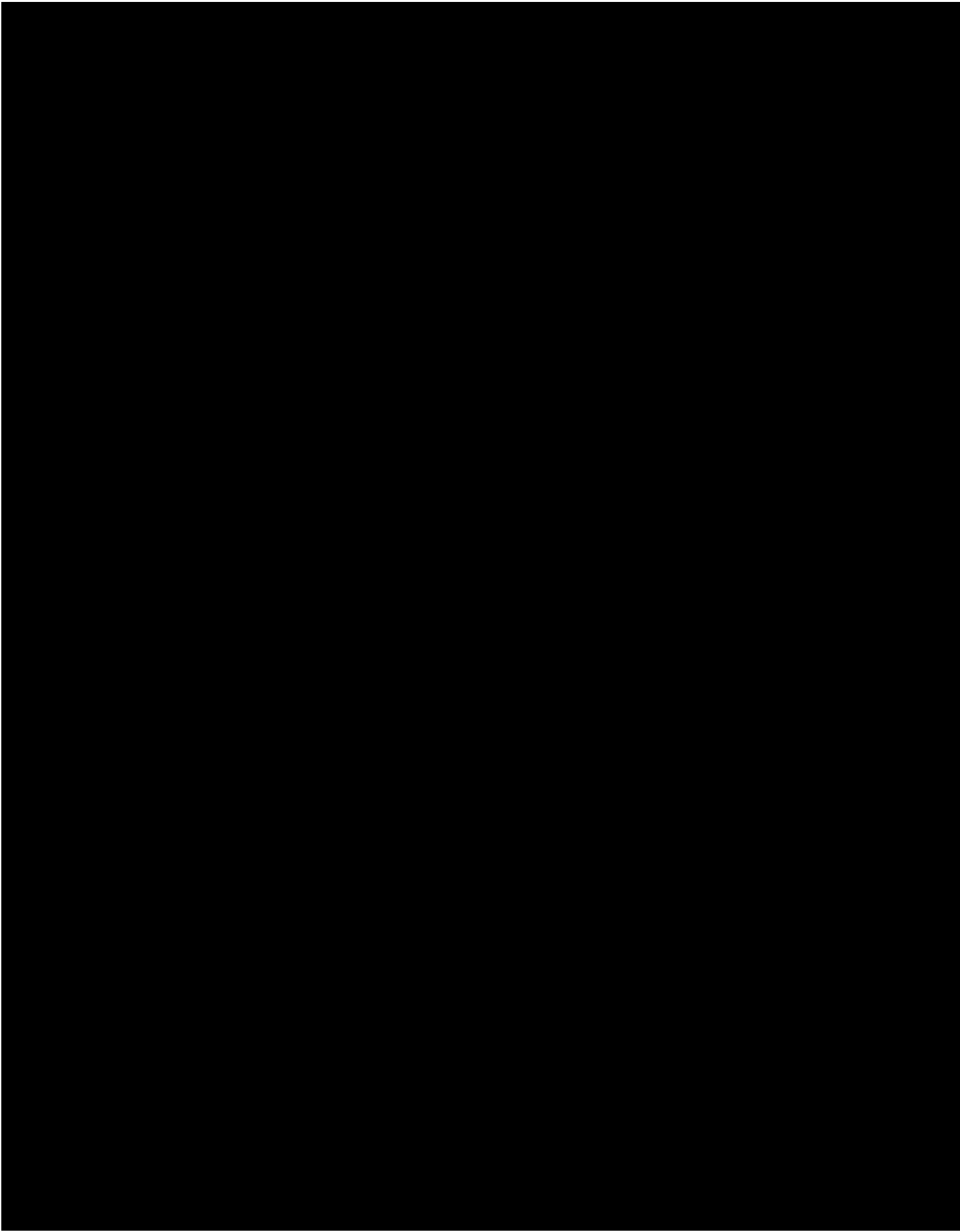


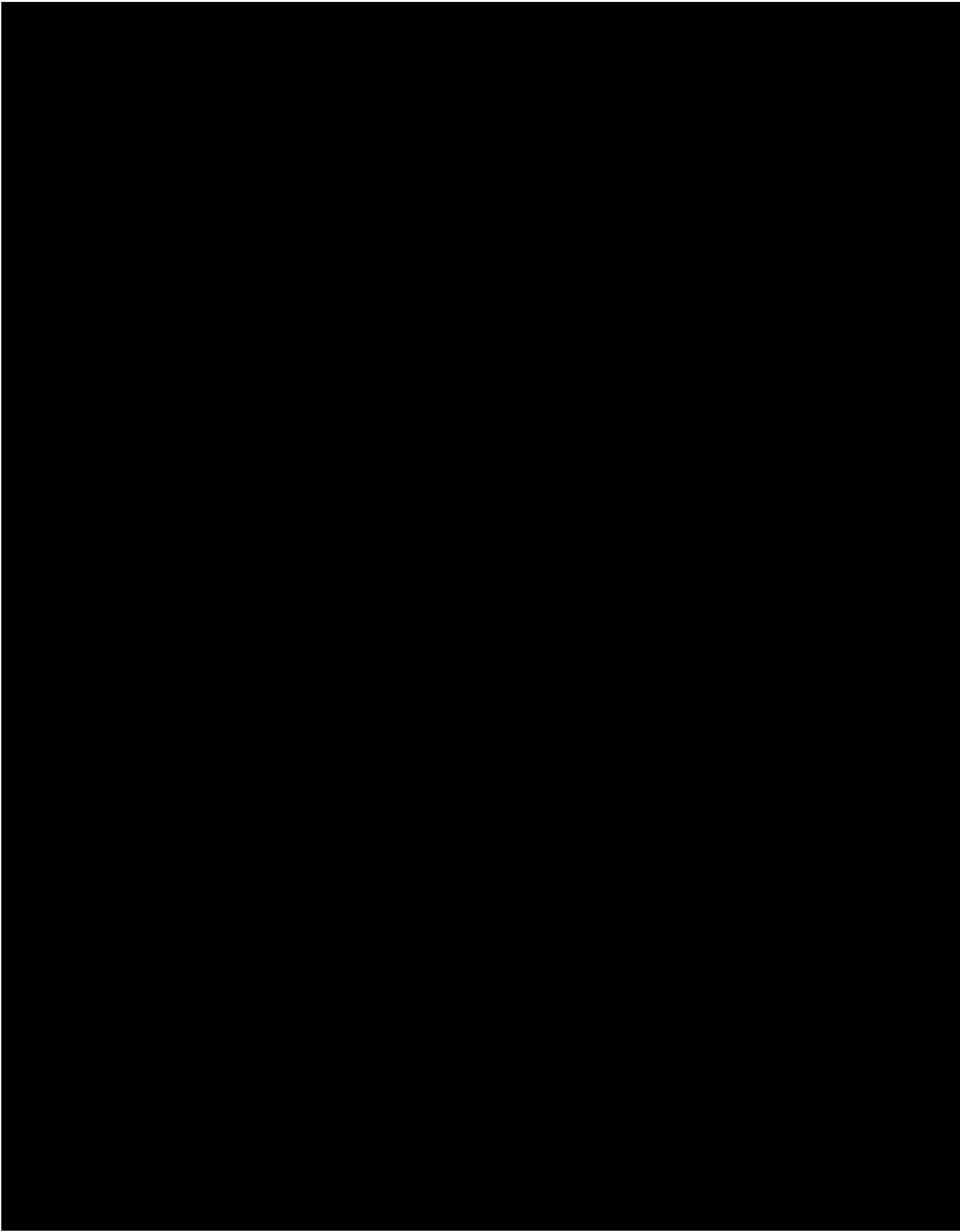


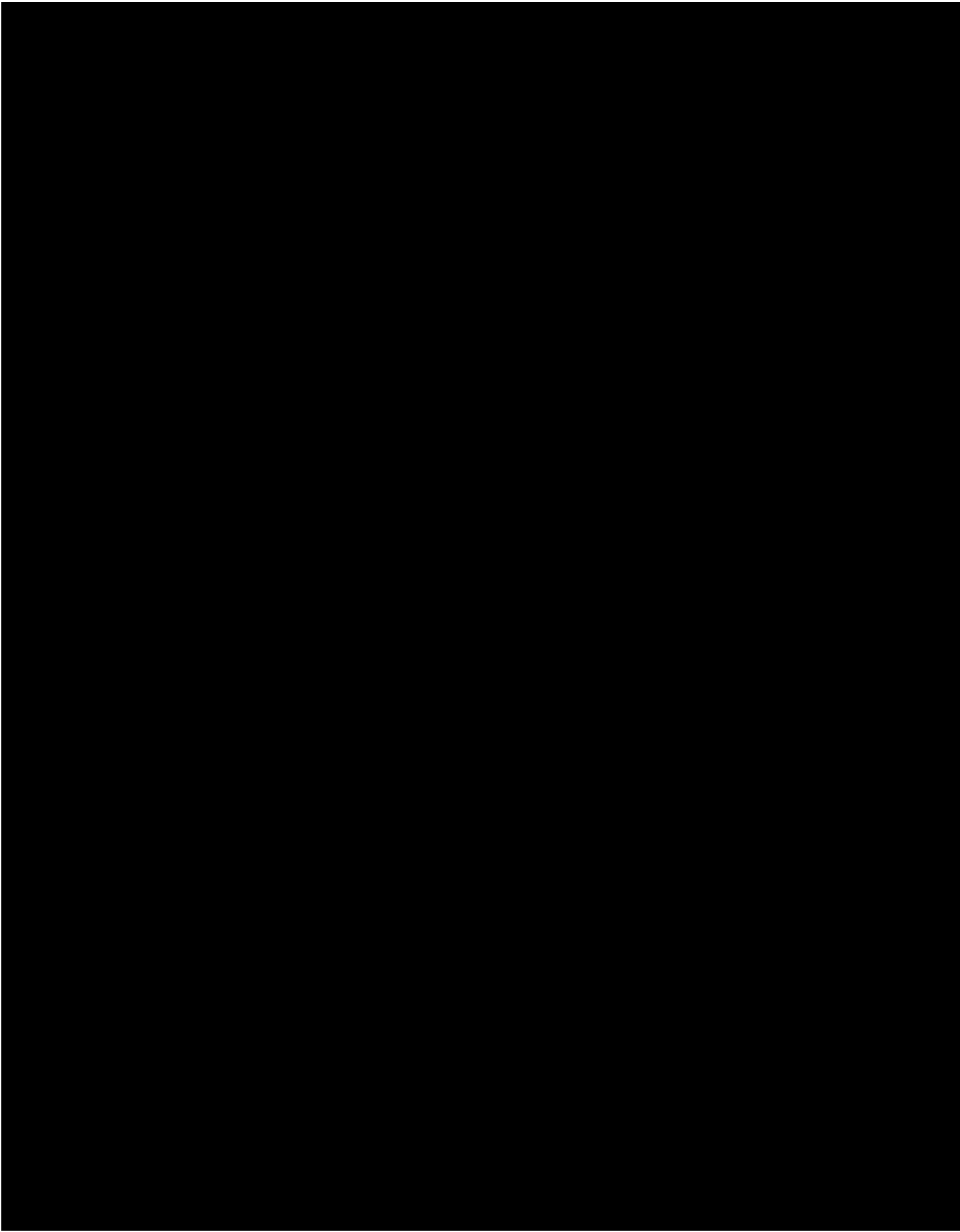


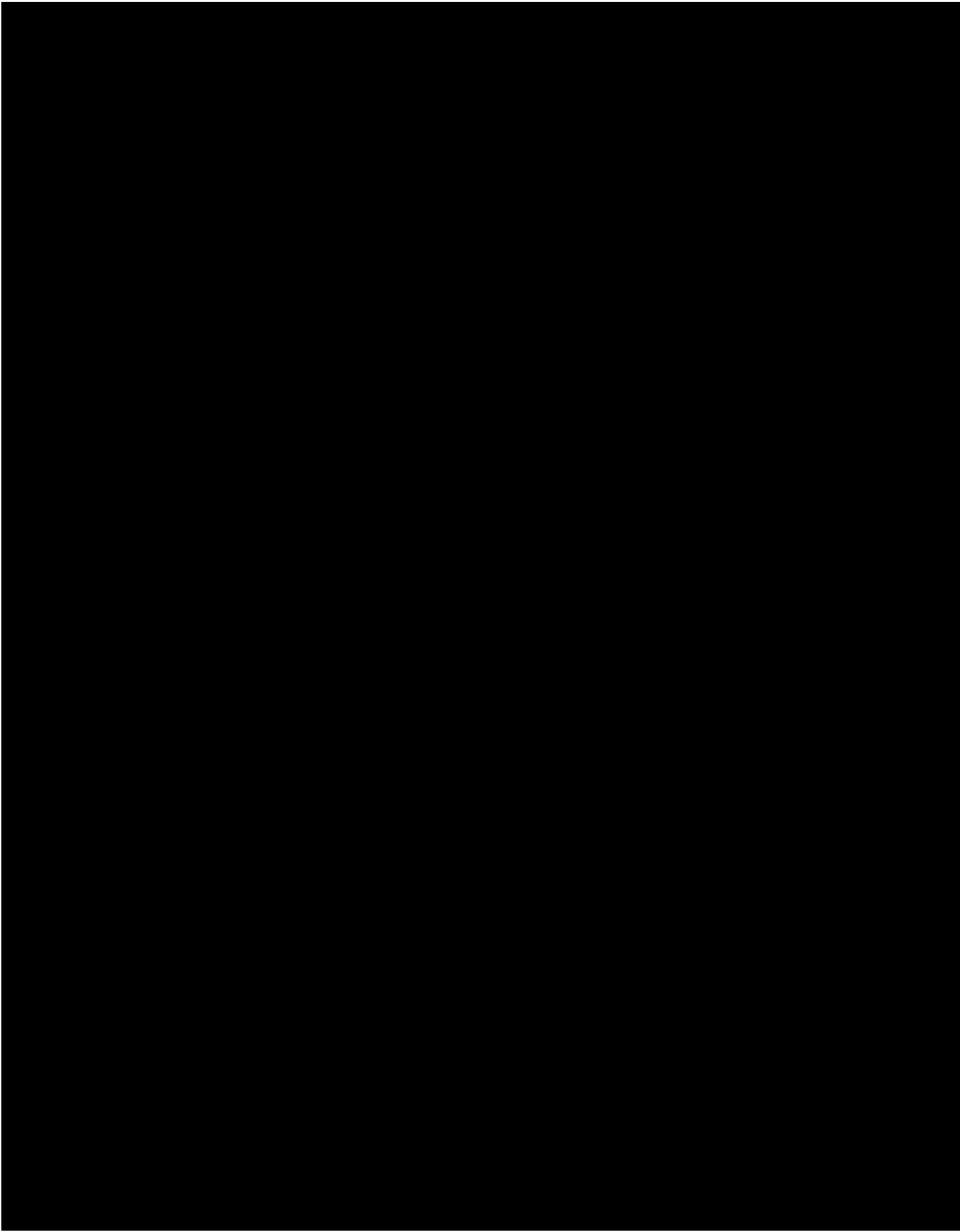


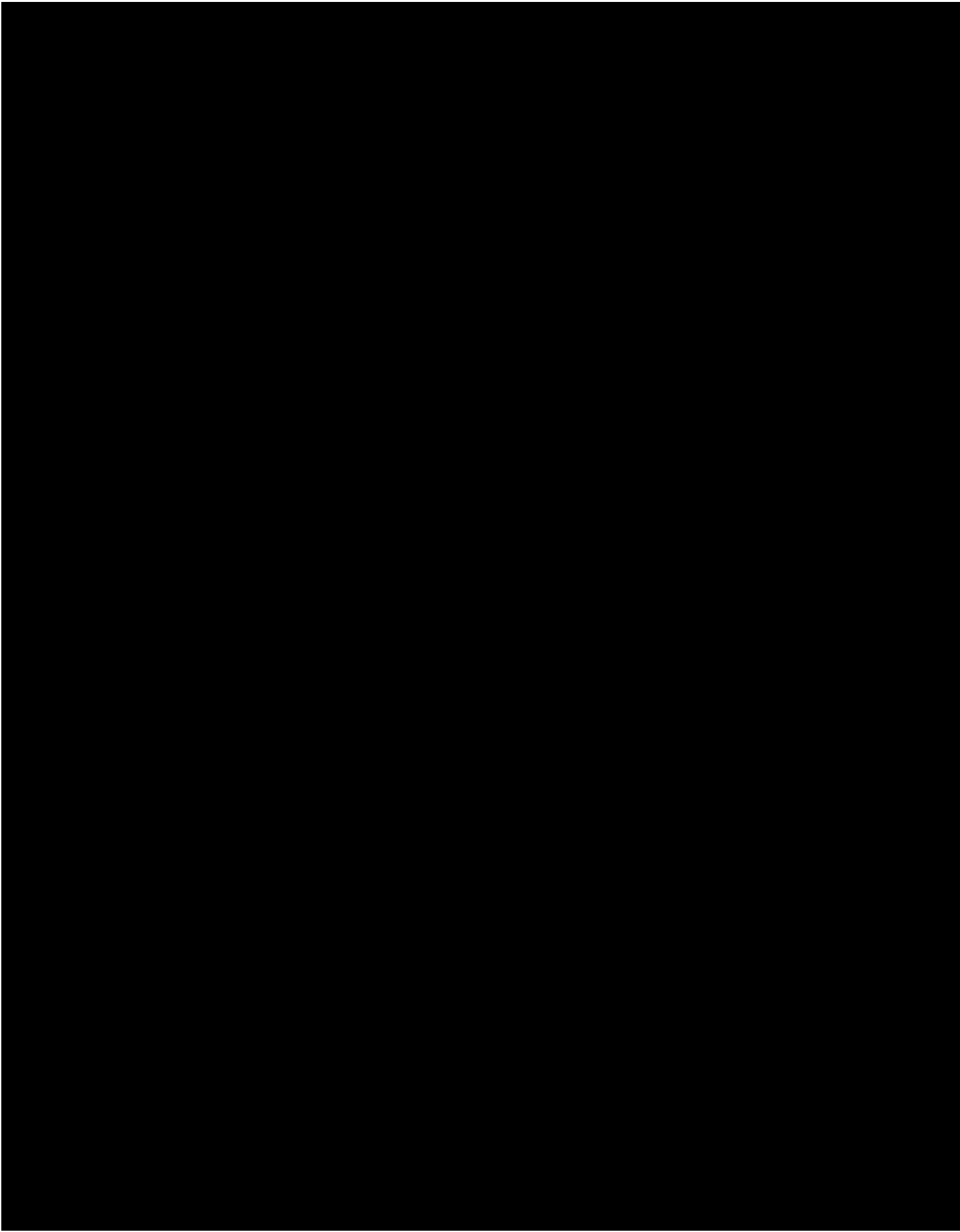


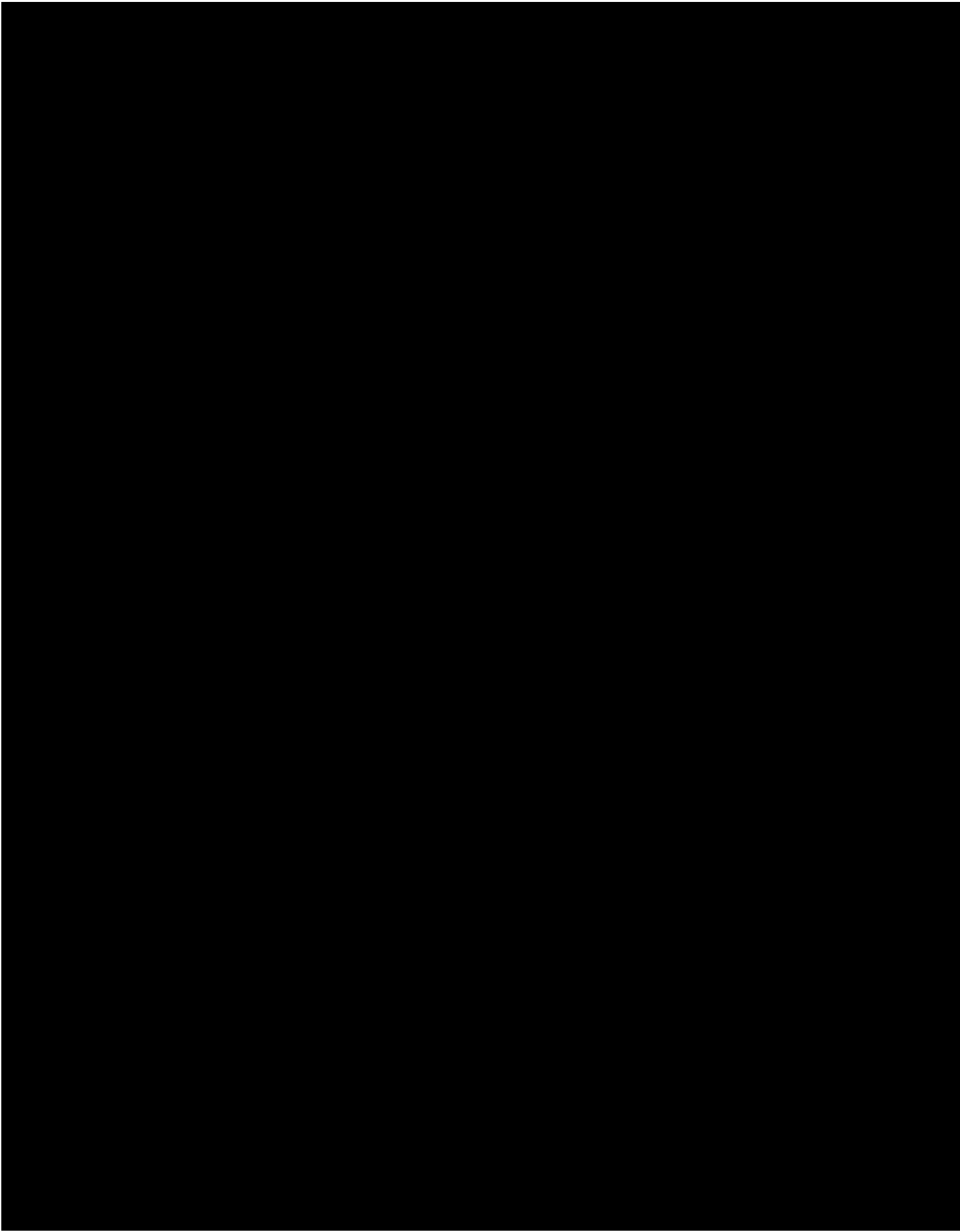


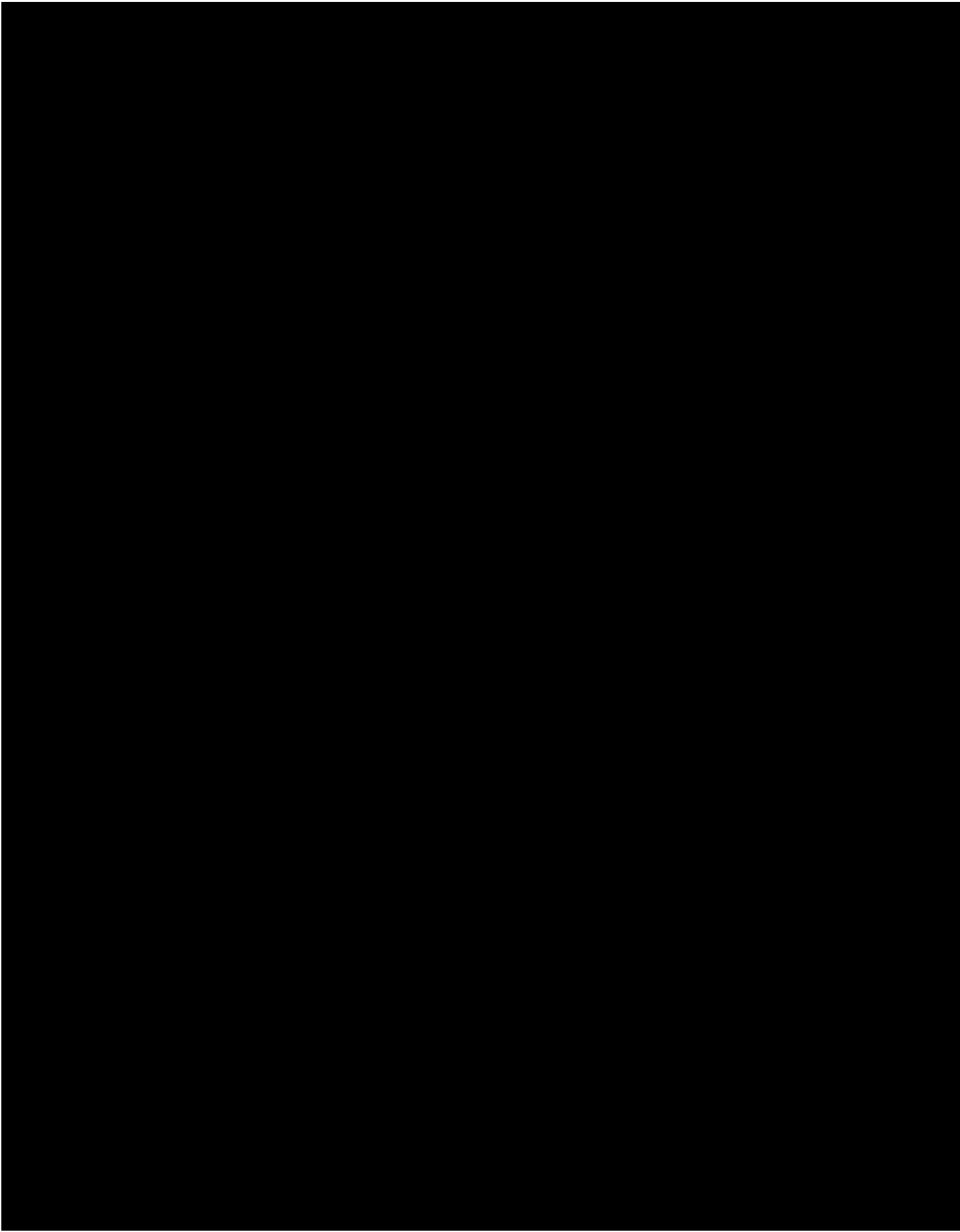


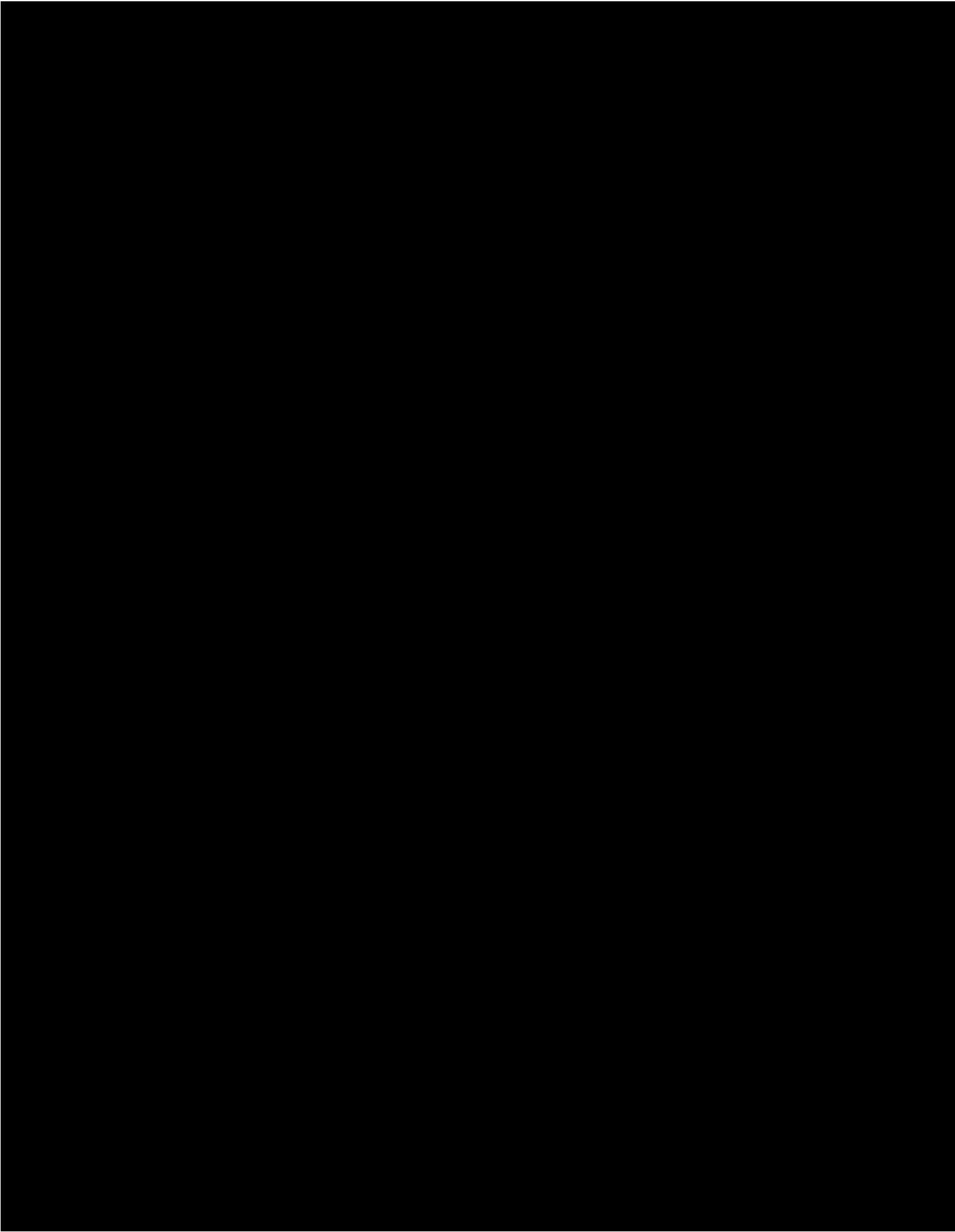


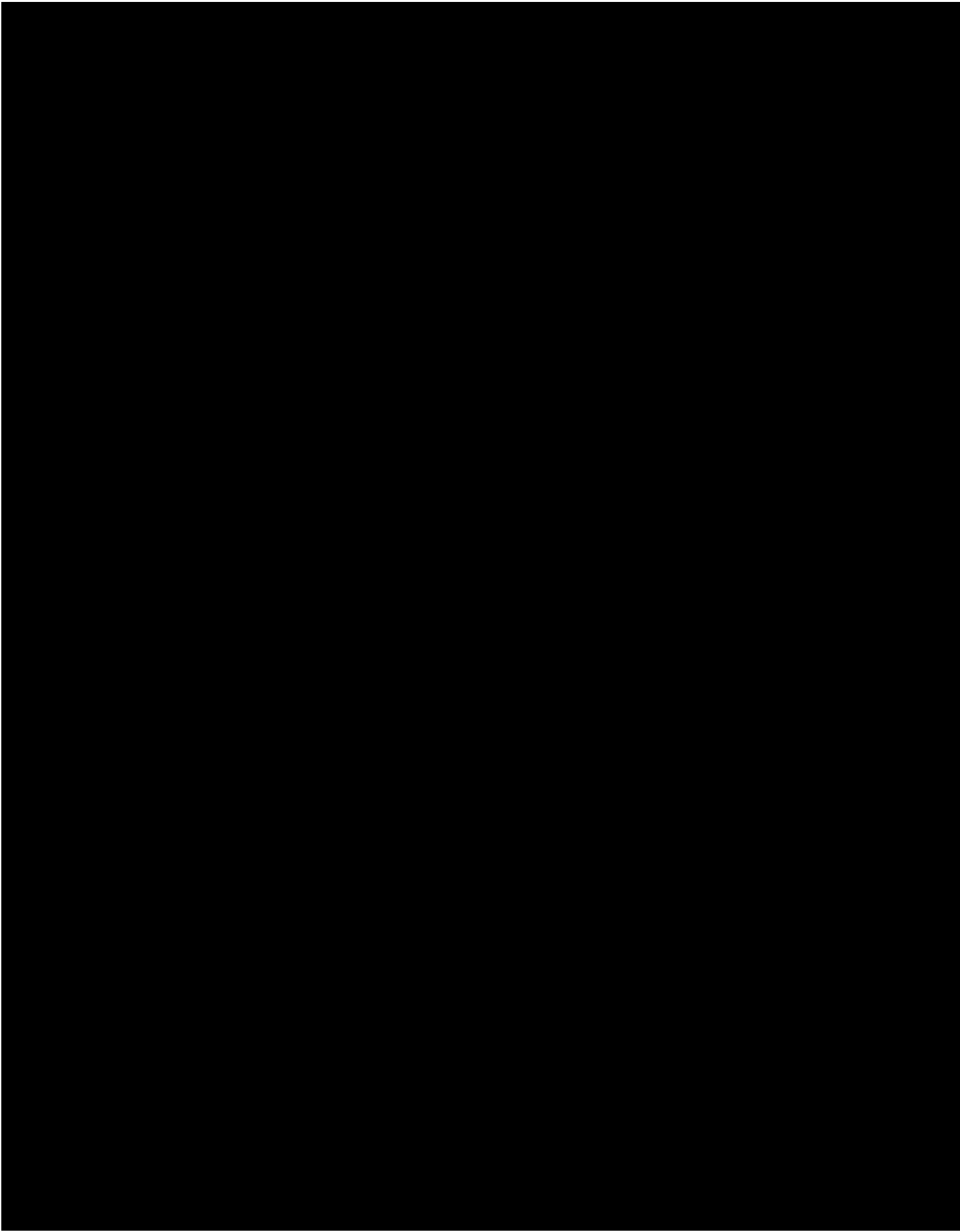


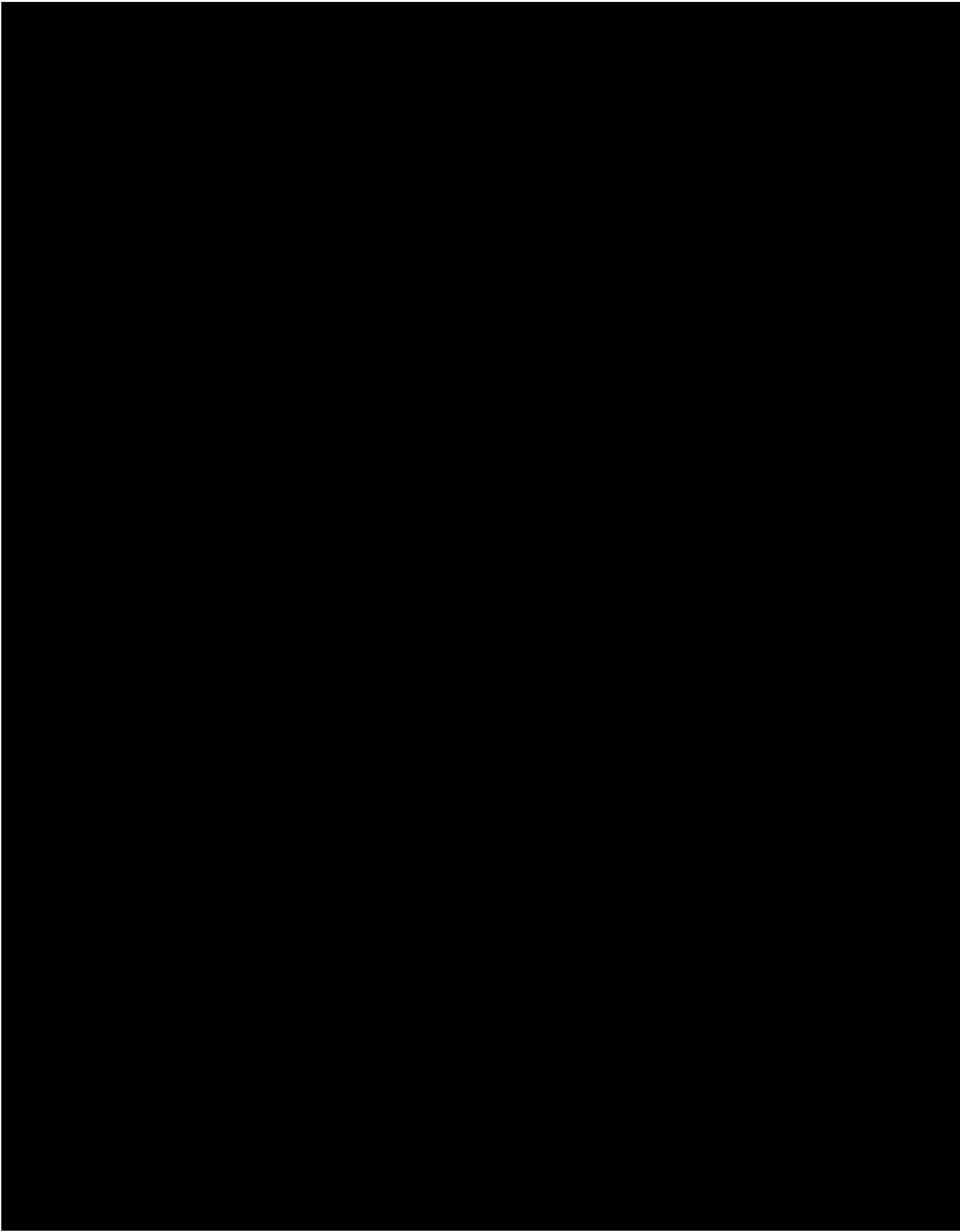


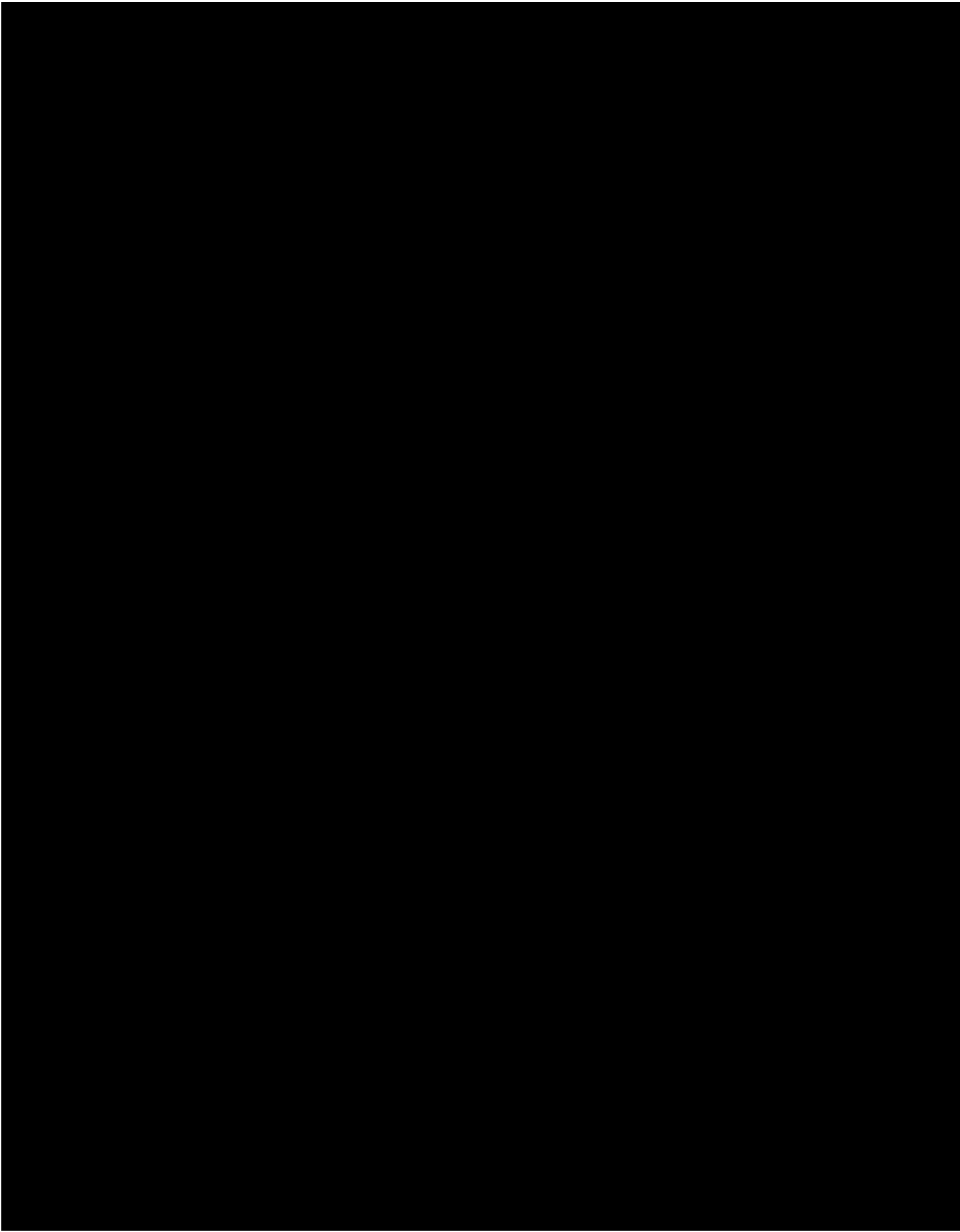


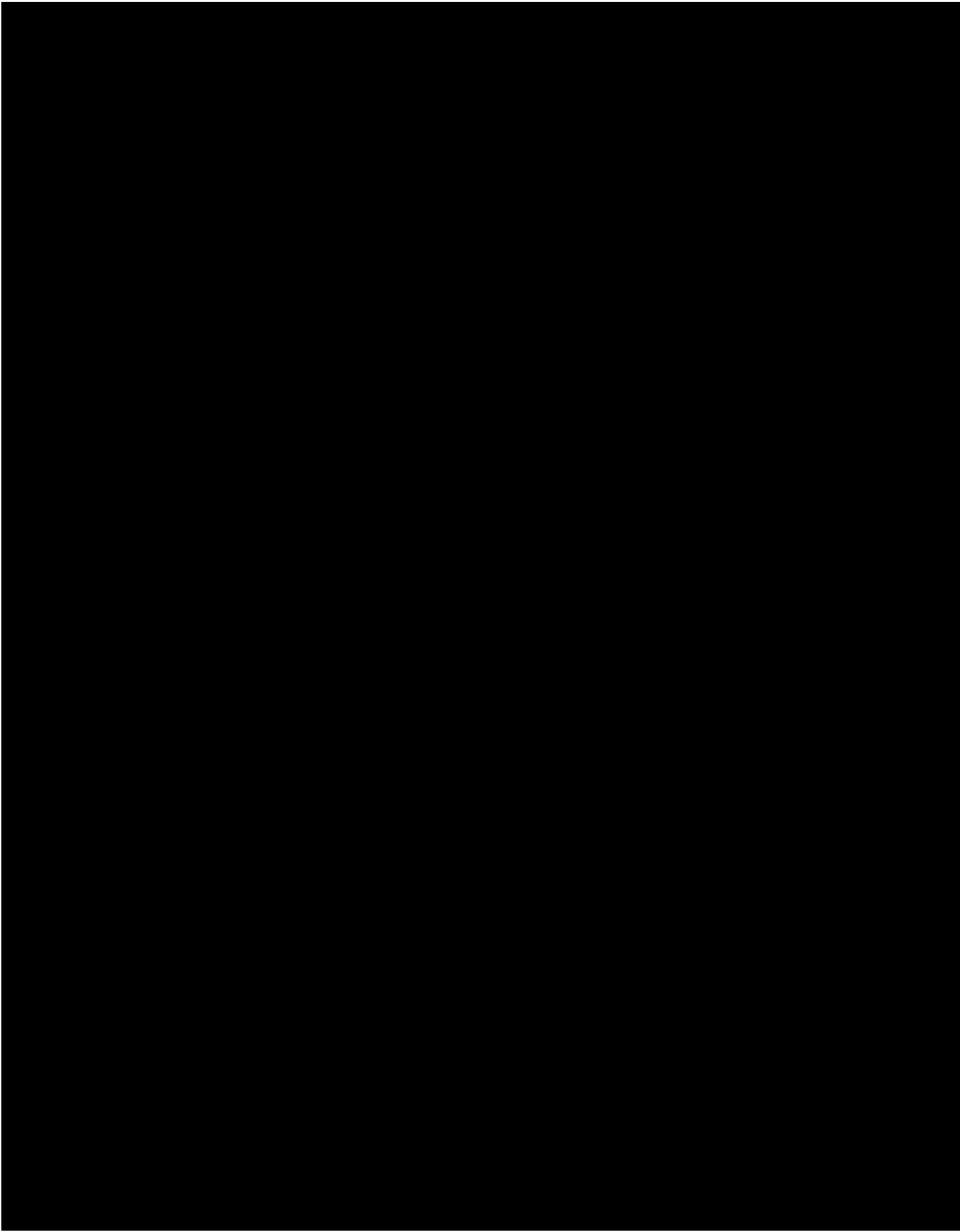


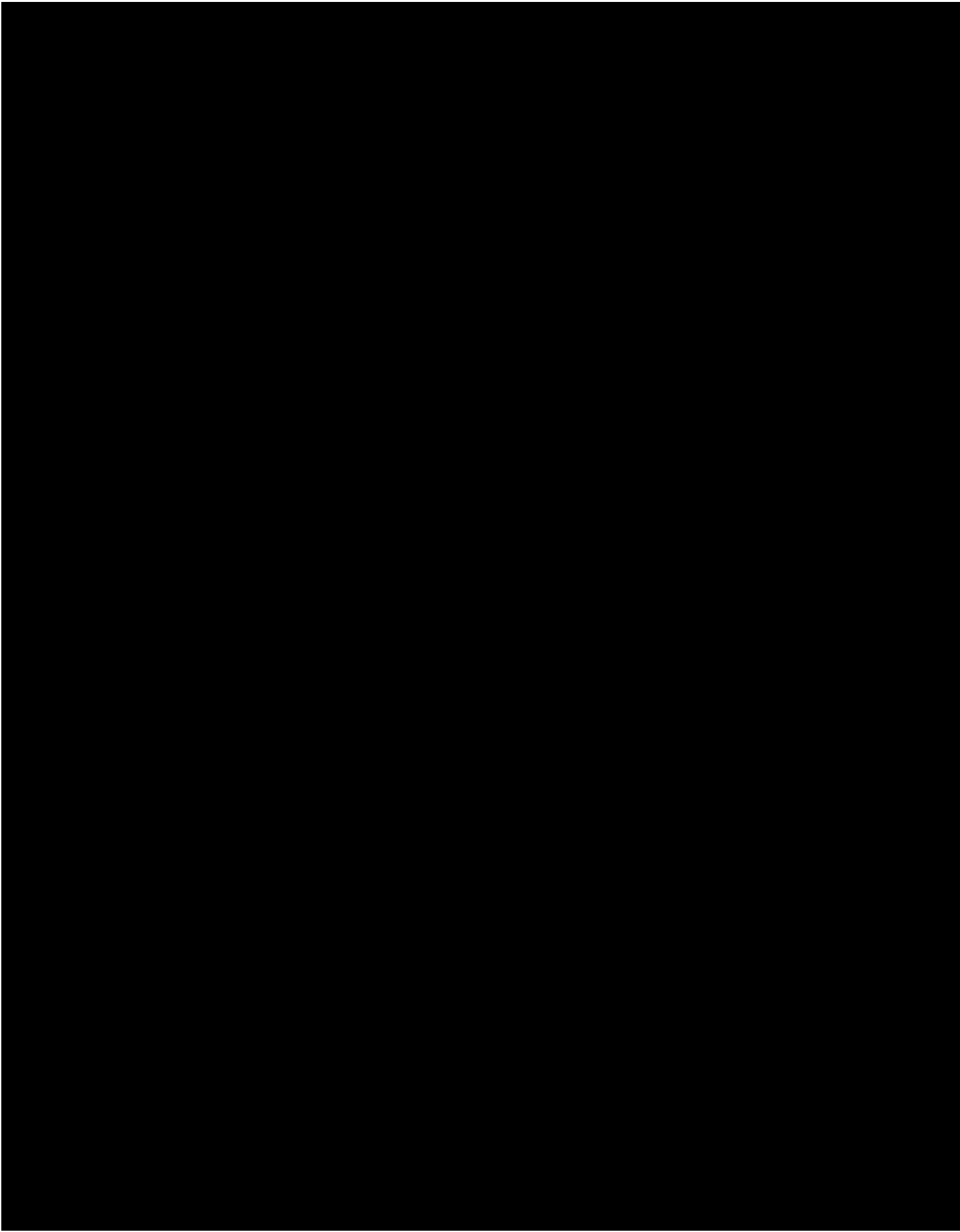


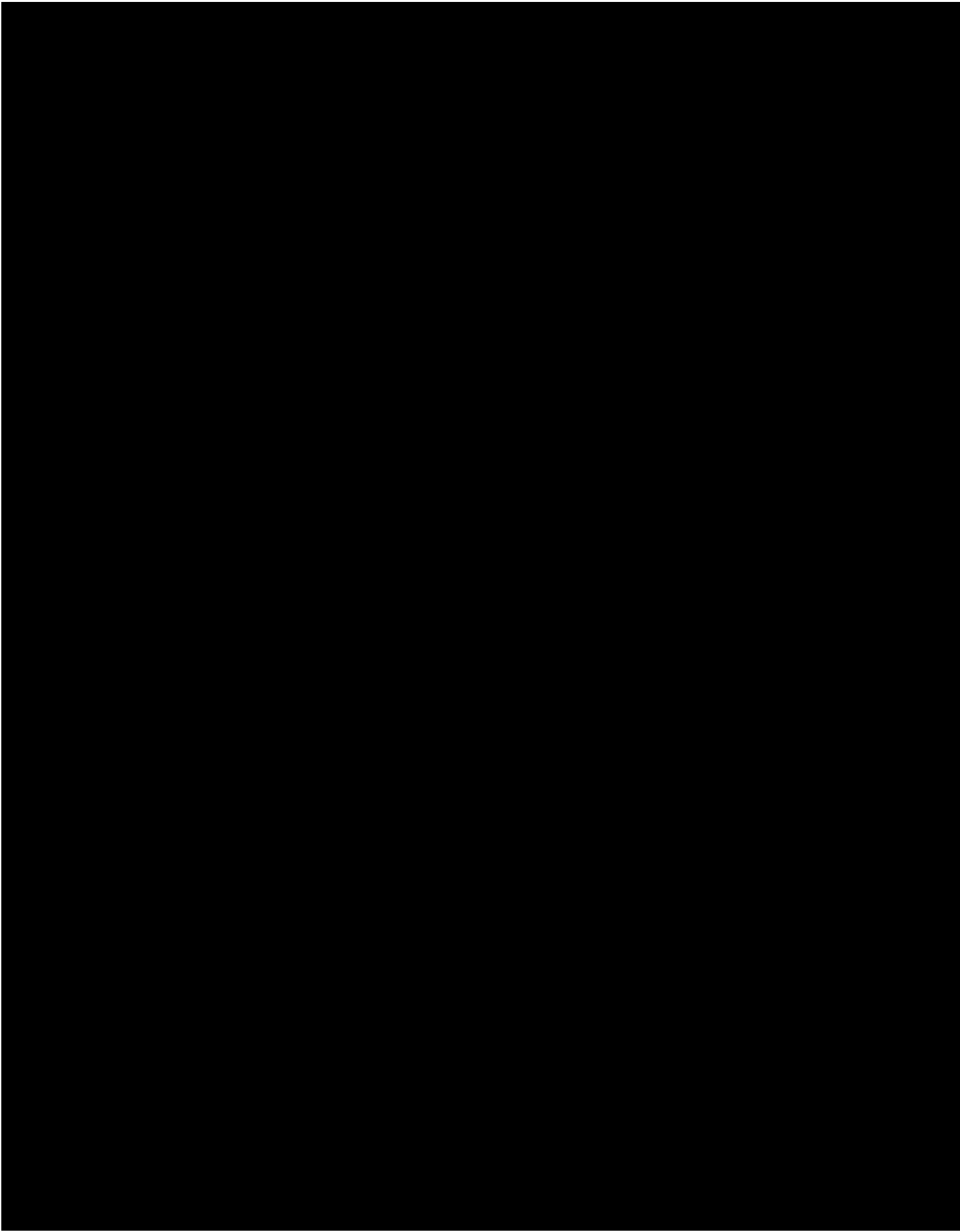


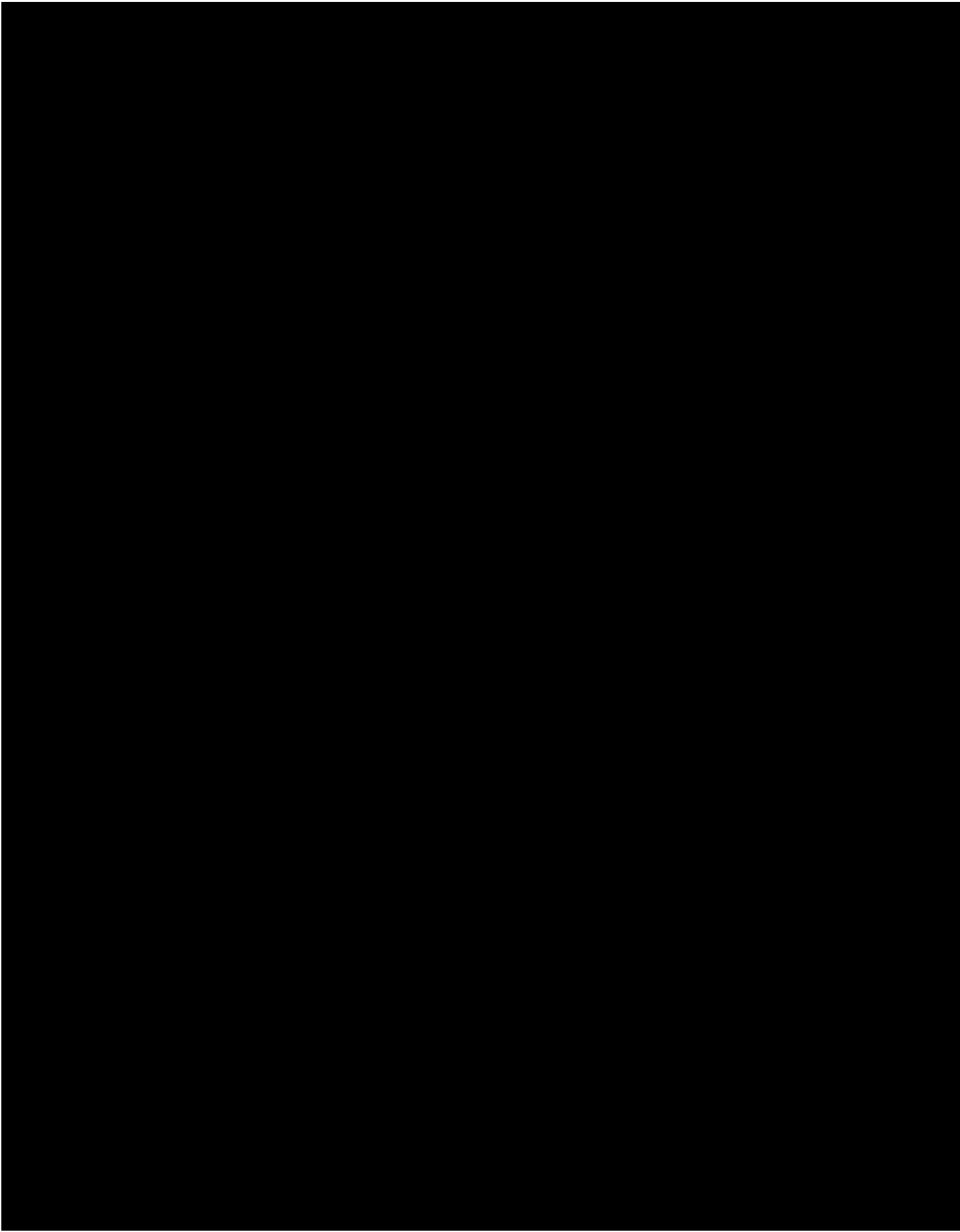


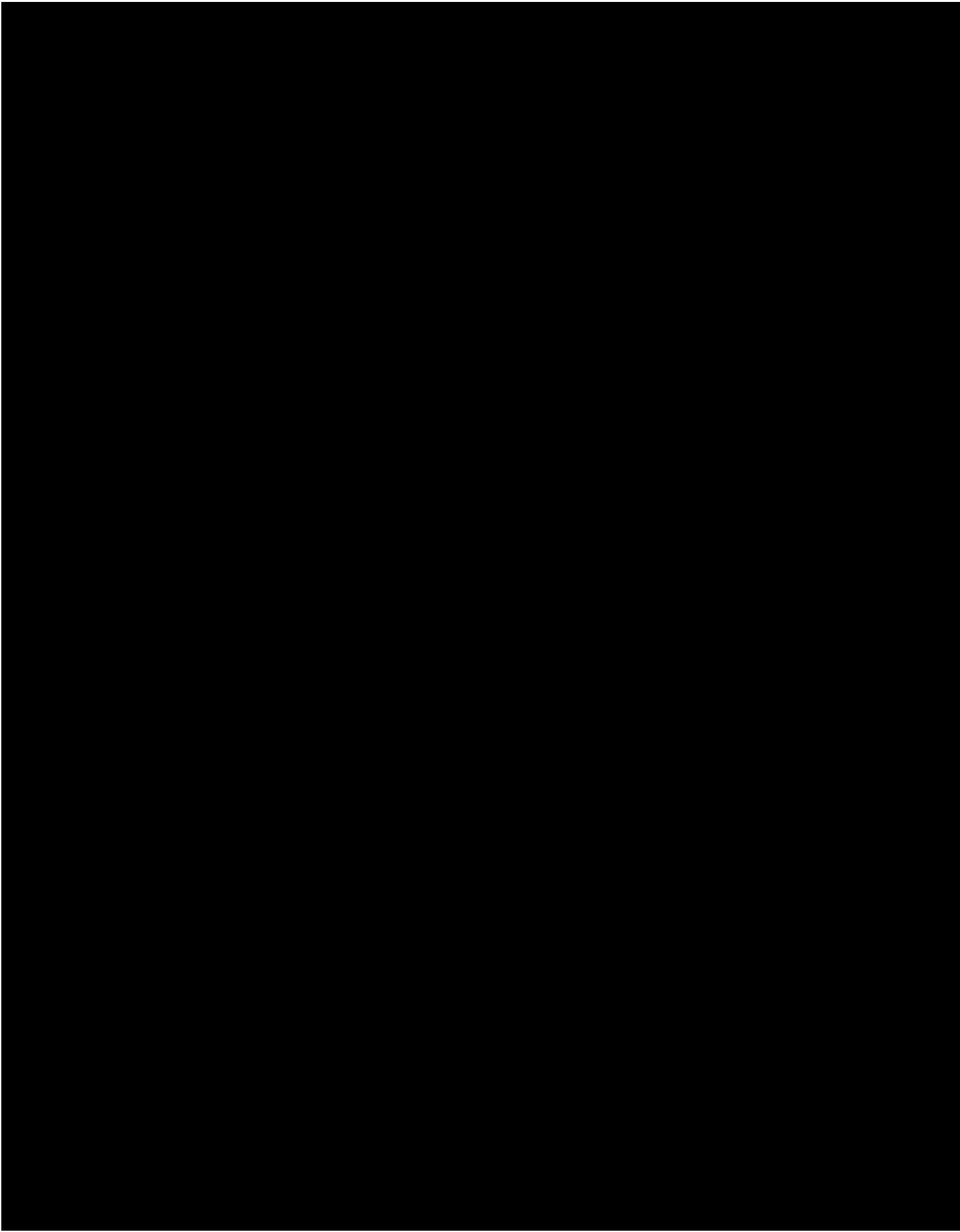


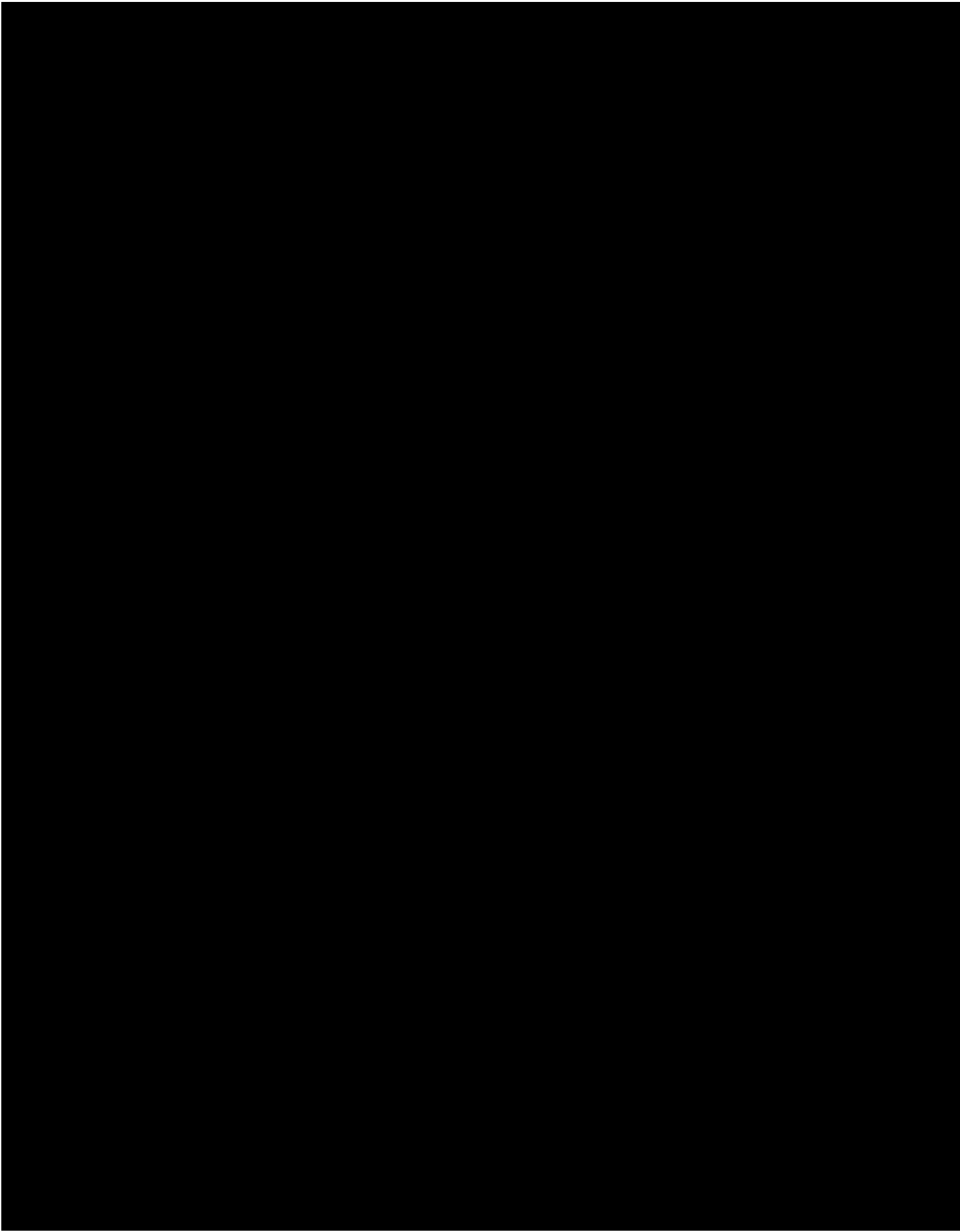


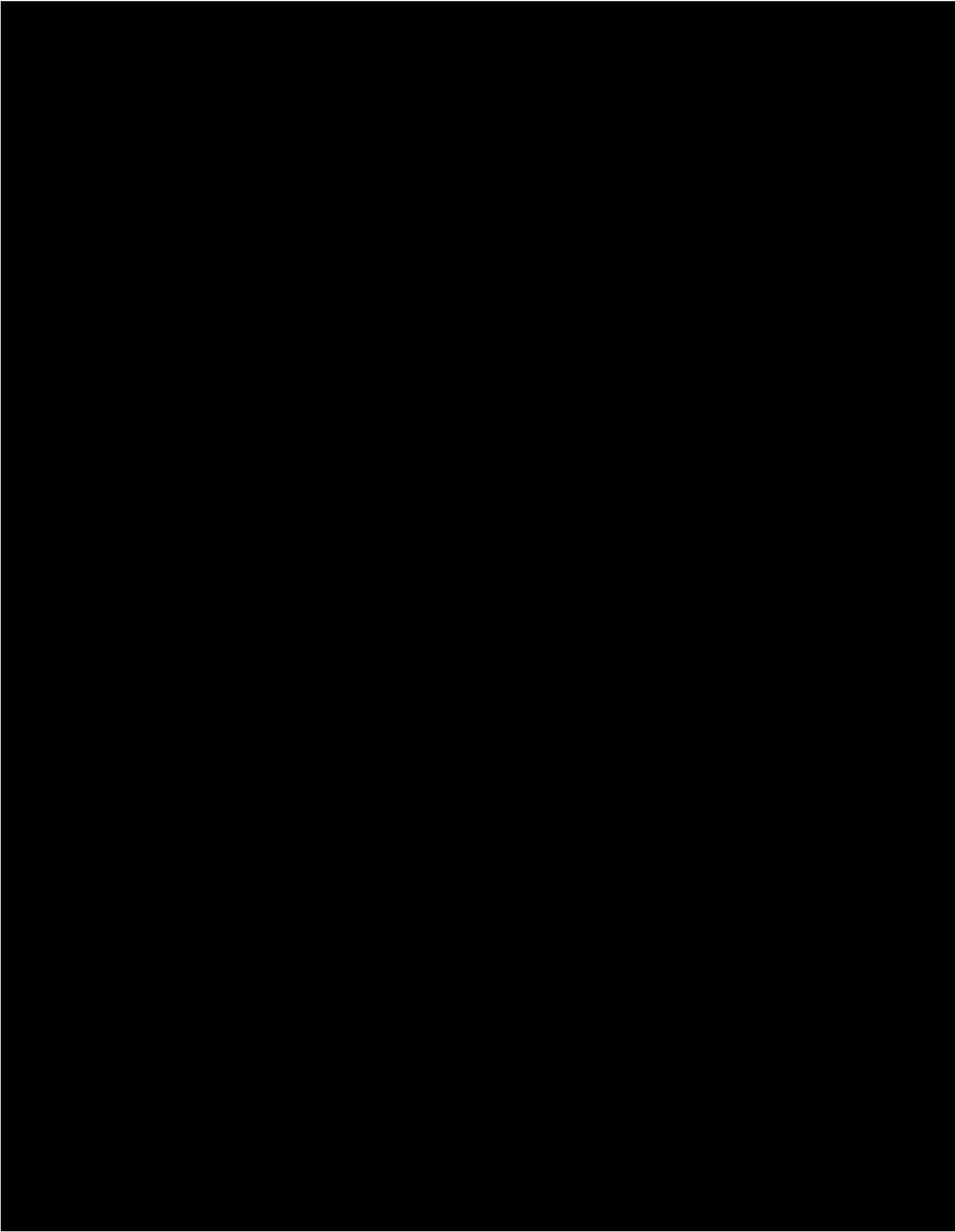


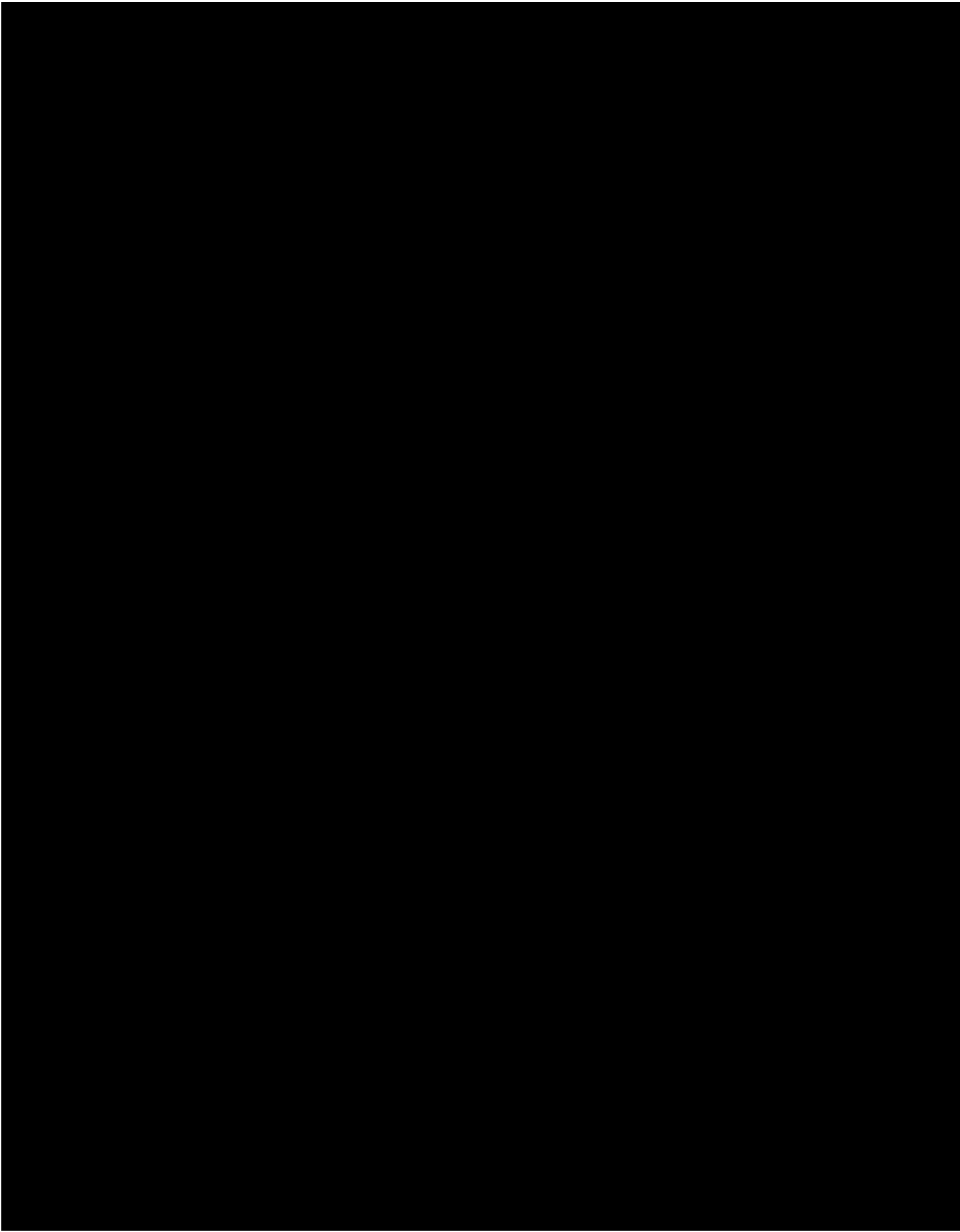


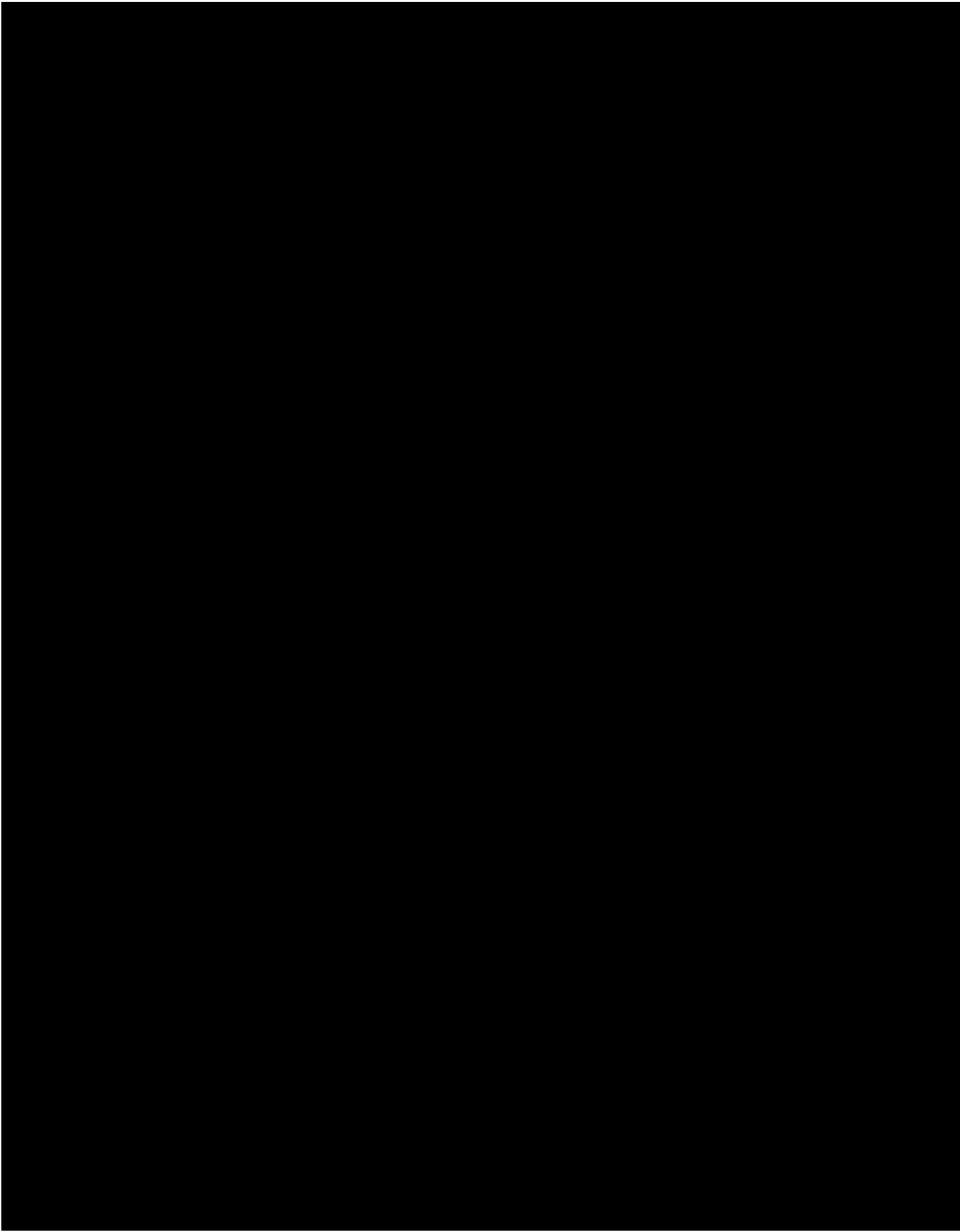


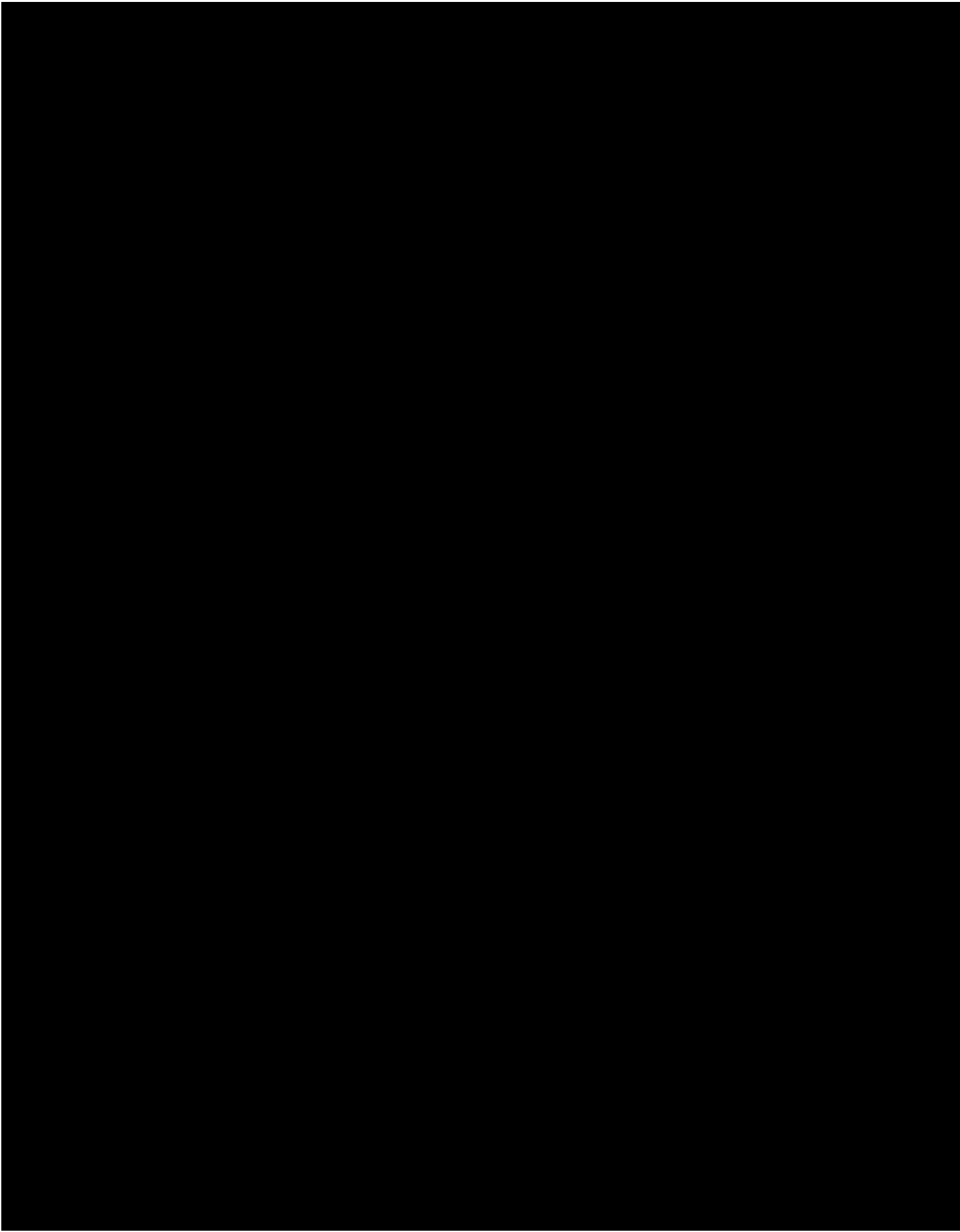


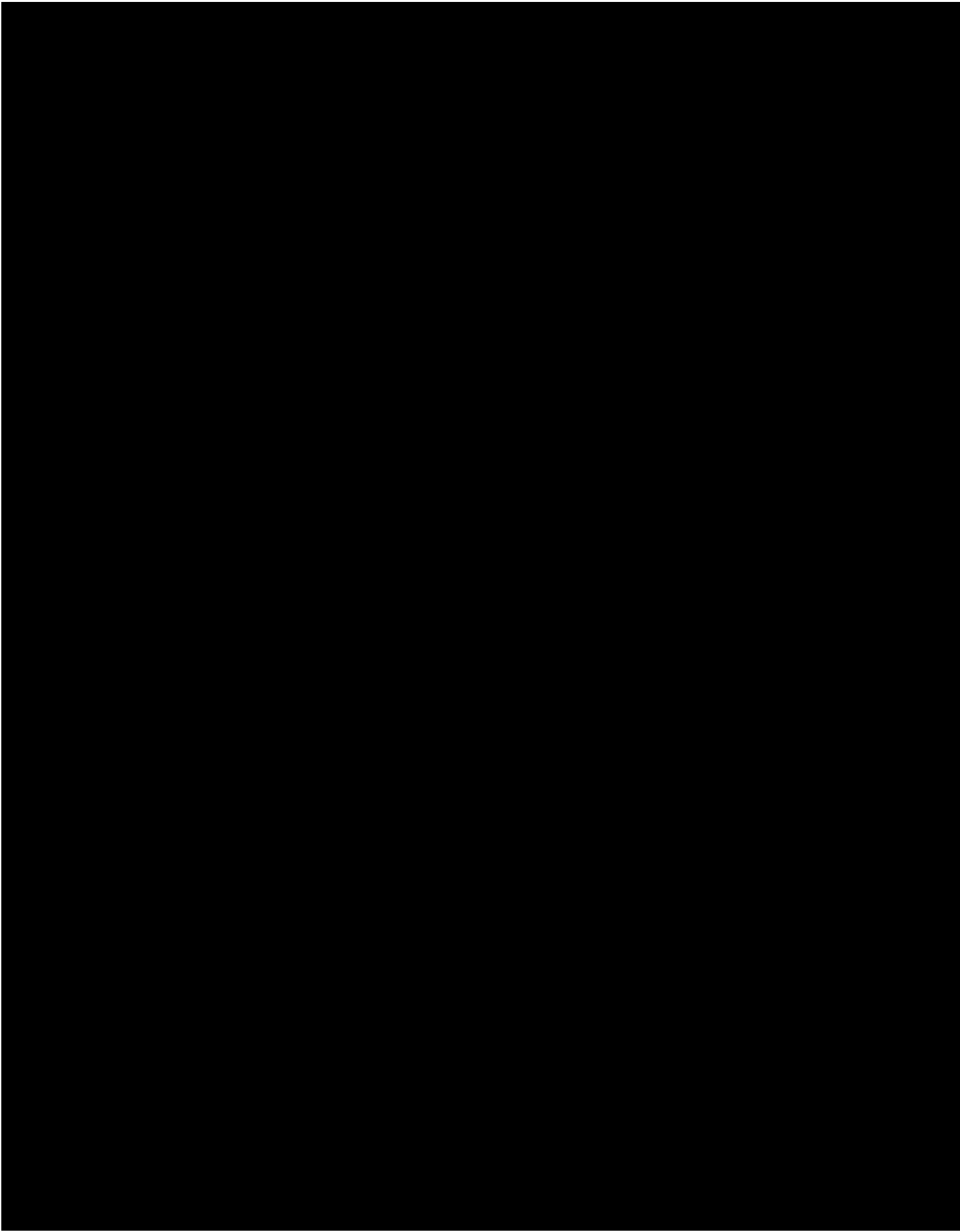


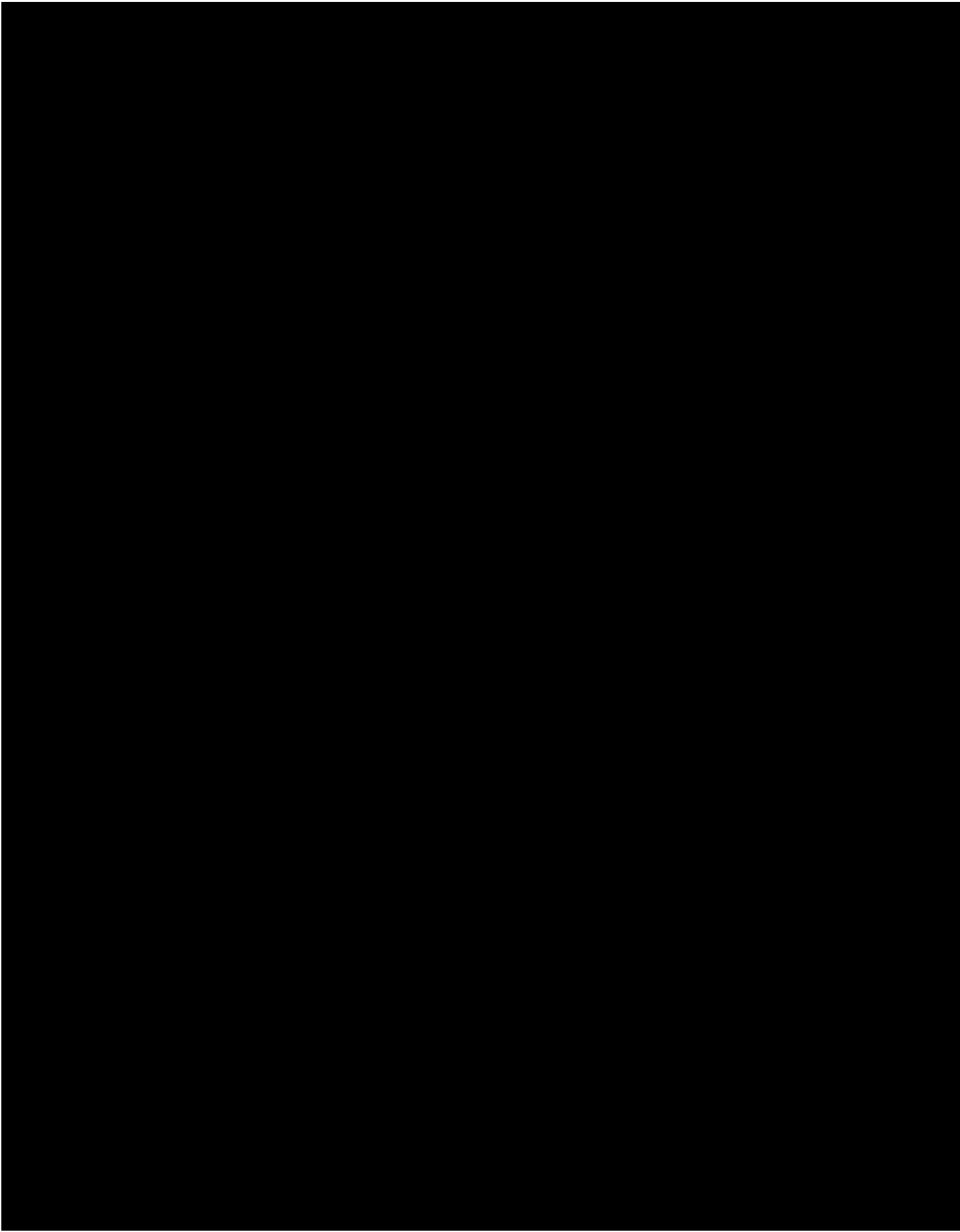


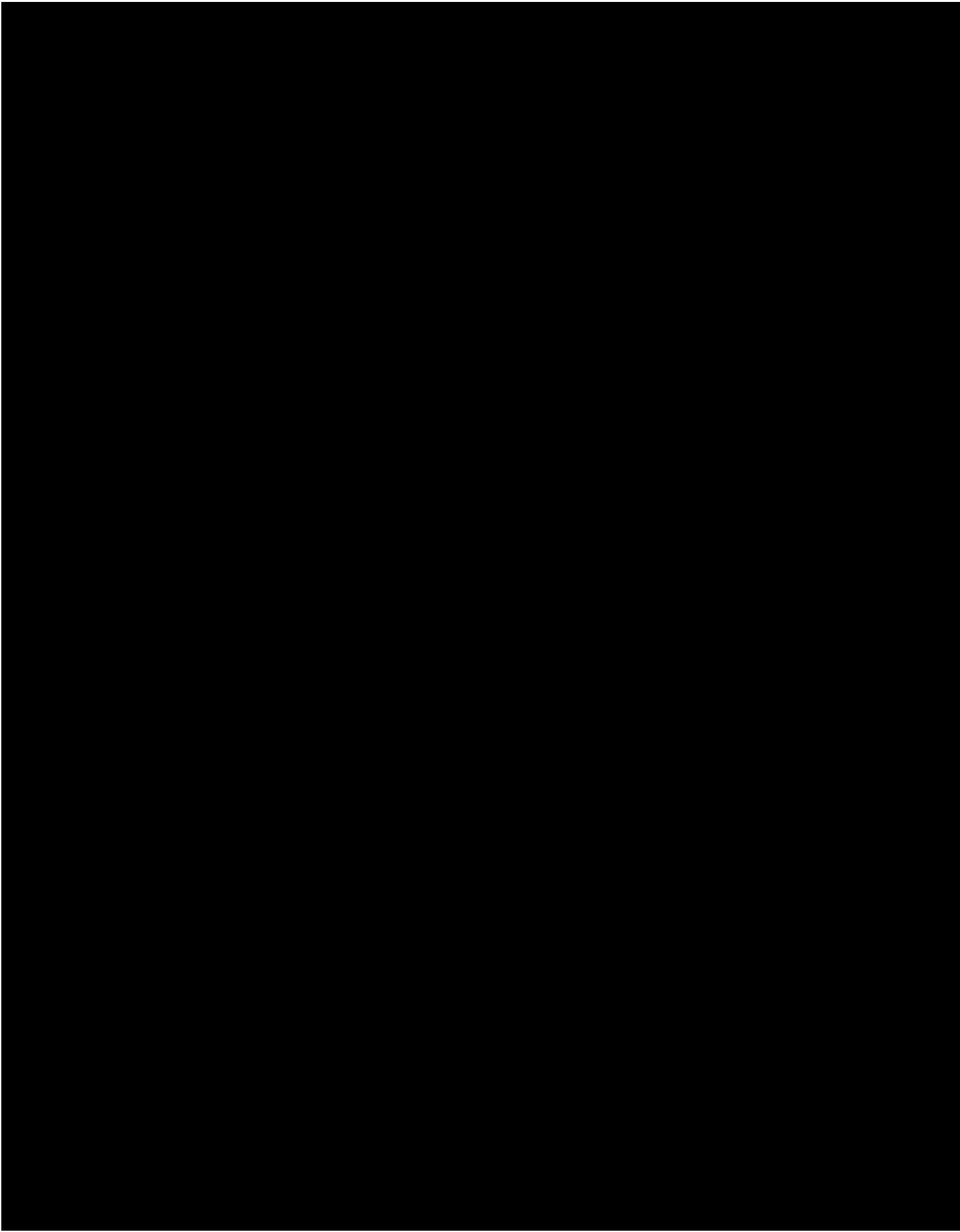


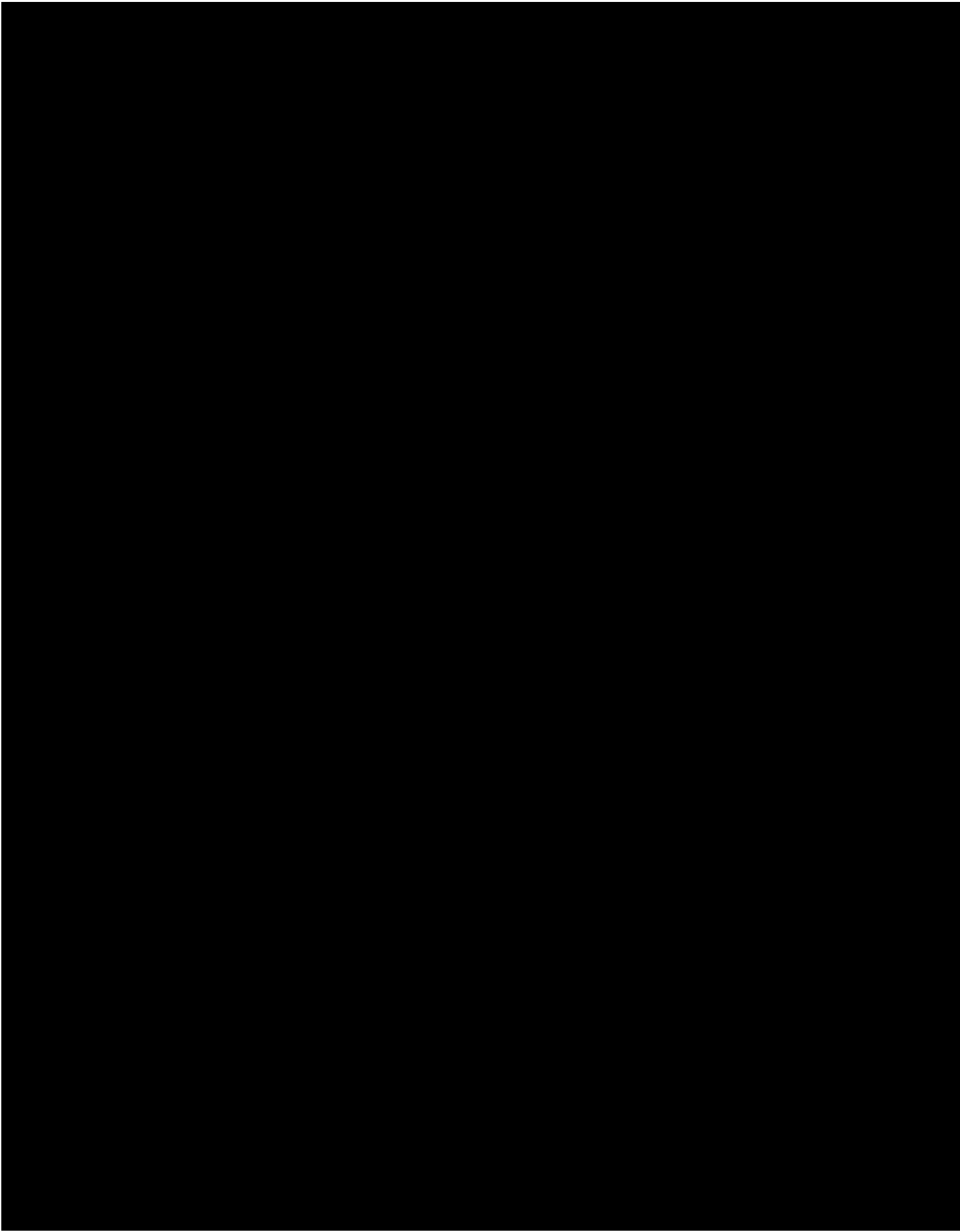


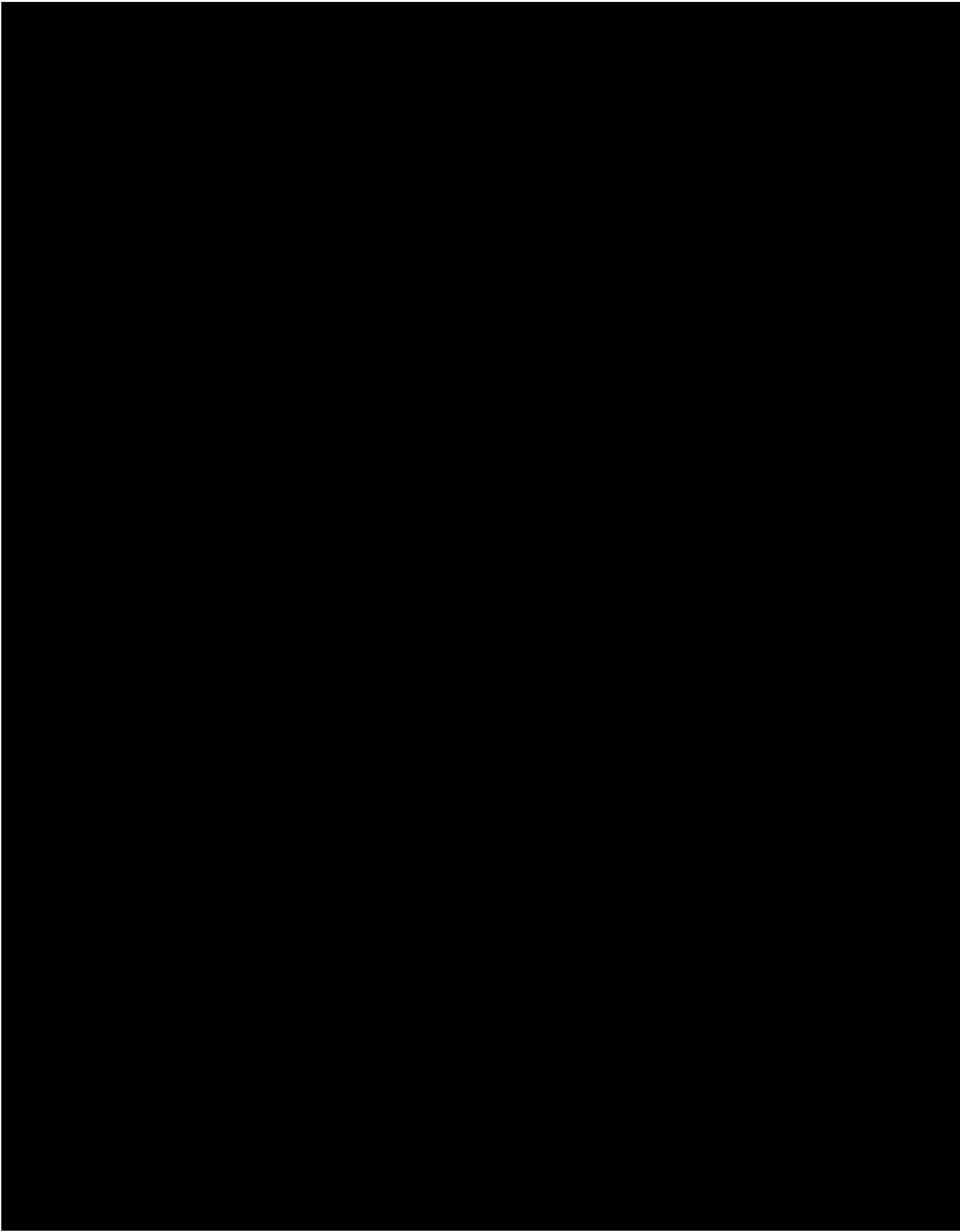


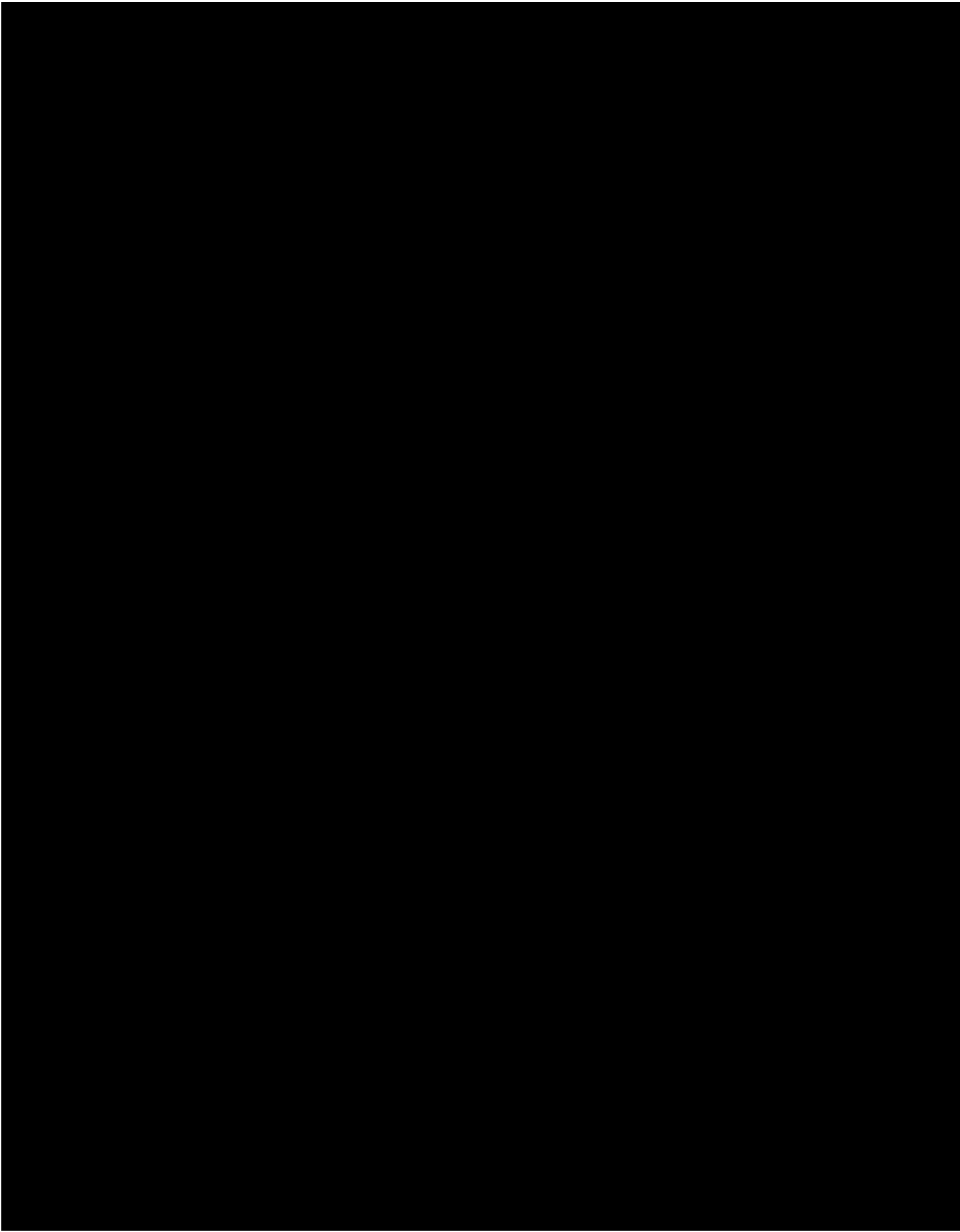


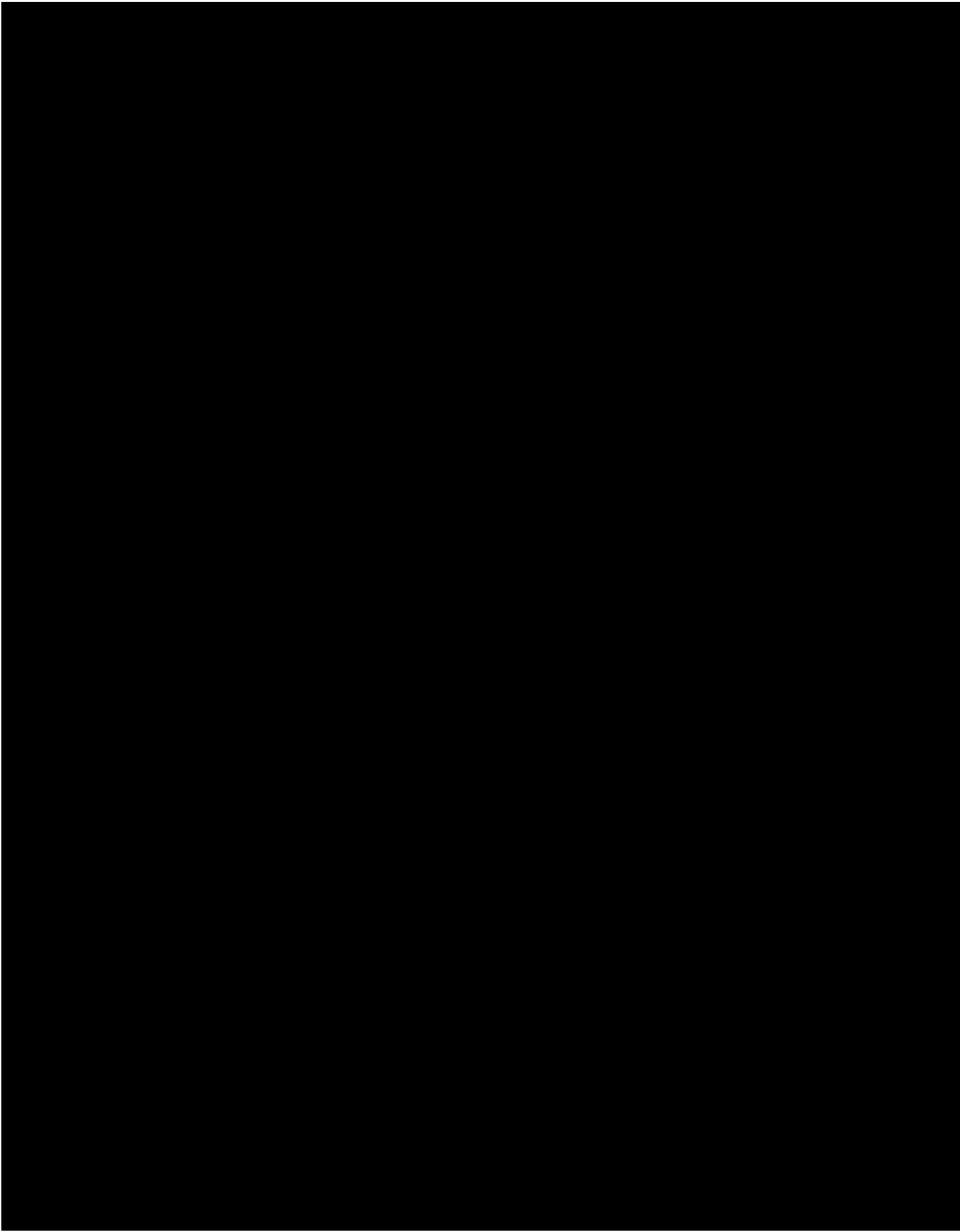


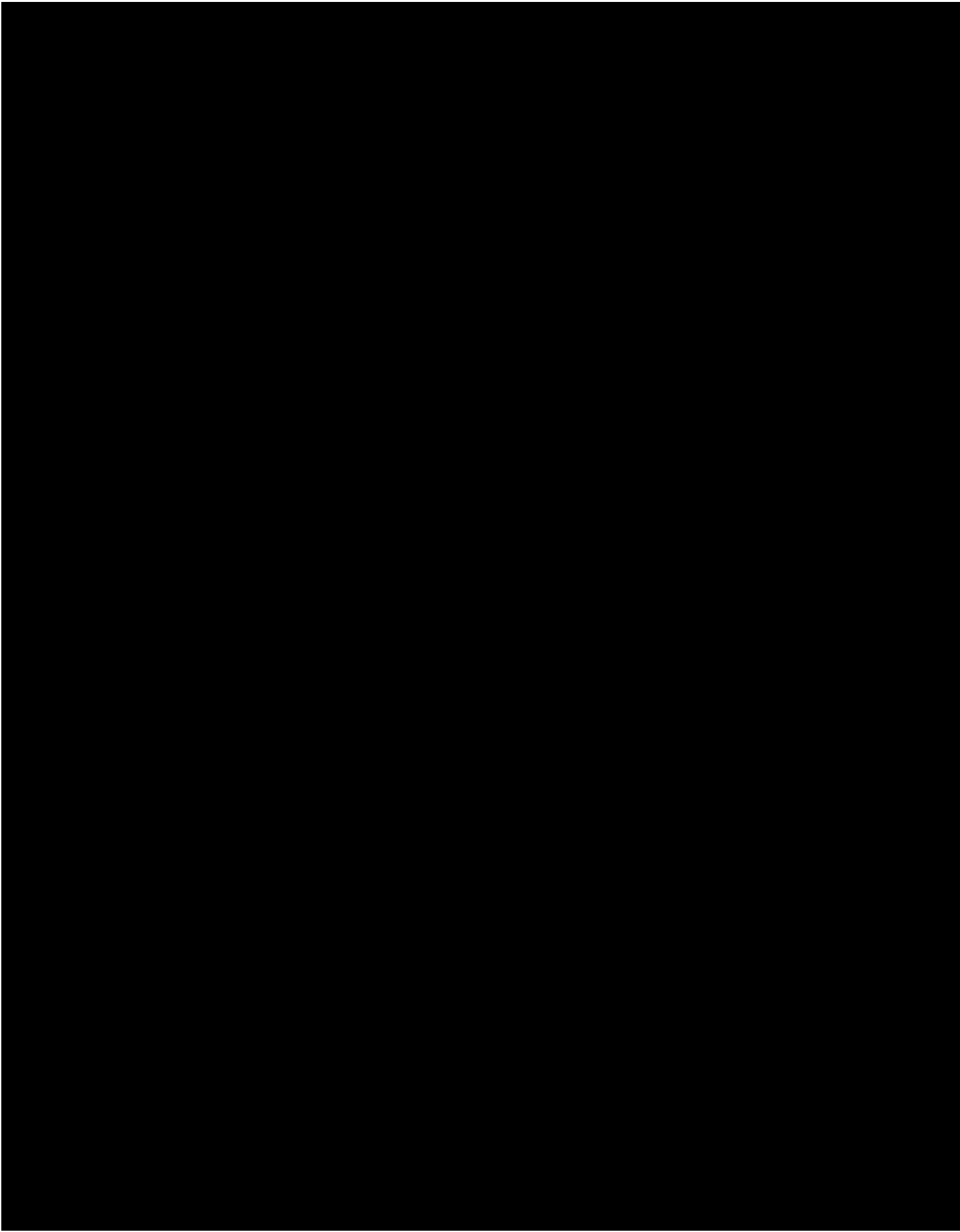


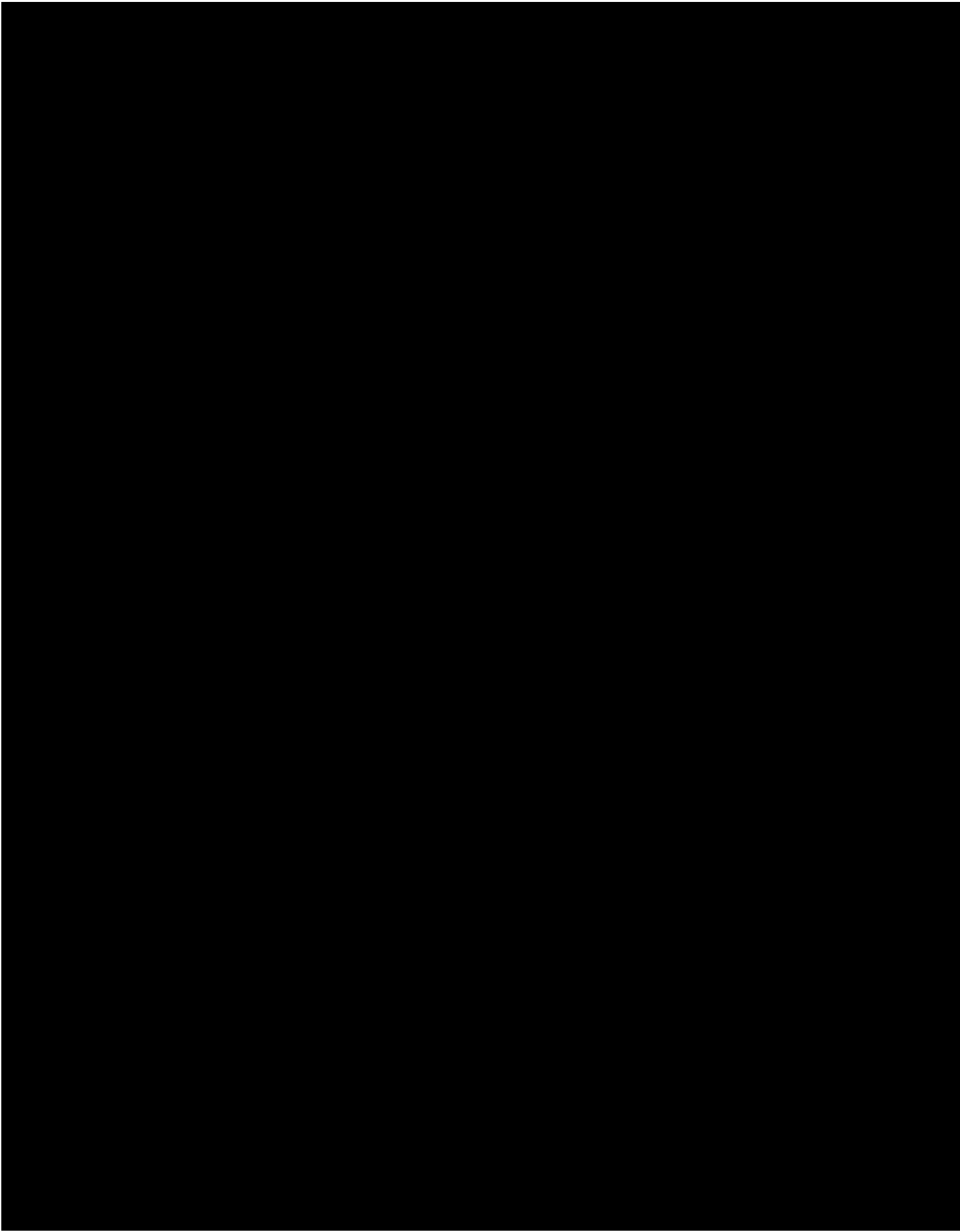


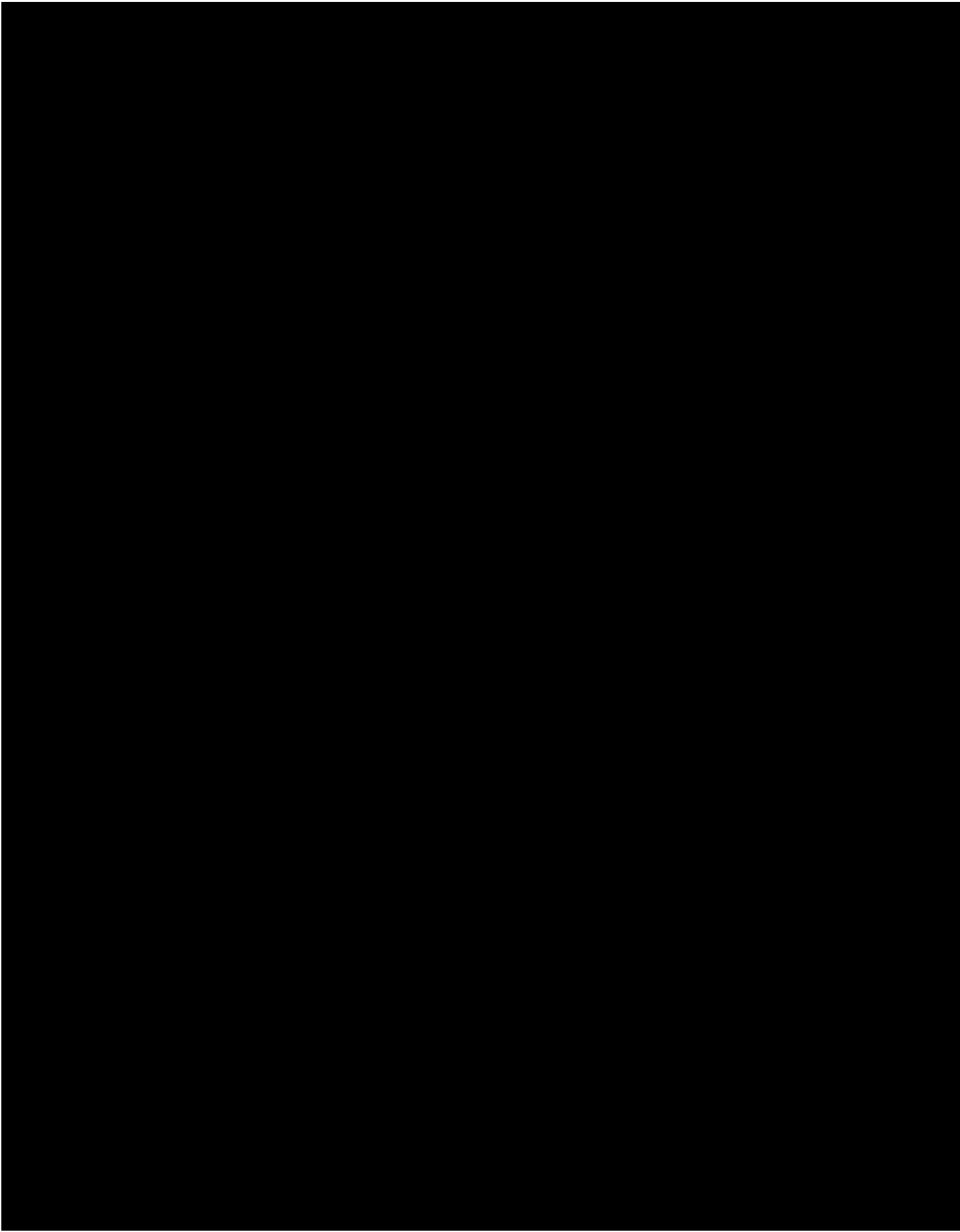


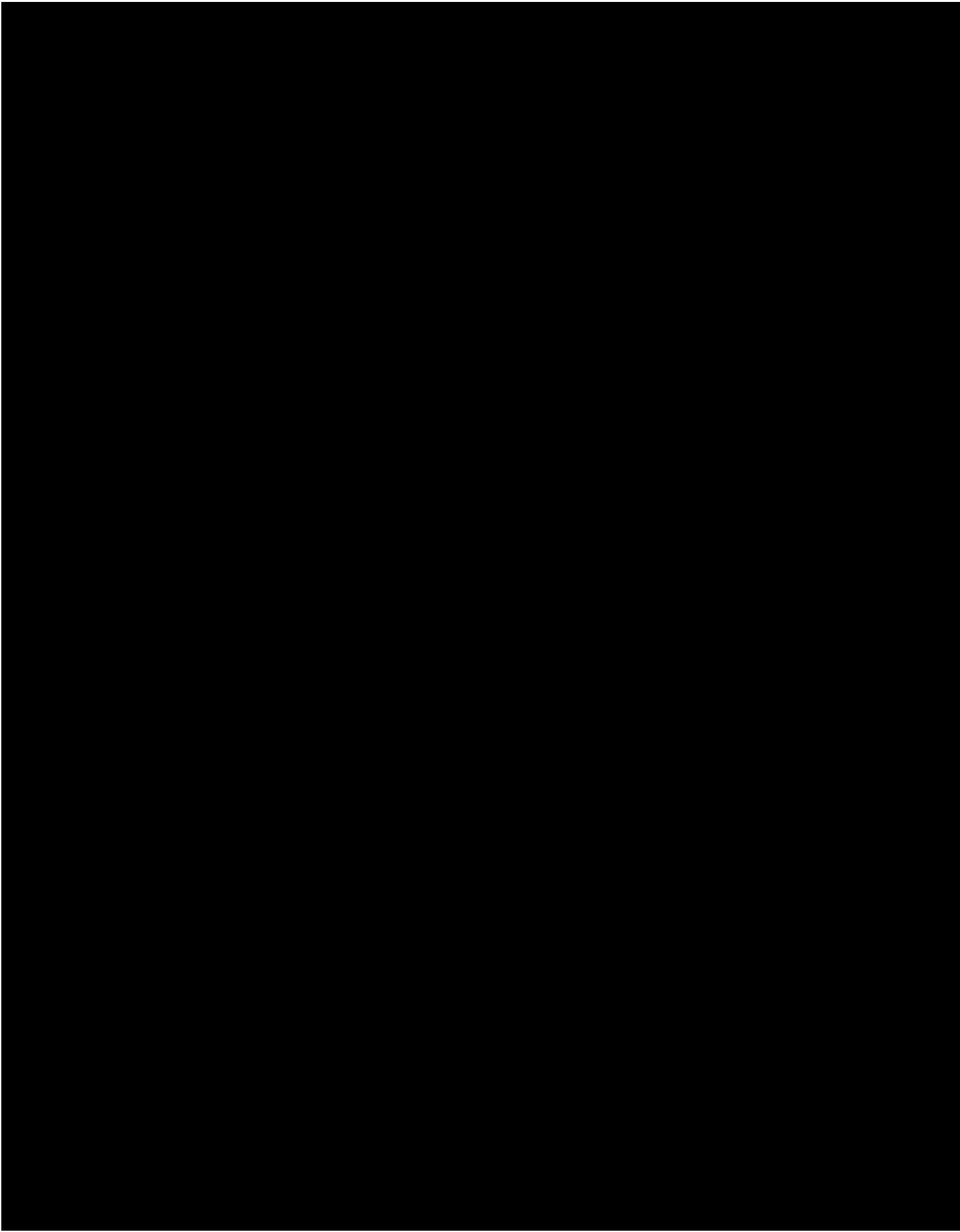


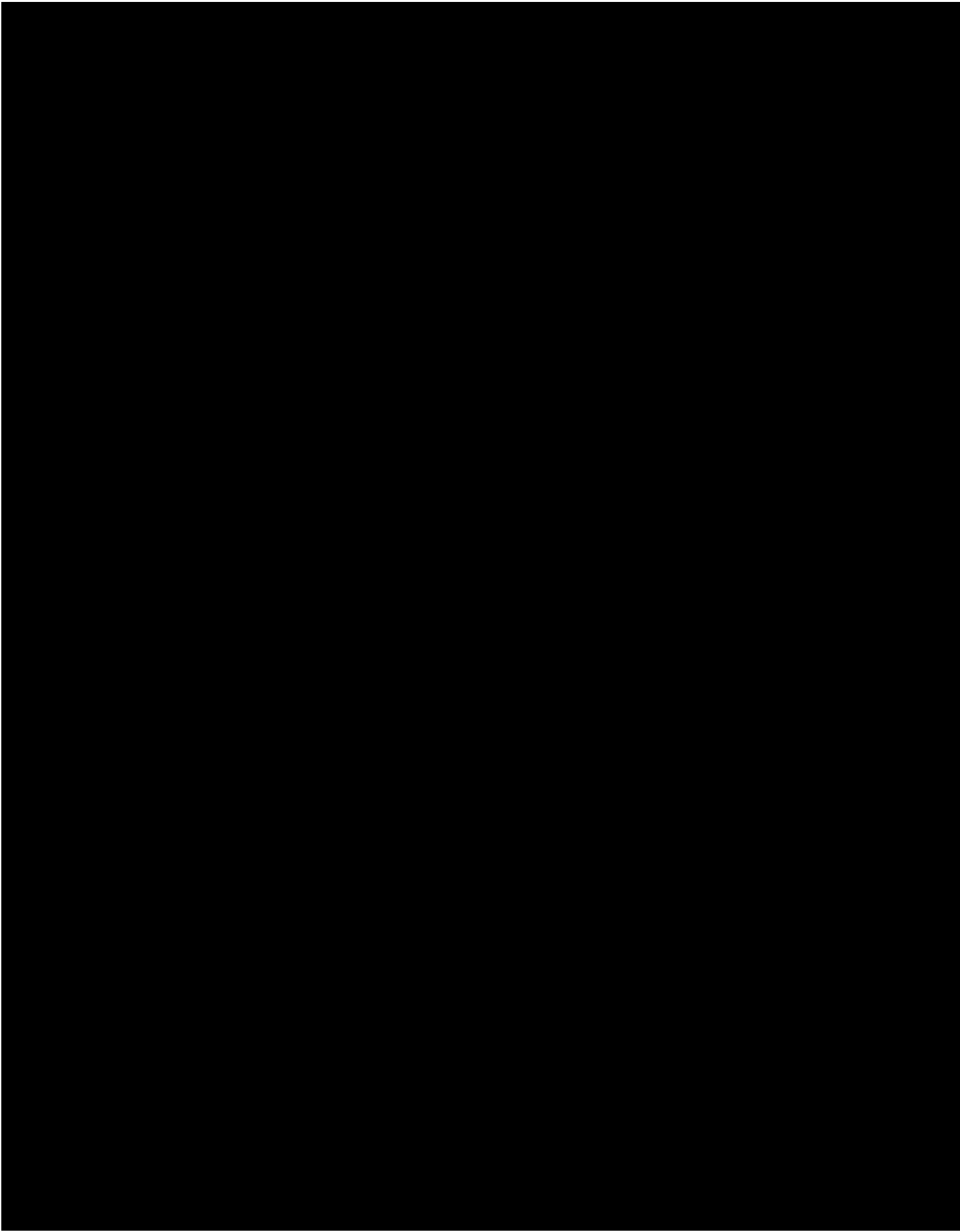


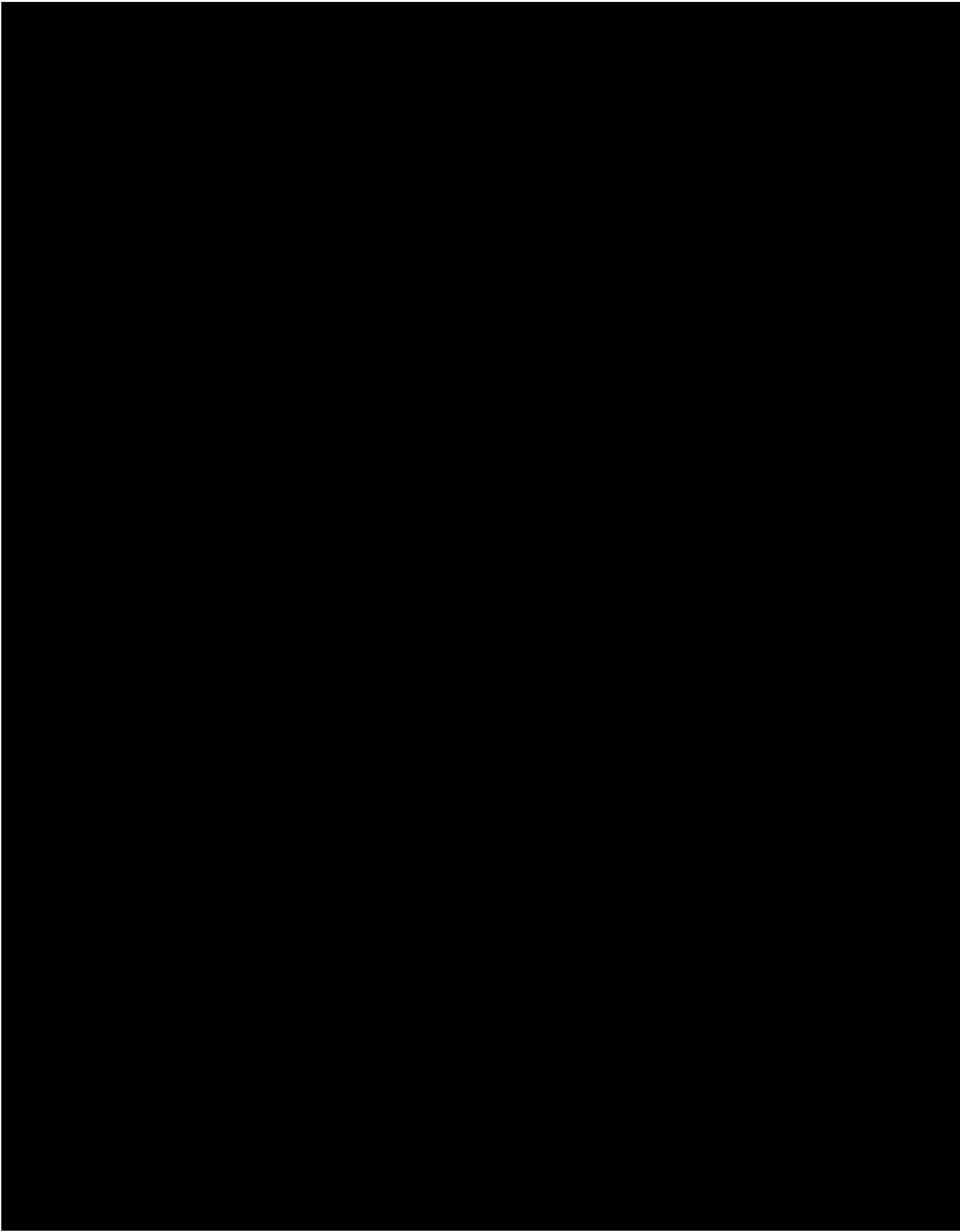


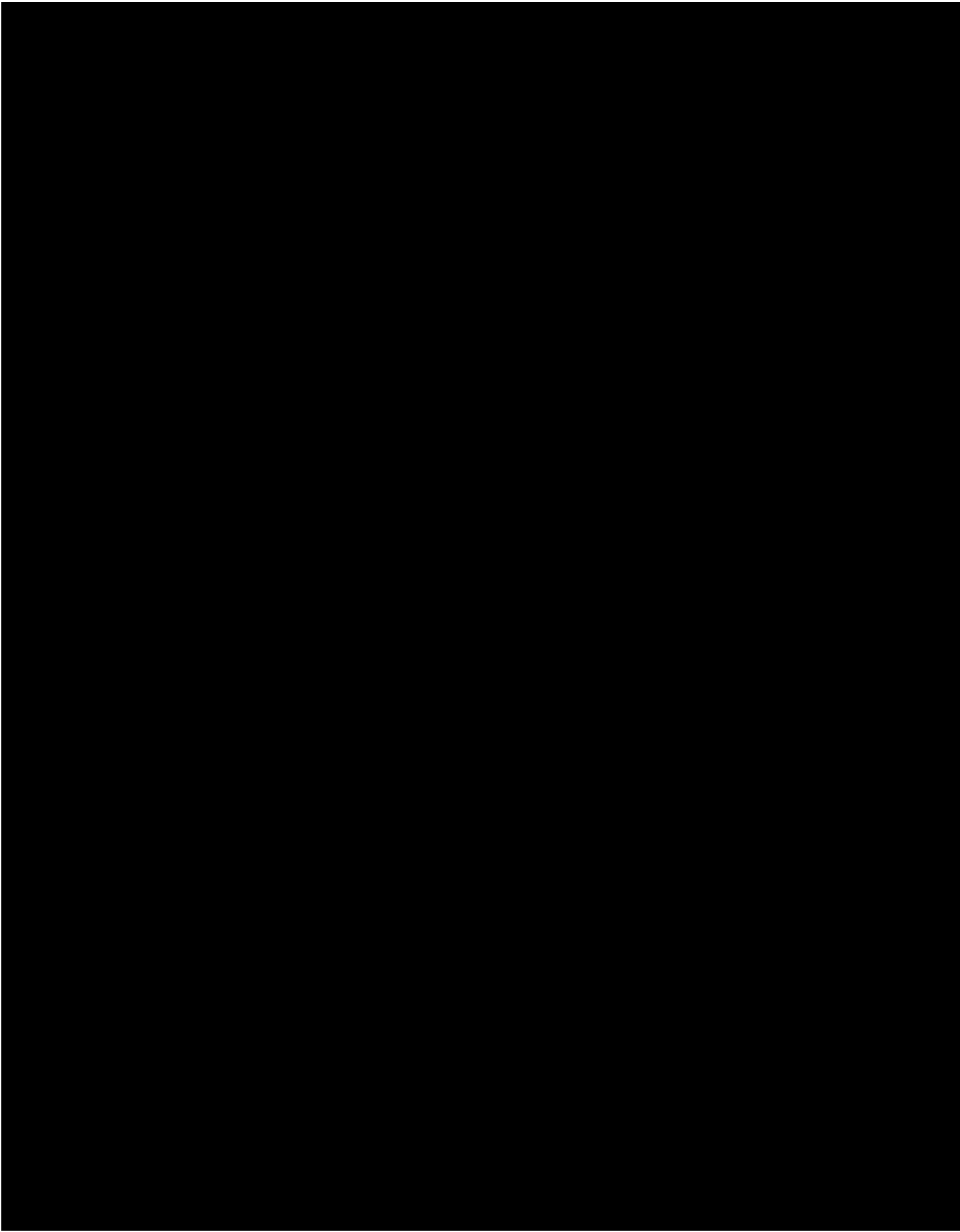


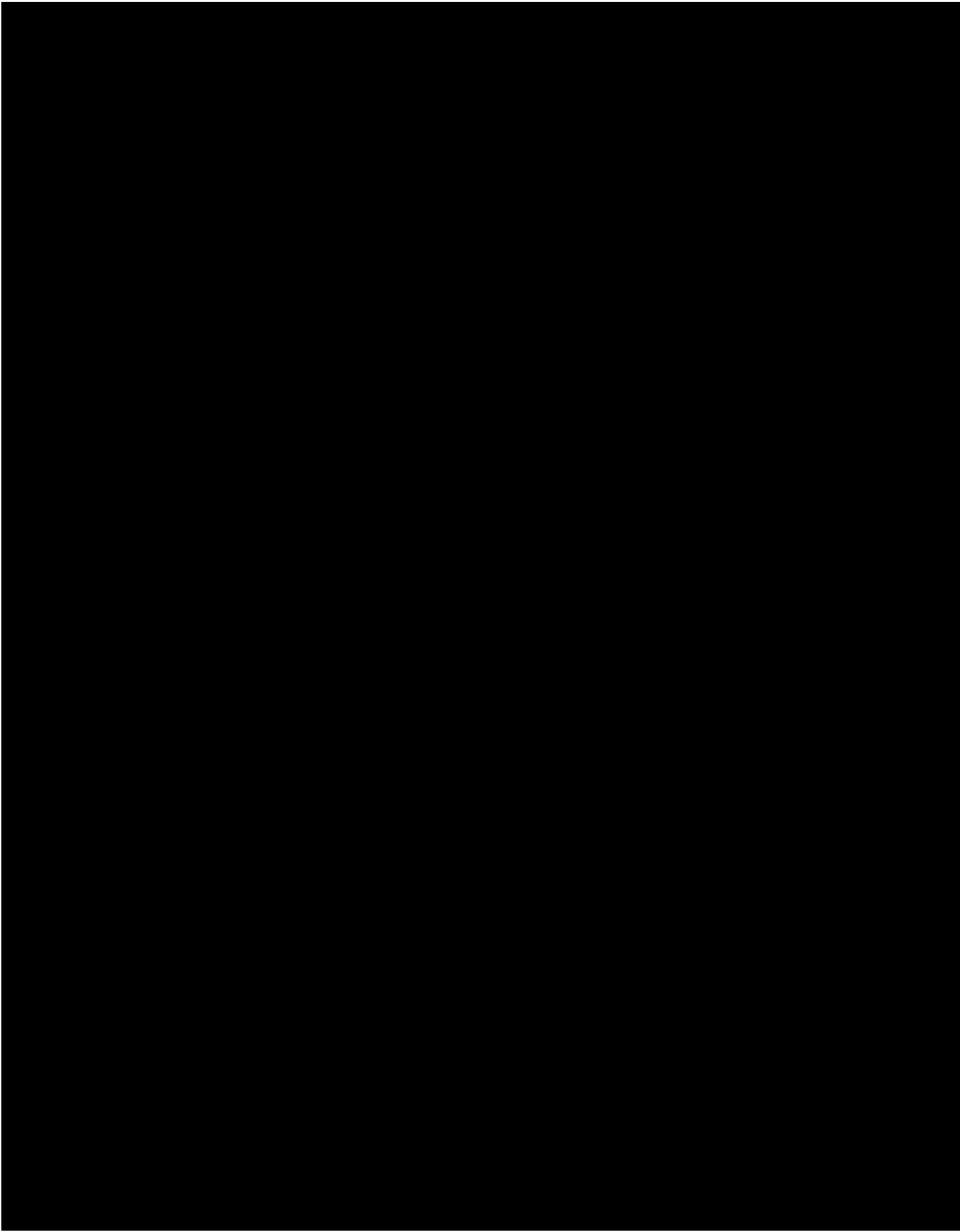


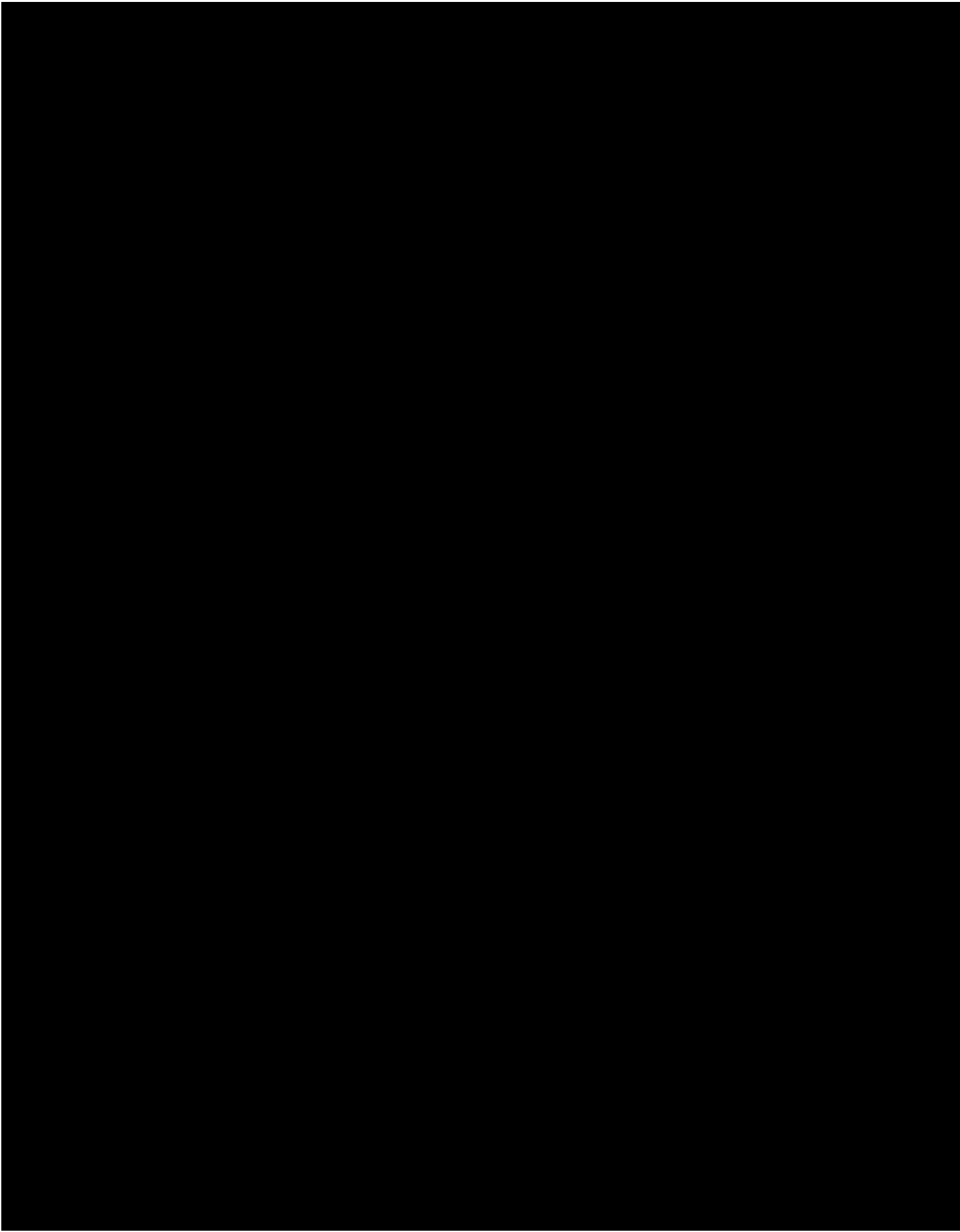


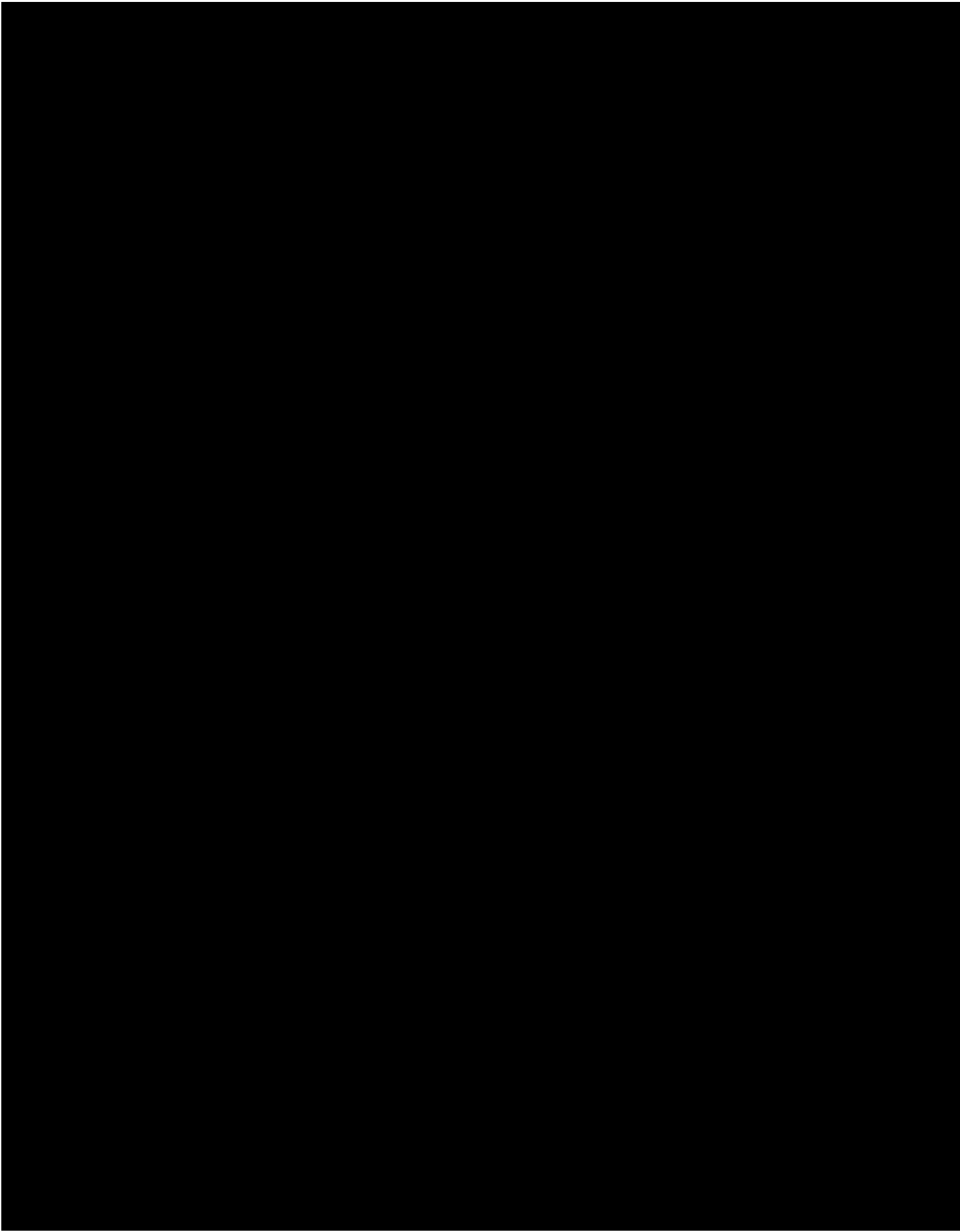


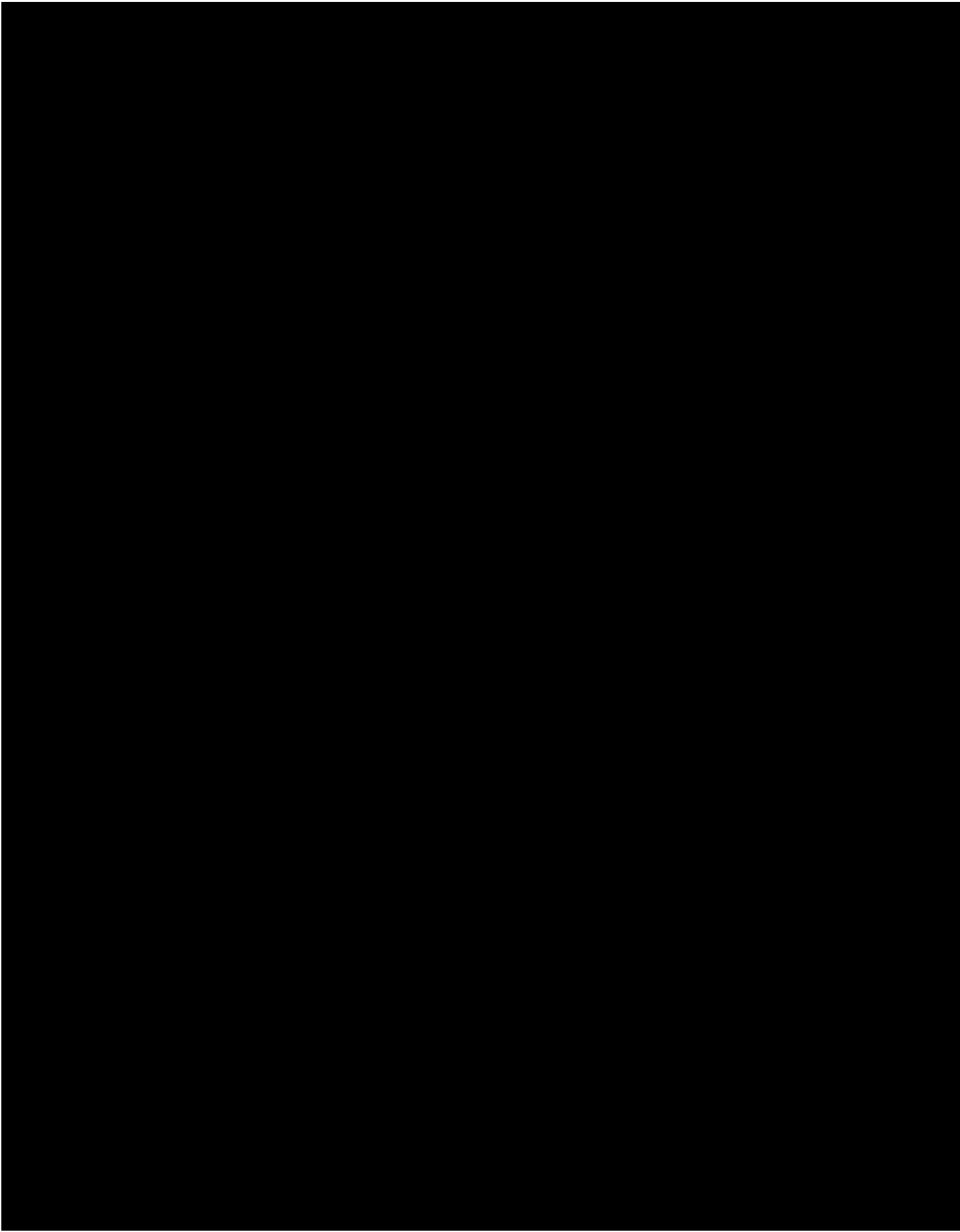


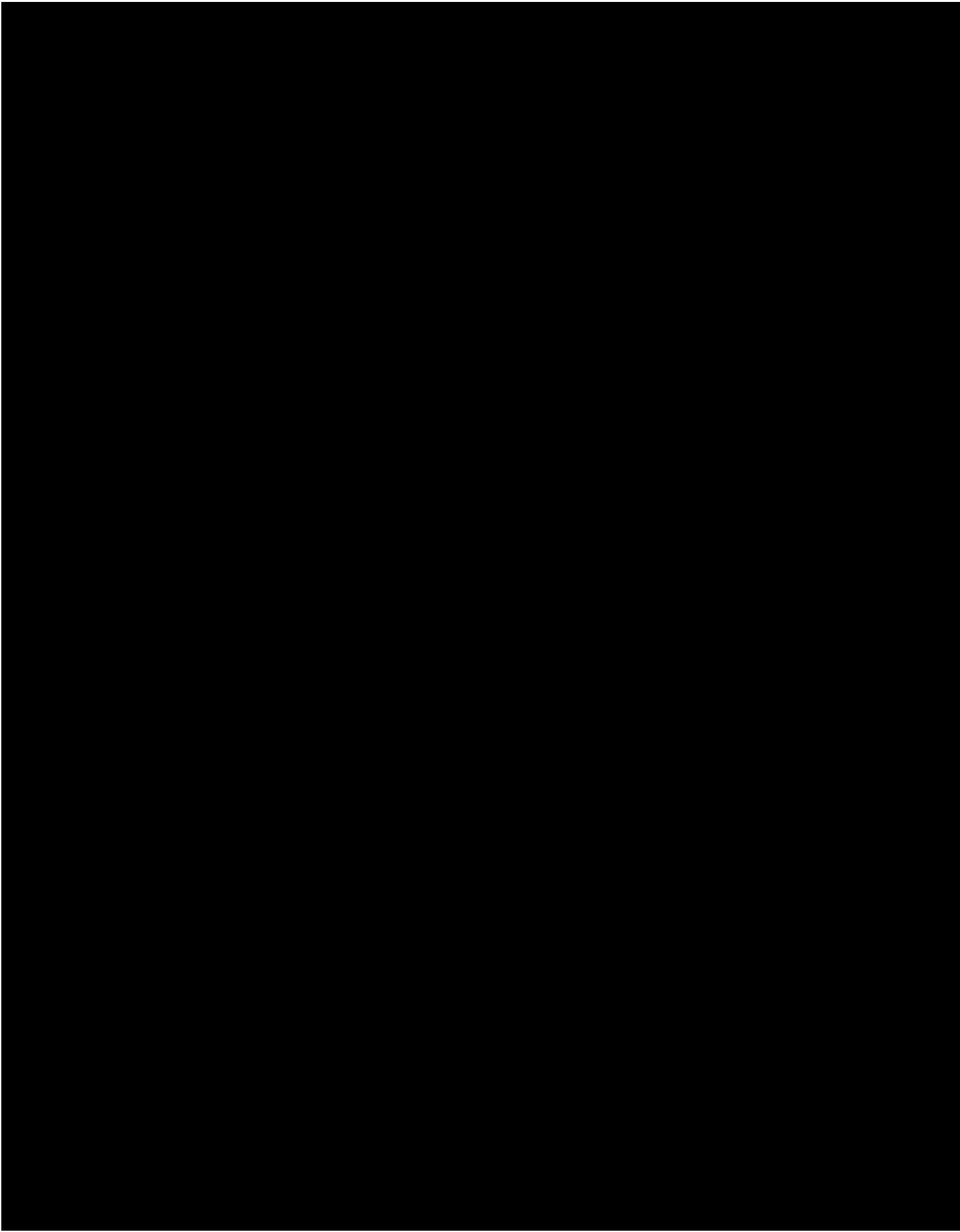


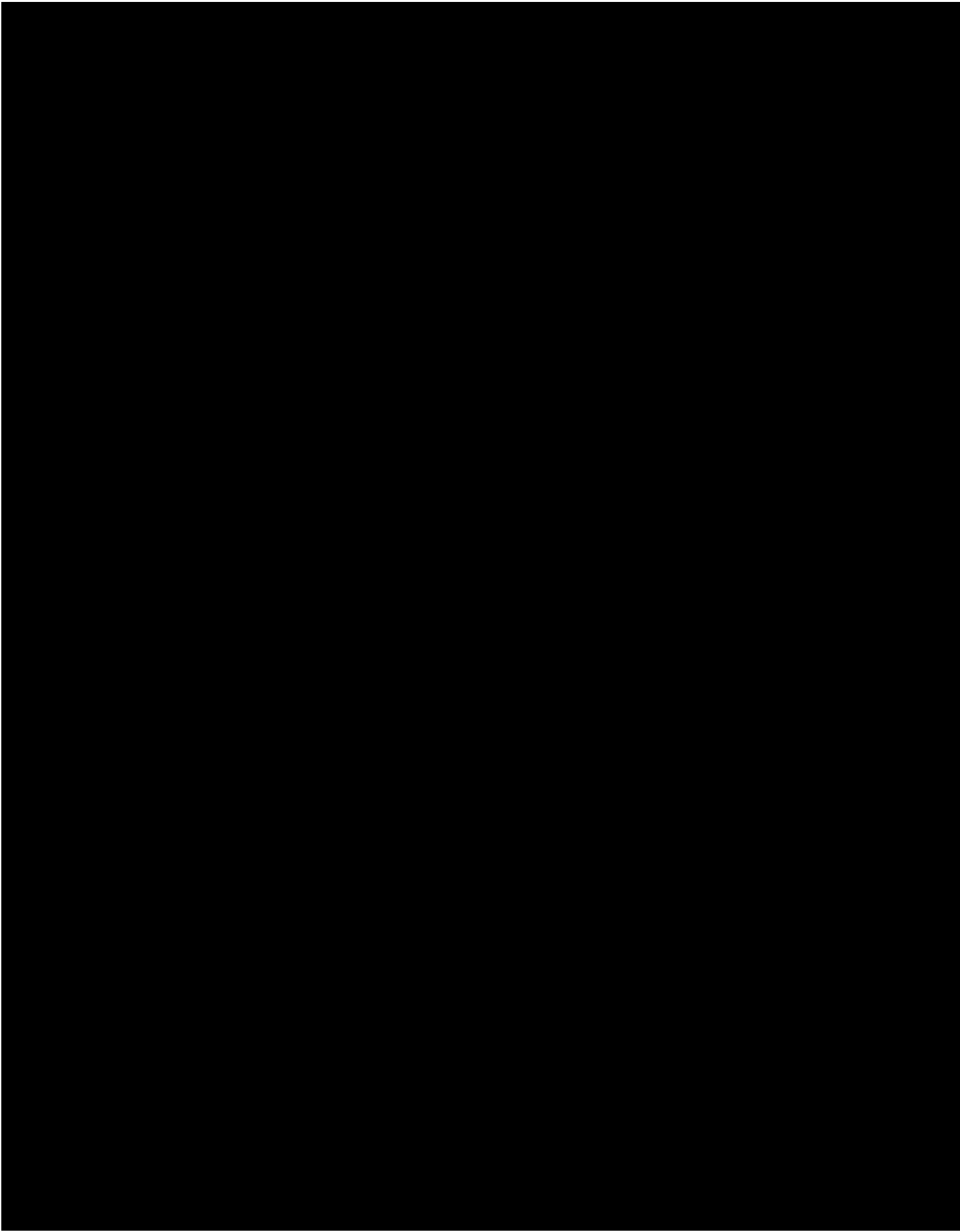


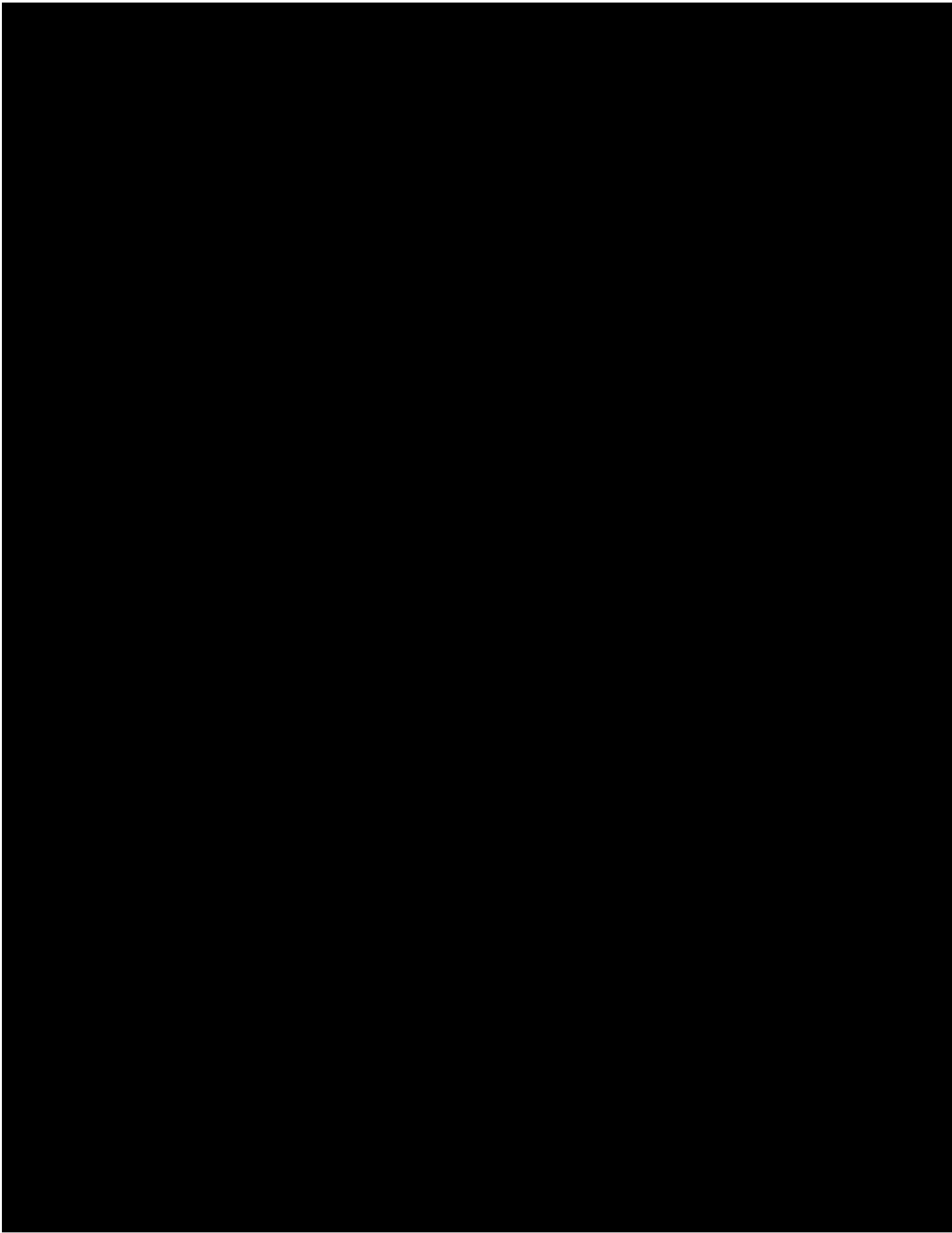












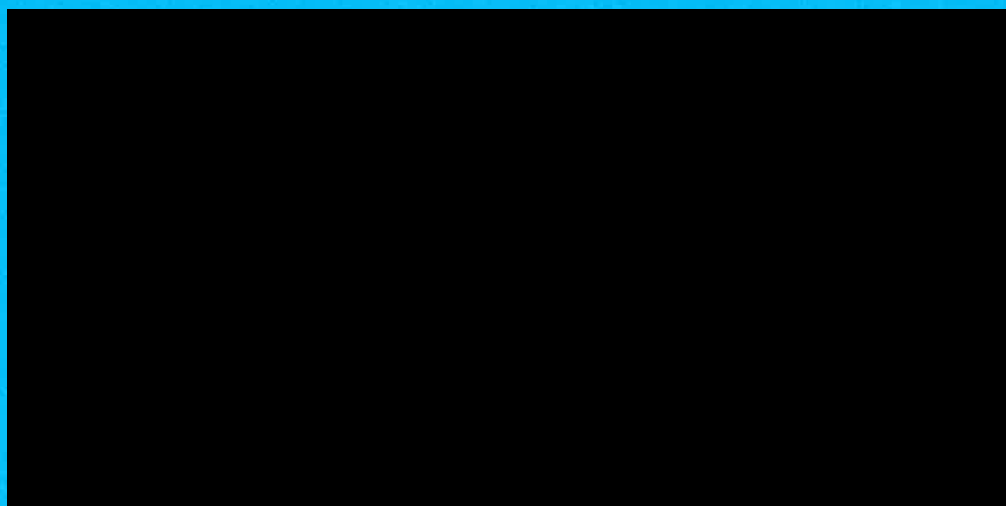
MEDICAL RECORDS

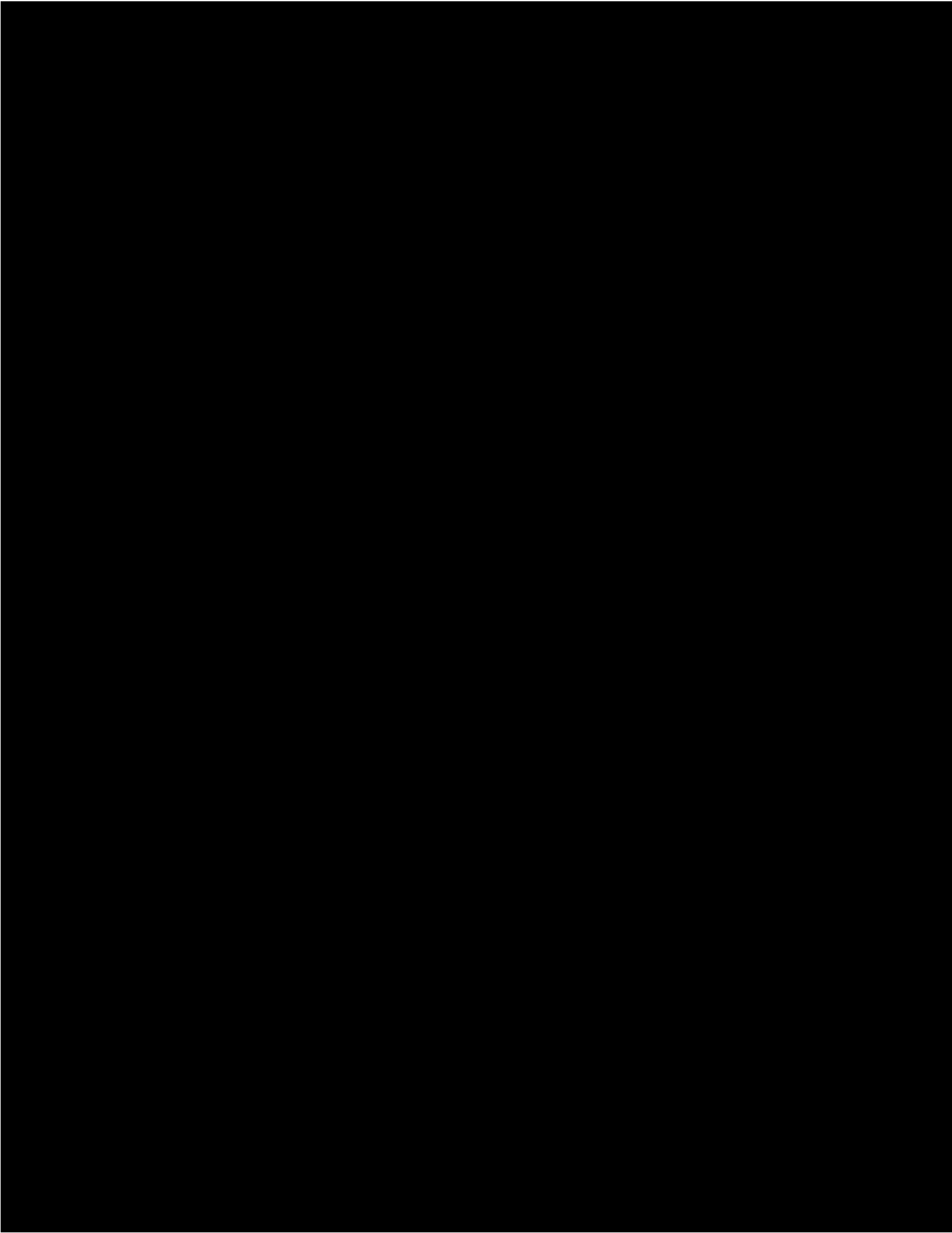
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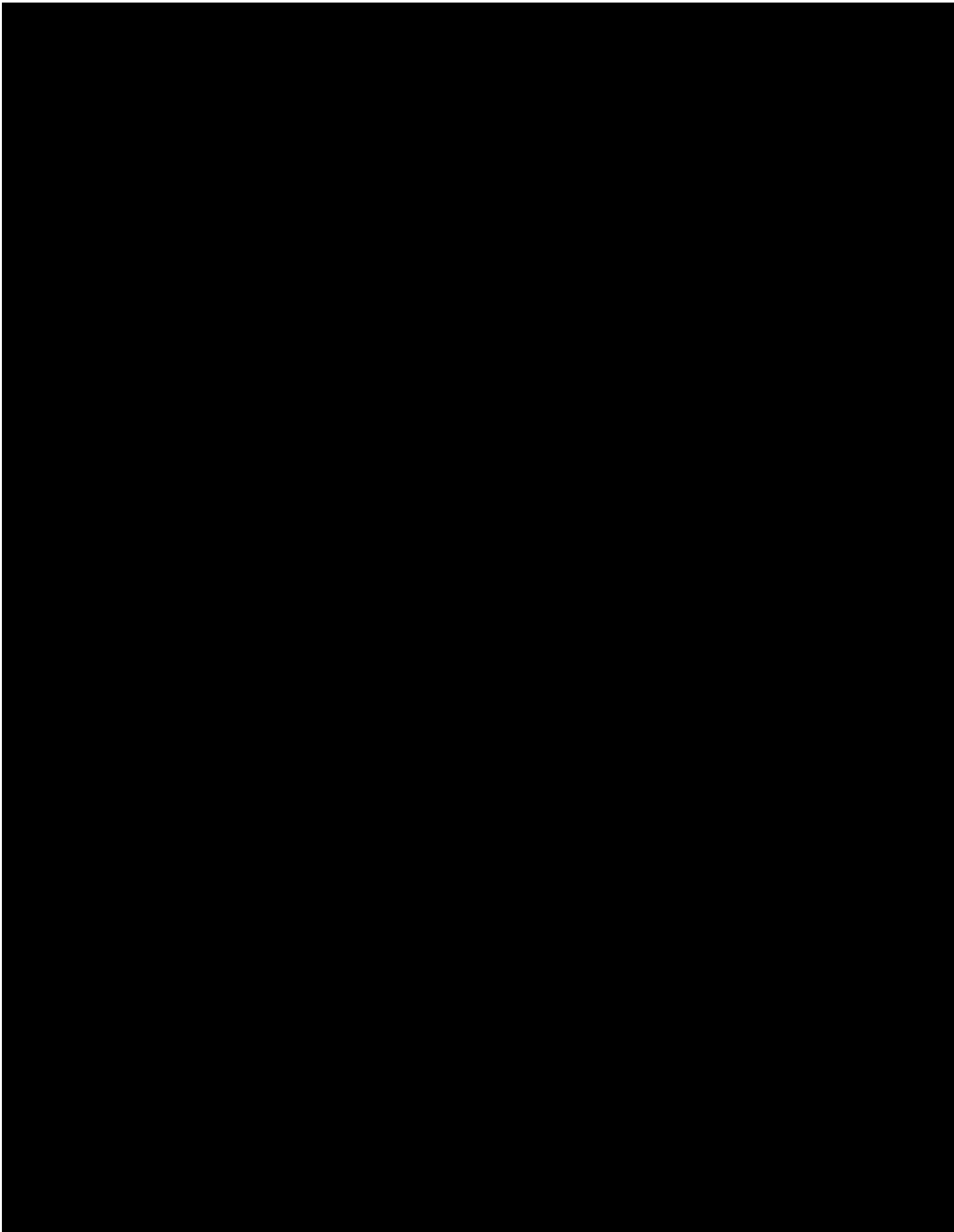
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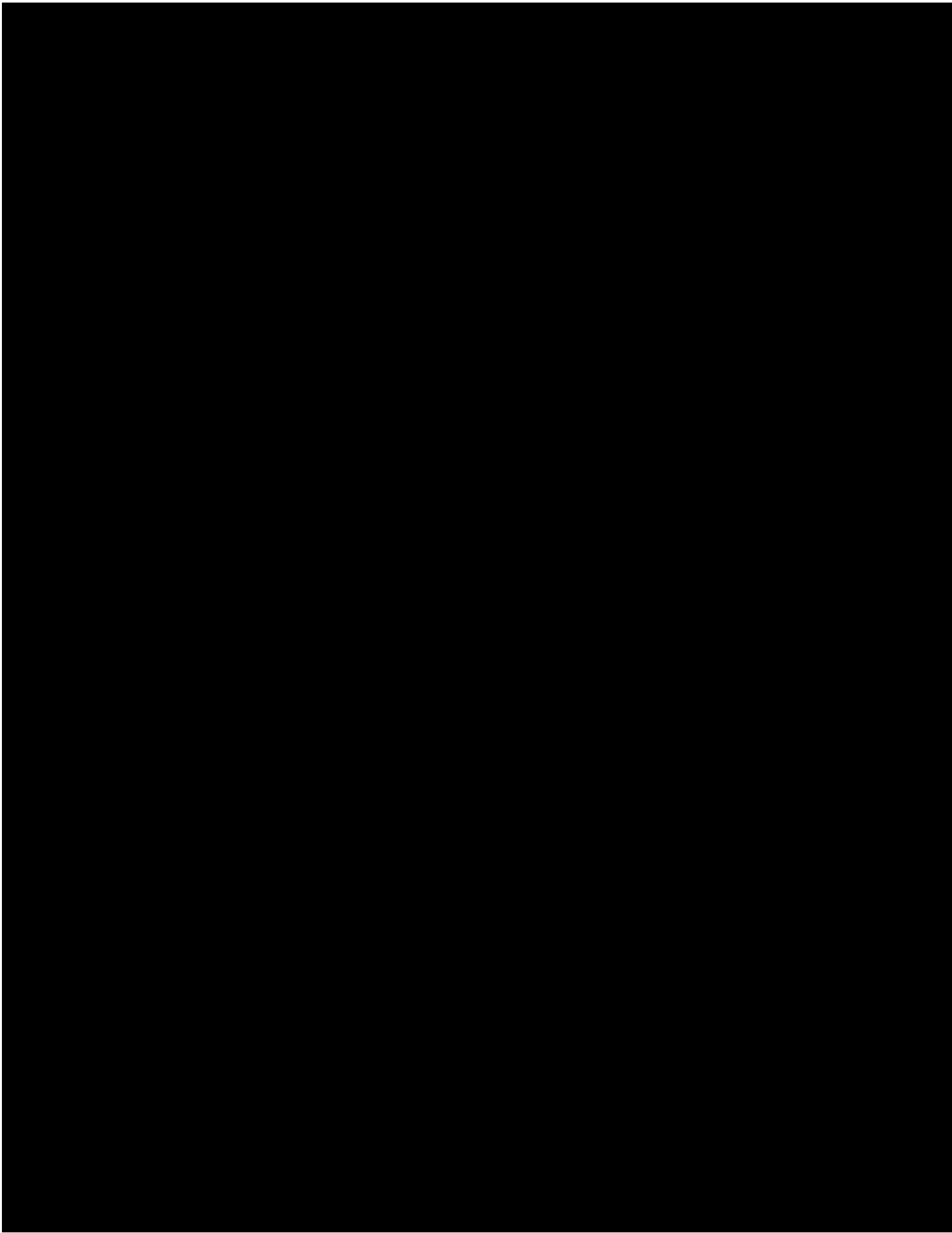
For Date of Accident 7/11/2023

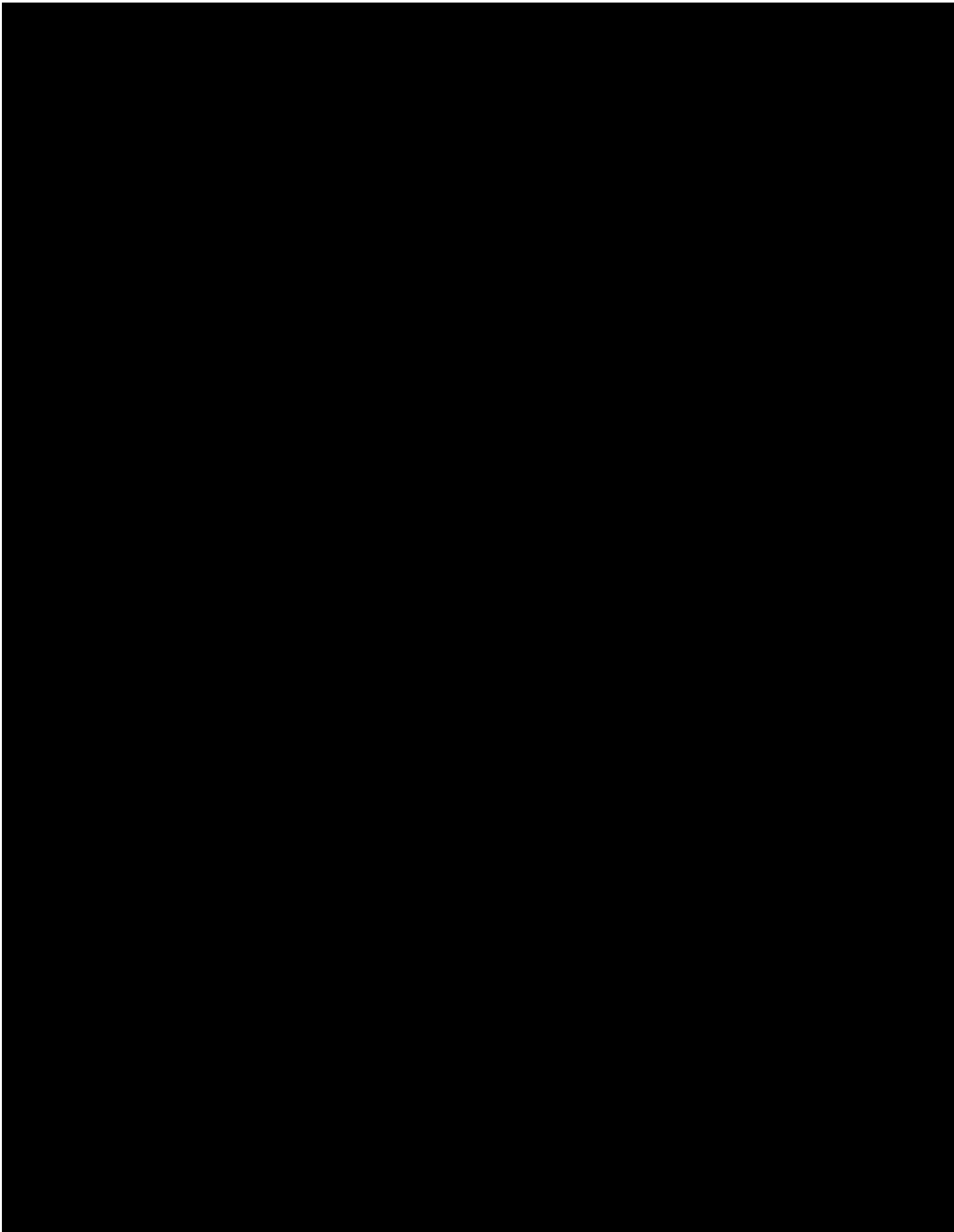
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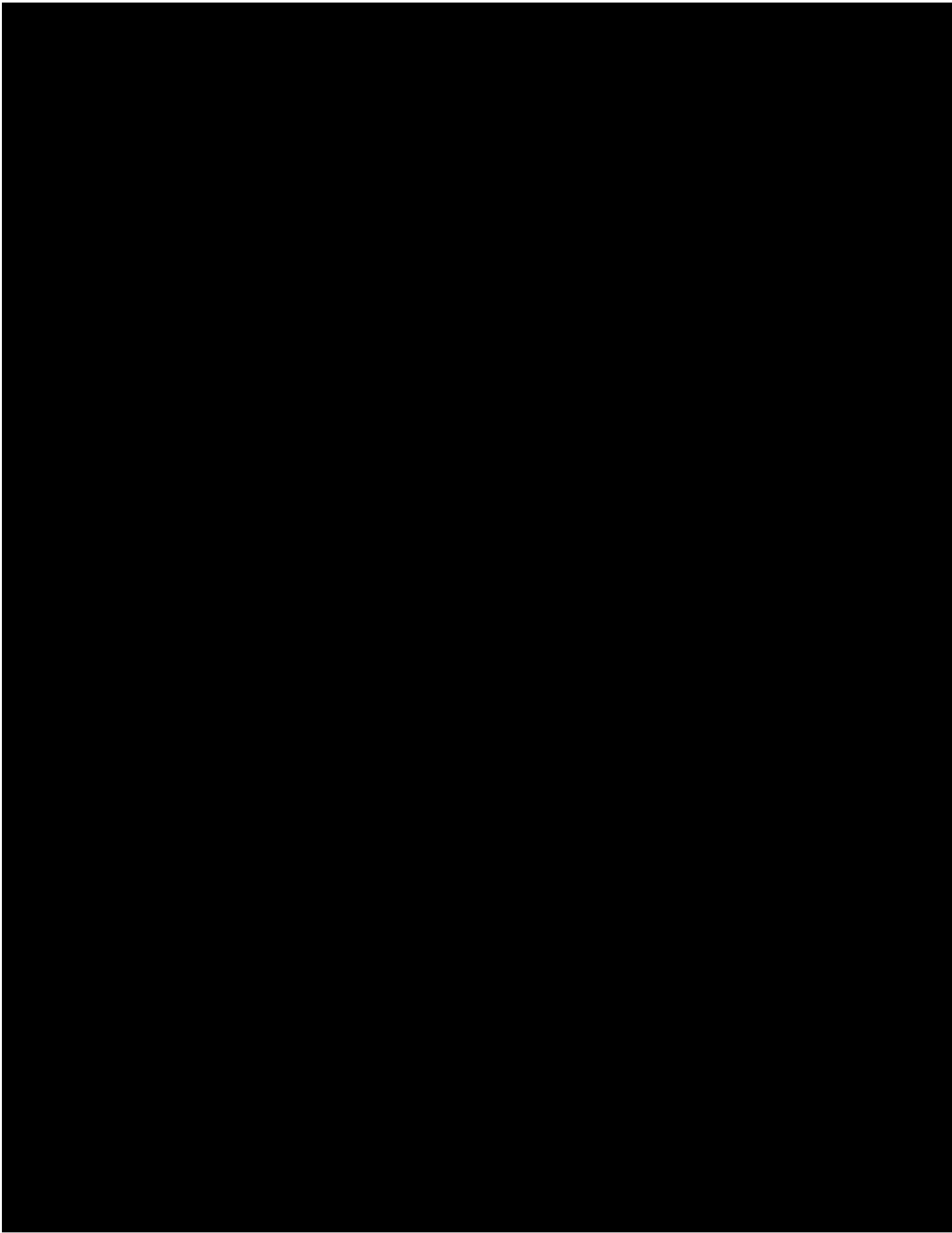


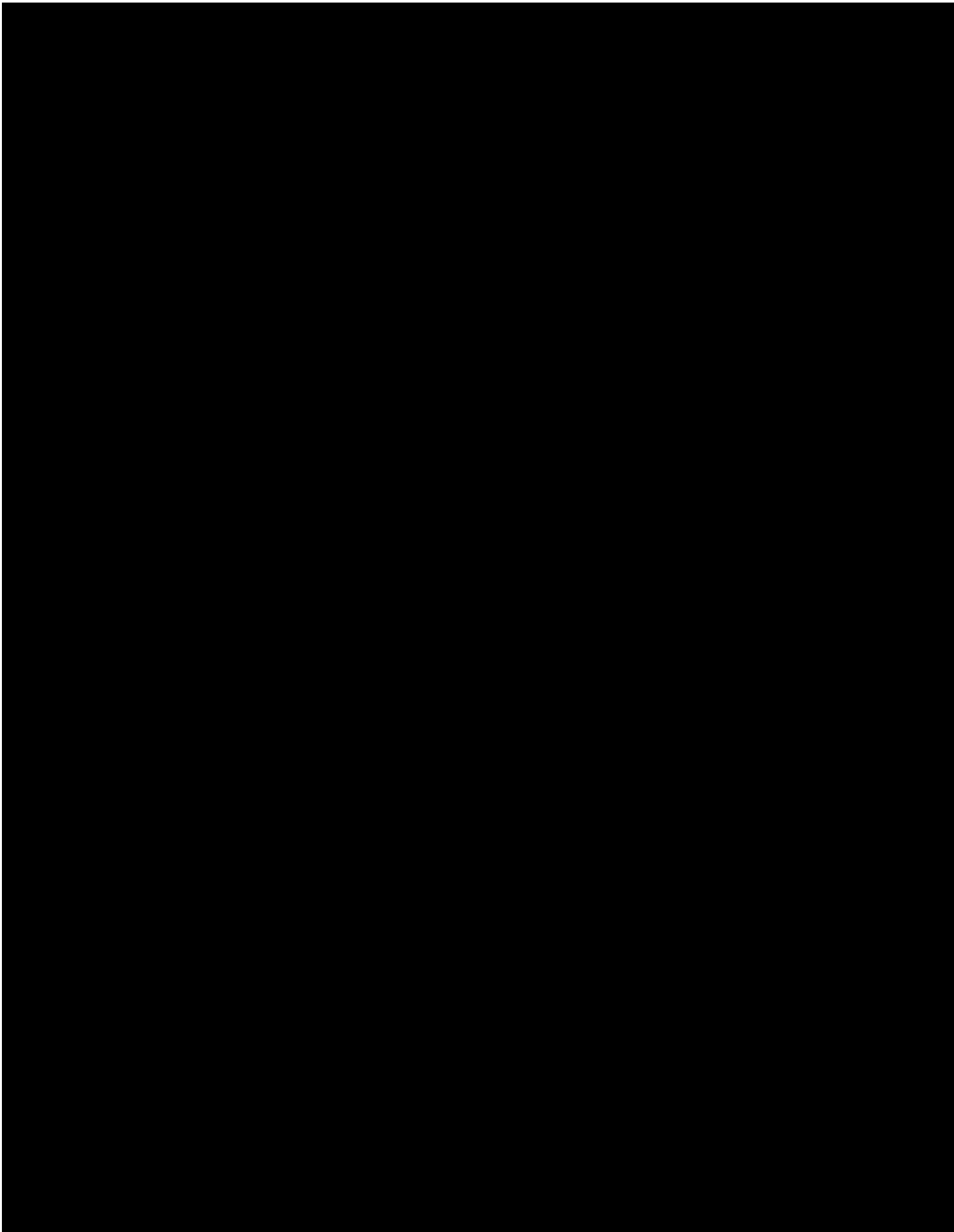


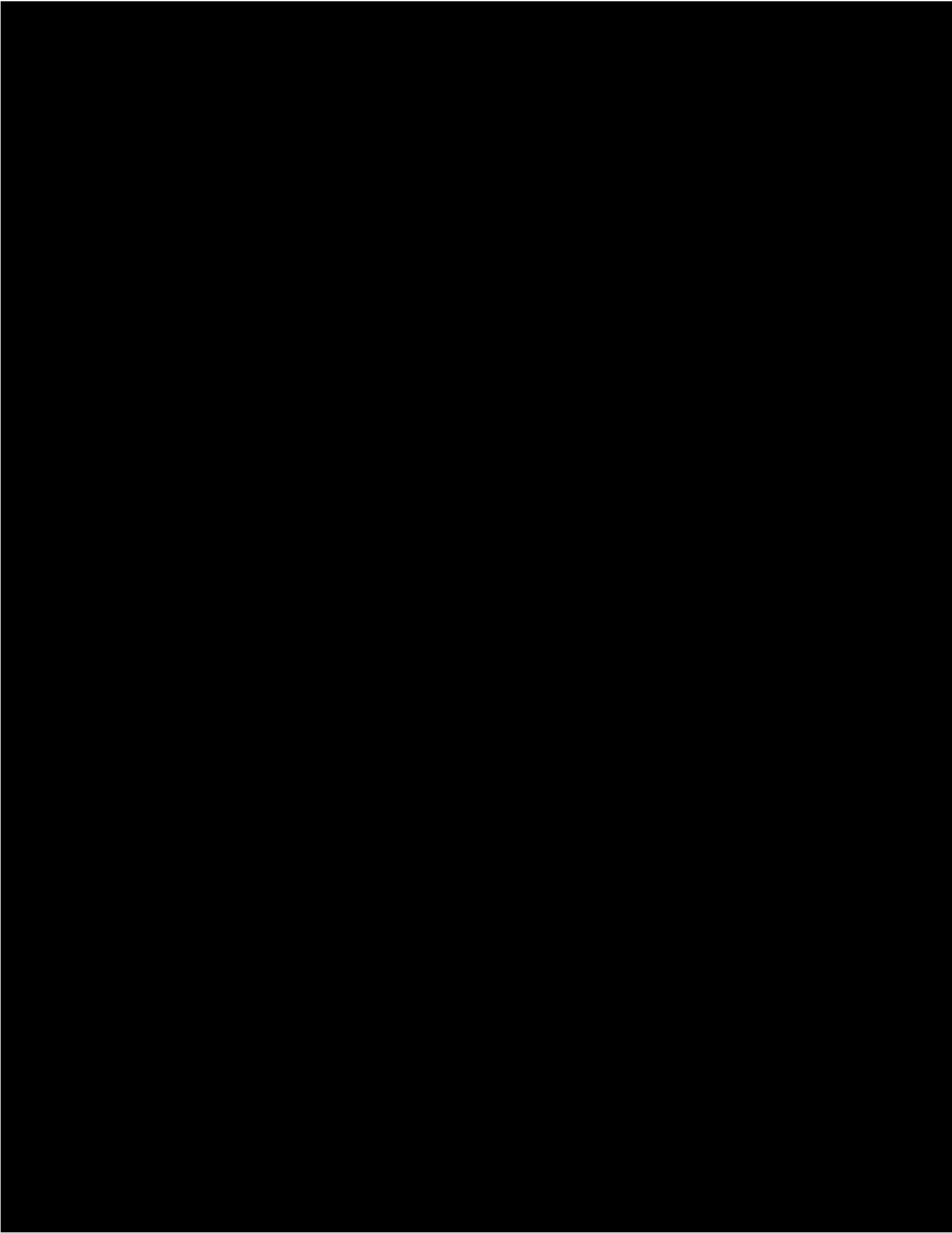


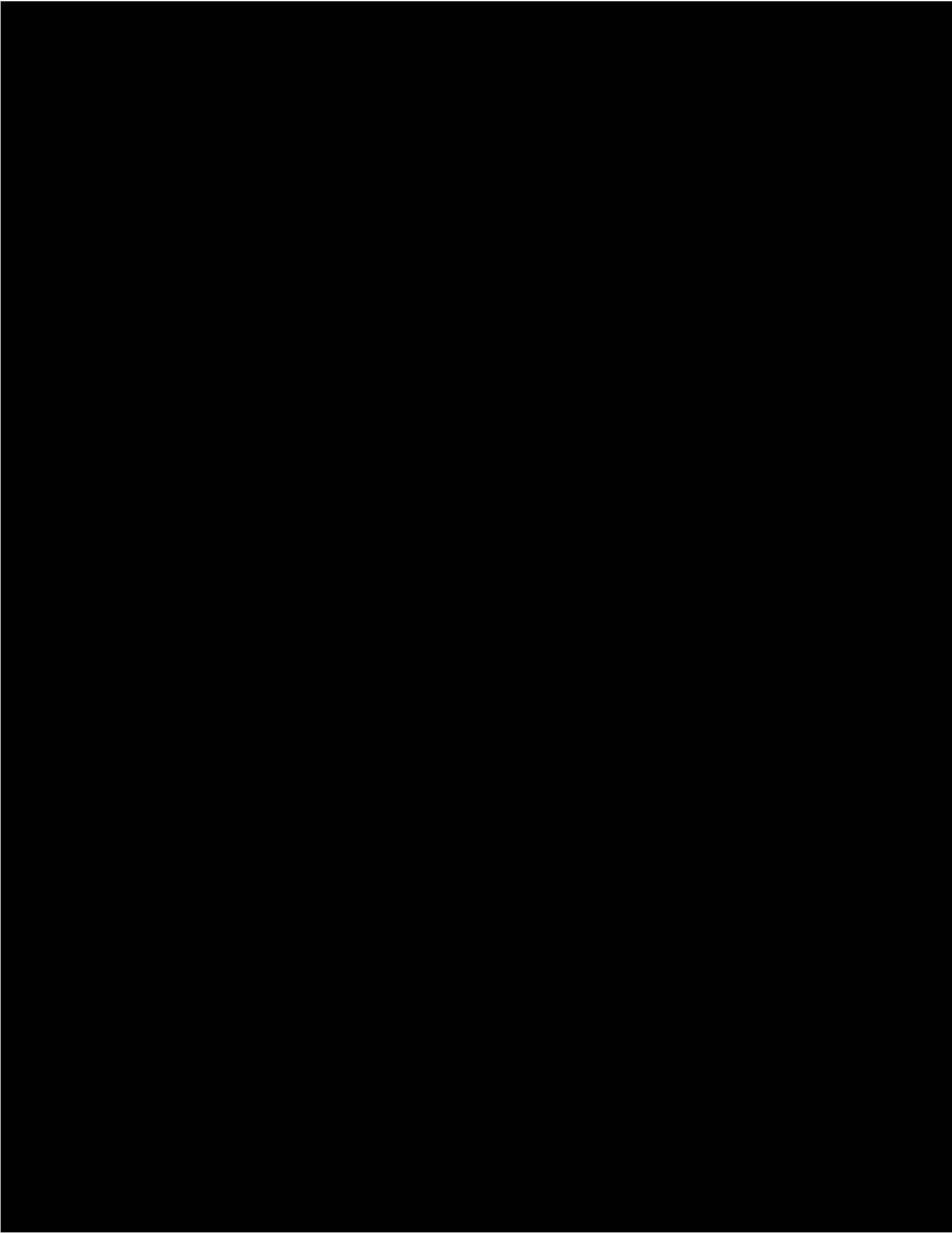


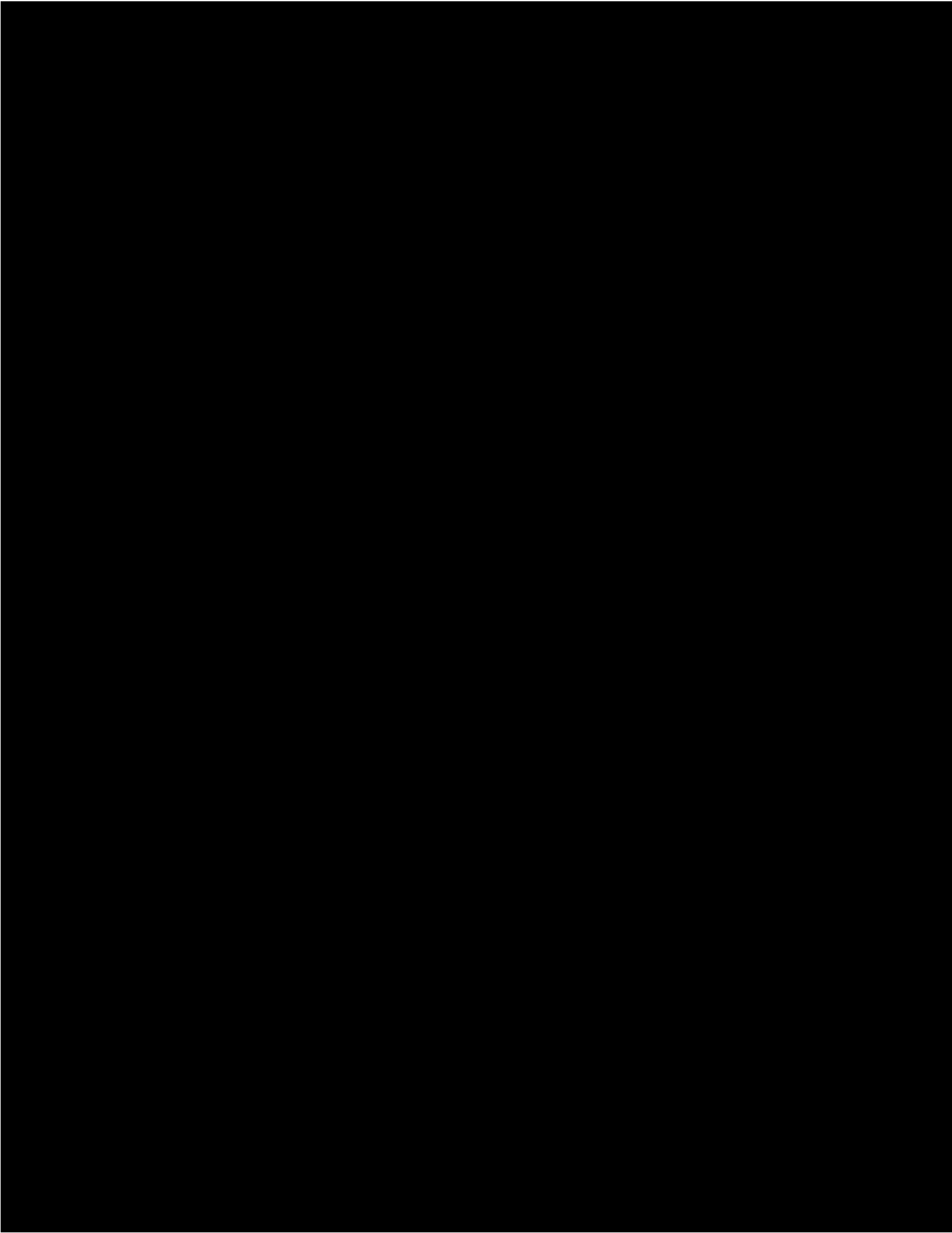


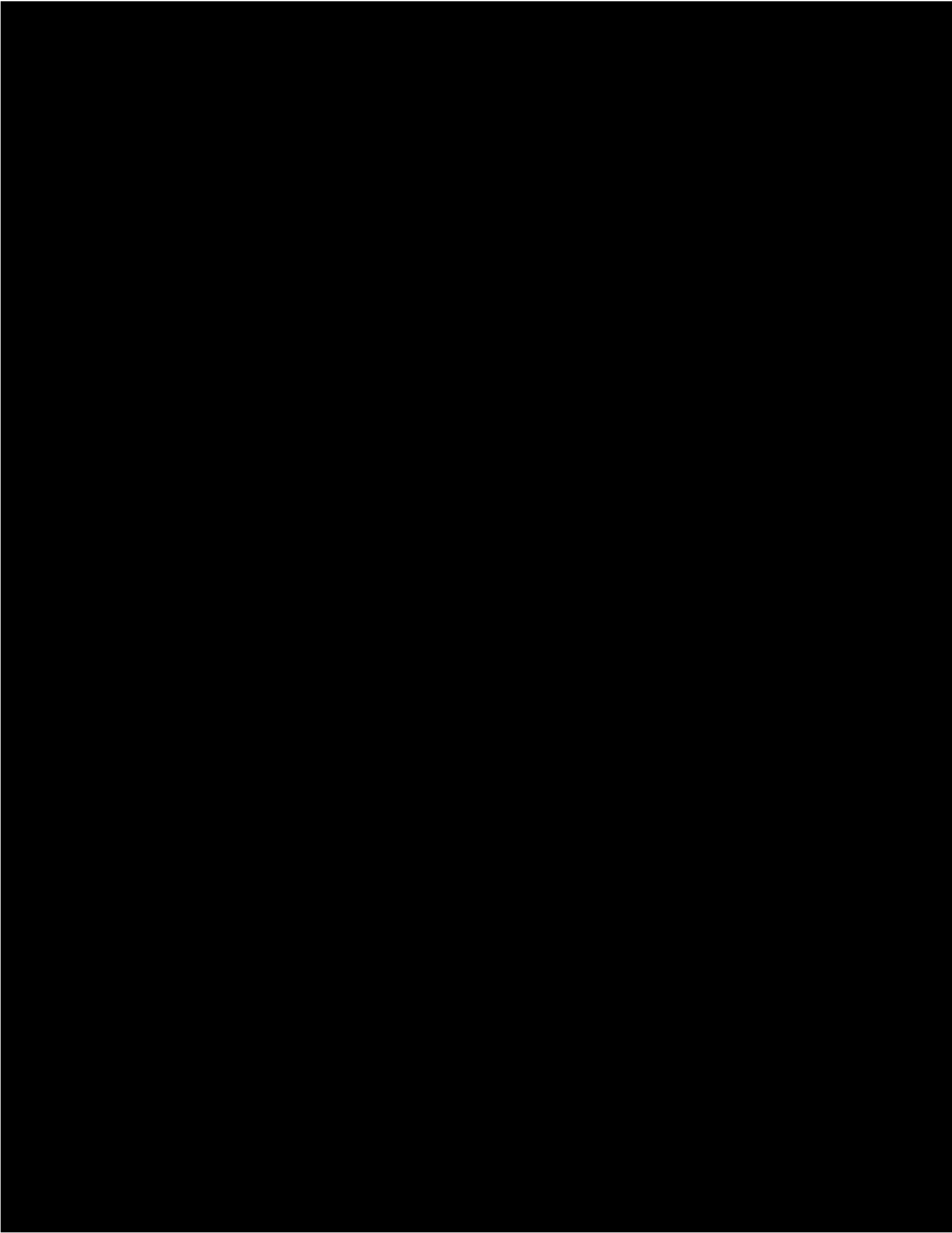


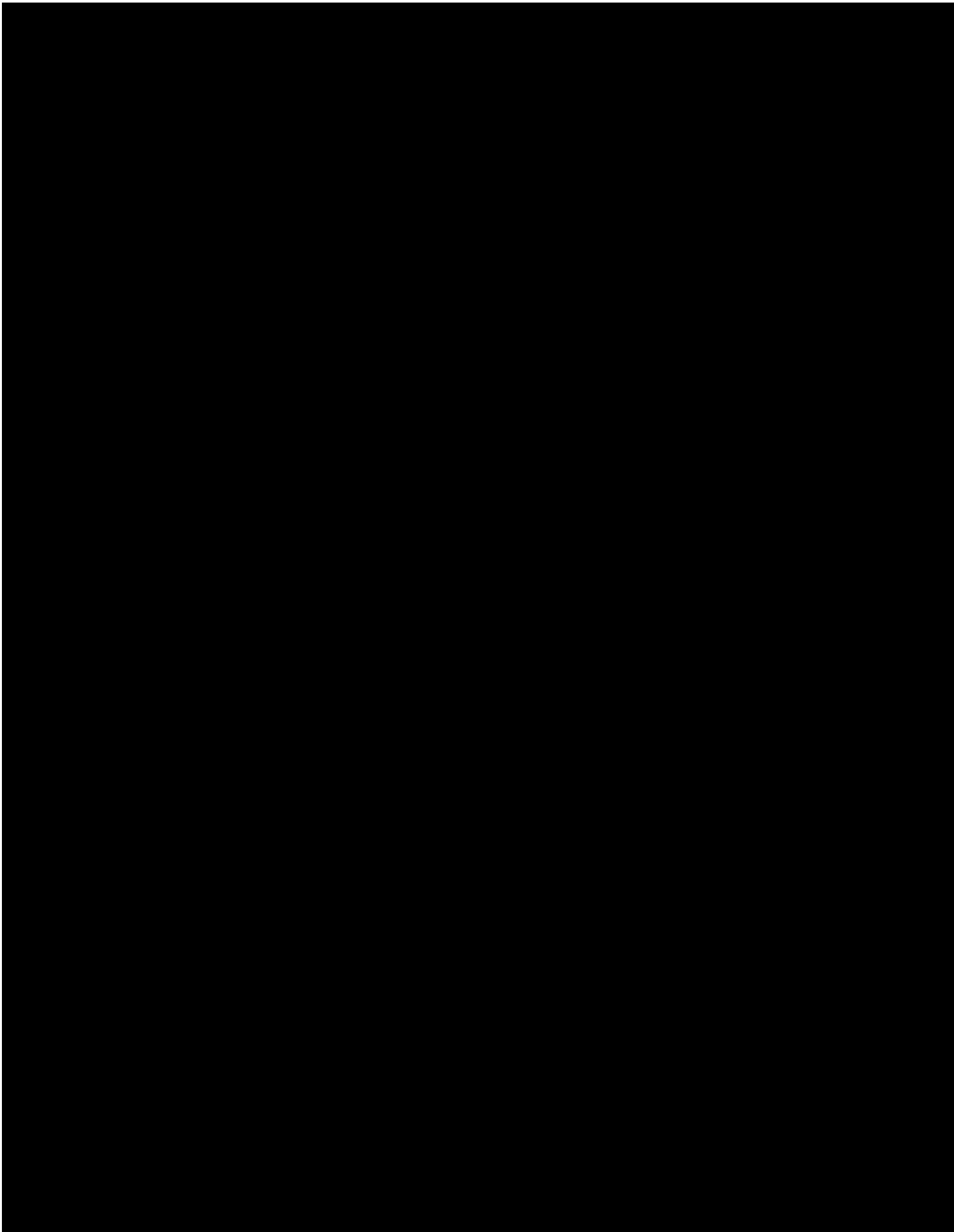


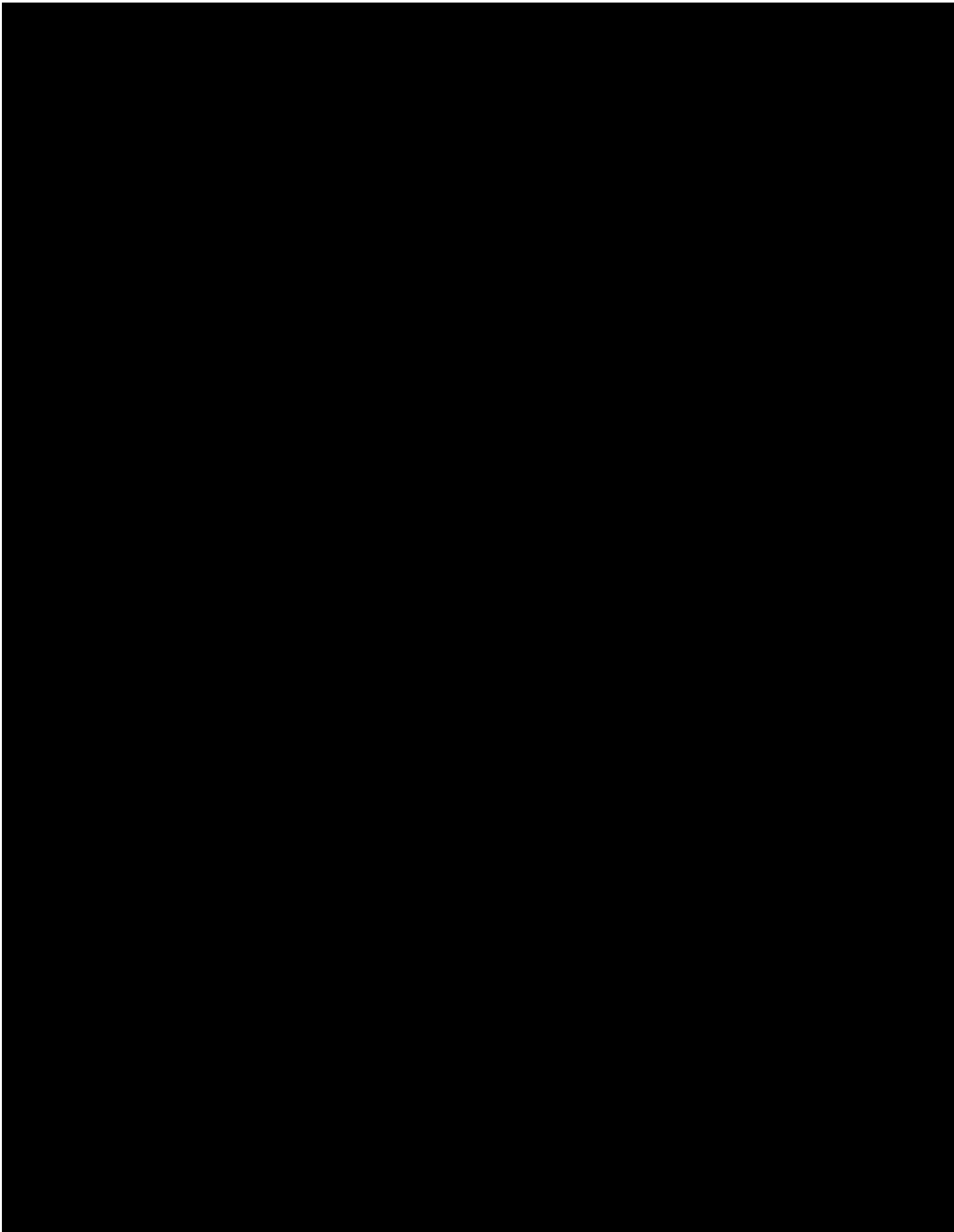












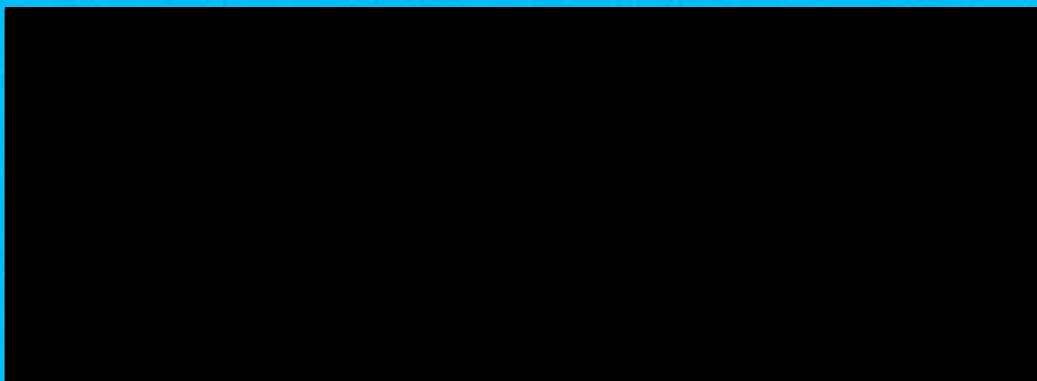
MEDICAL RECORDS

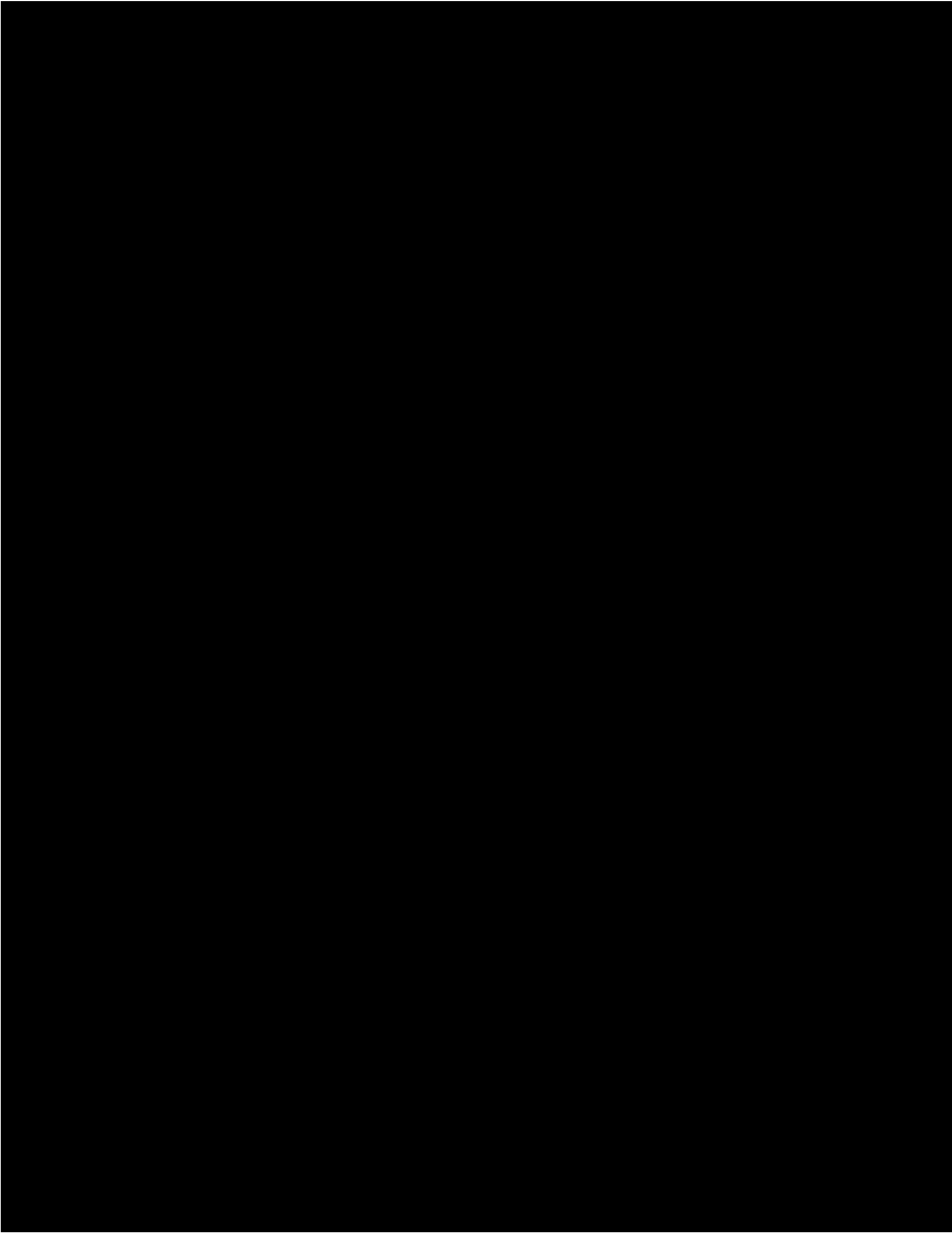
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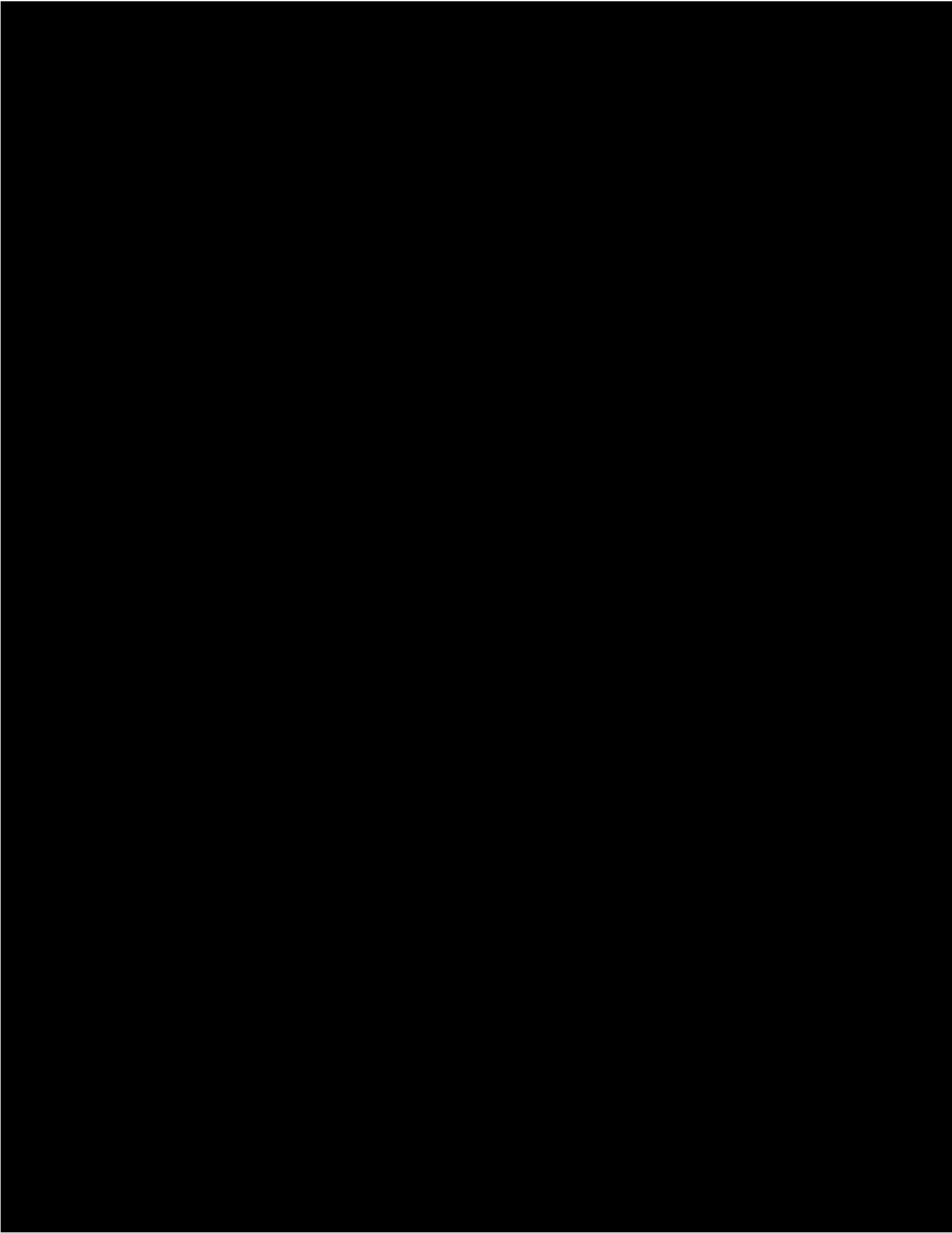
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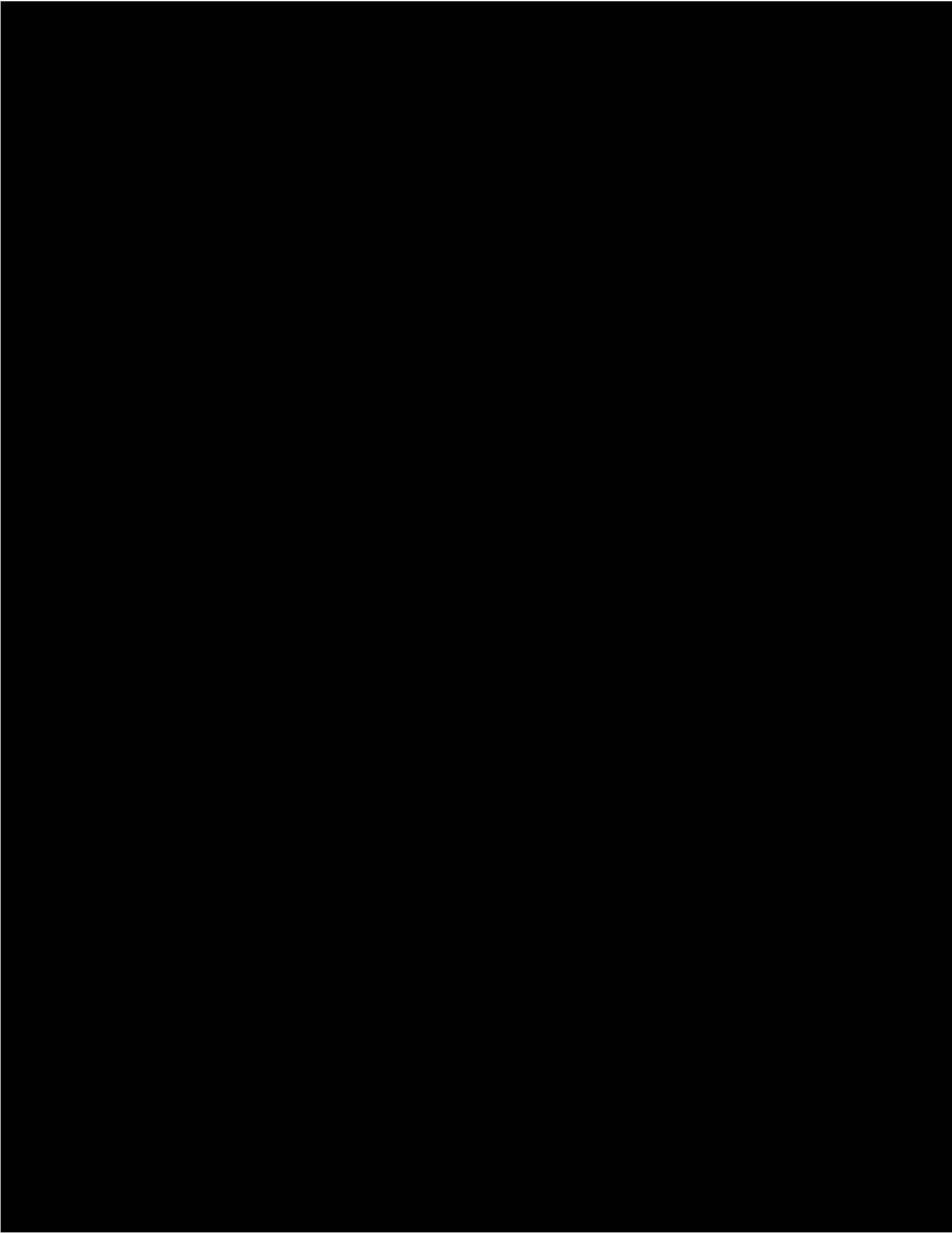
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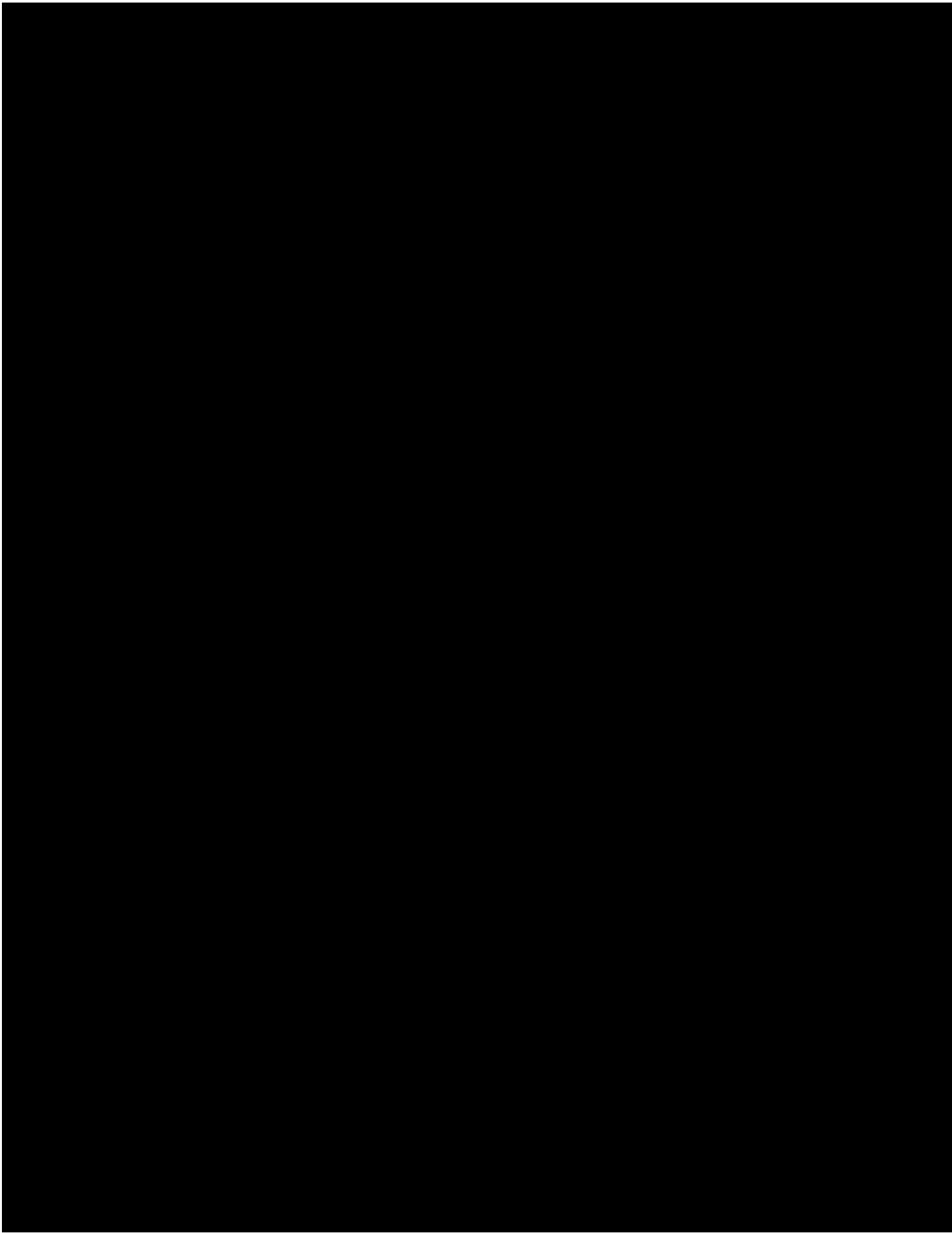
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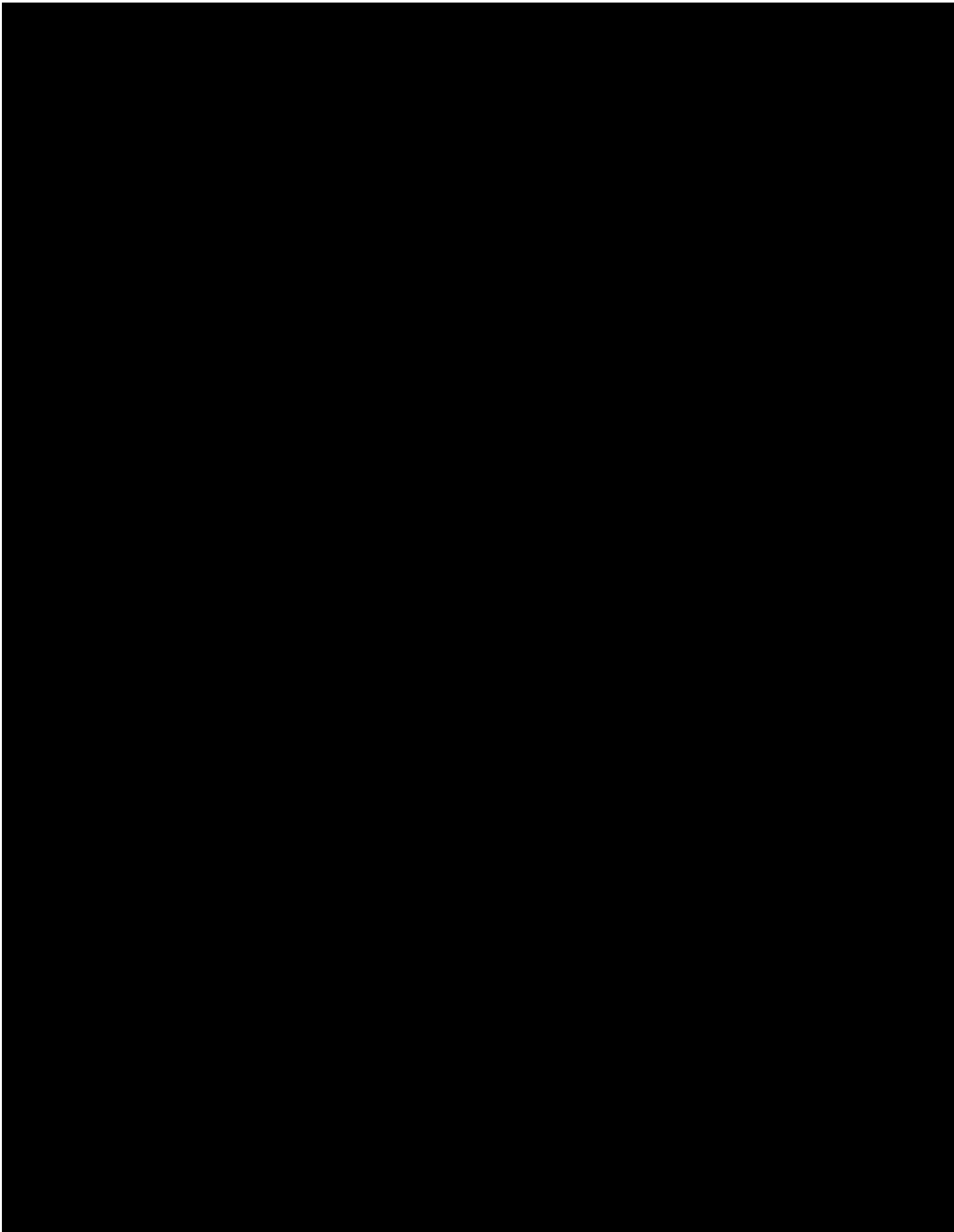


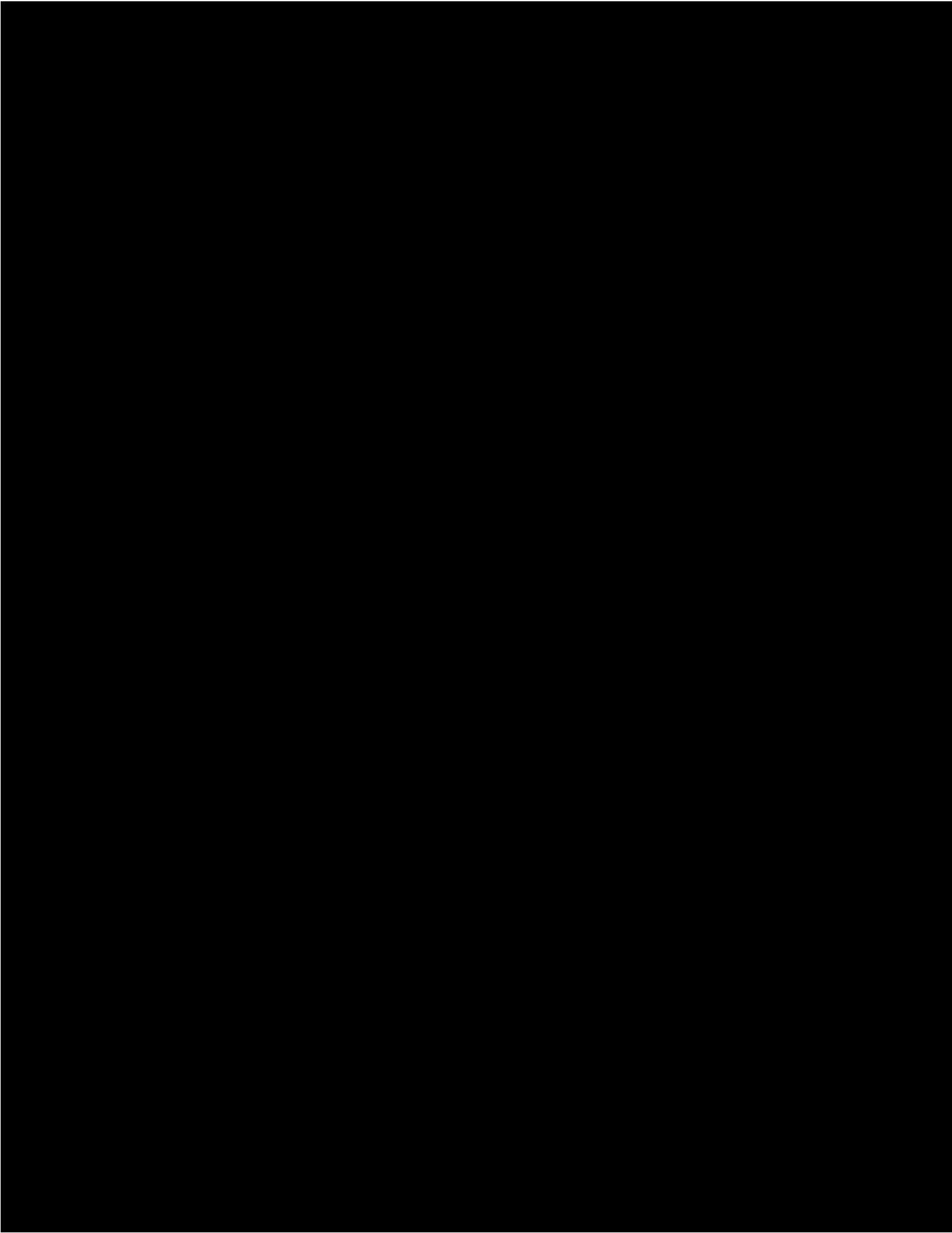


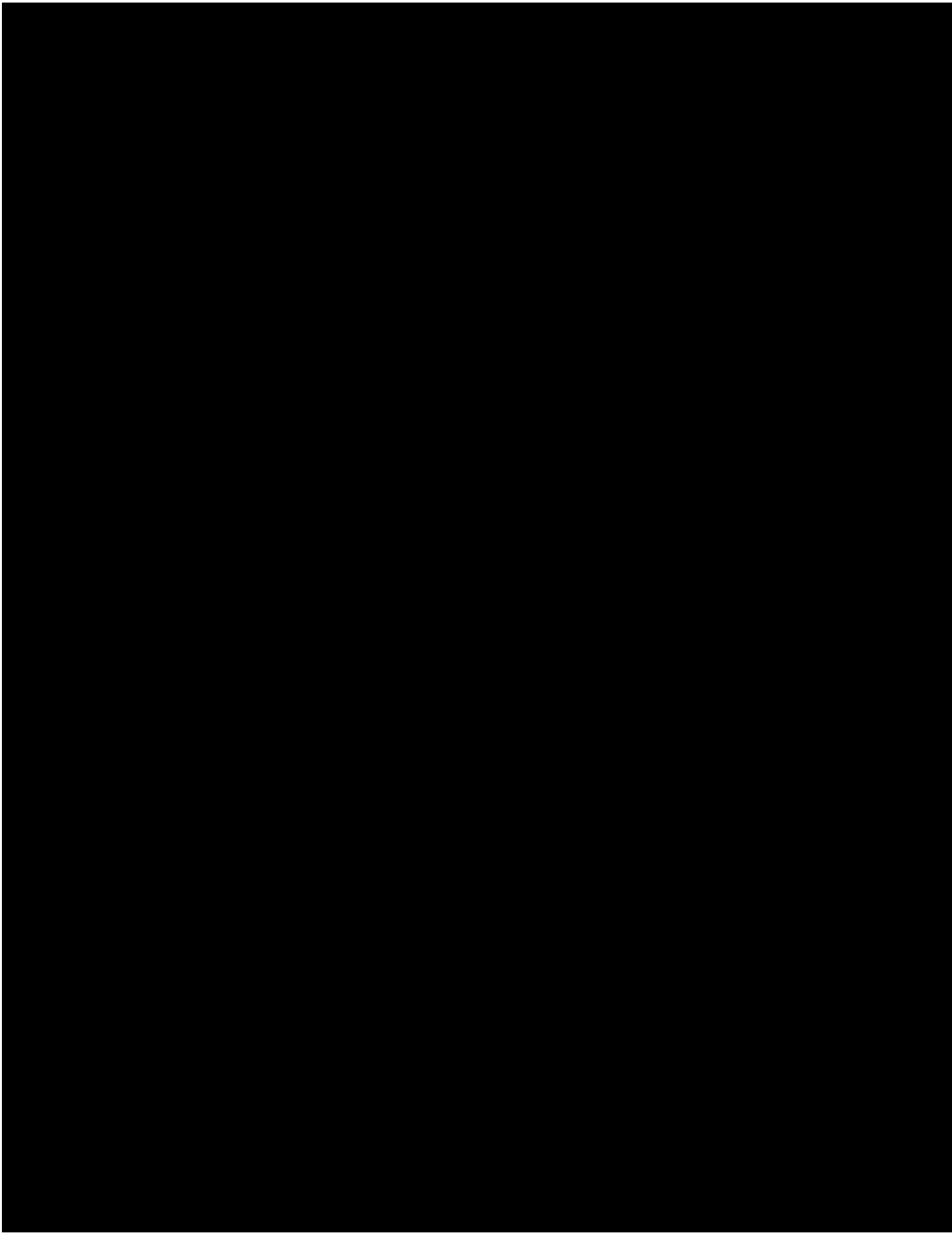


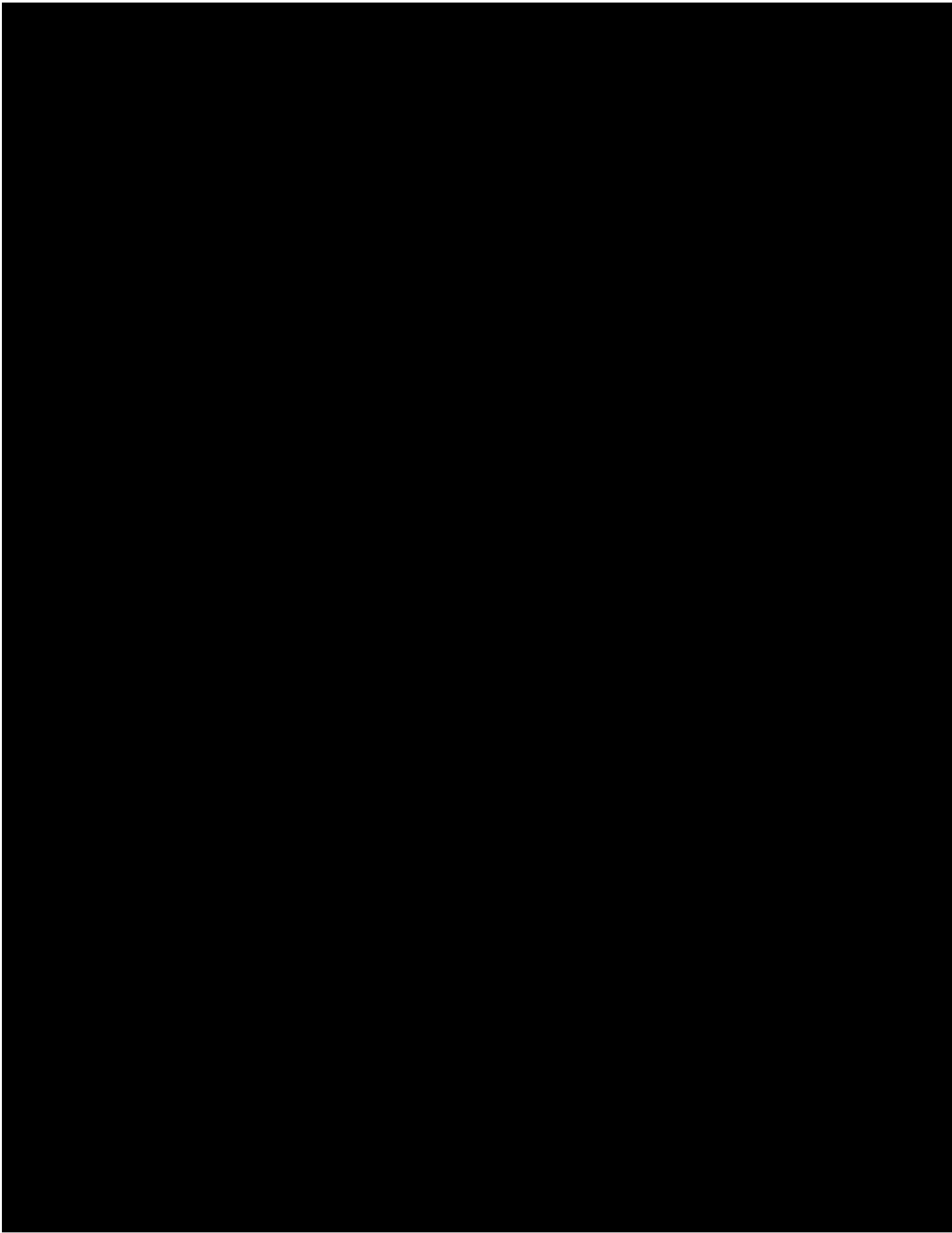


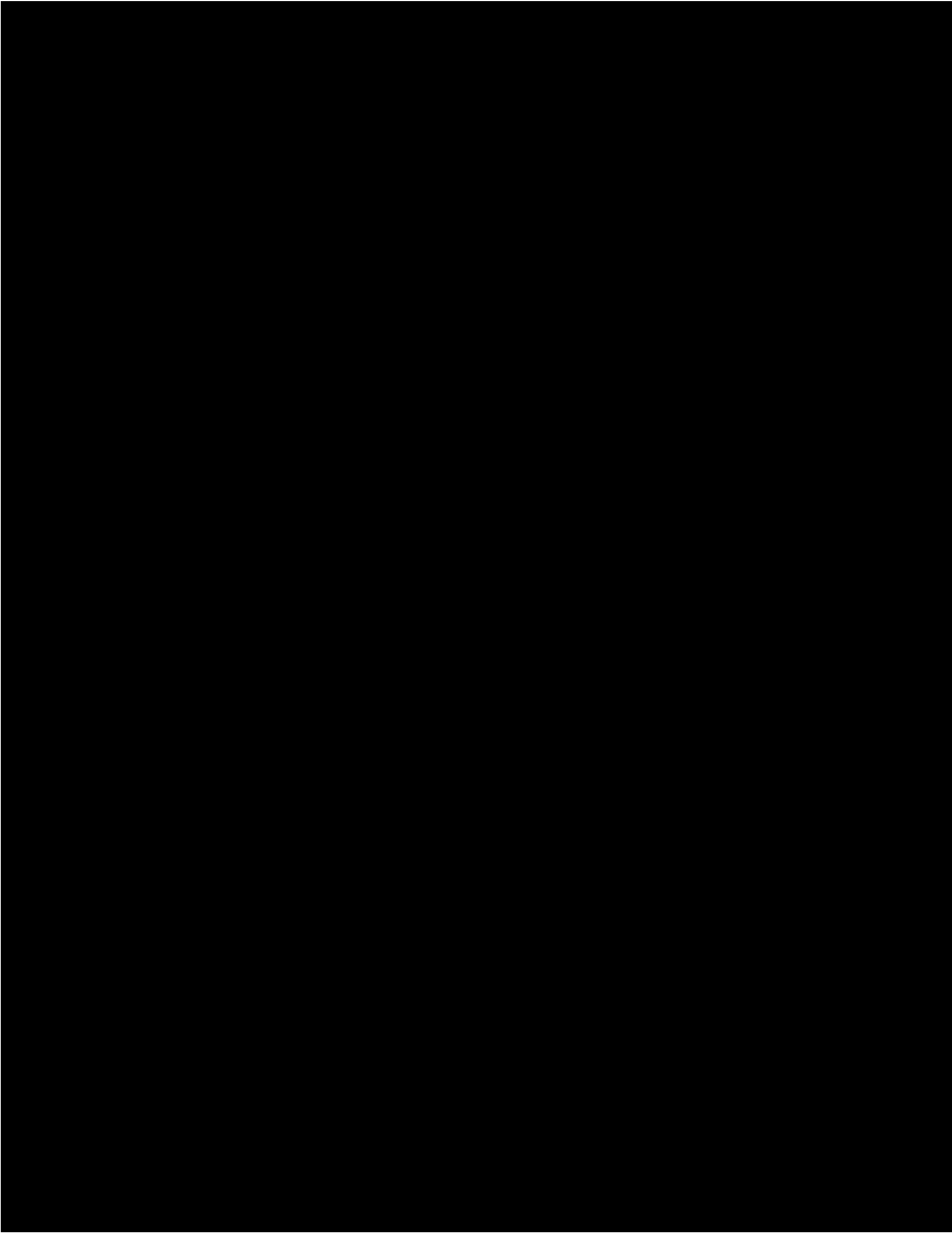


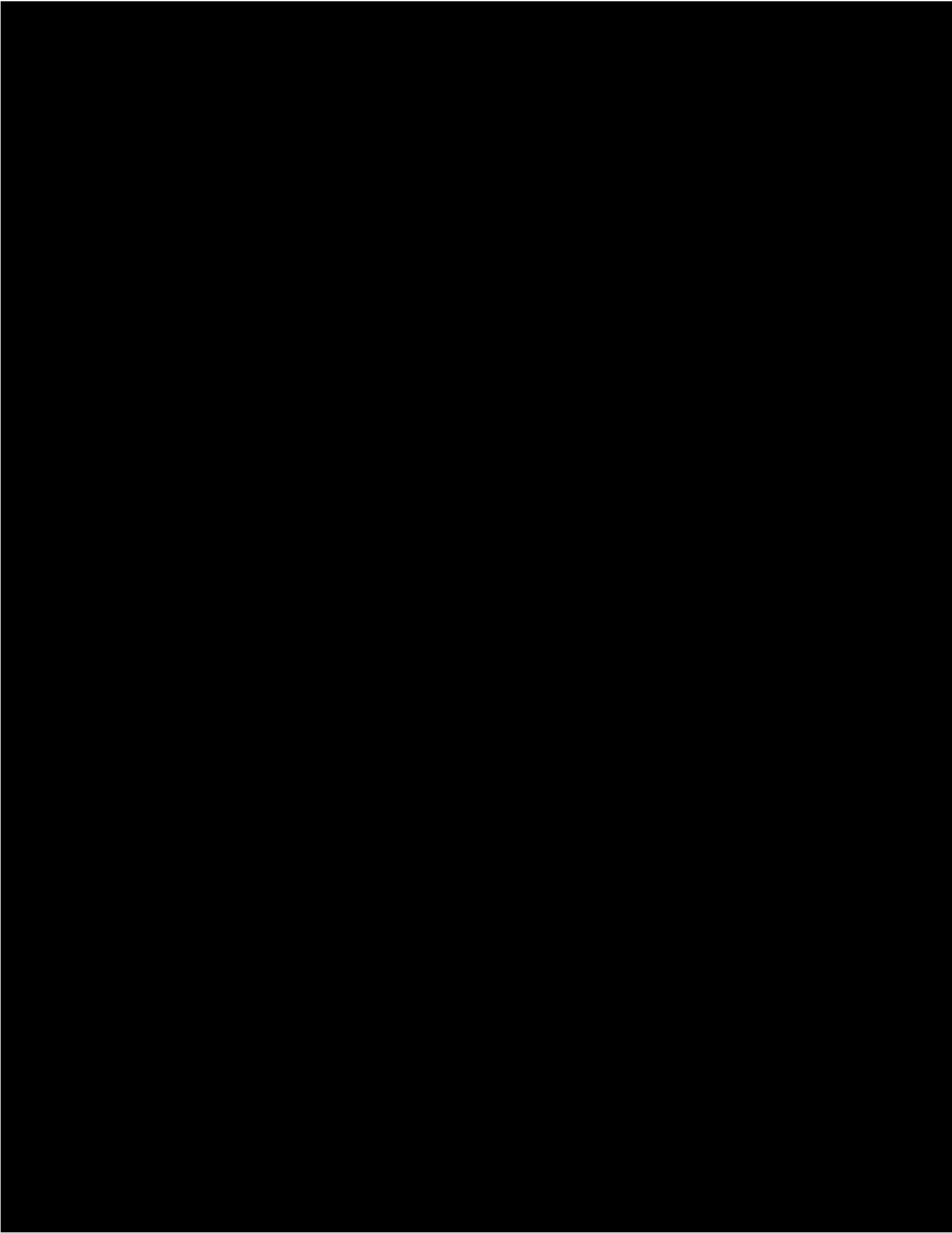












ABSTRACT OF
MEDICAL RECORDS

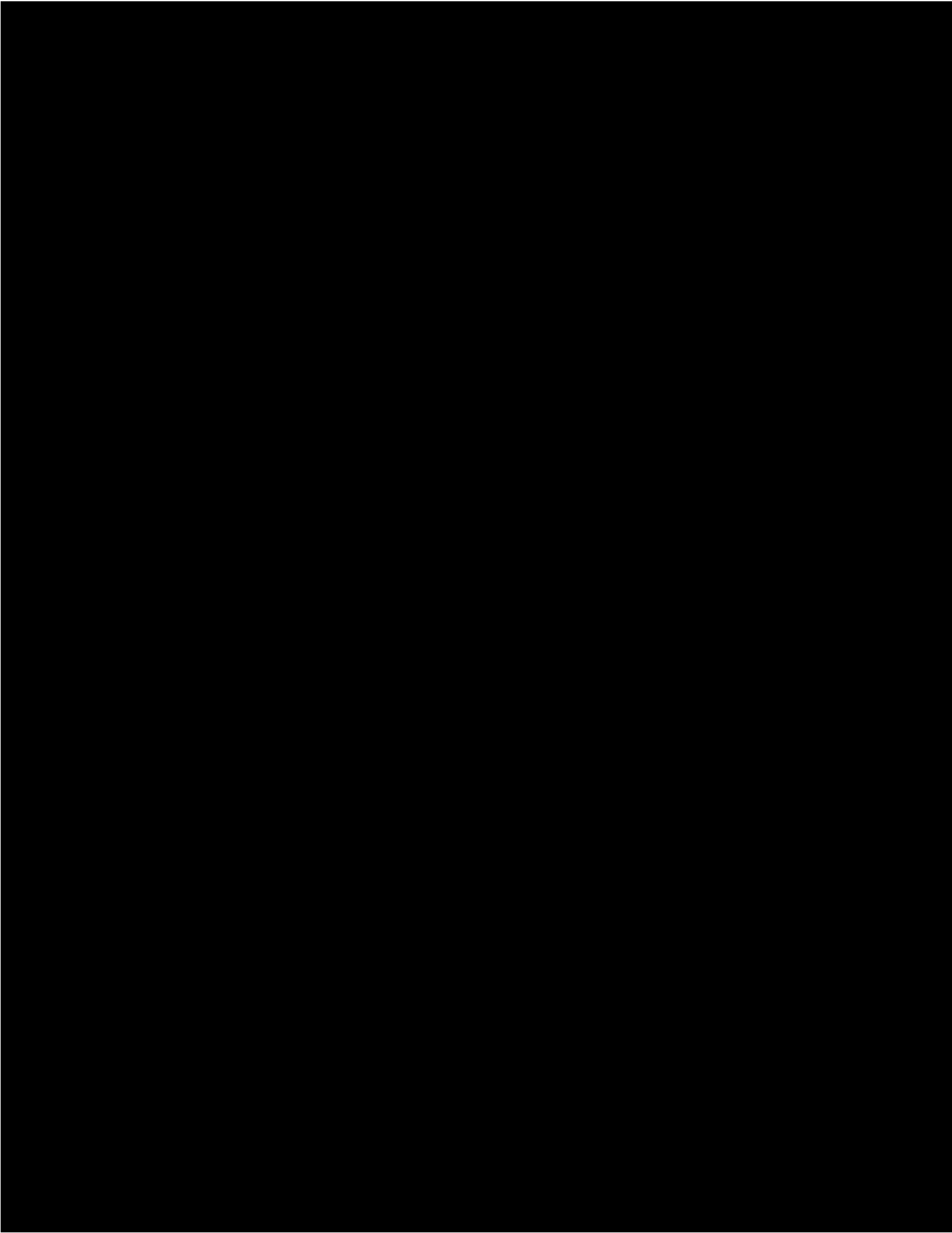
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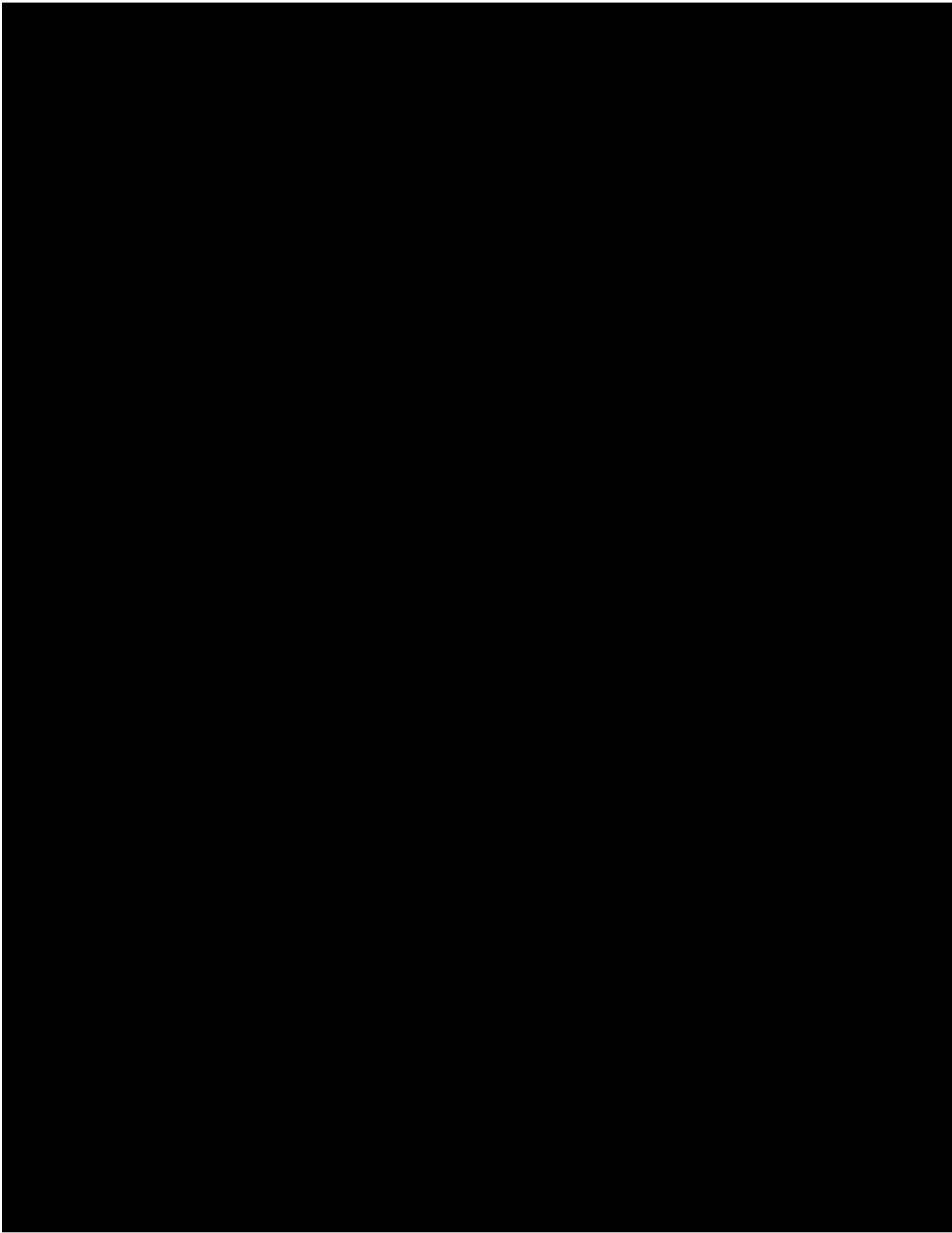
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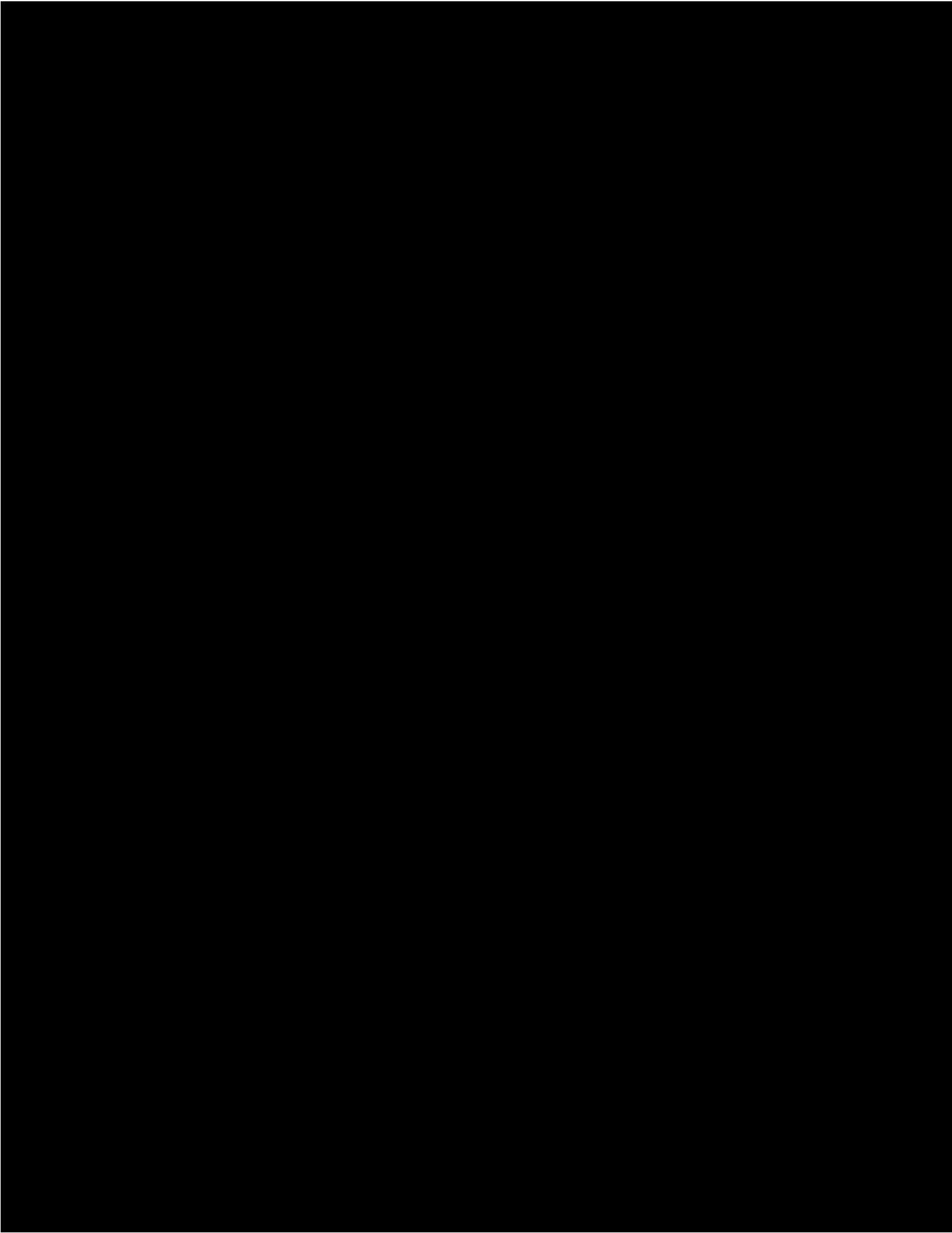
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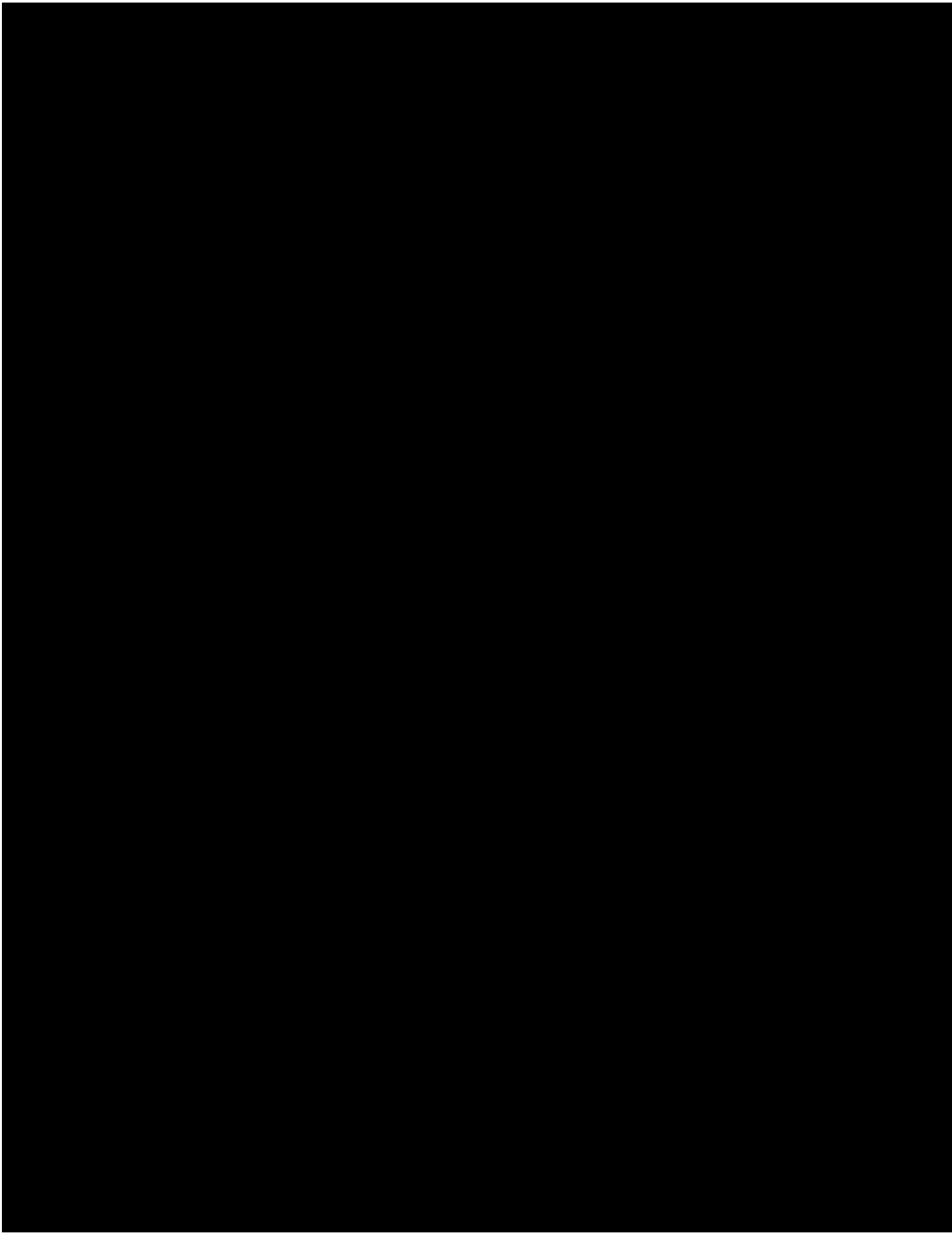
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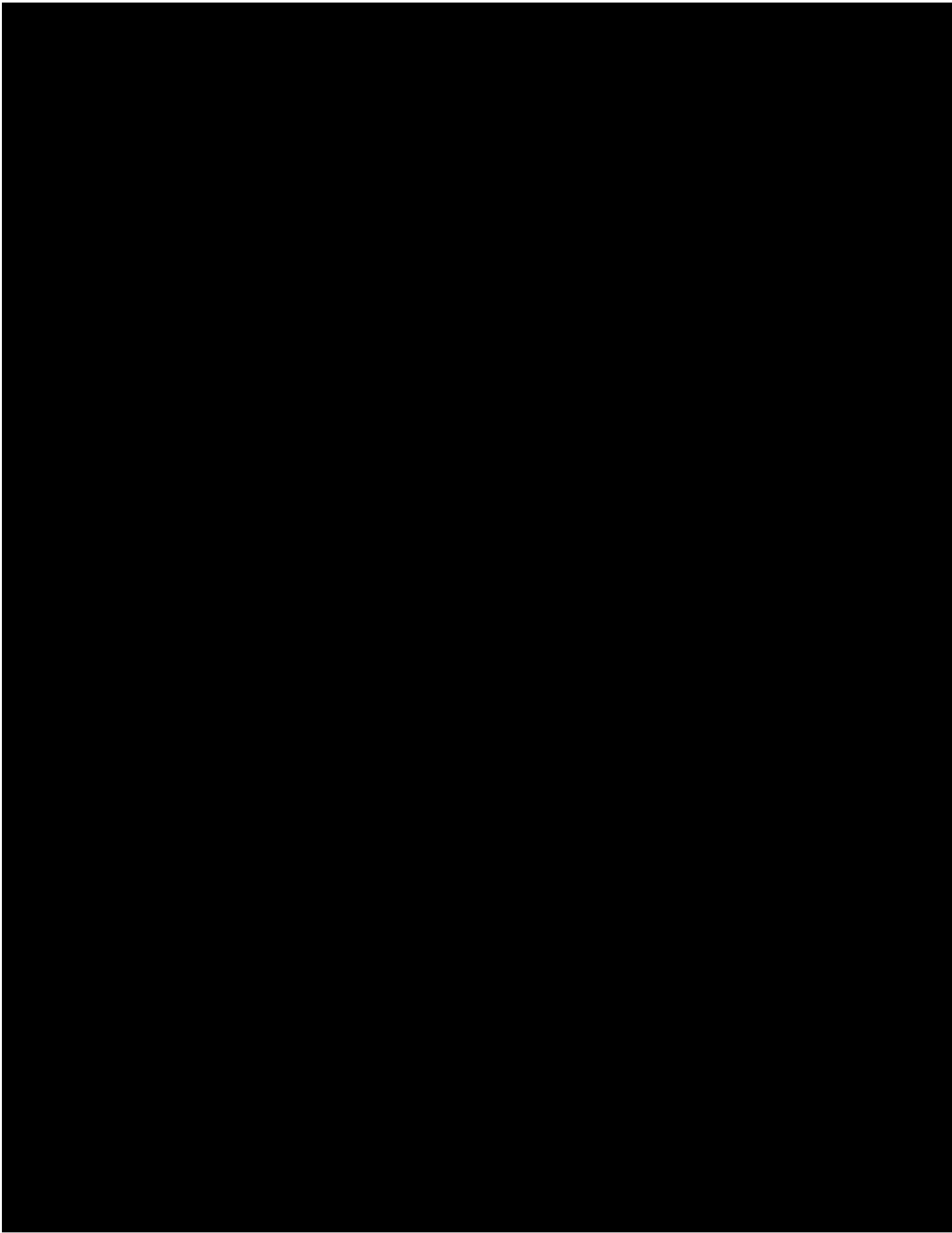


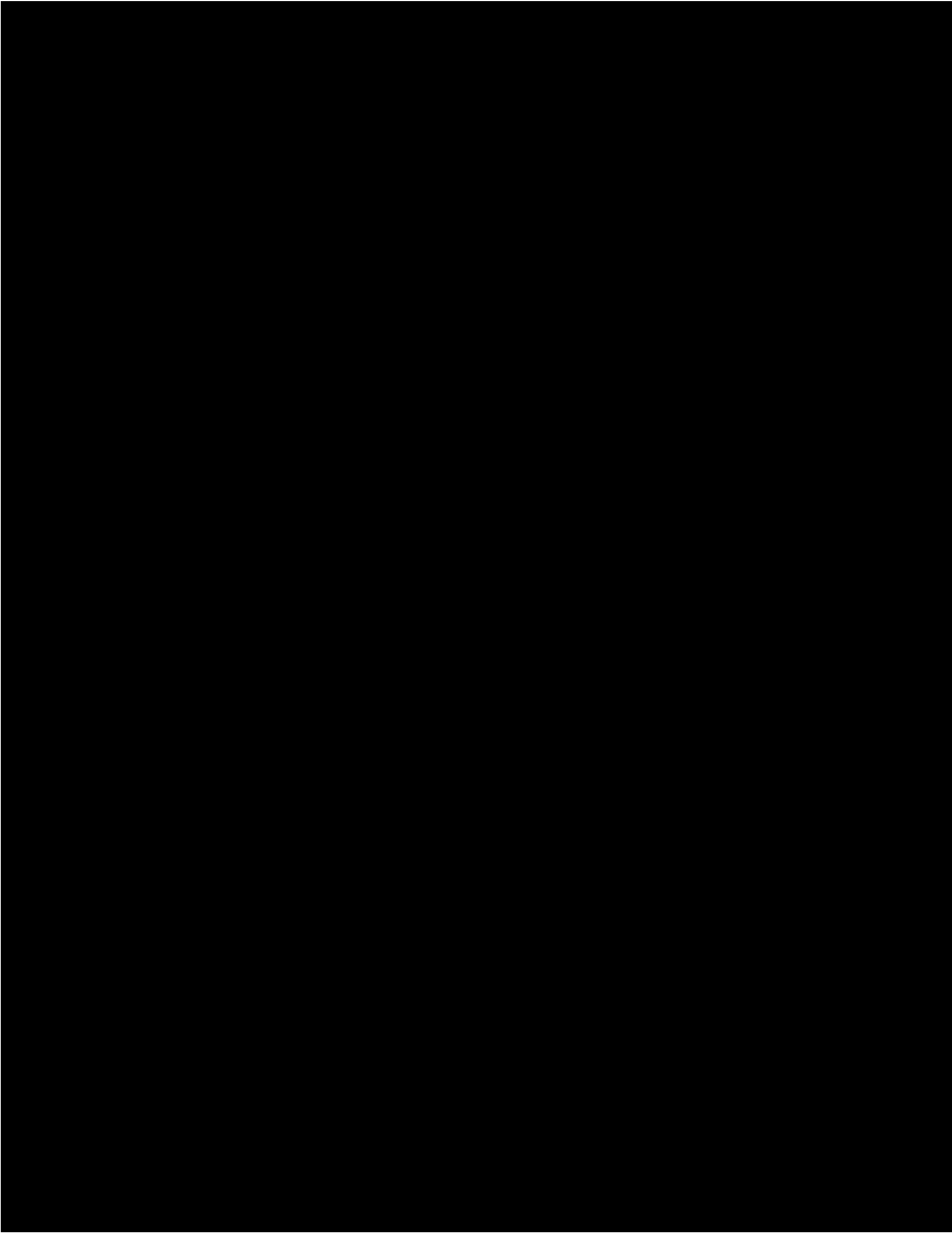


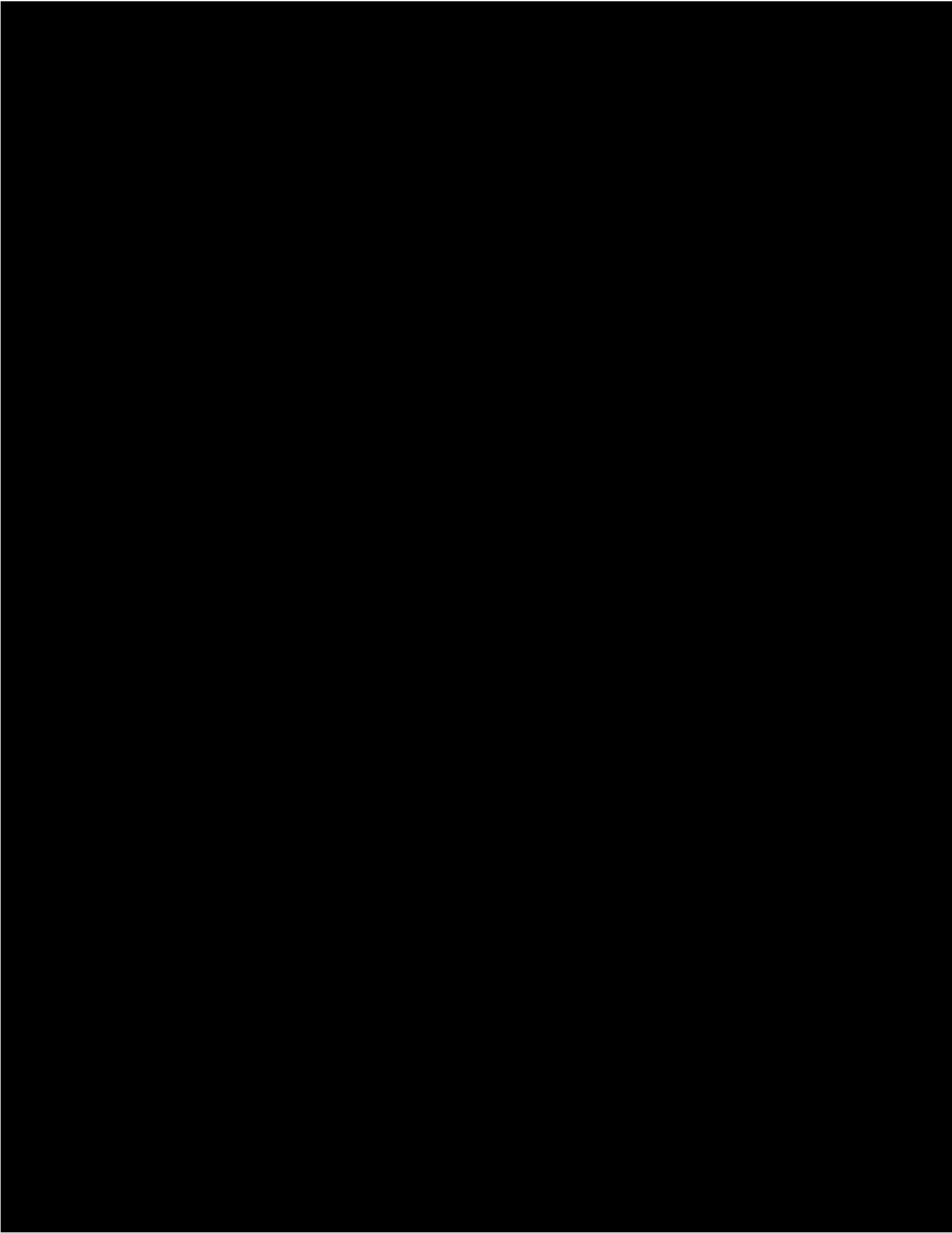


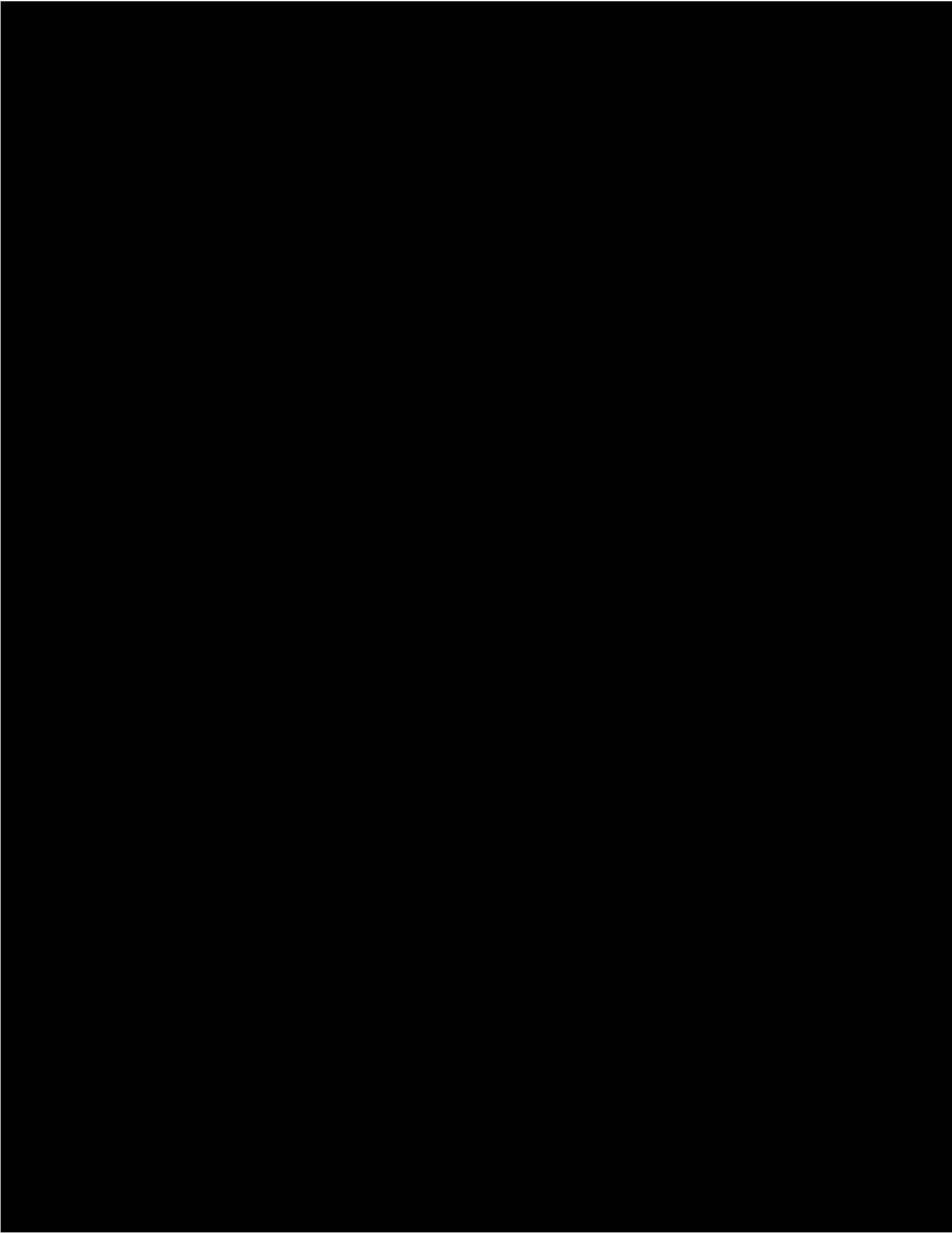


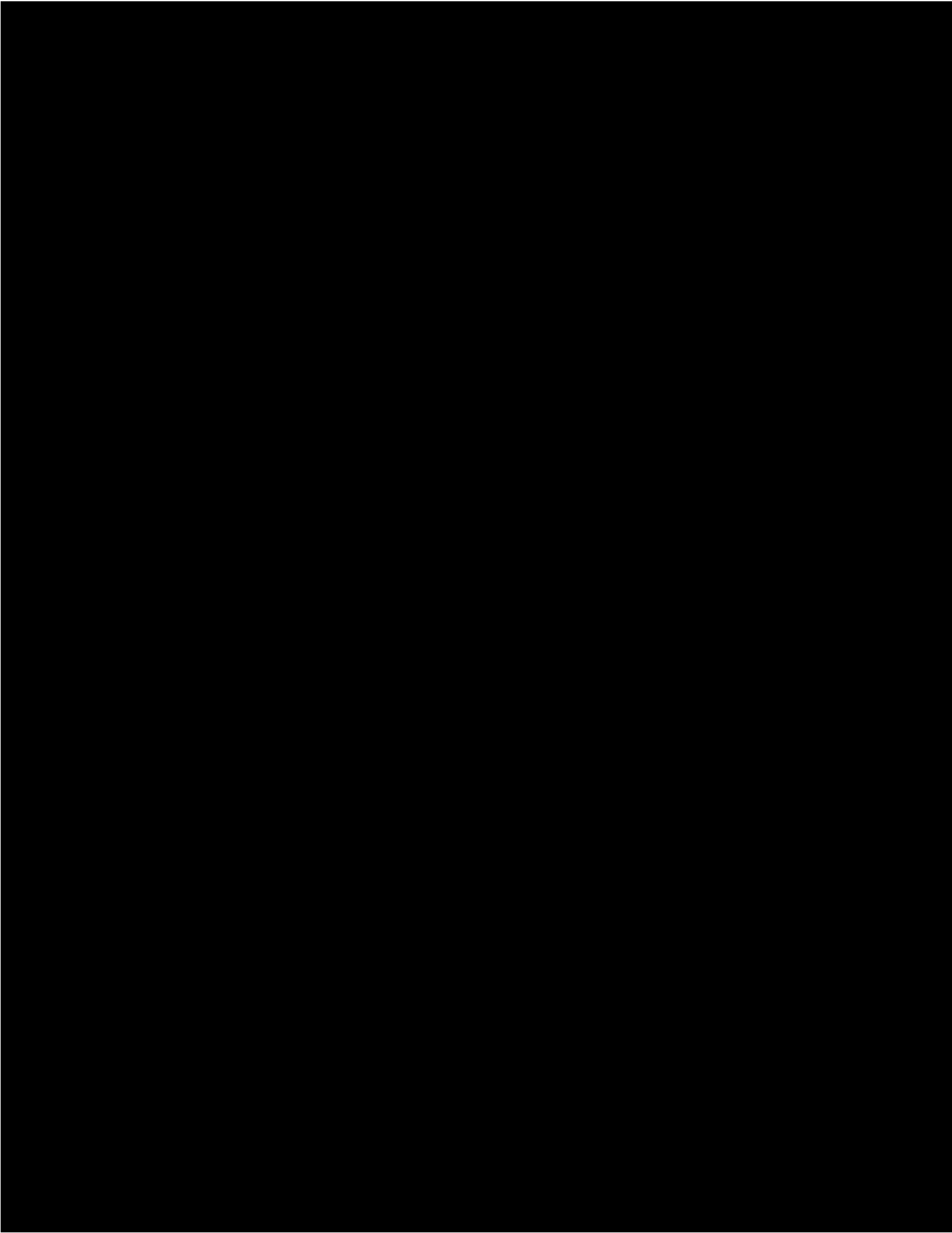


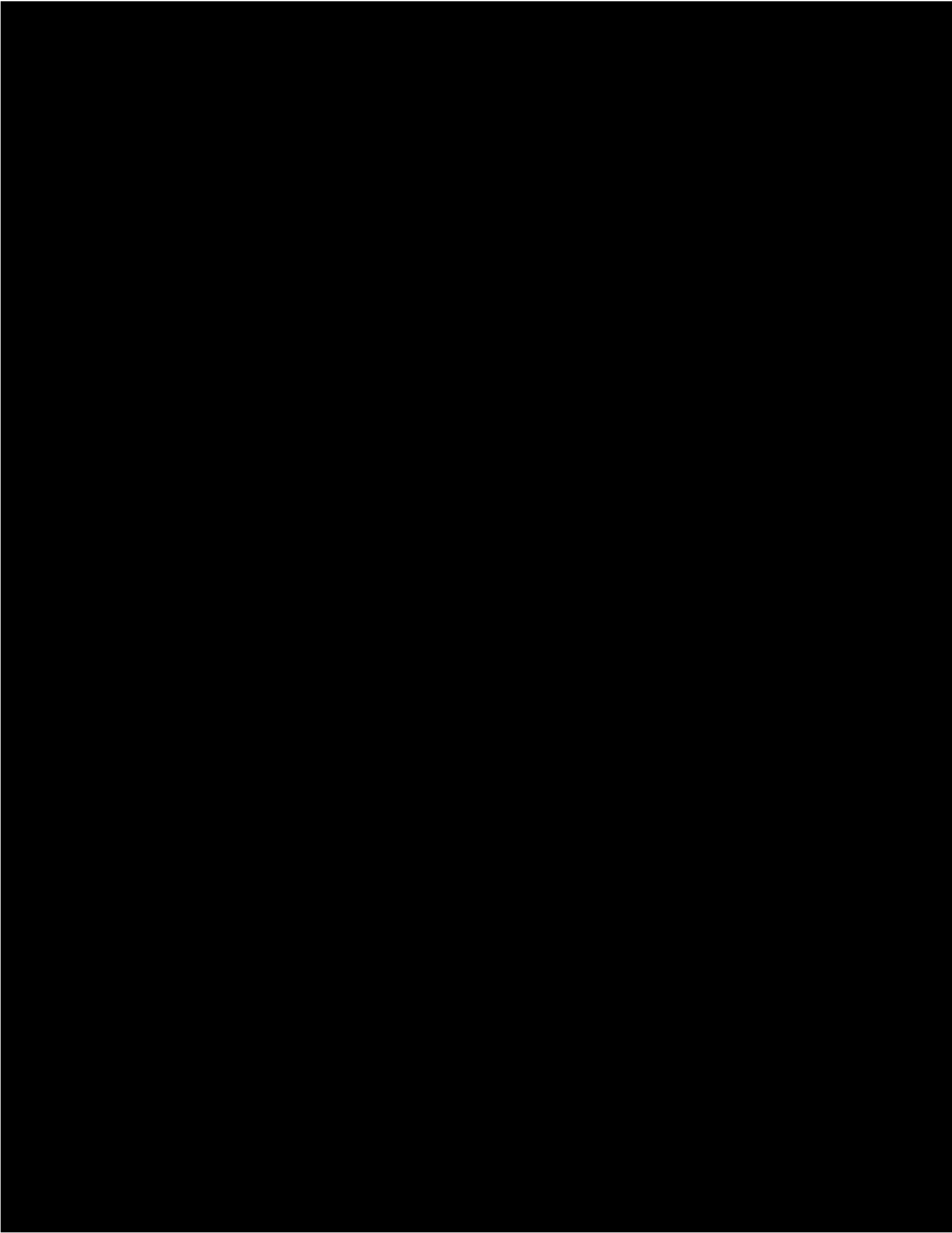


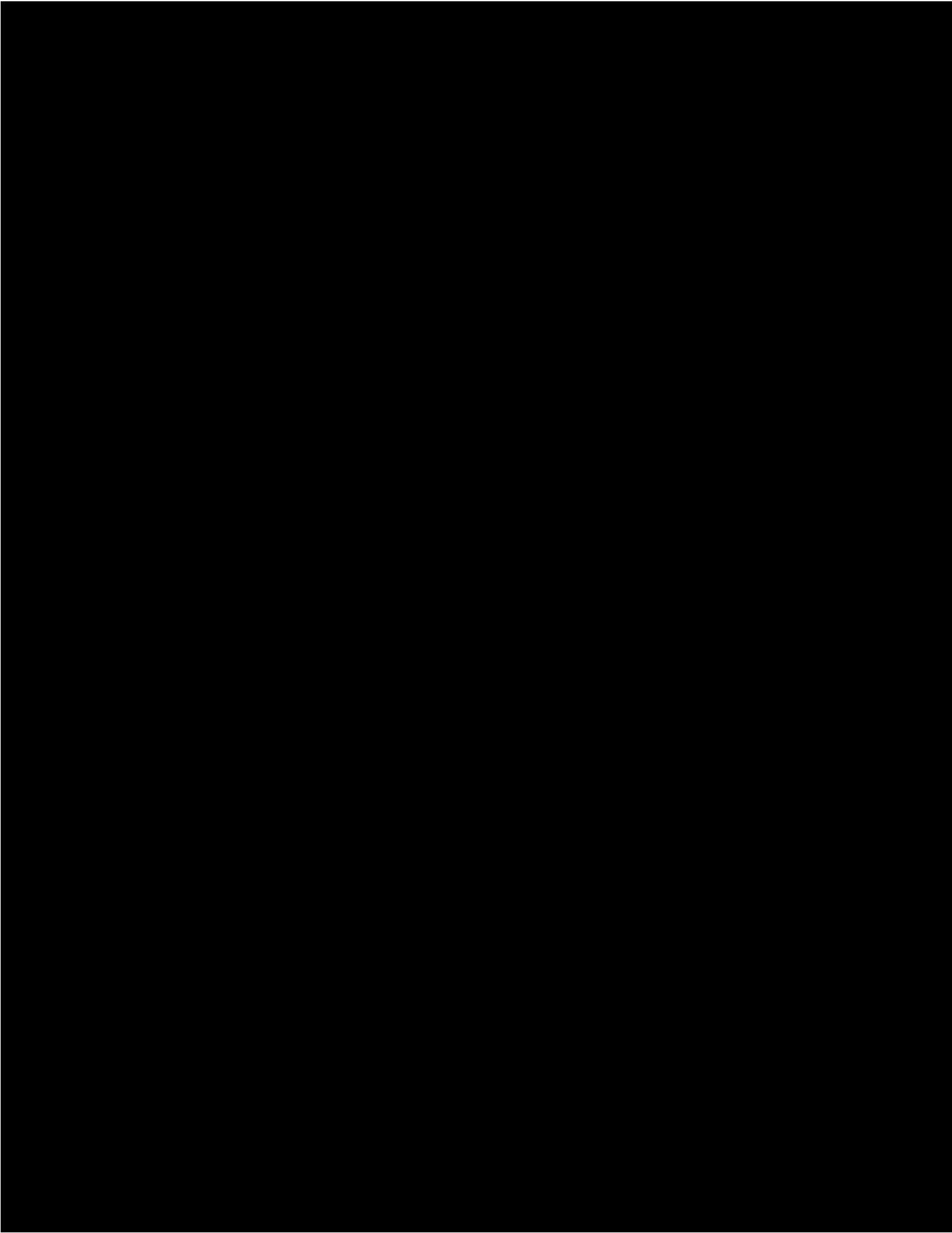


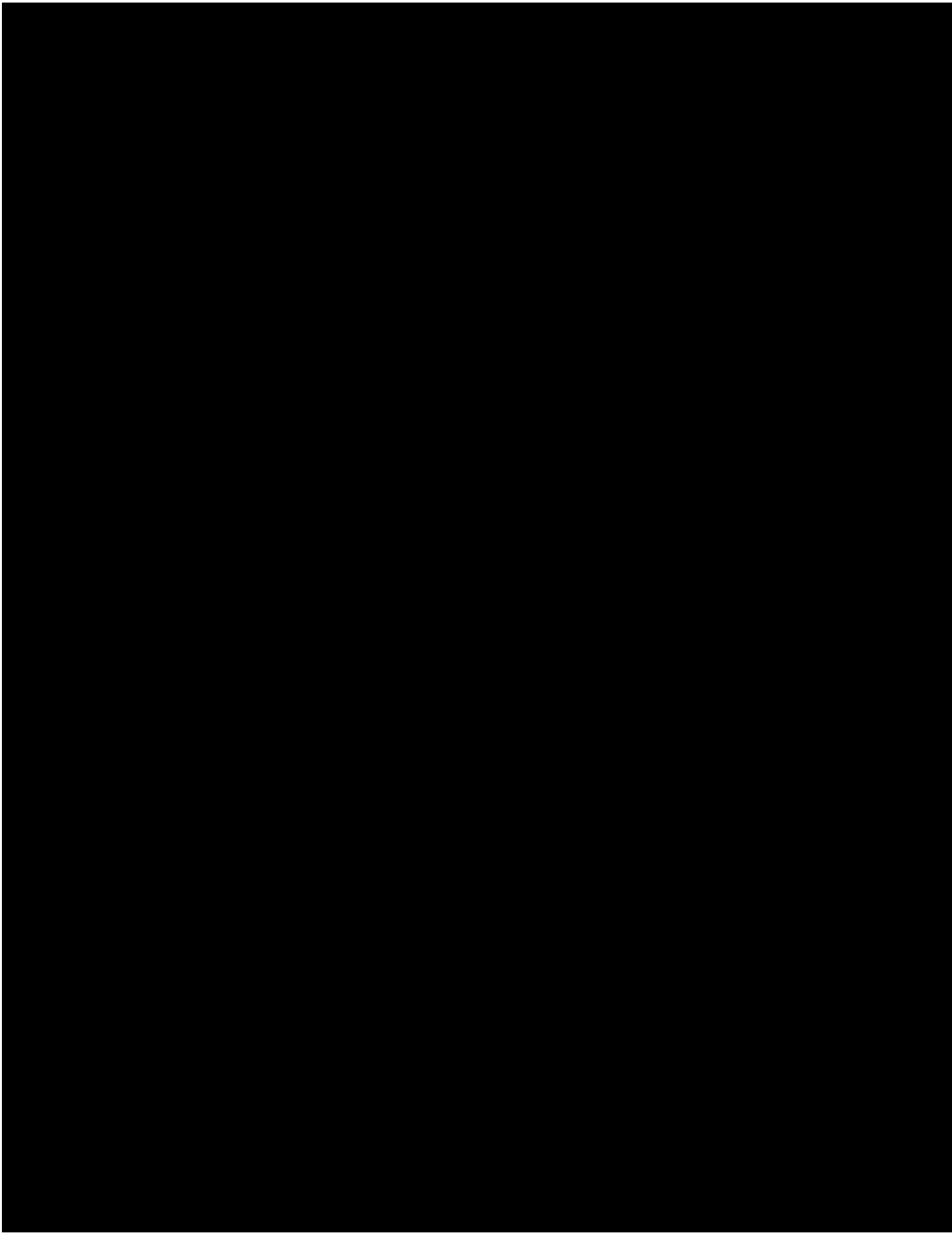


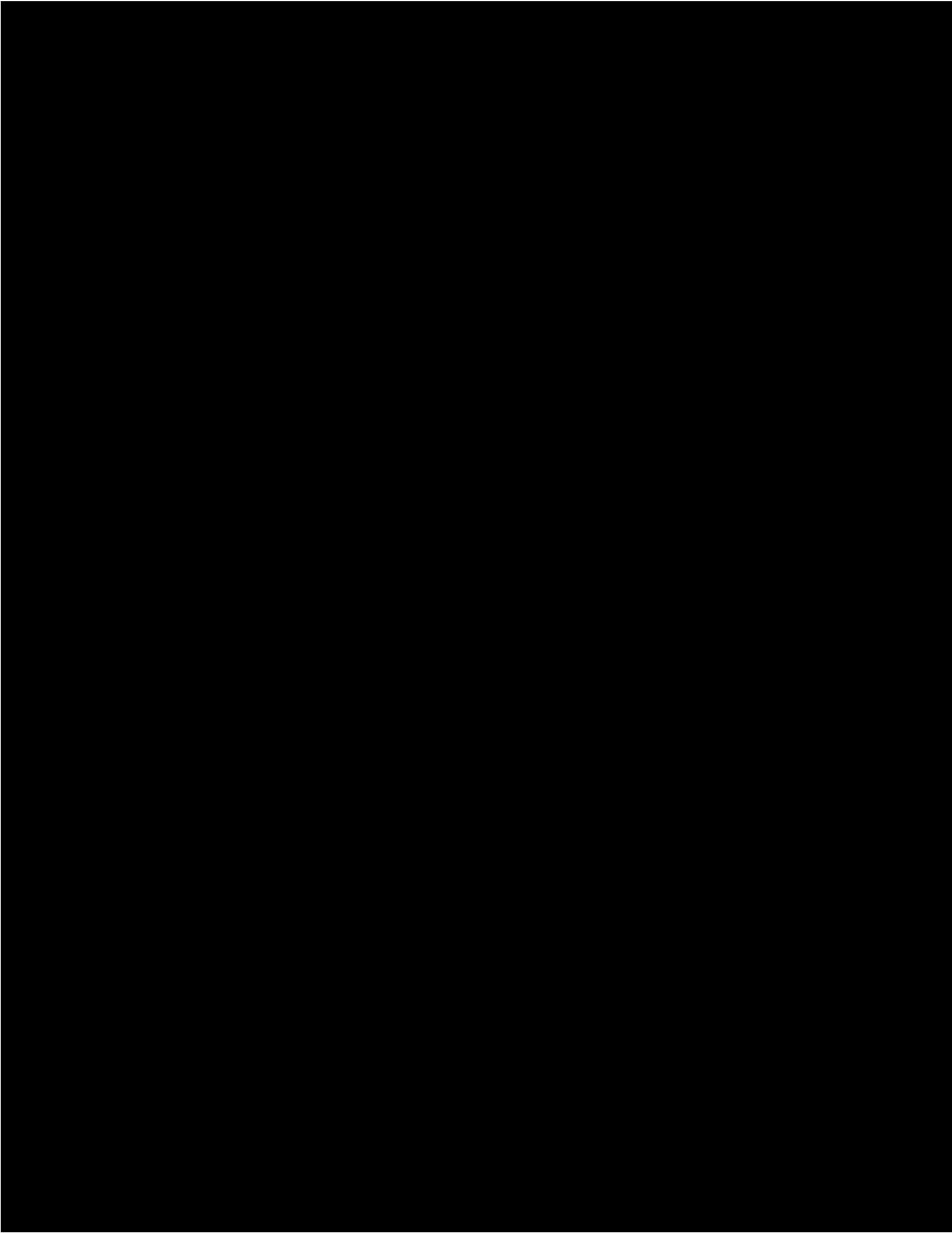


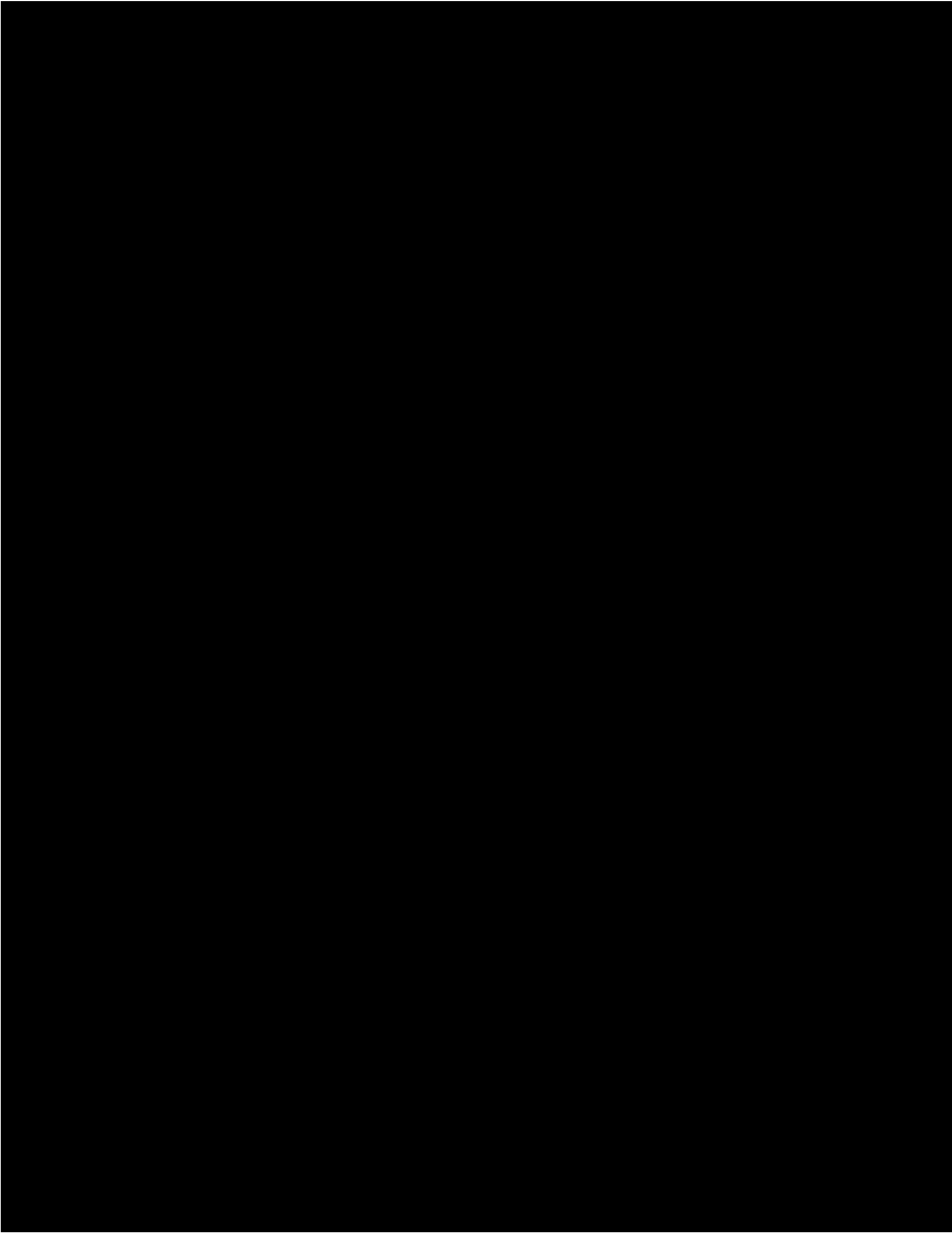


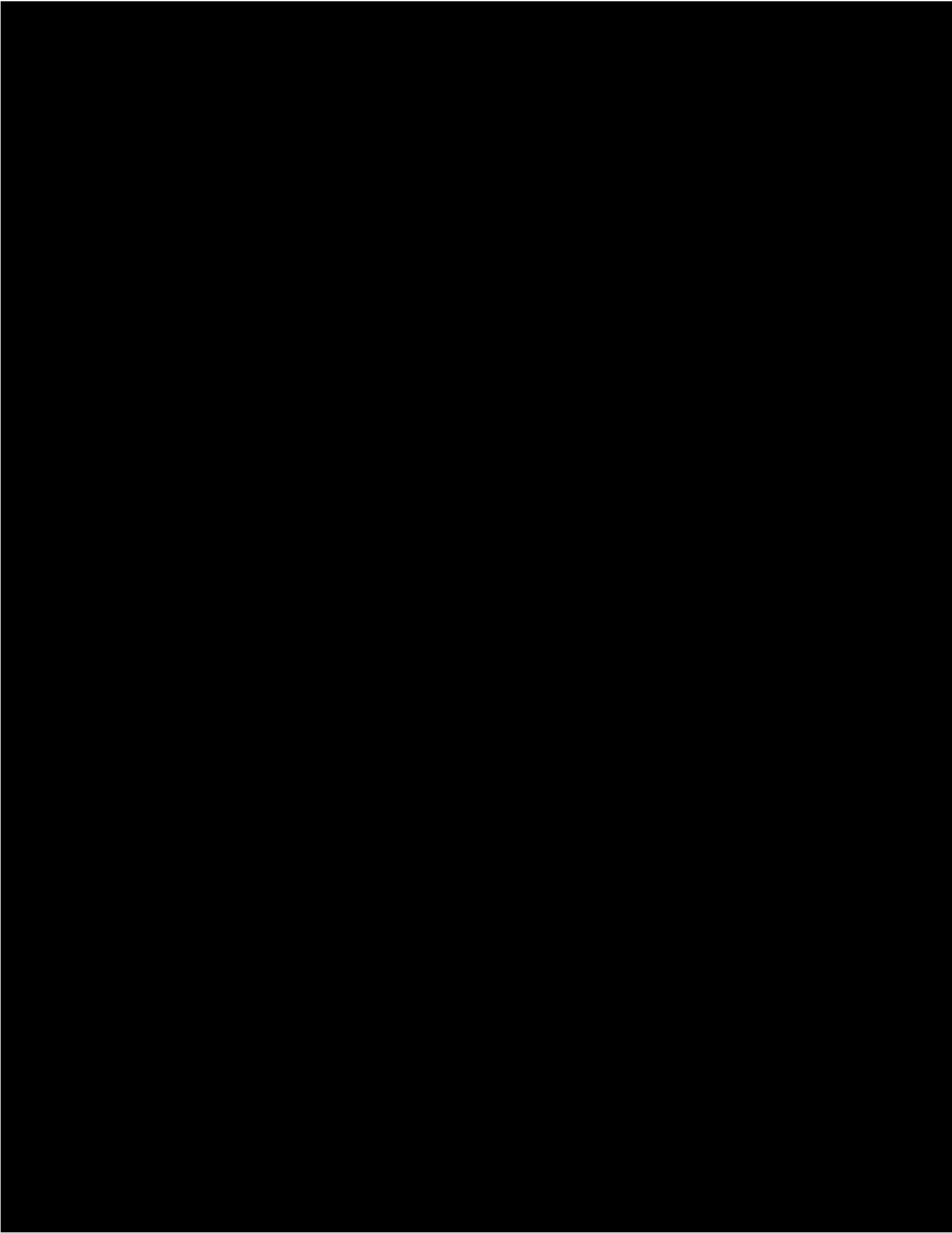


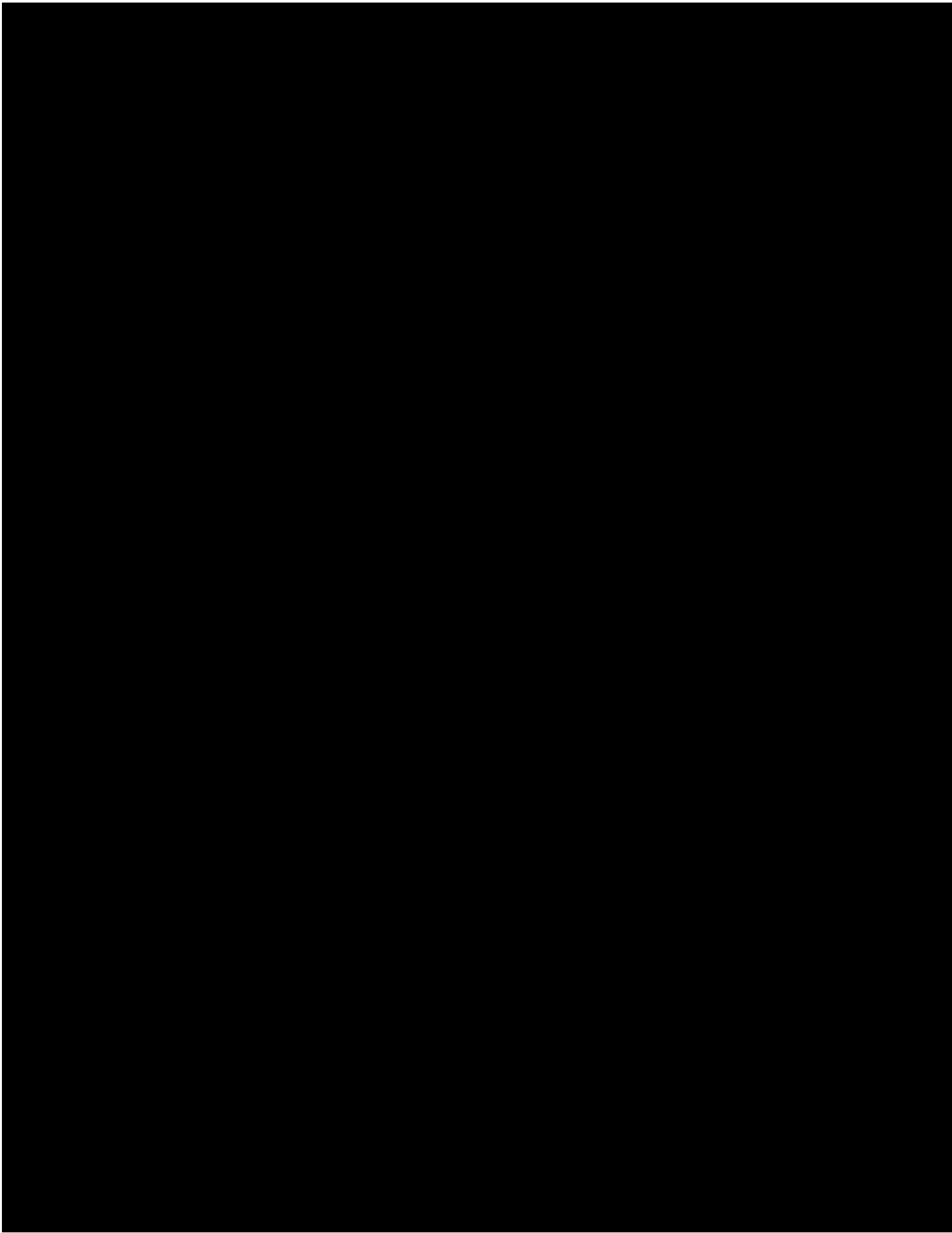


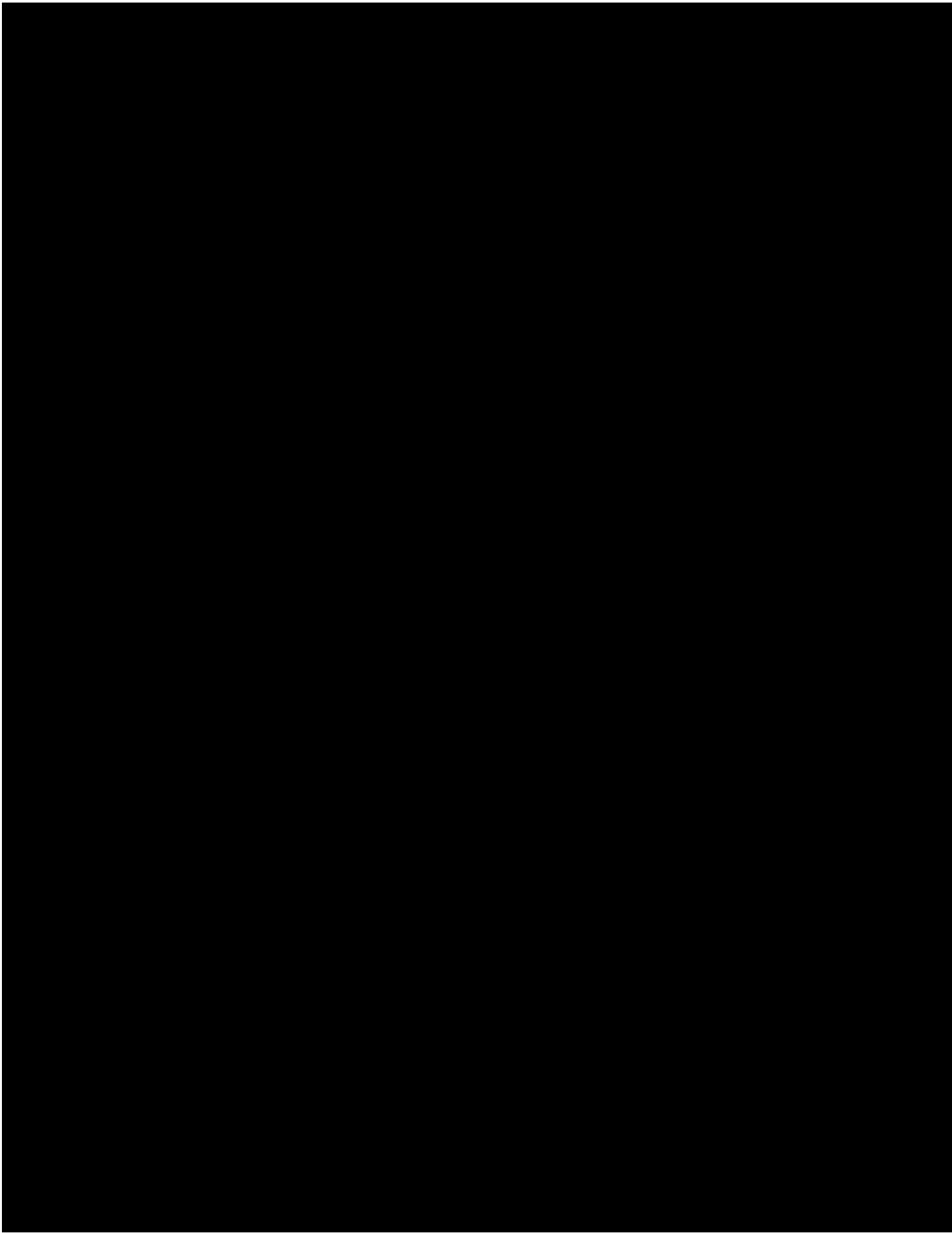


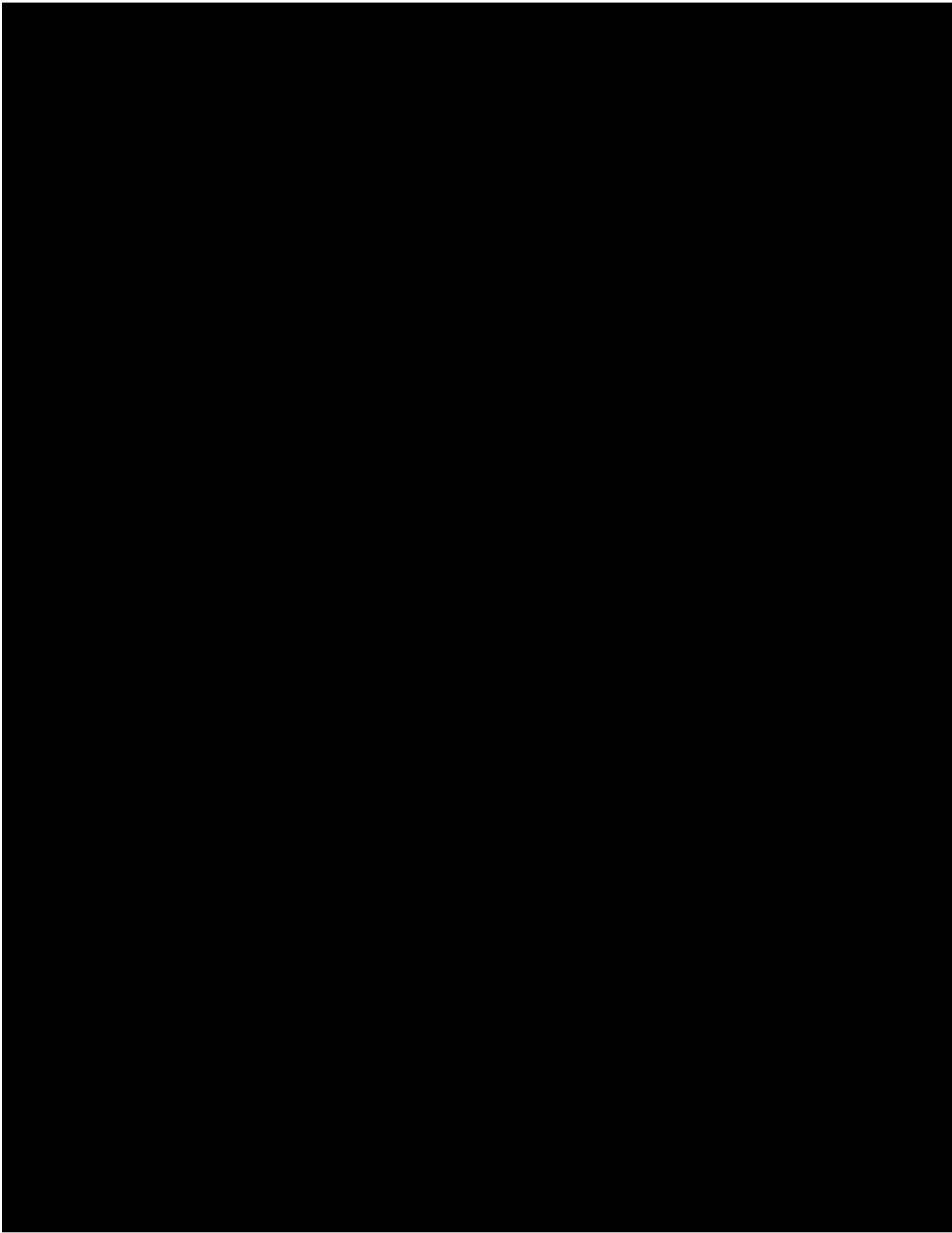


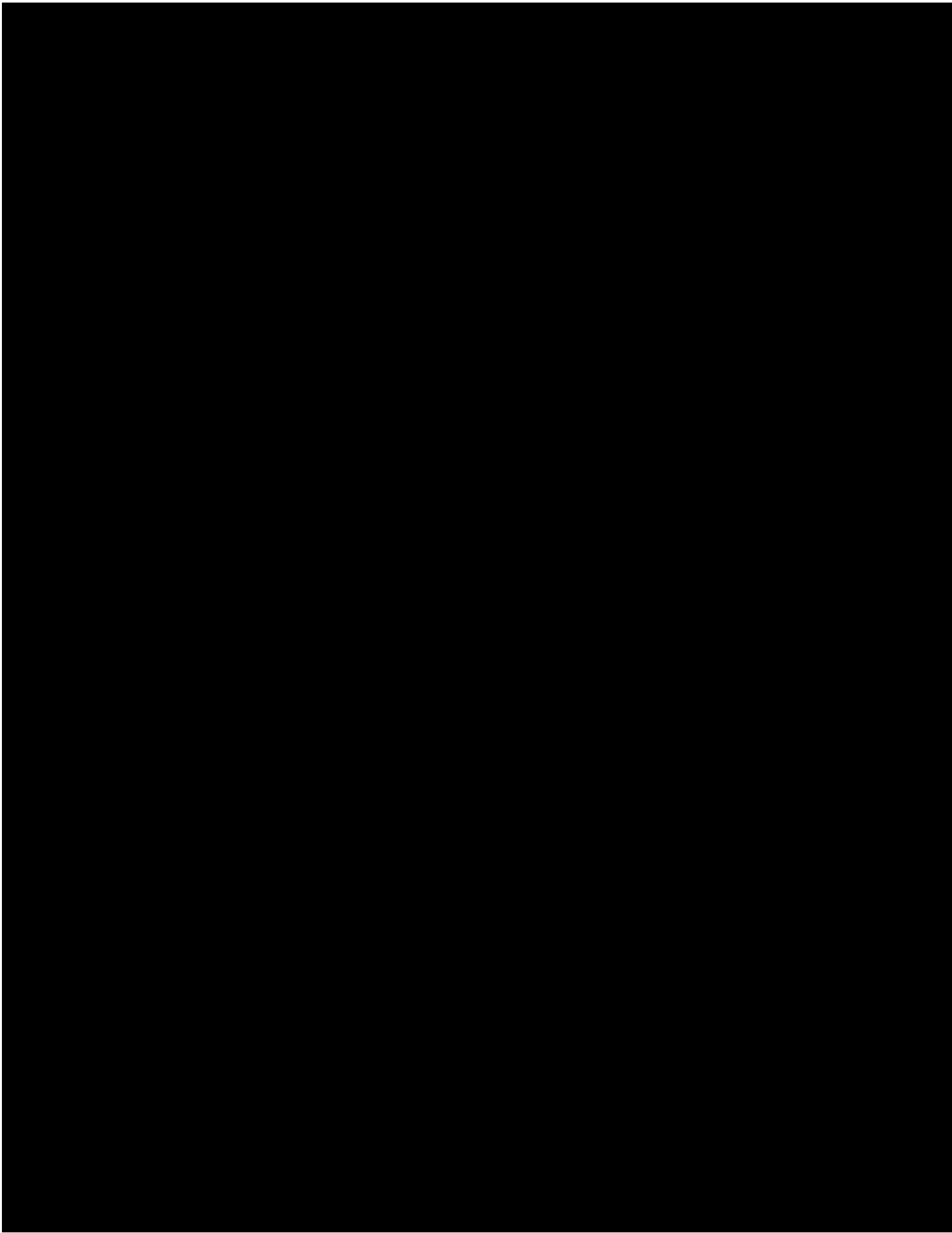


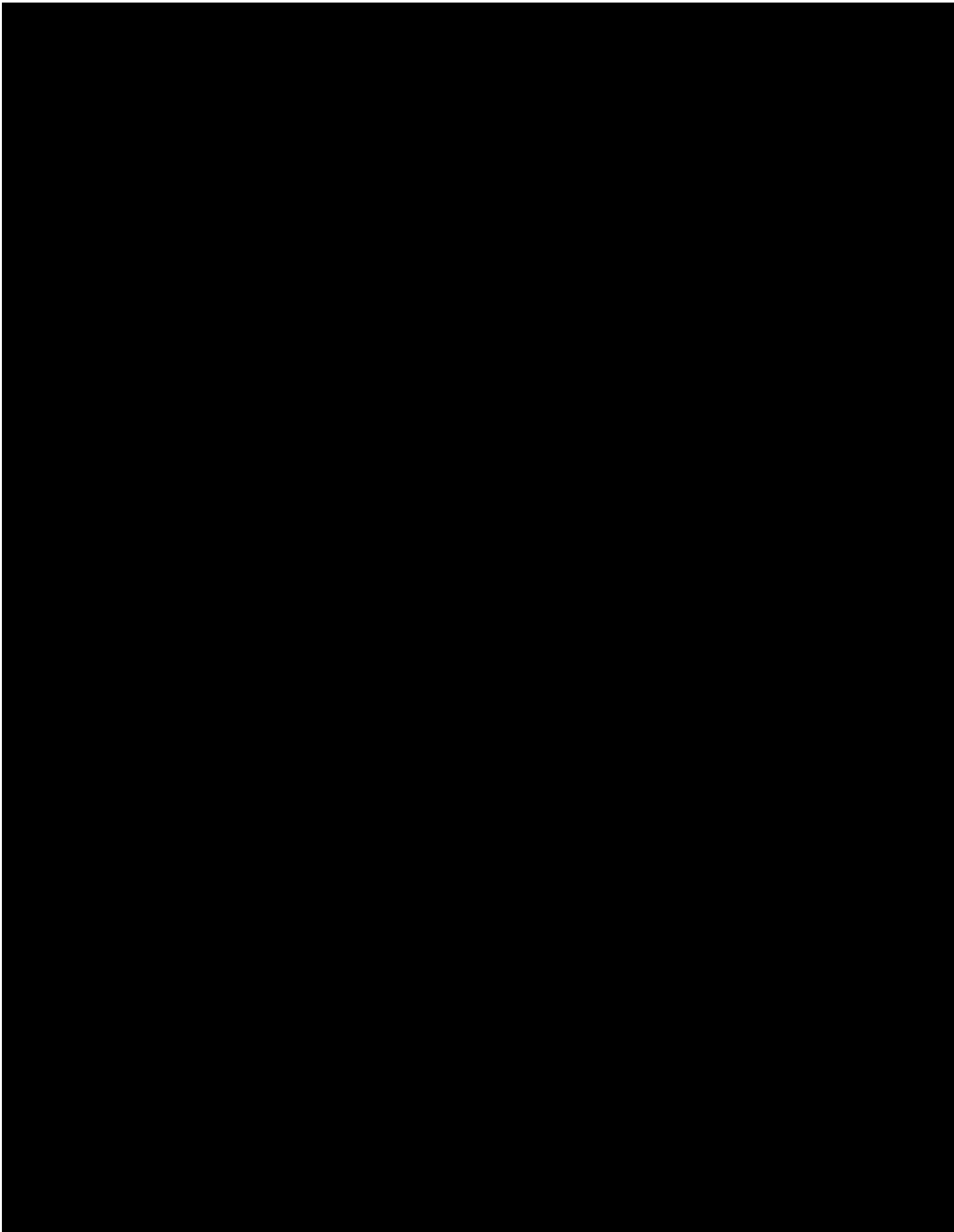


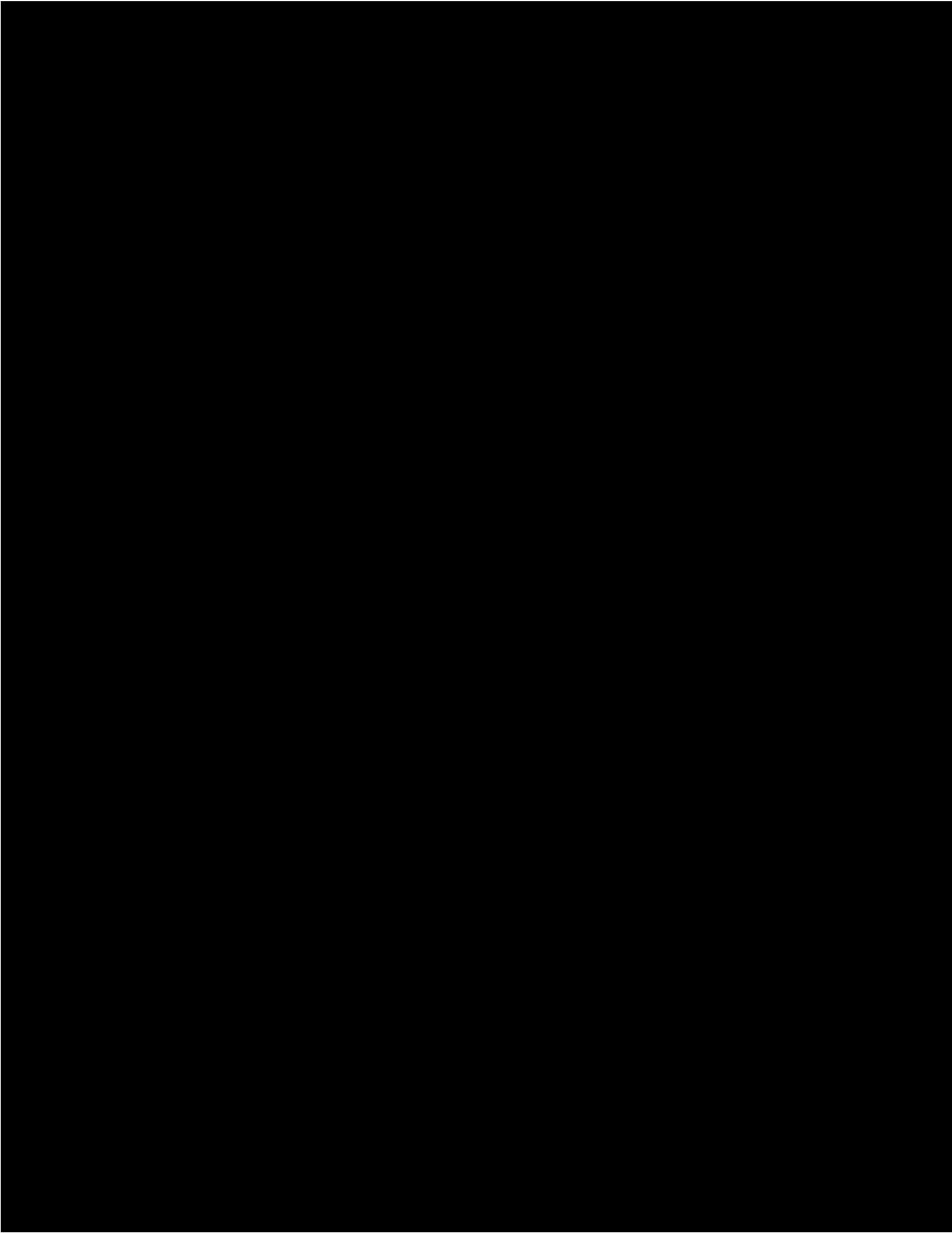


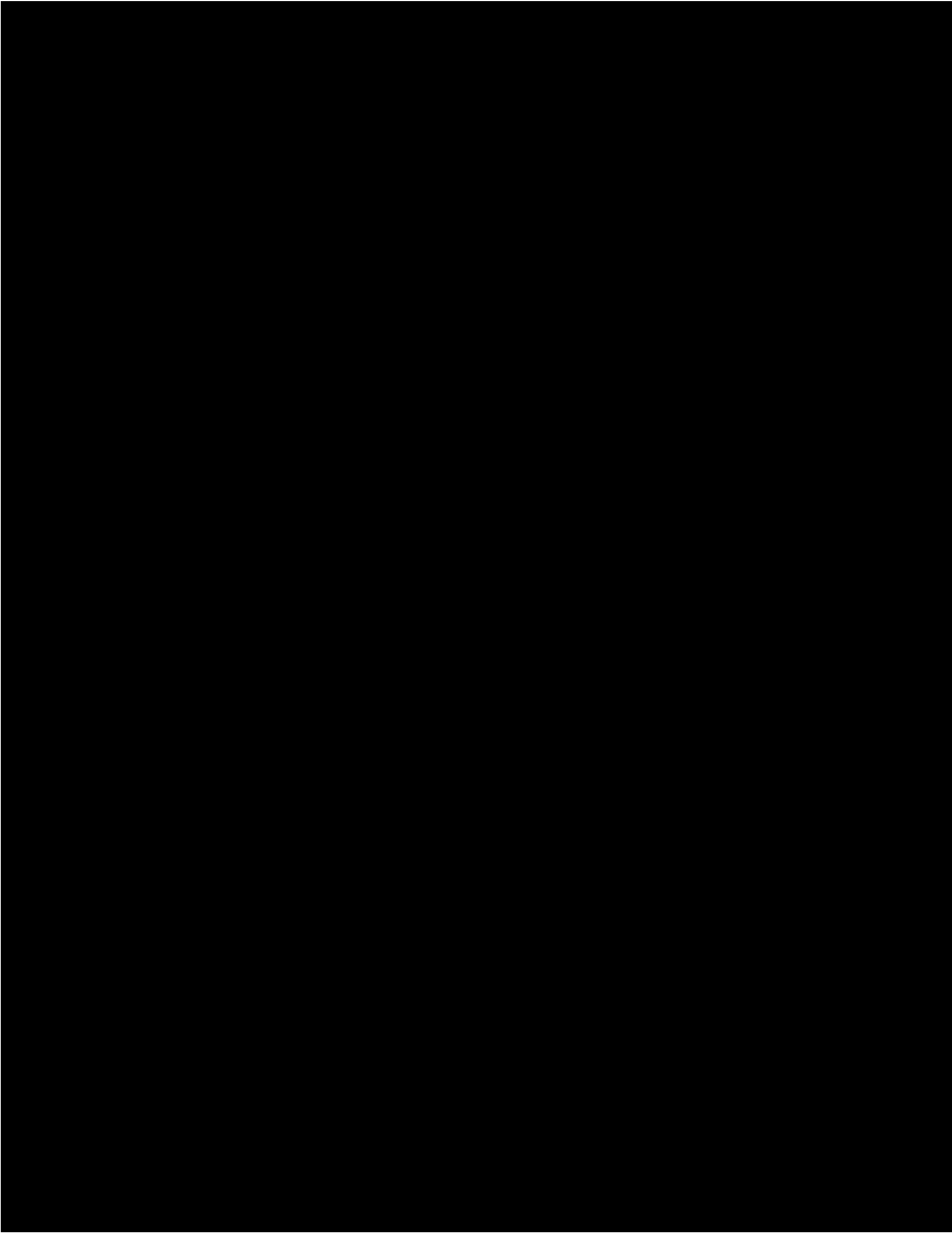


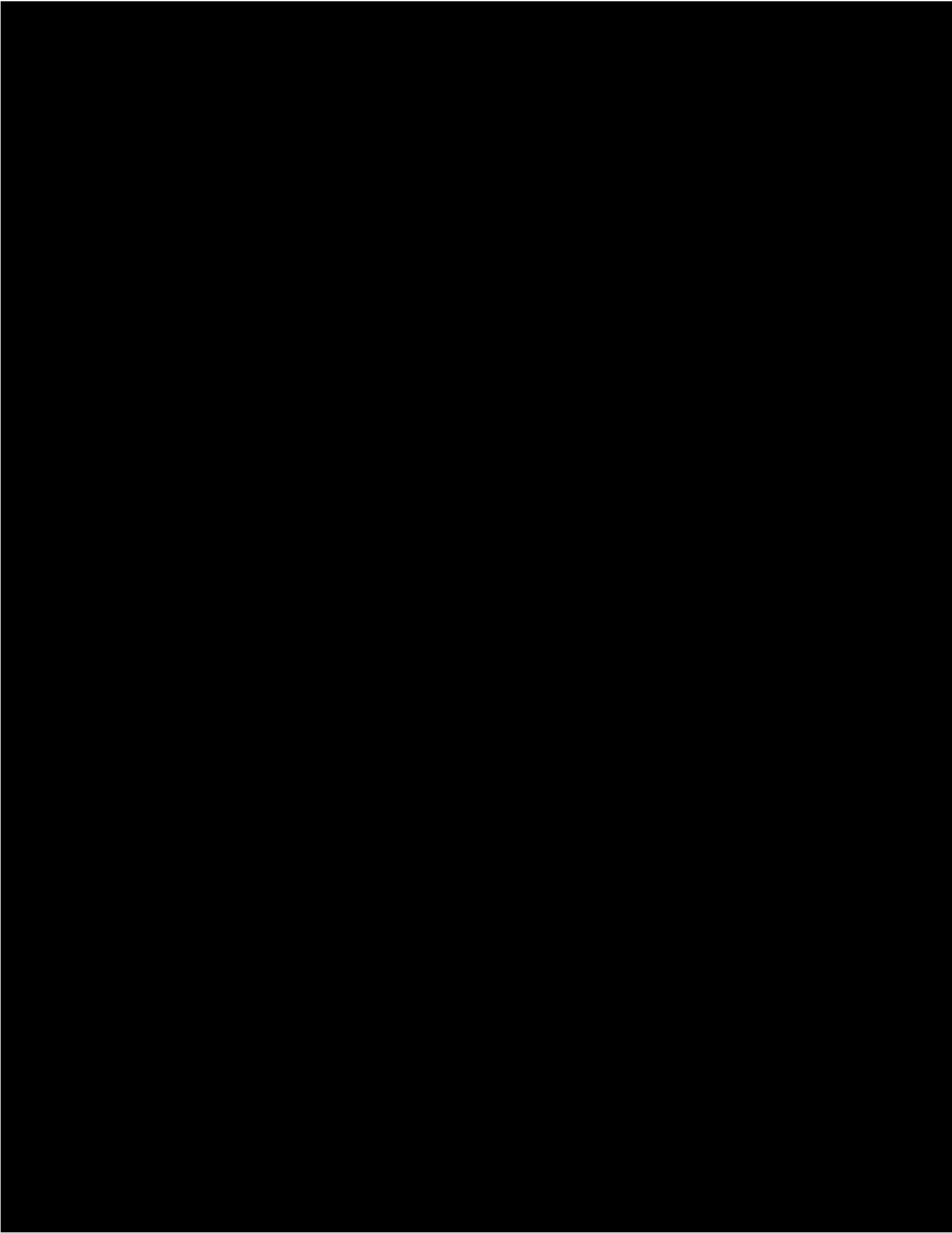


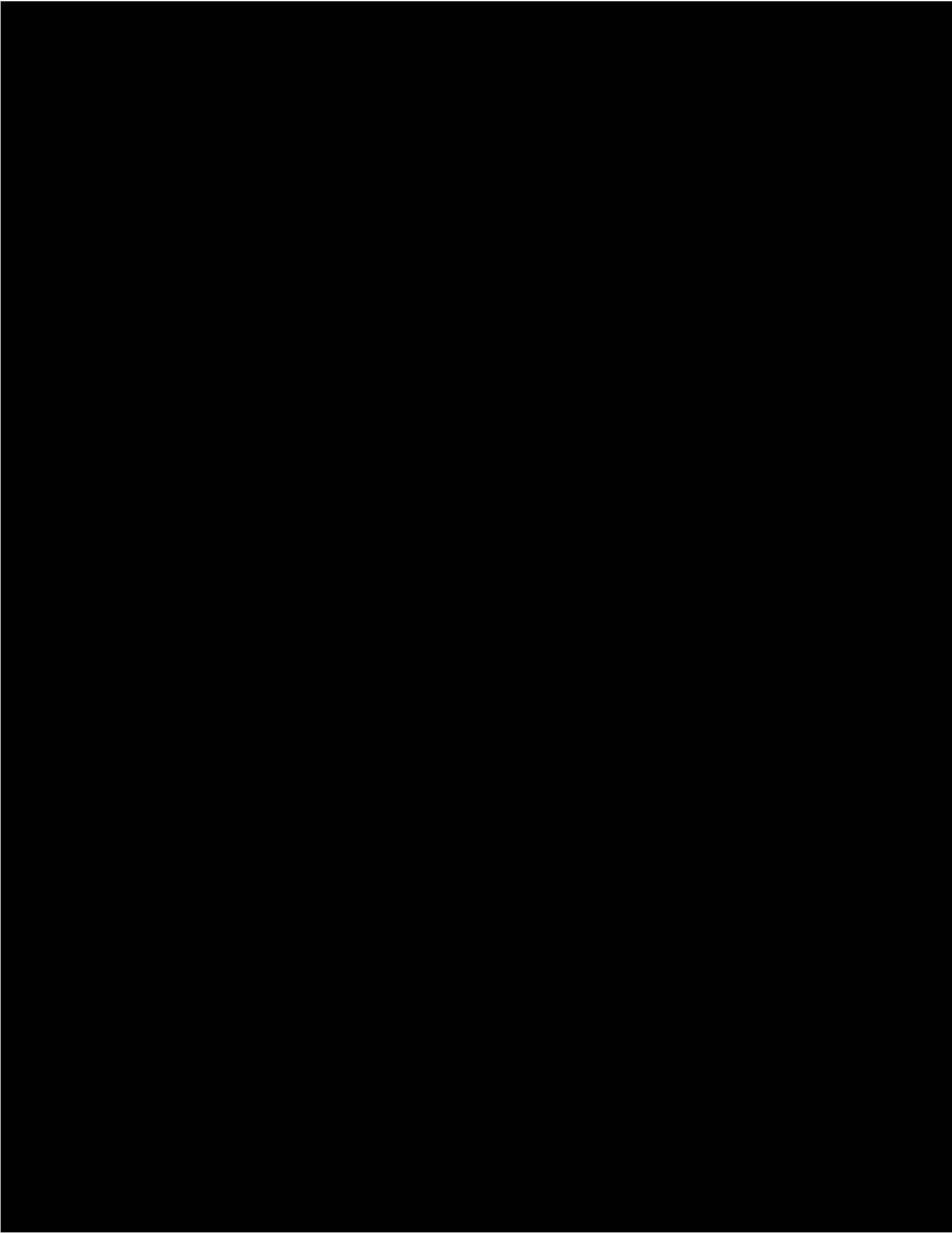


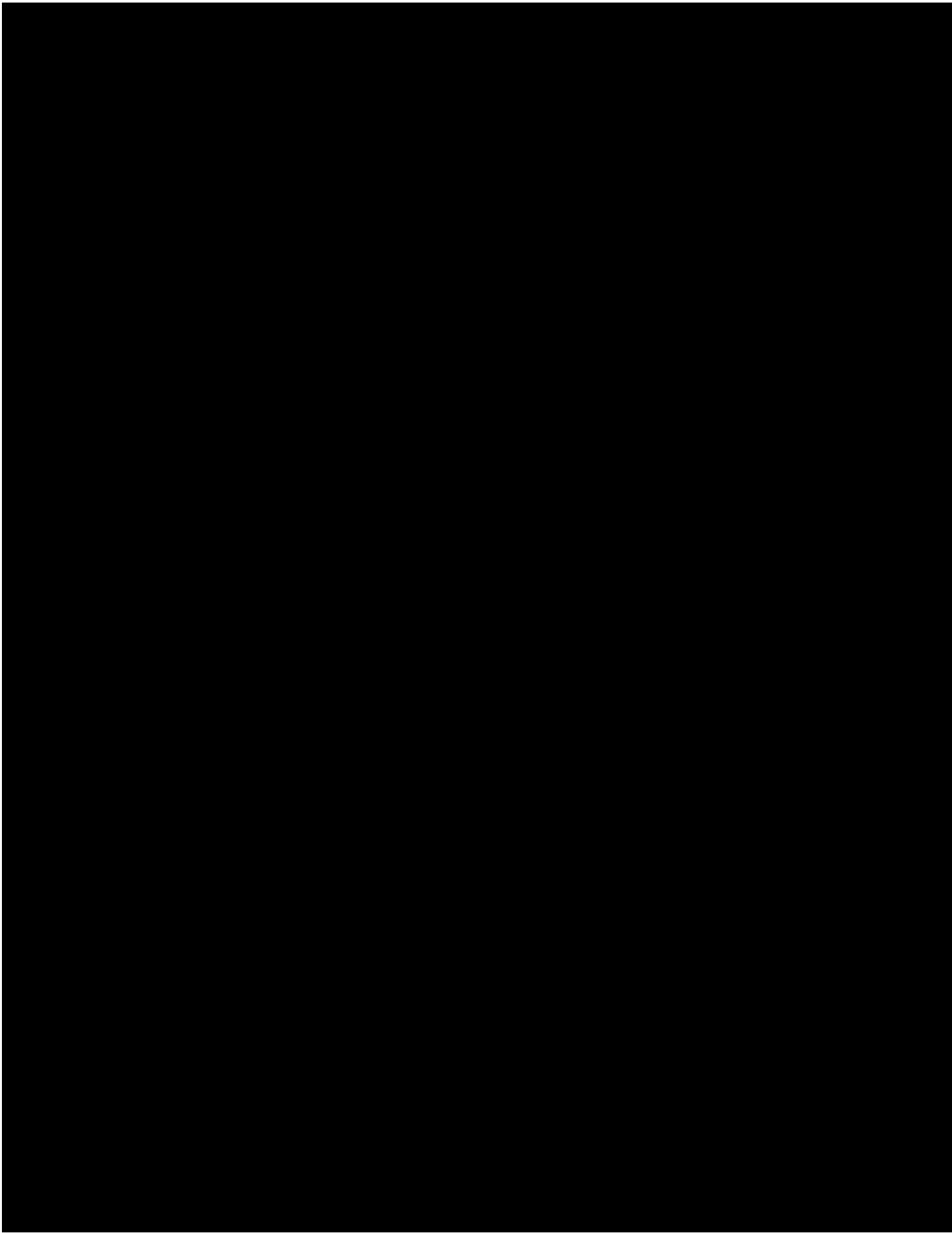


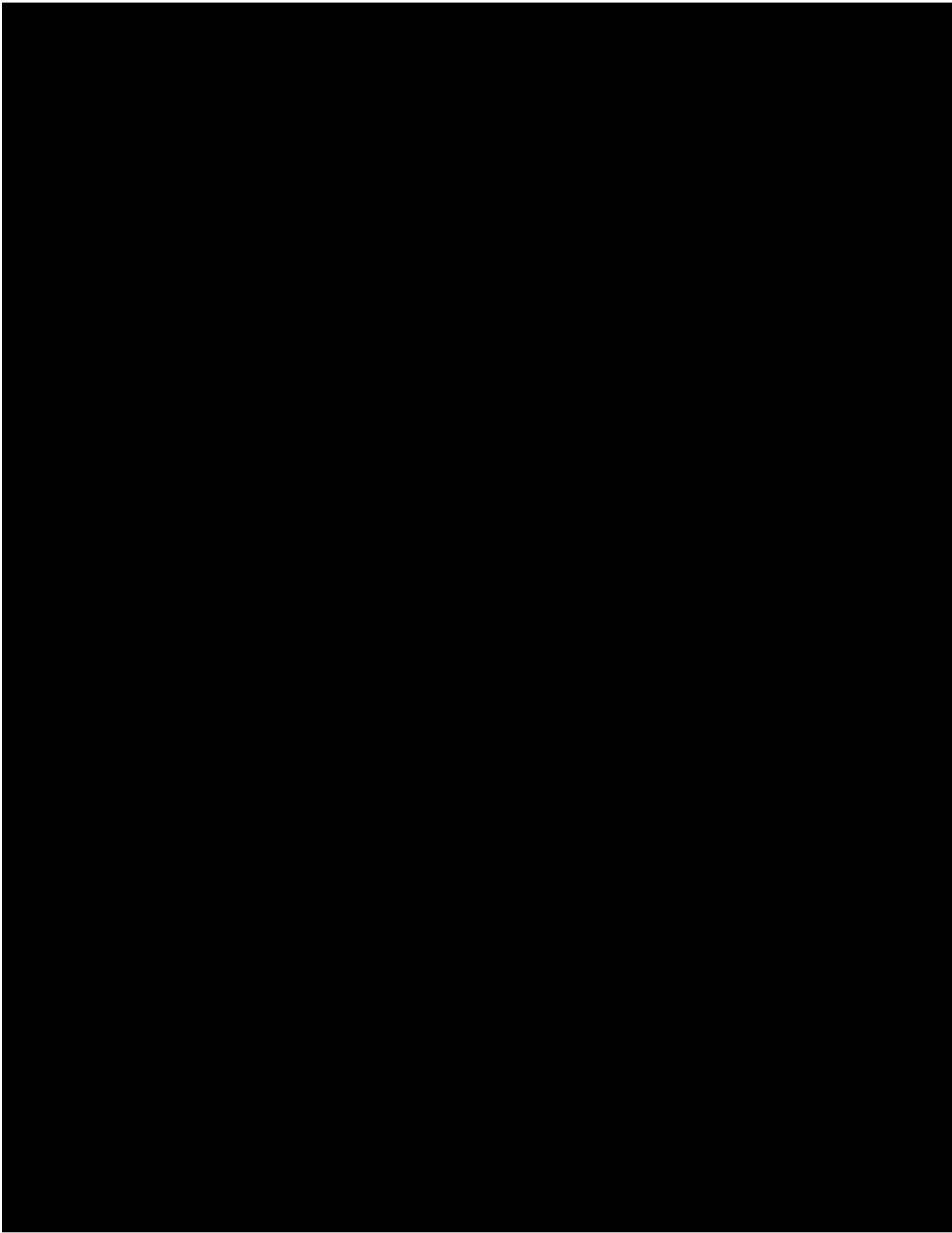


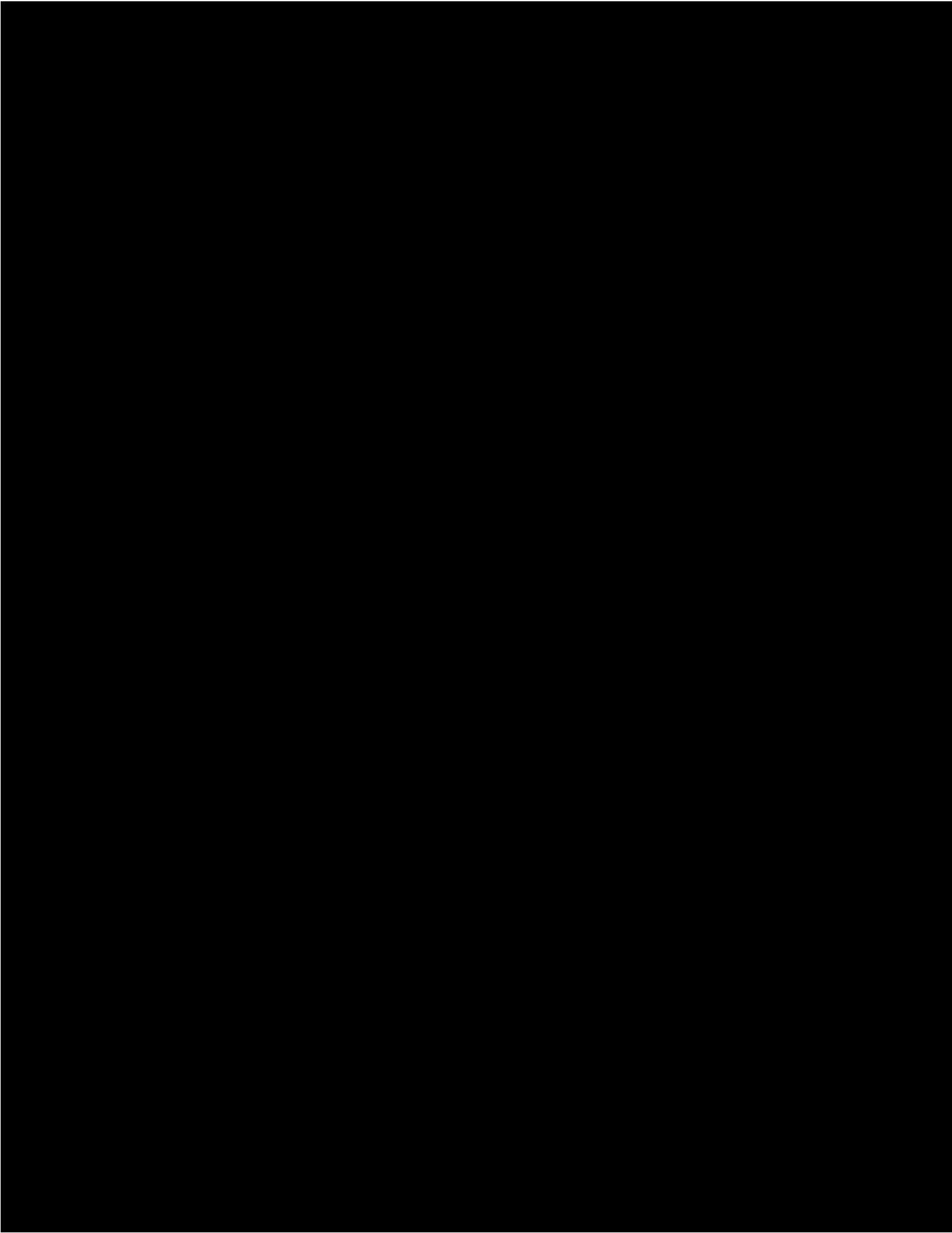


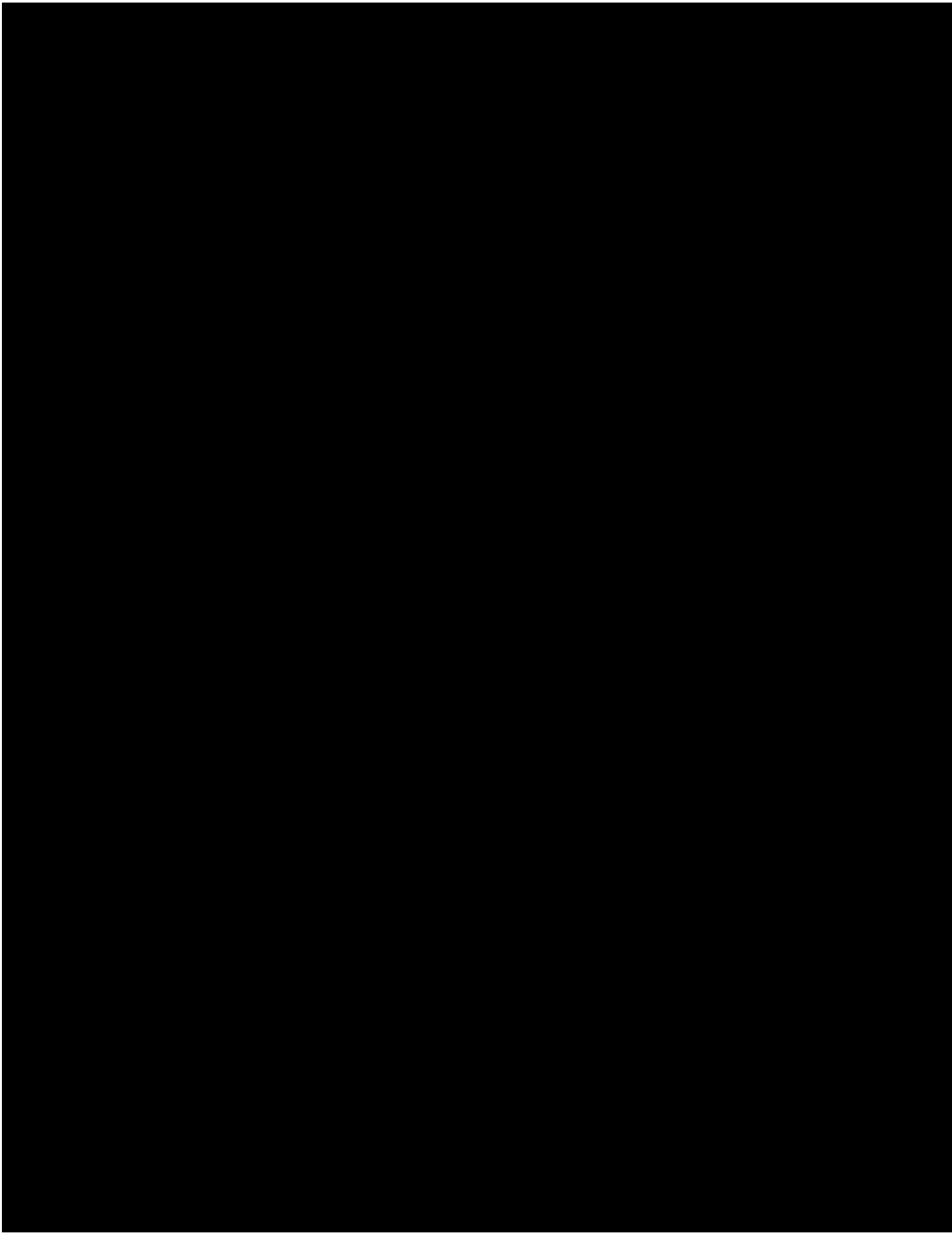


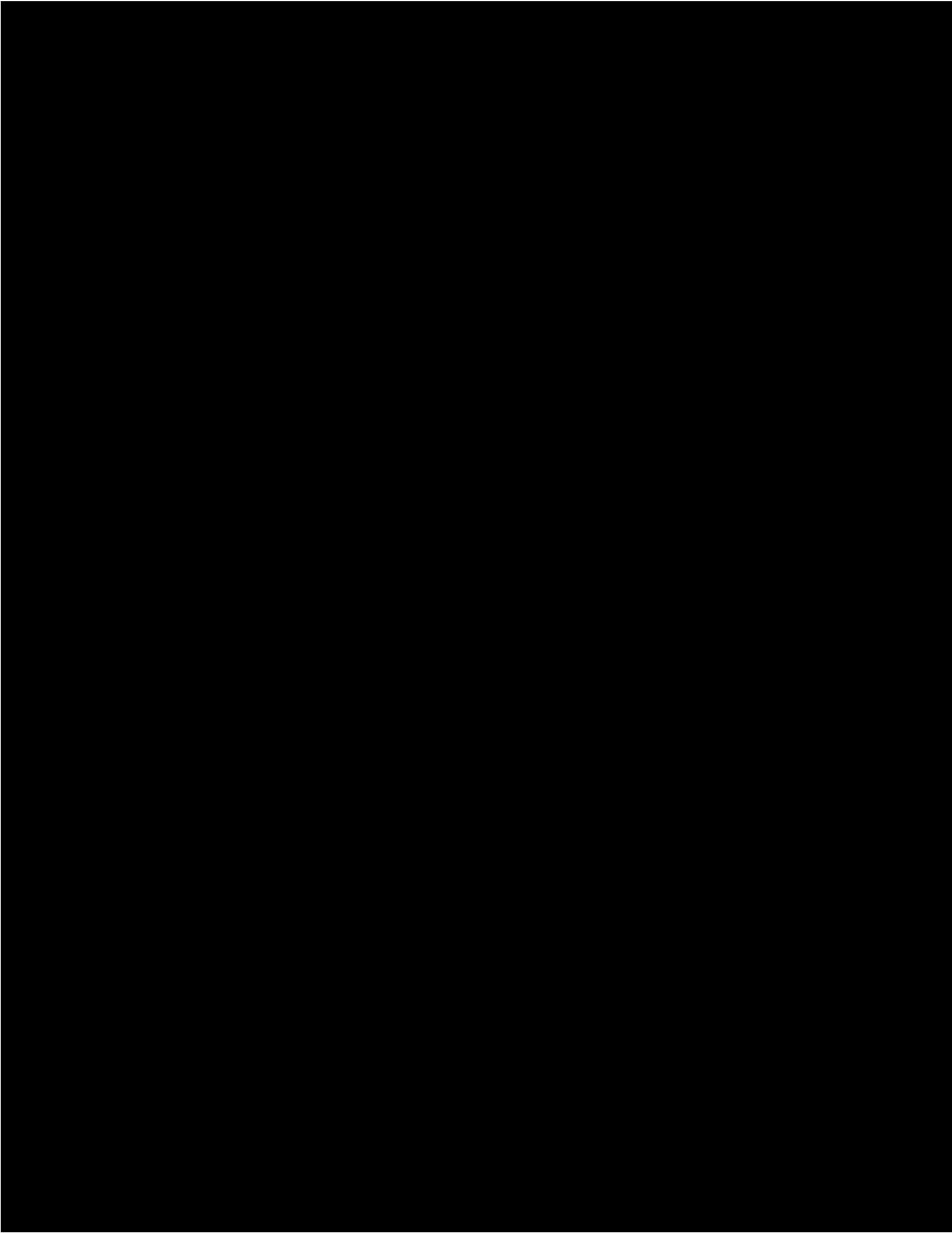


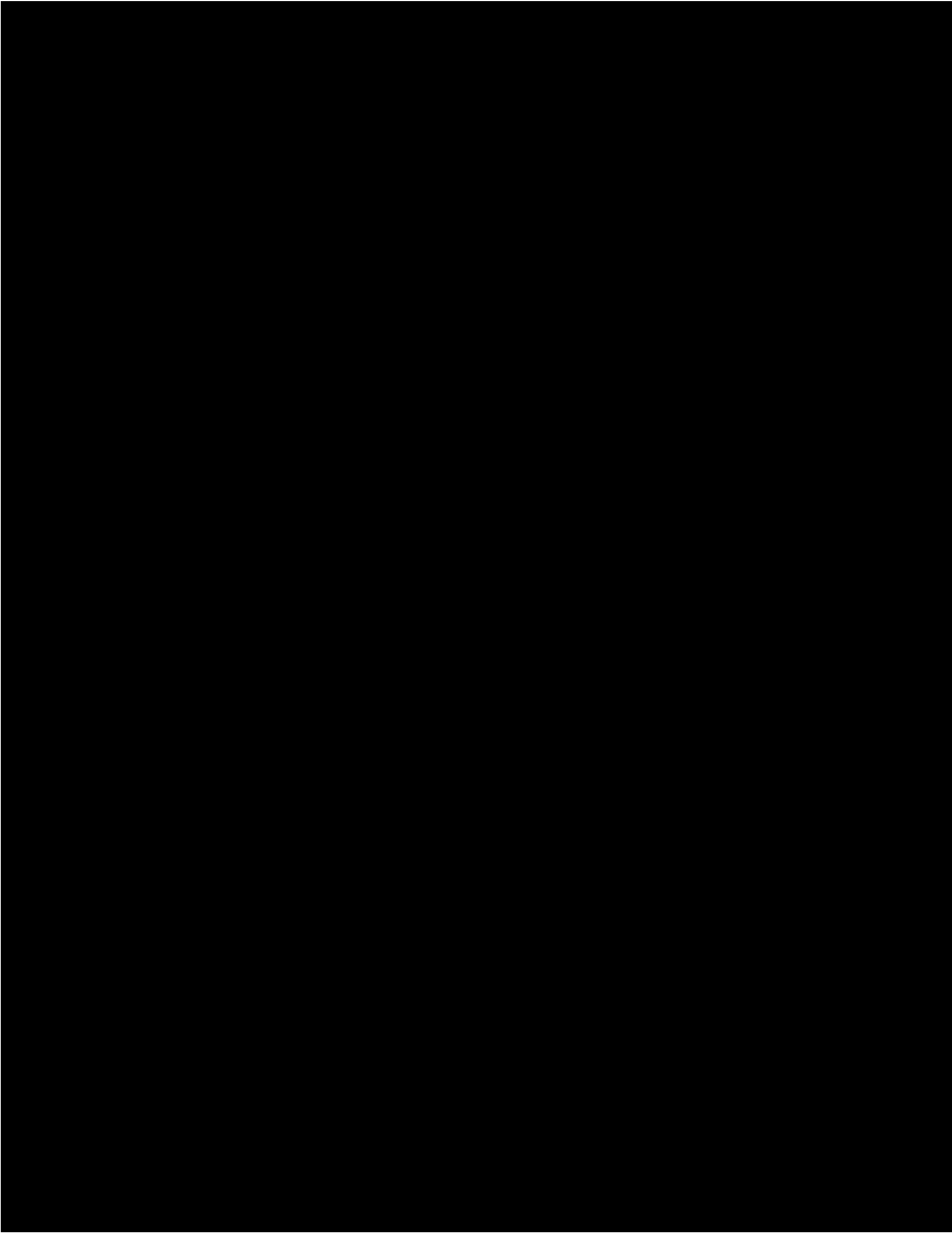


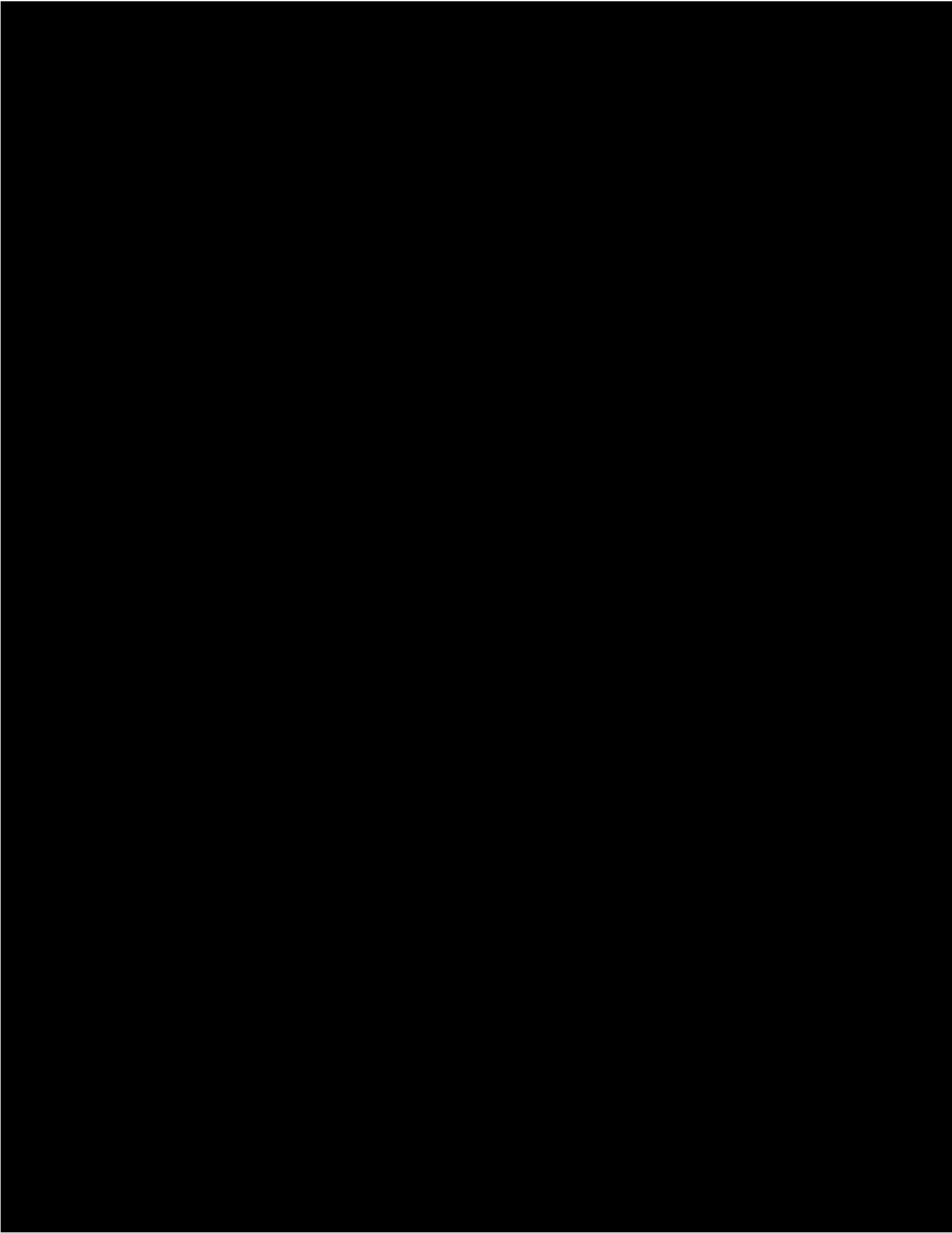


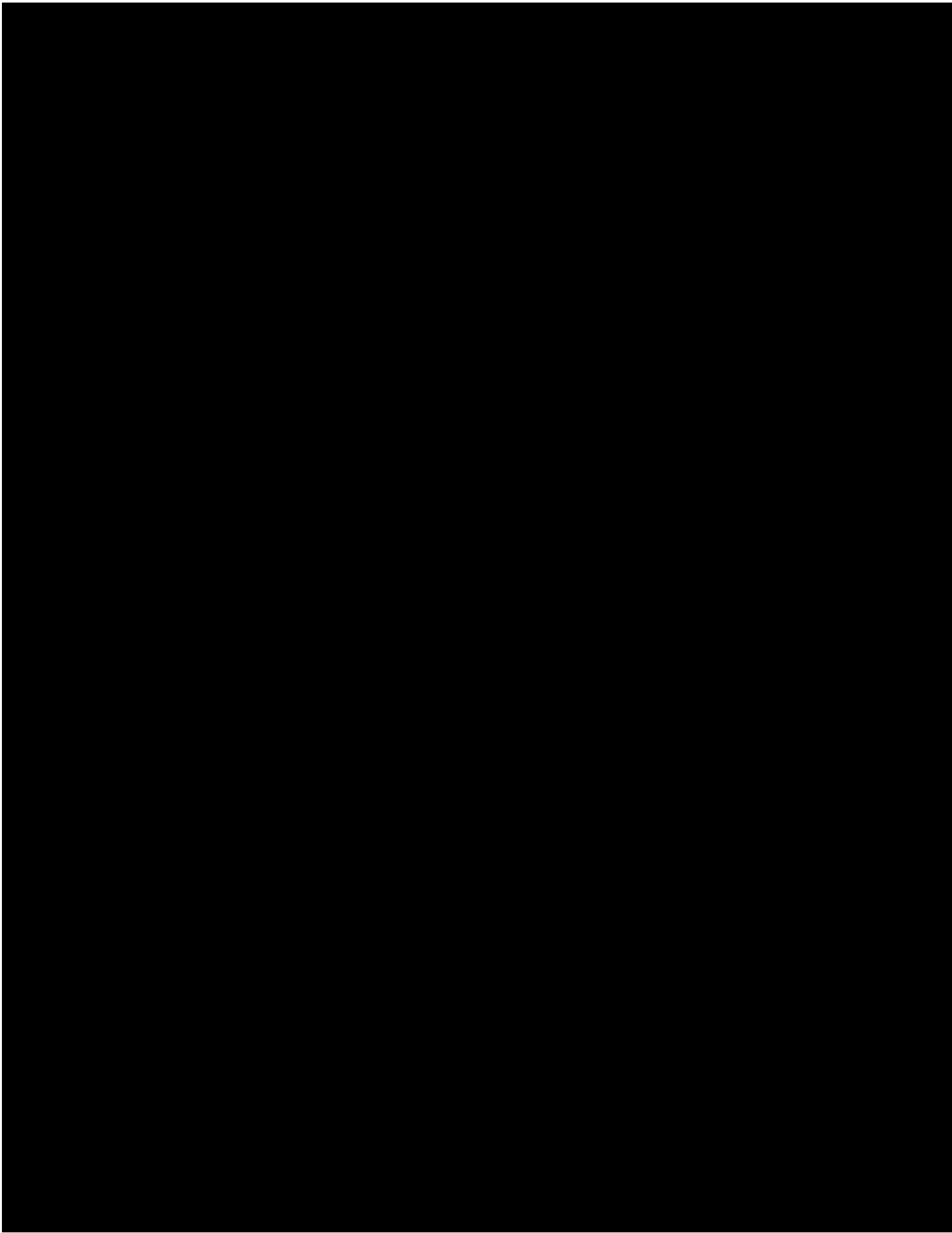


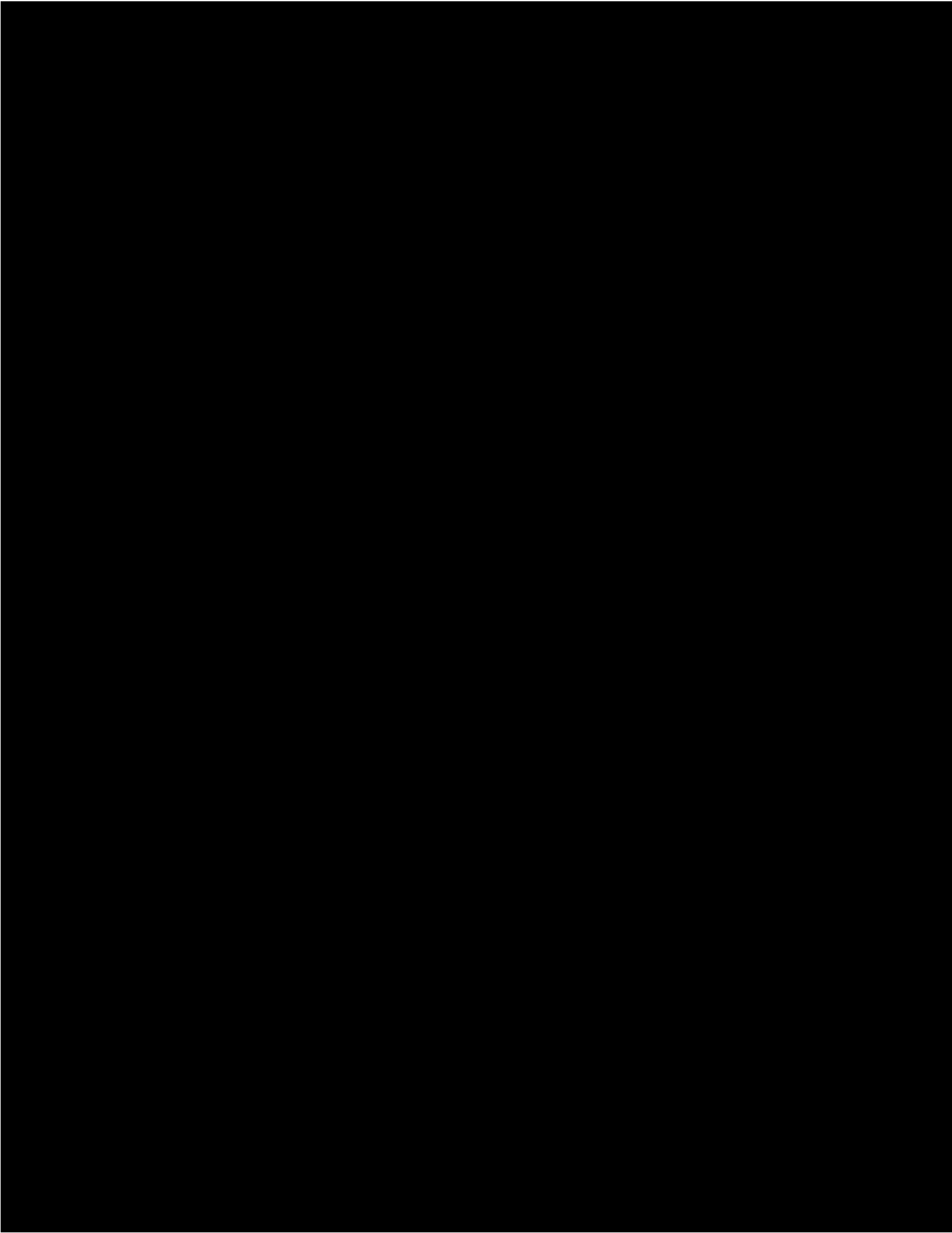












MEDICAL RECORDS

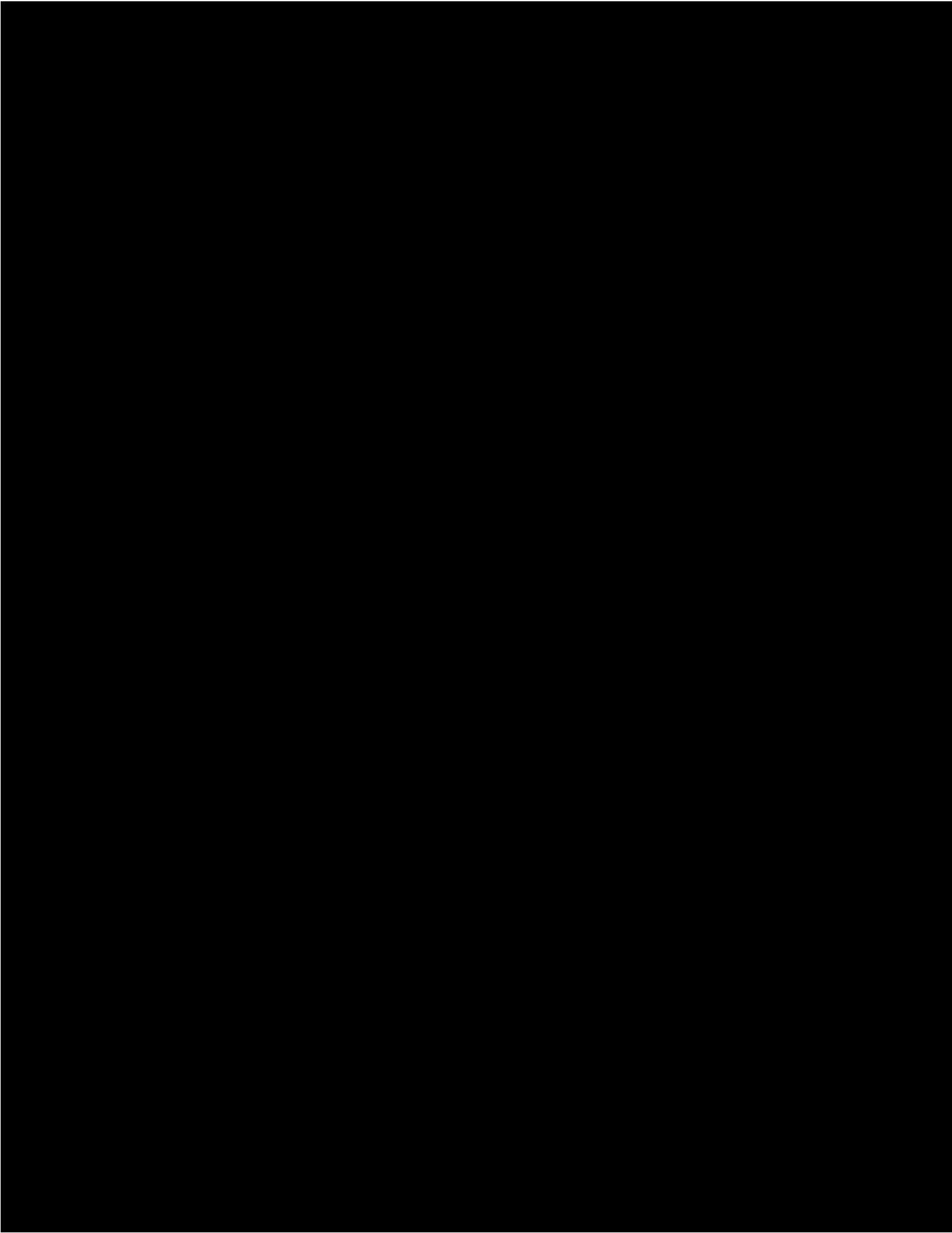
ON

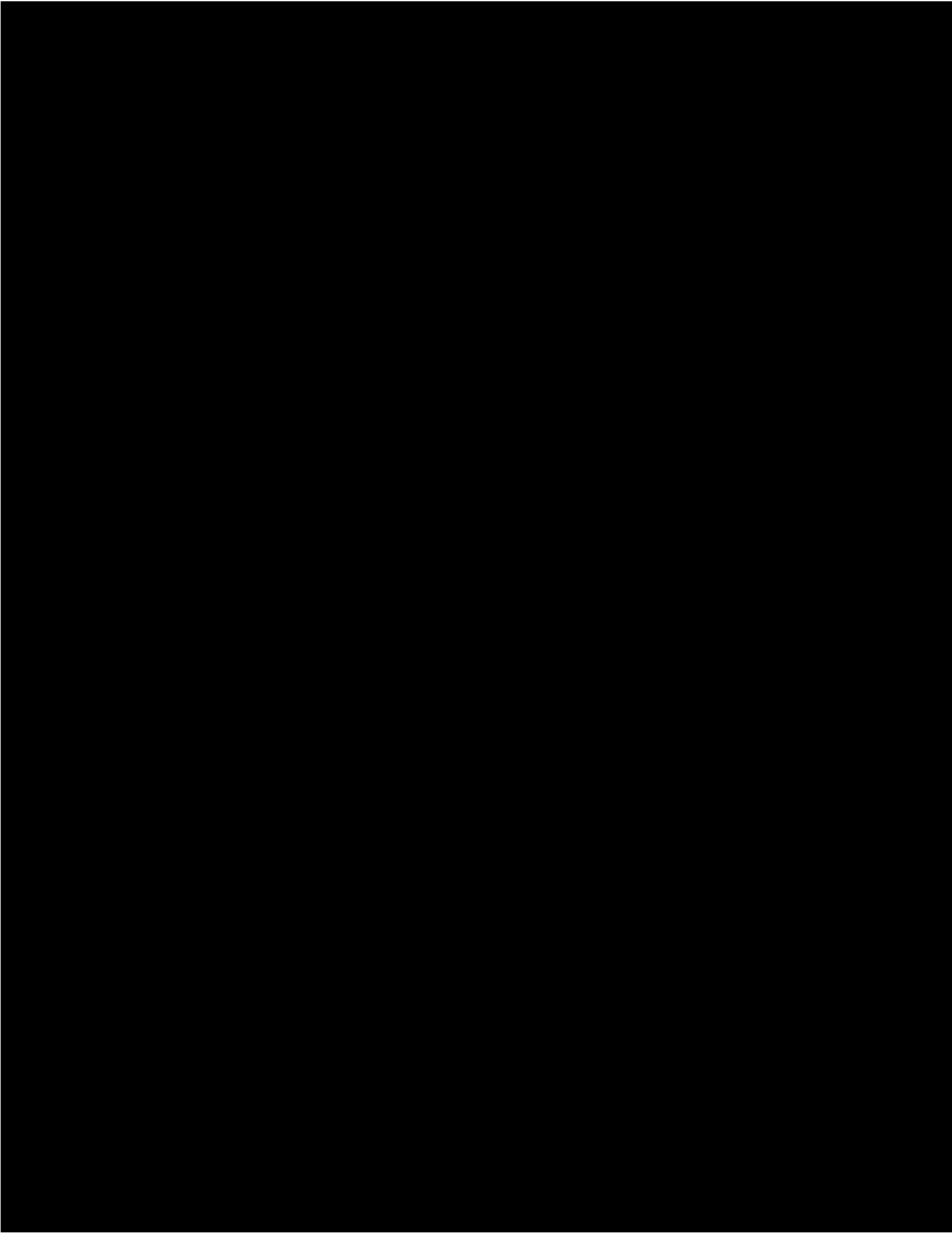
STERLING DODSON

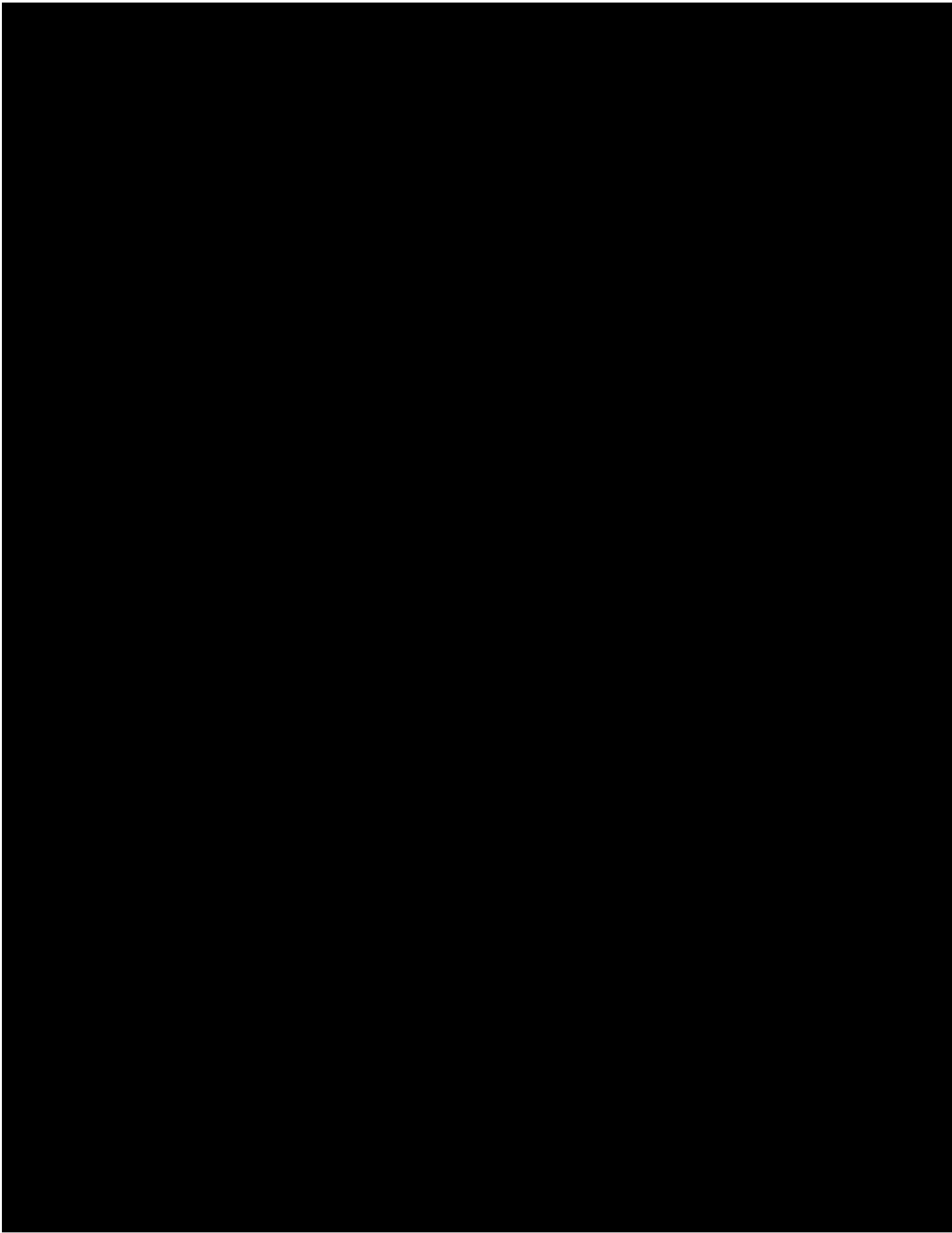
For Date of Accident 7/11/2023

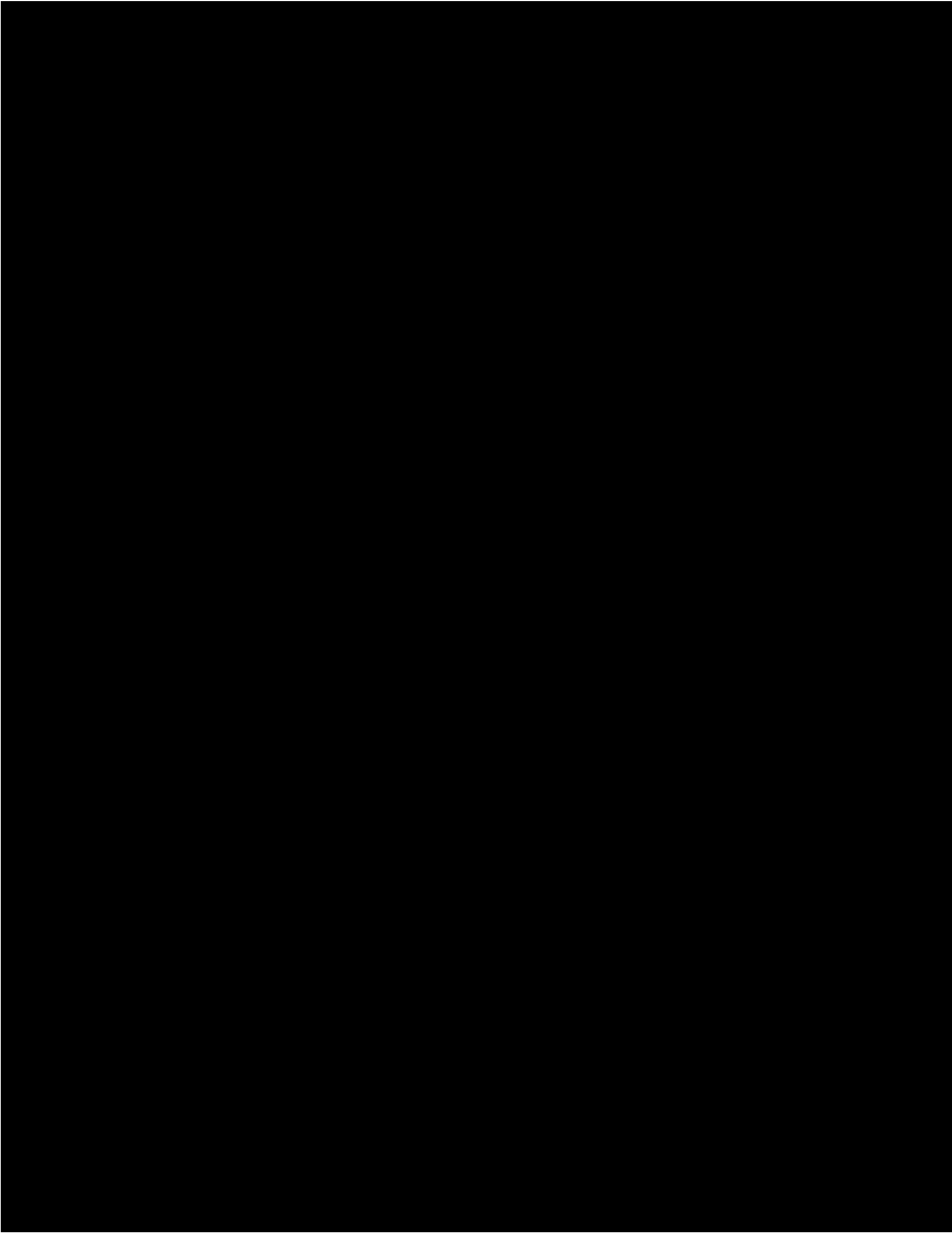
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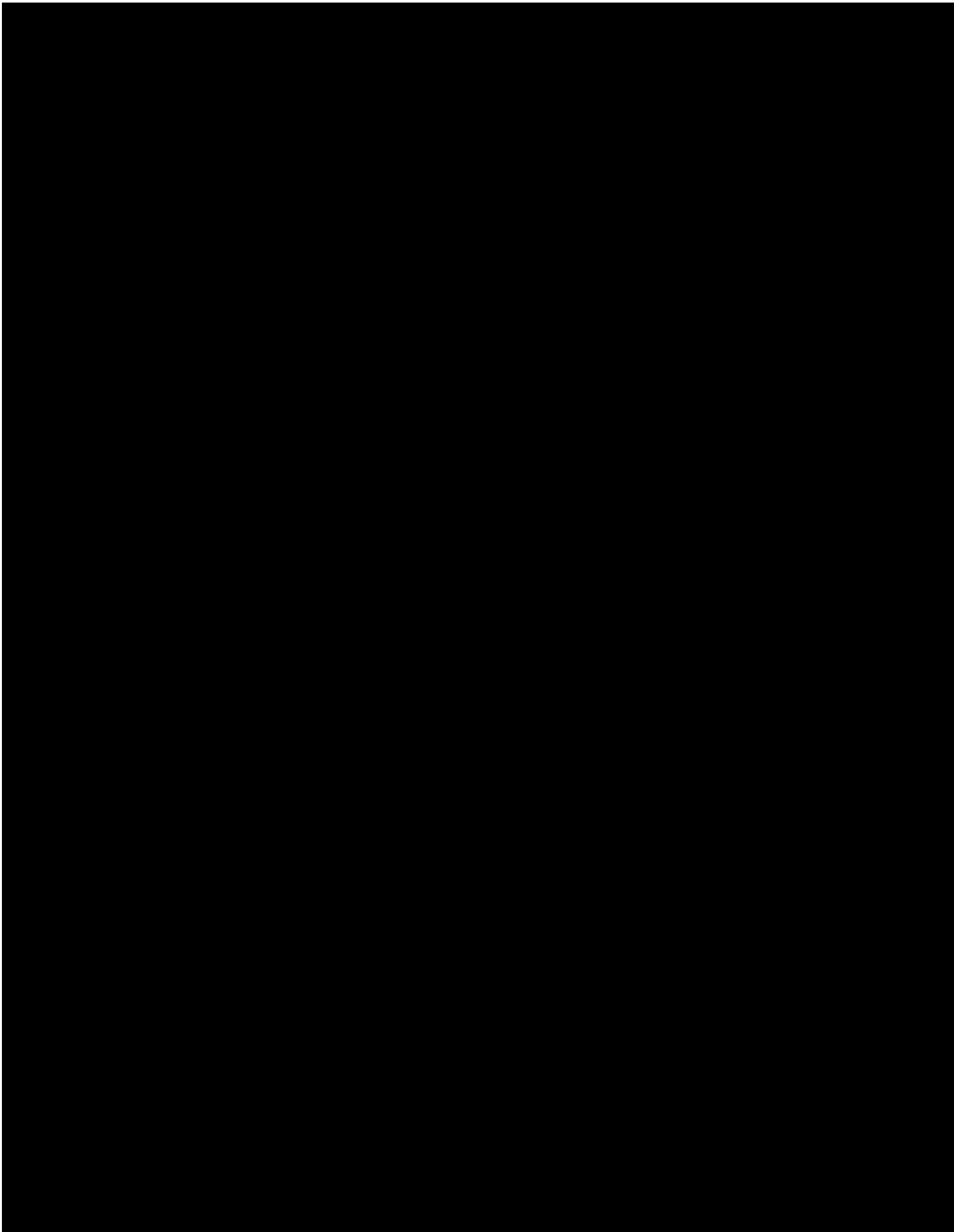


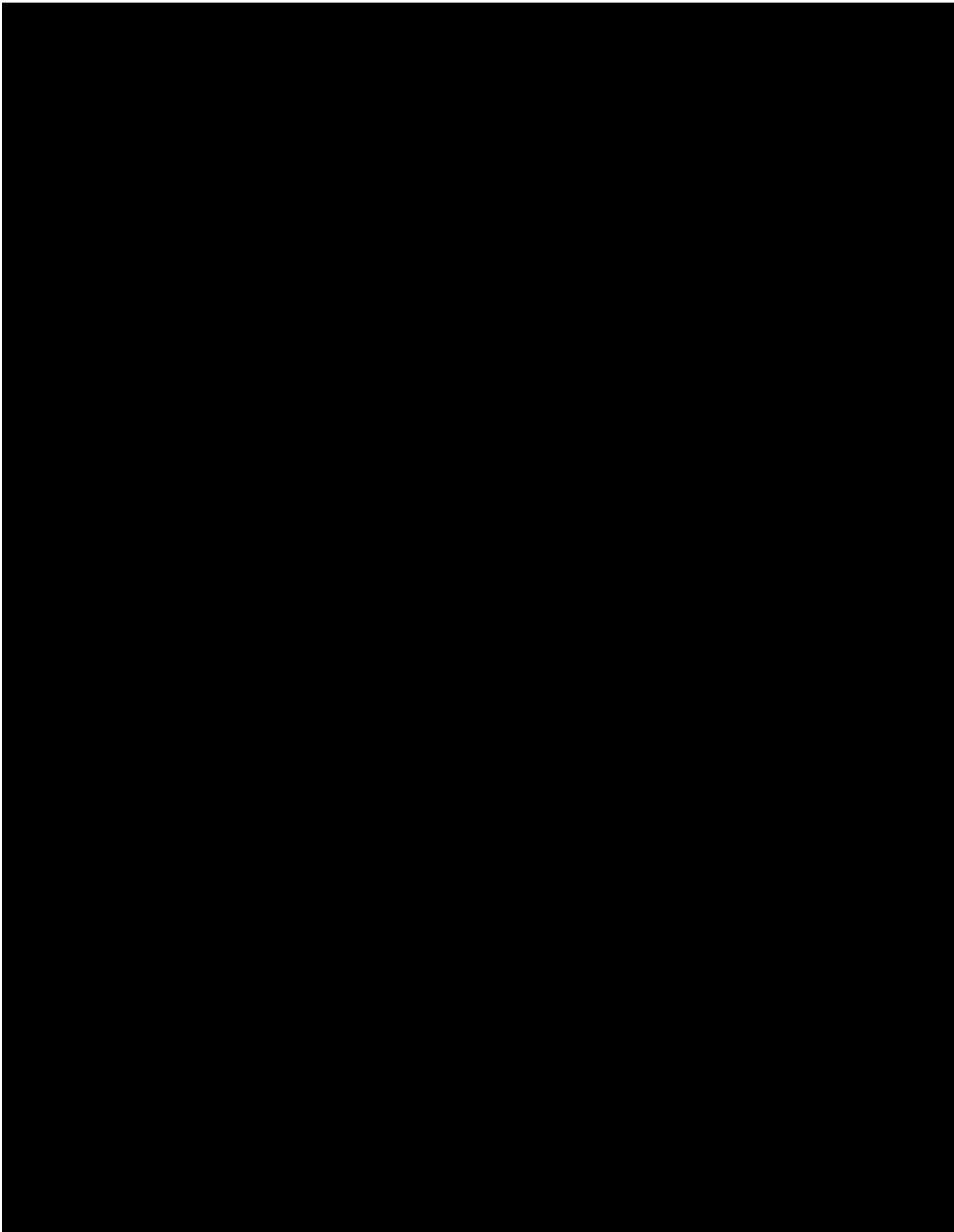


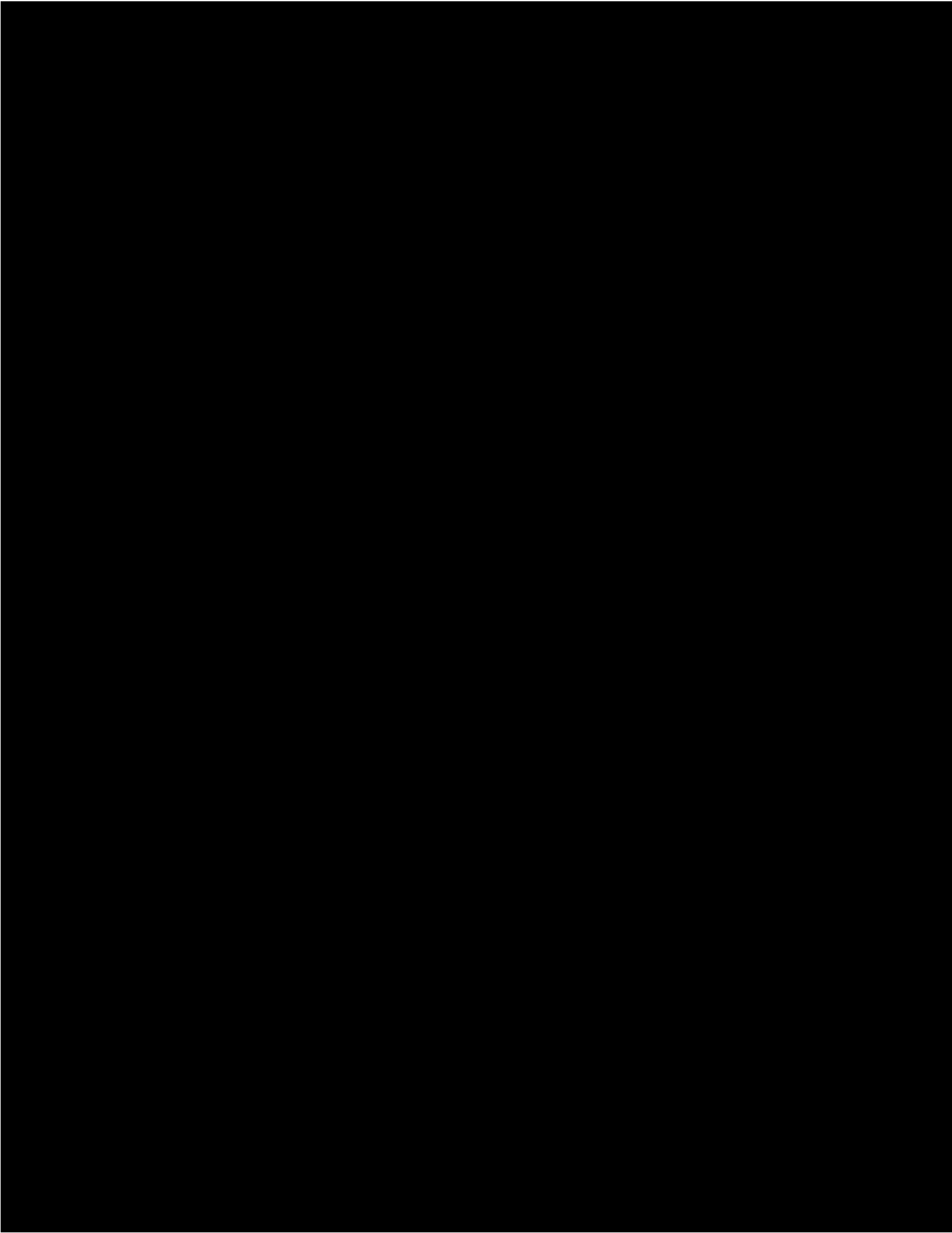


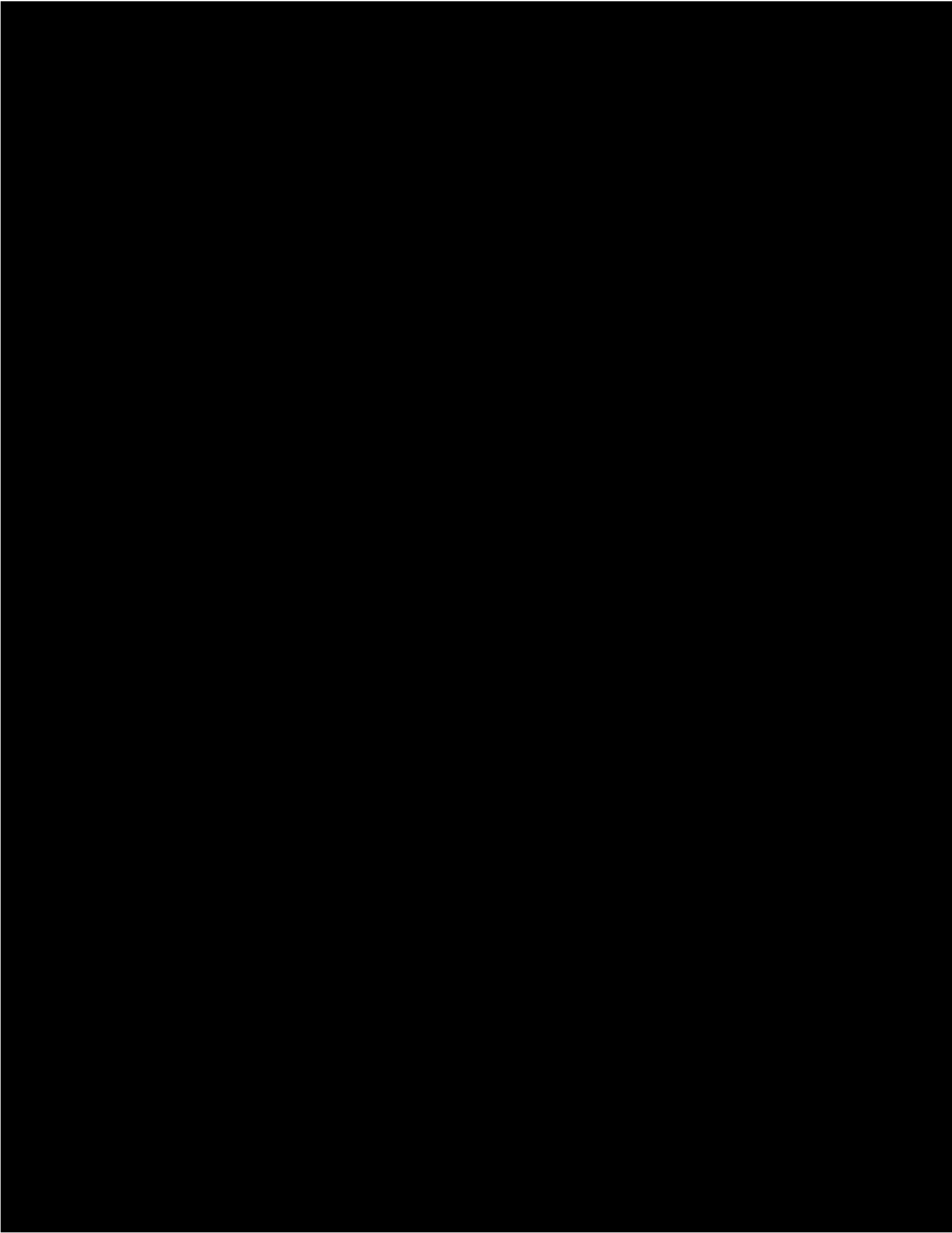












MEDICAL RECORDS

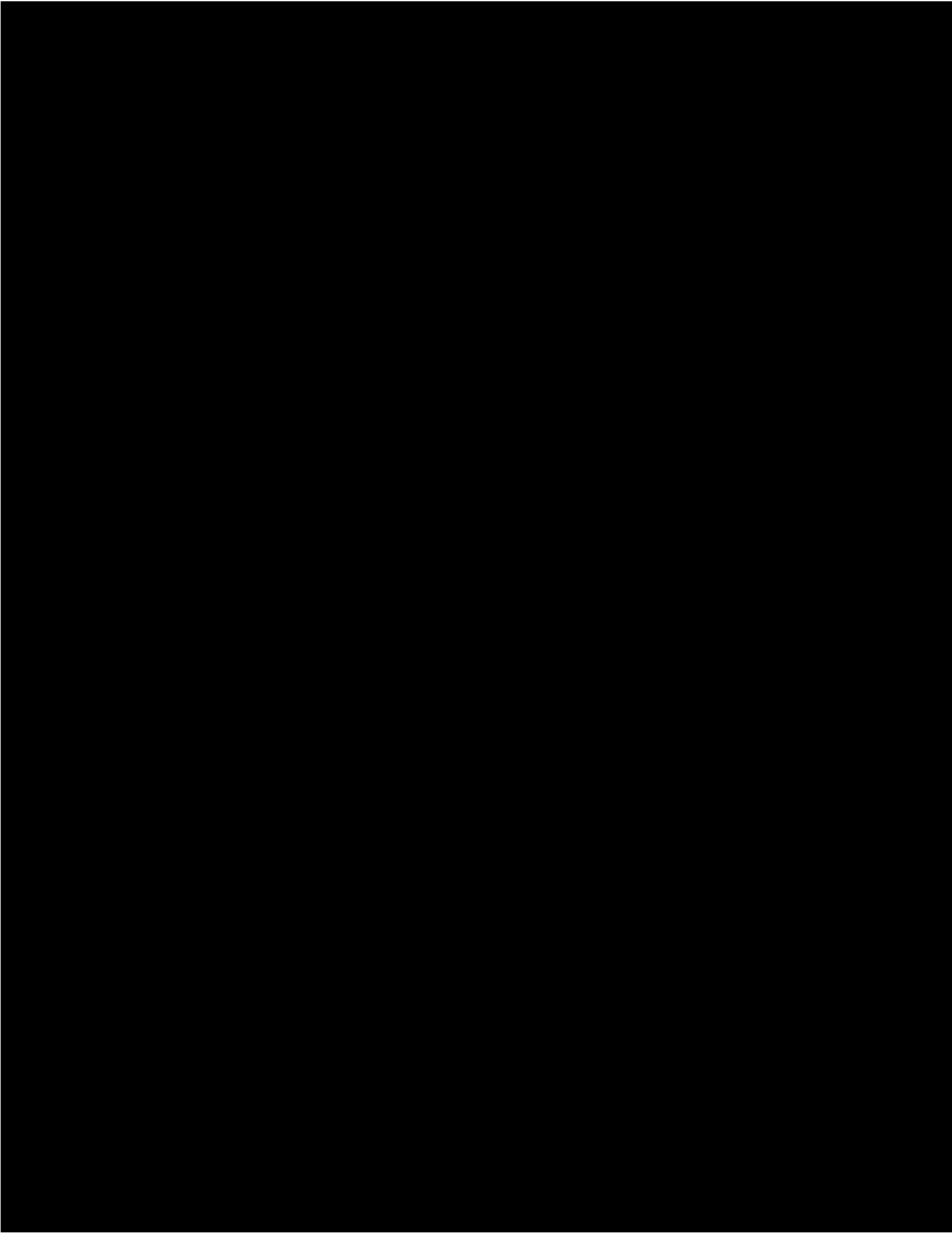
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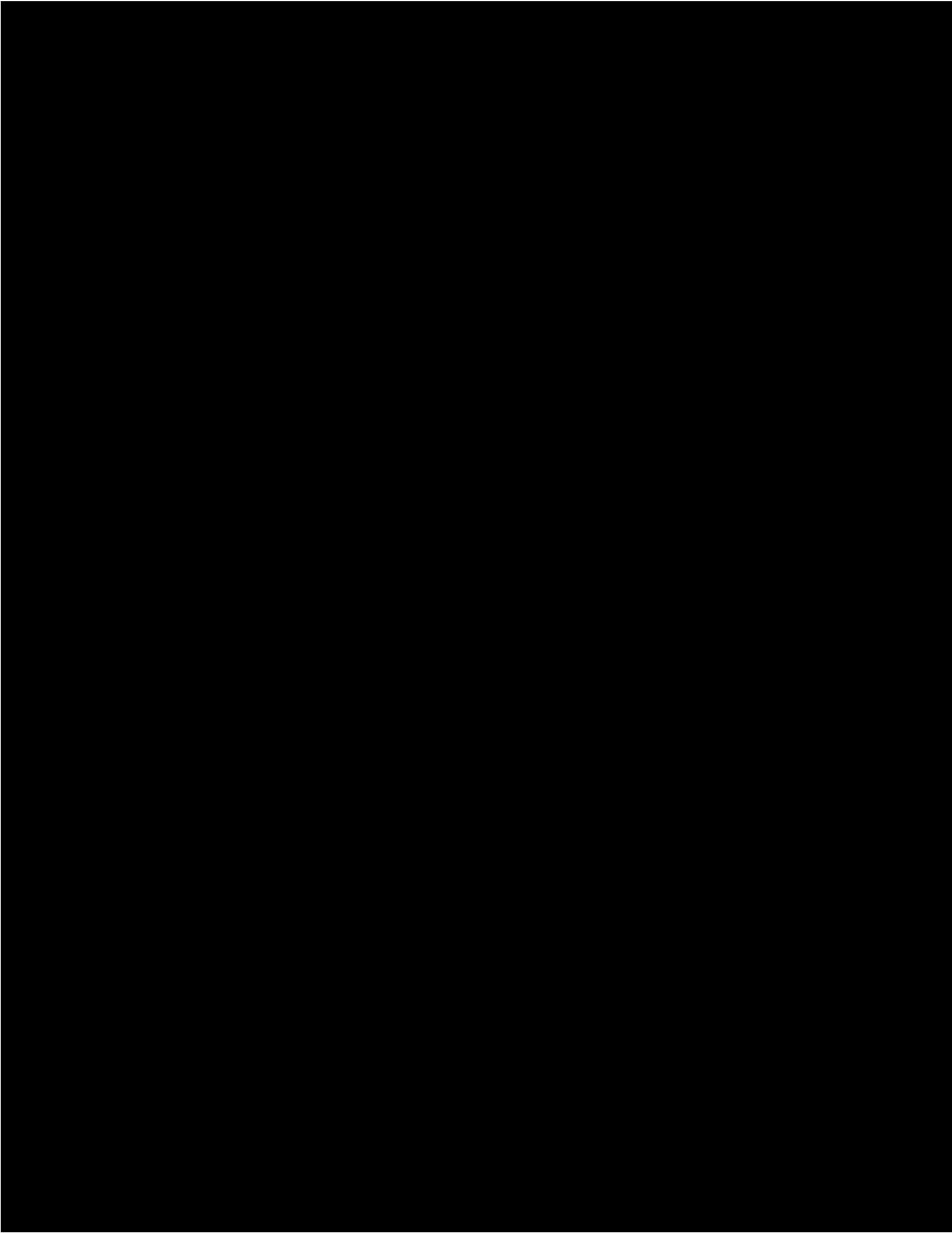
STERLING DODSON

For Date of Accident 7/11/2023

FROM







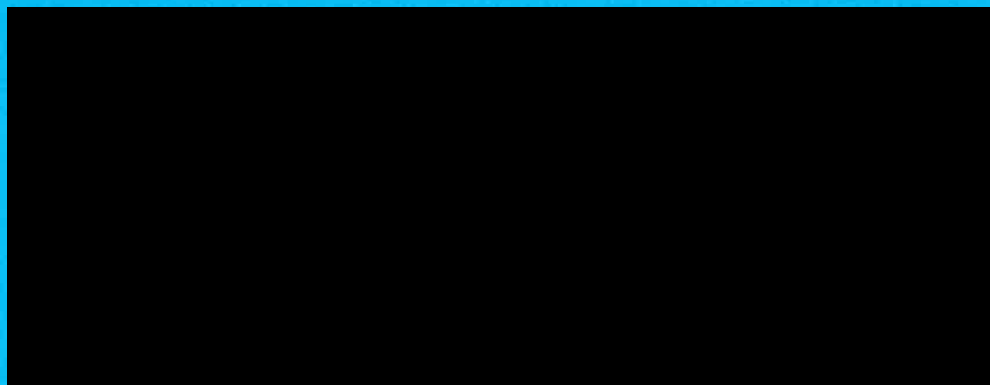
MEDICAL RECORDS

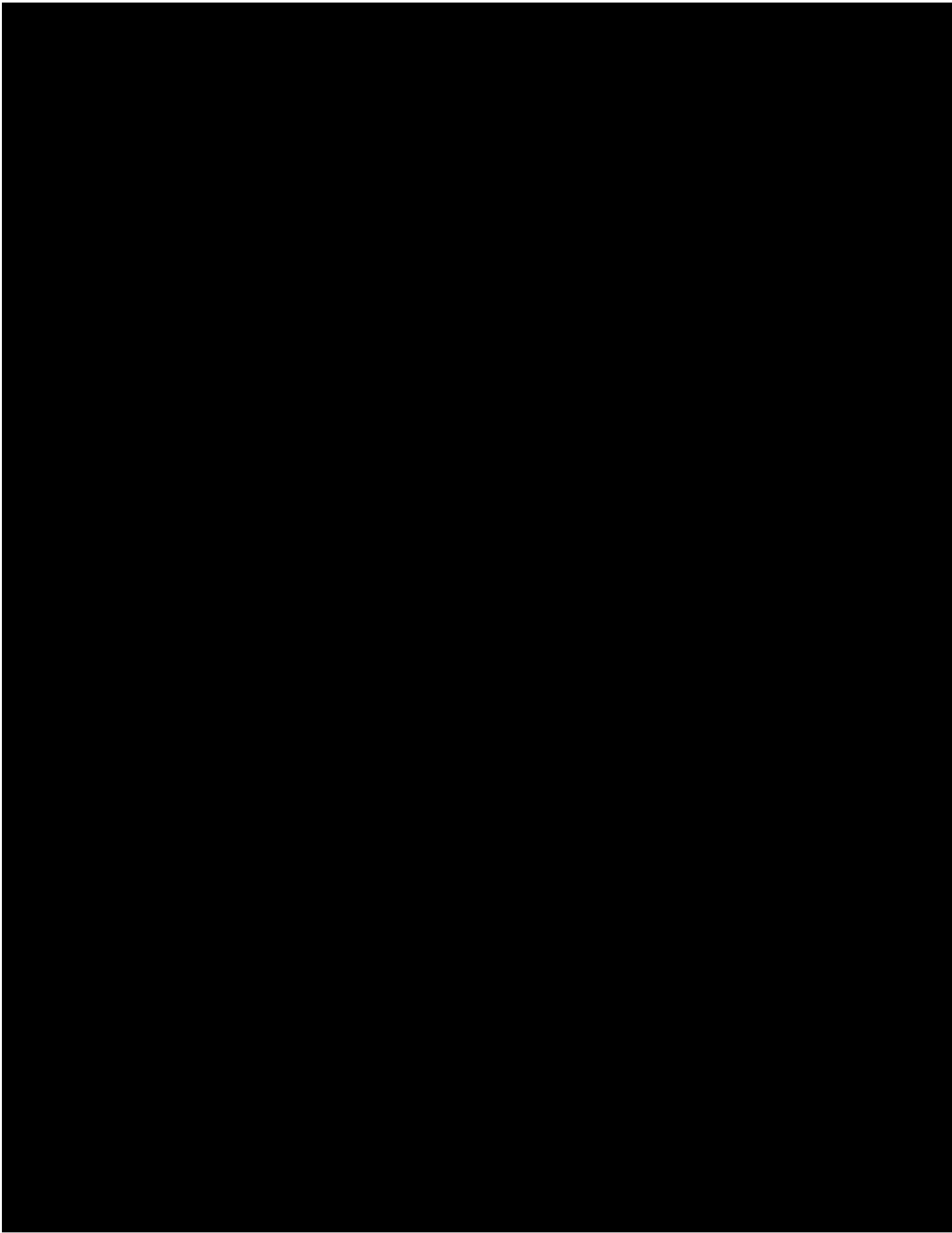
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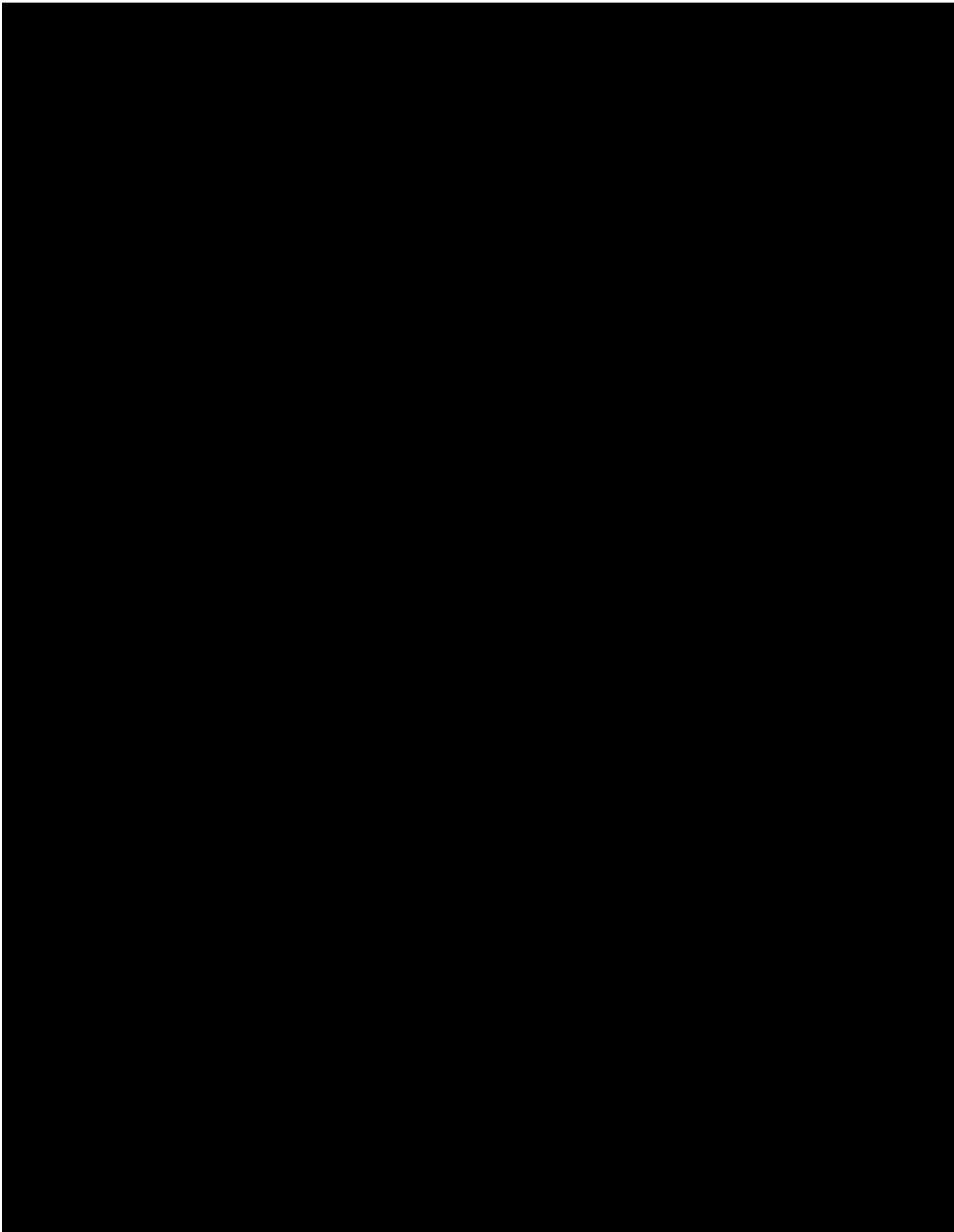
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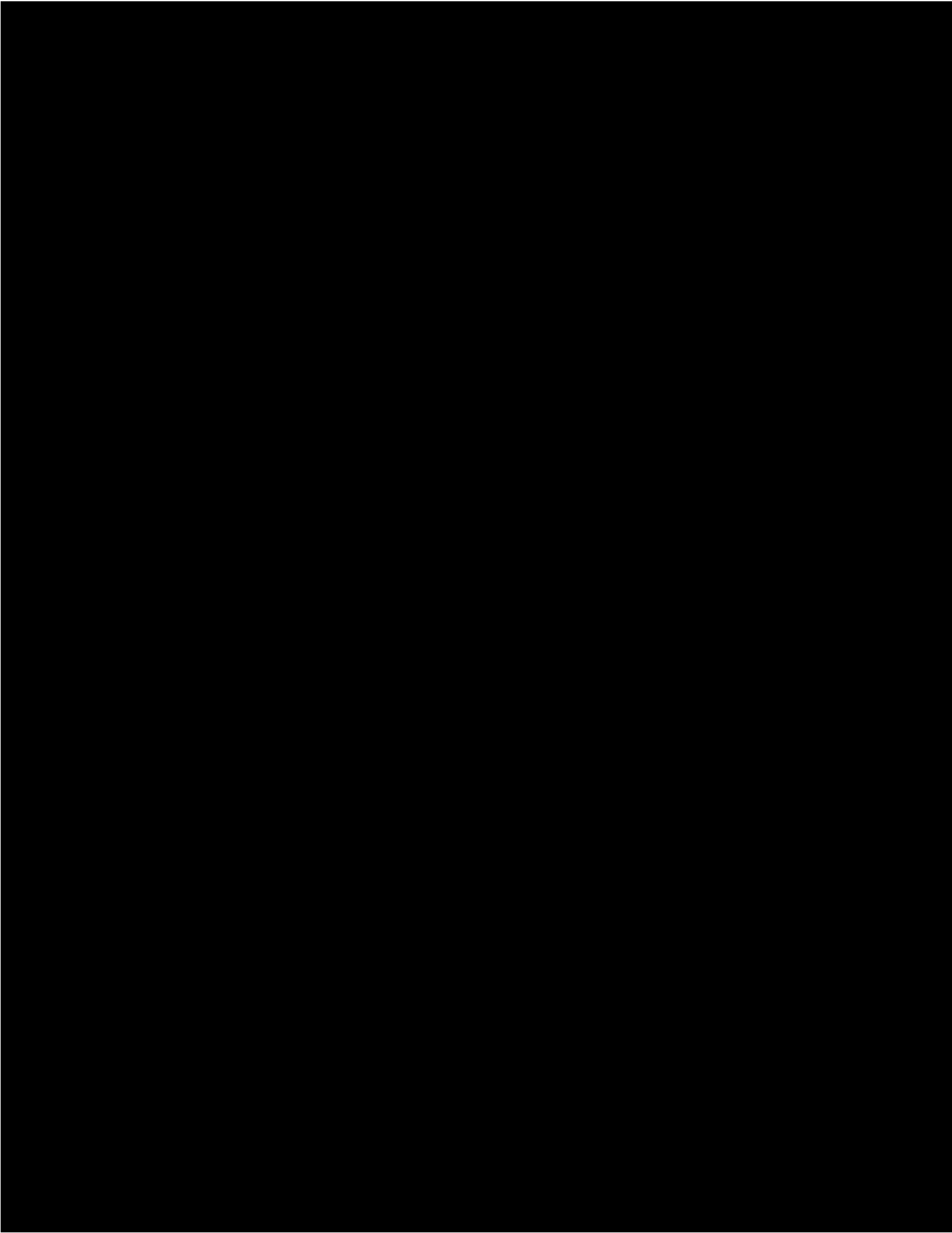
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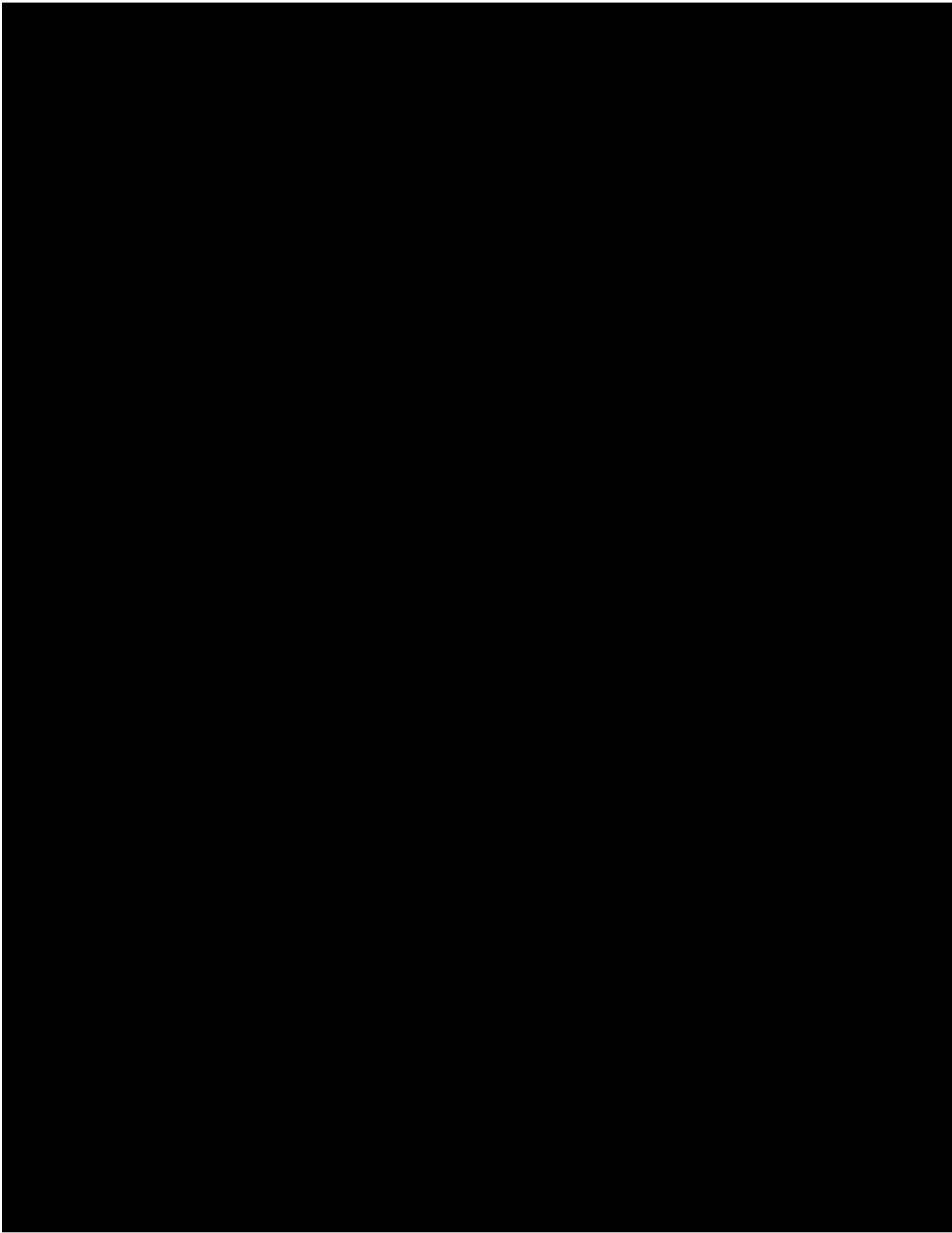
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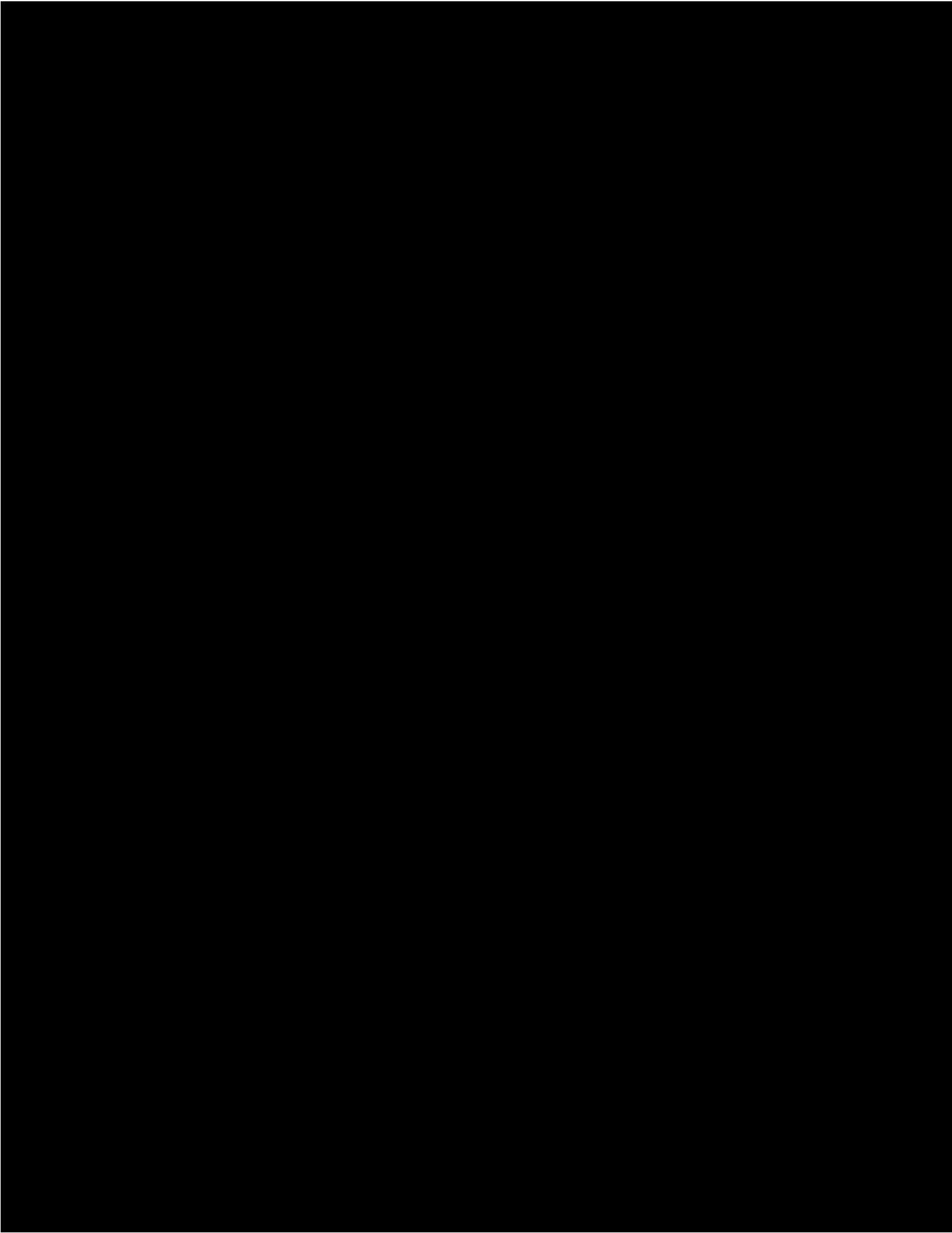


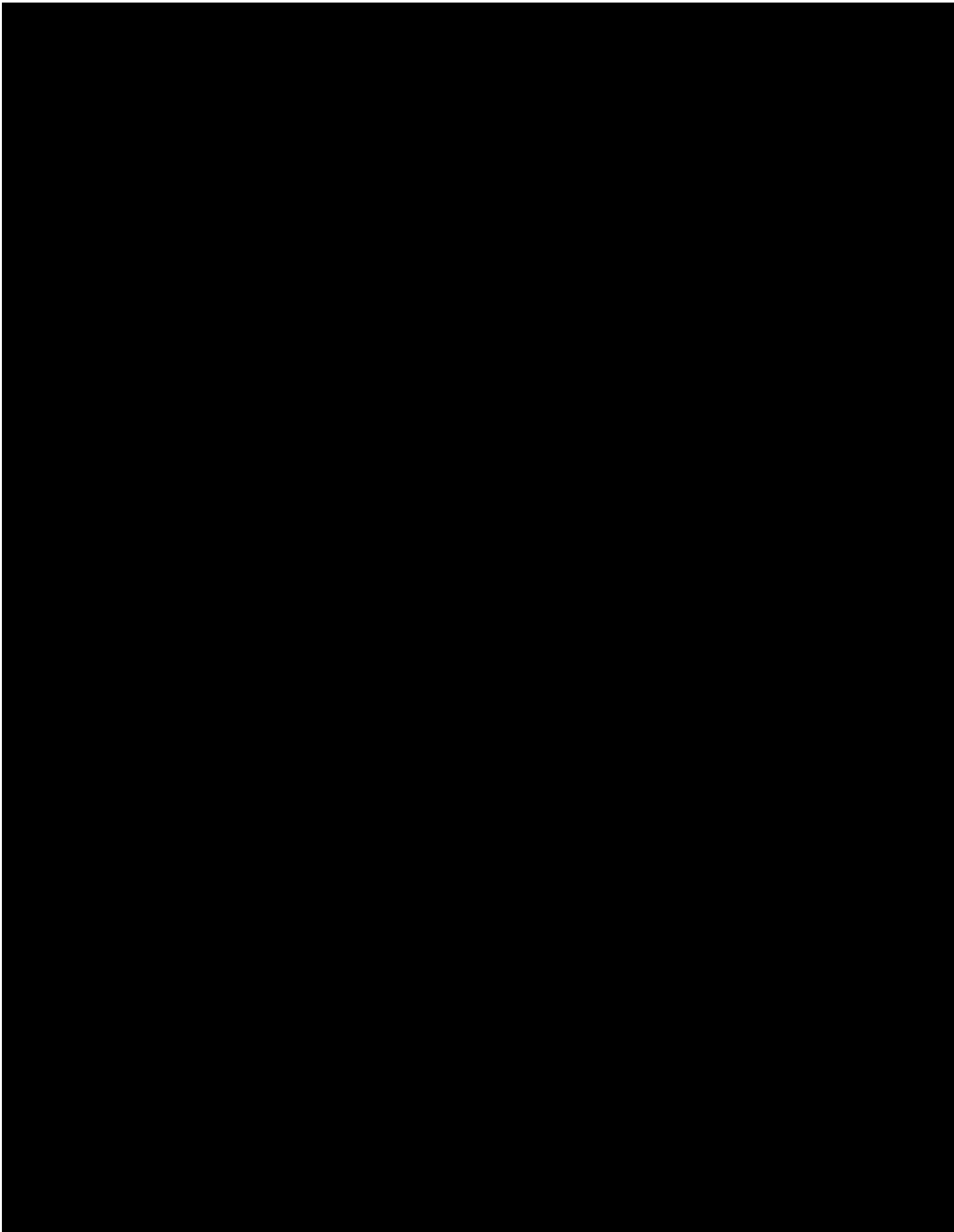


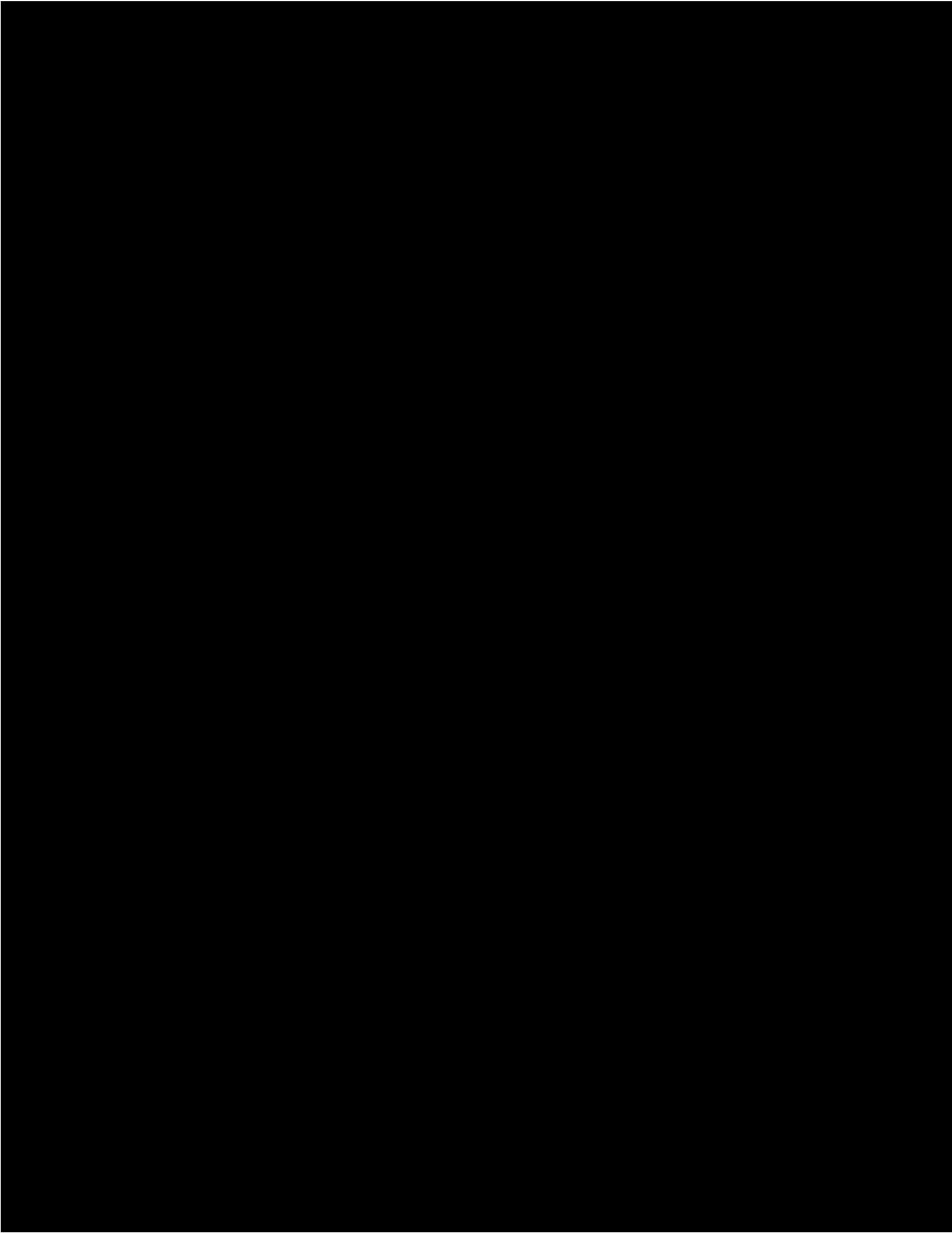


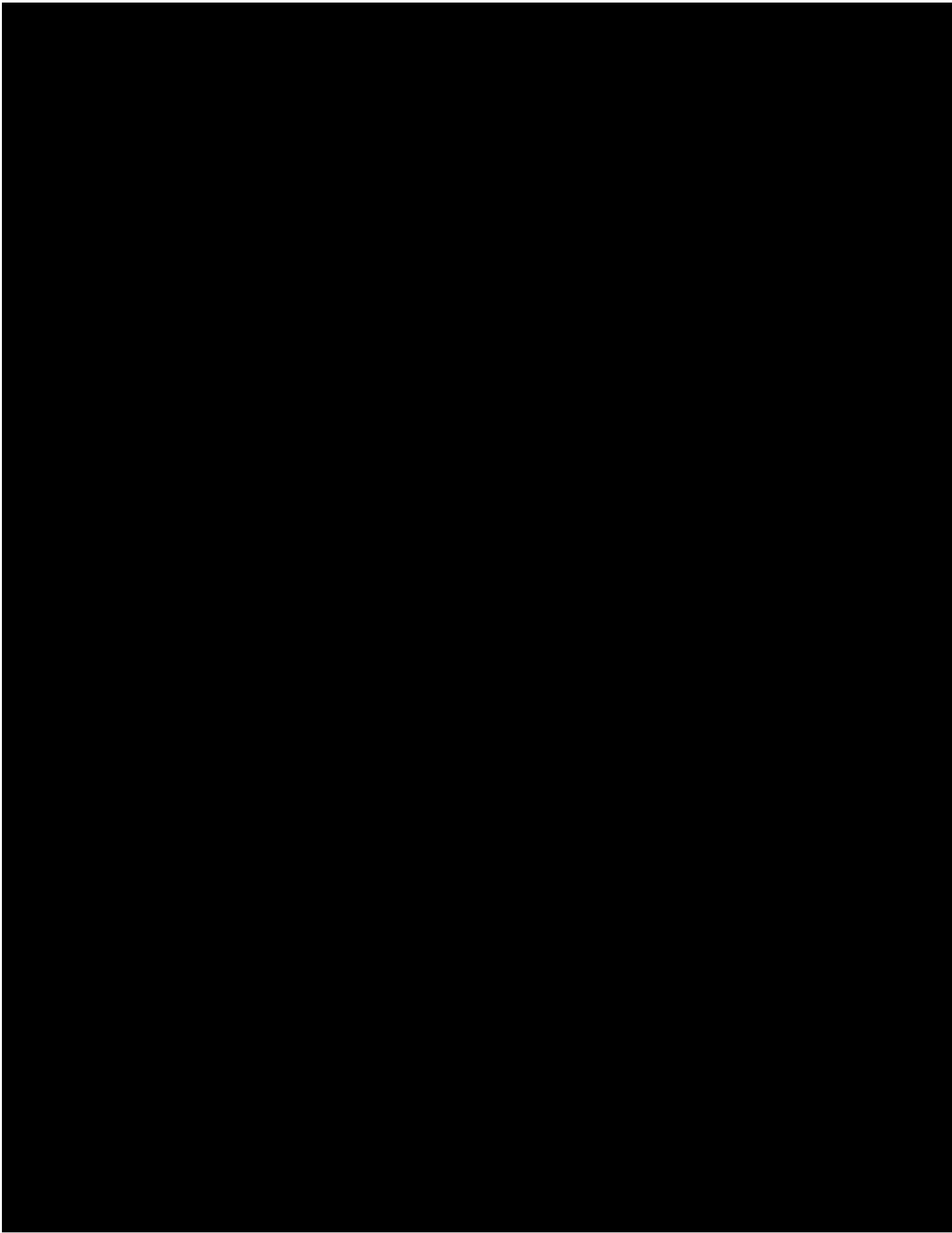


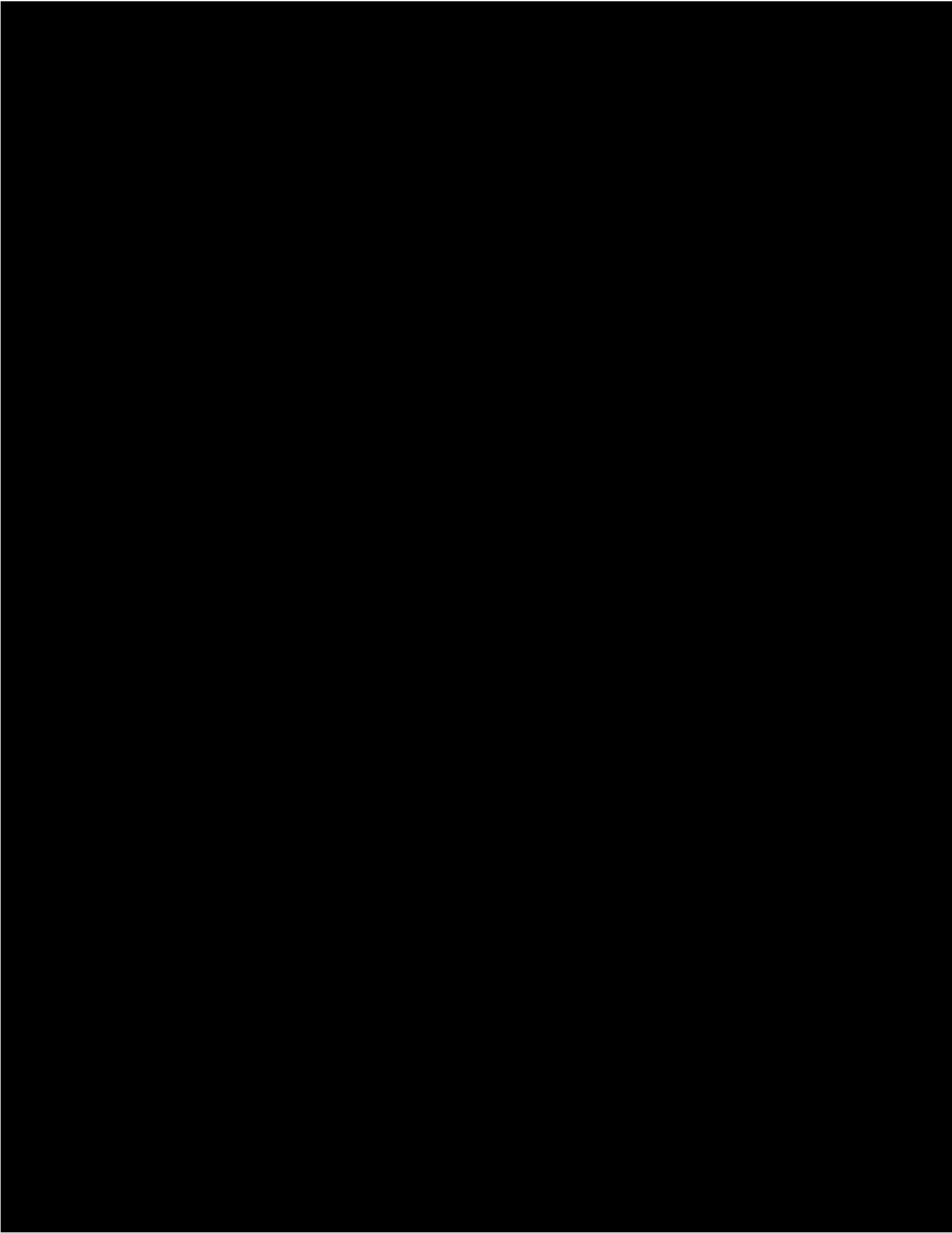


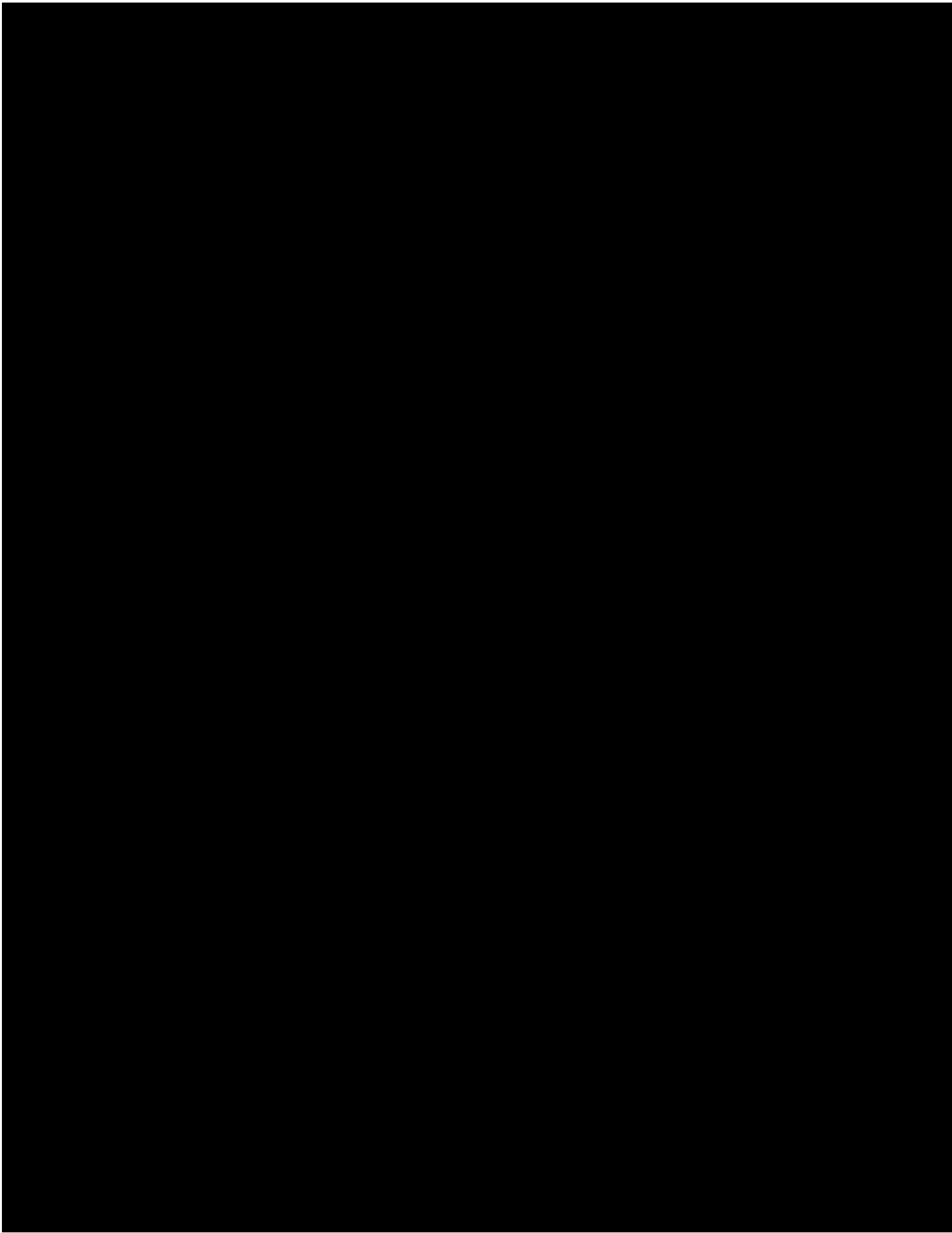


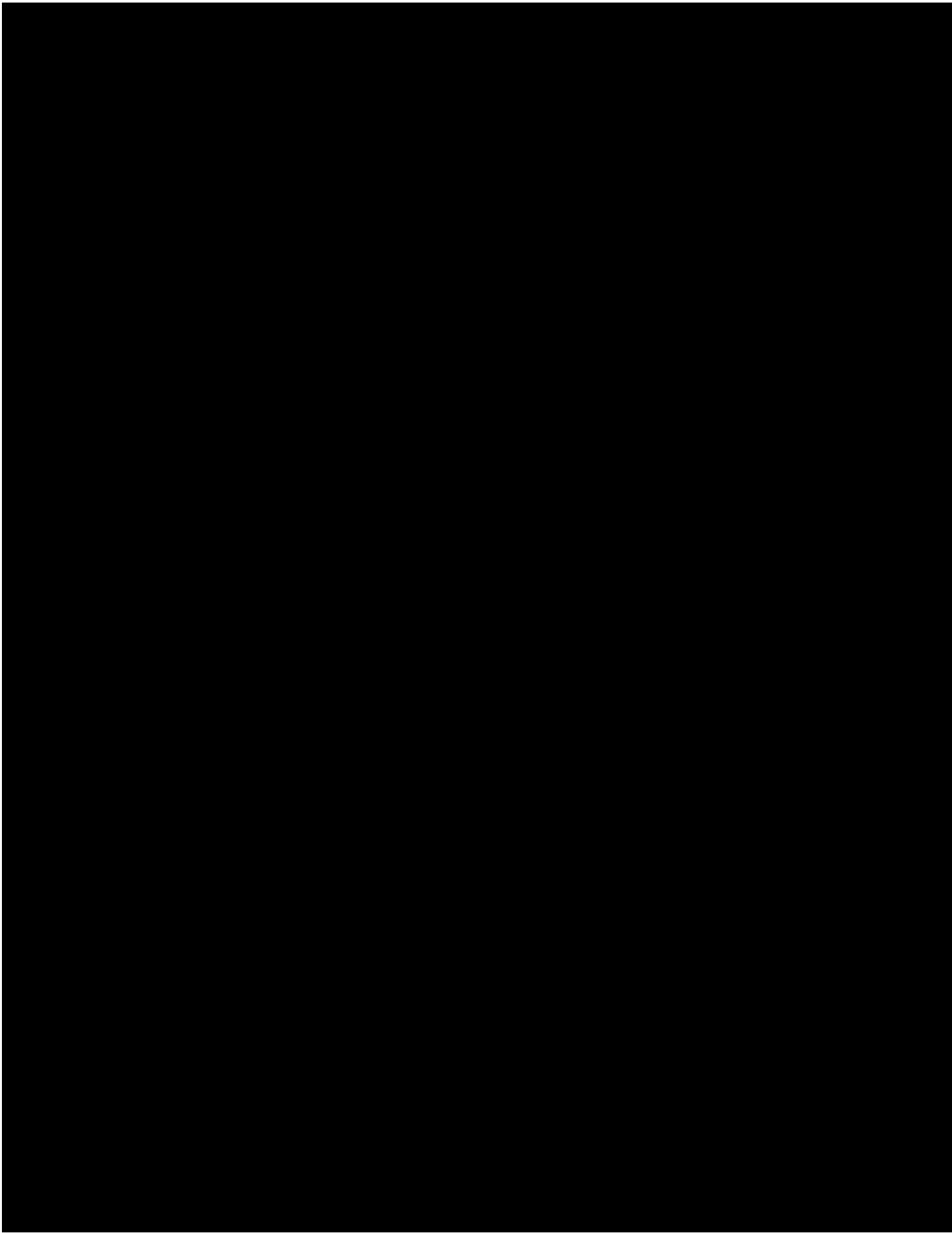












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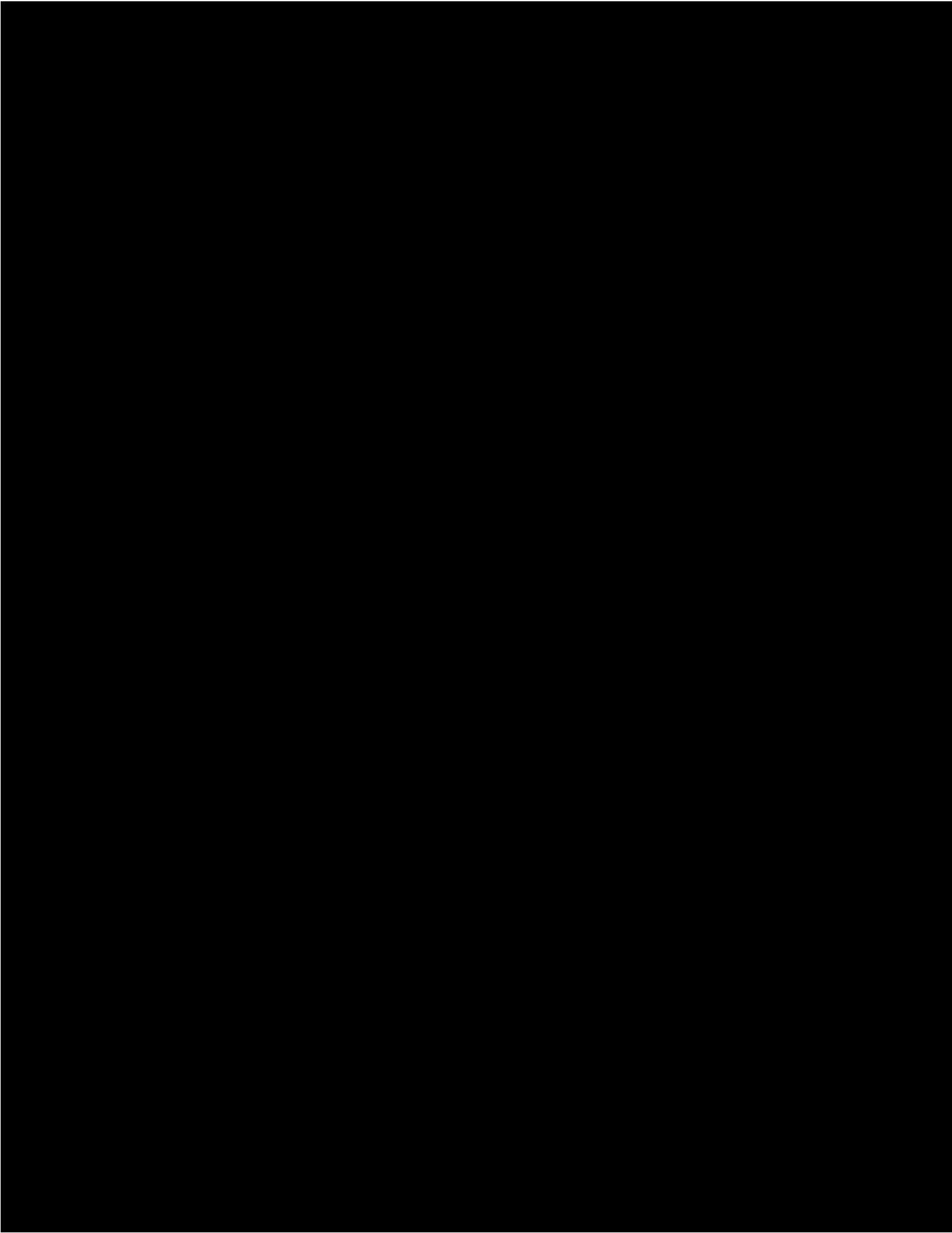
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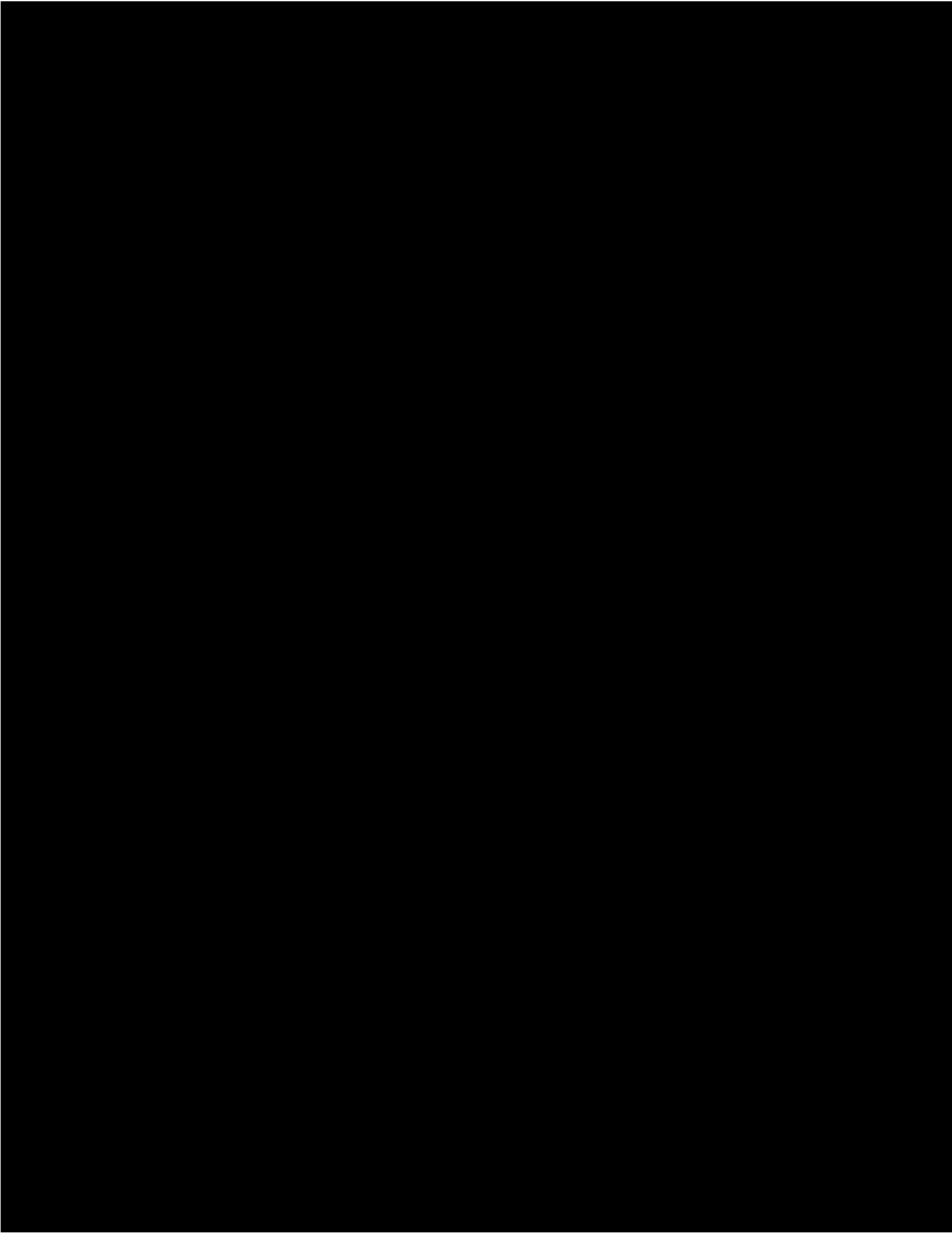
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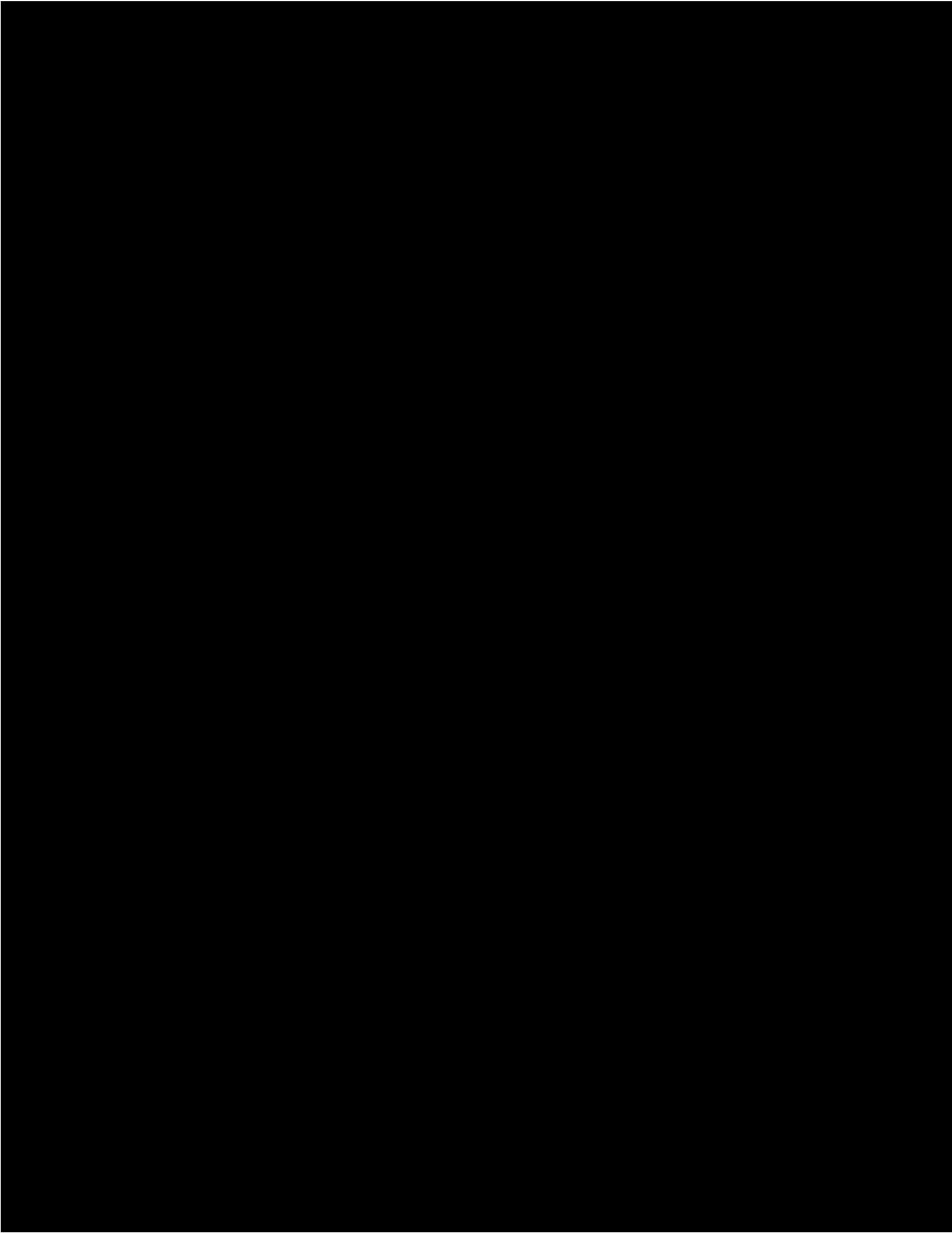
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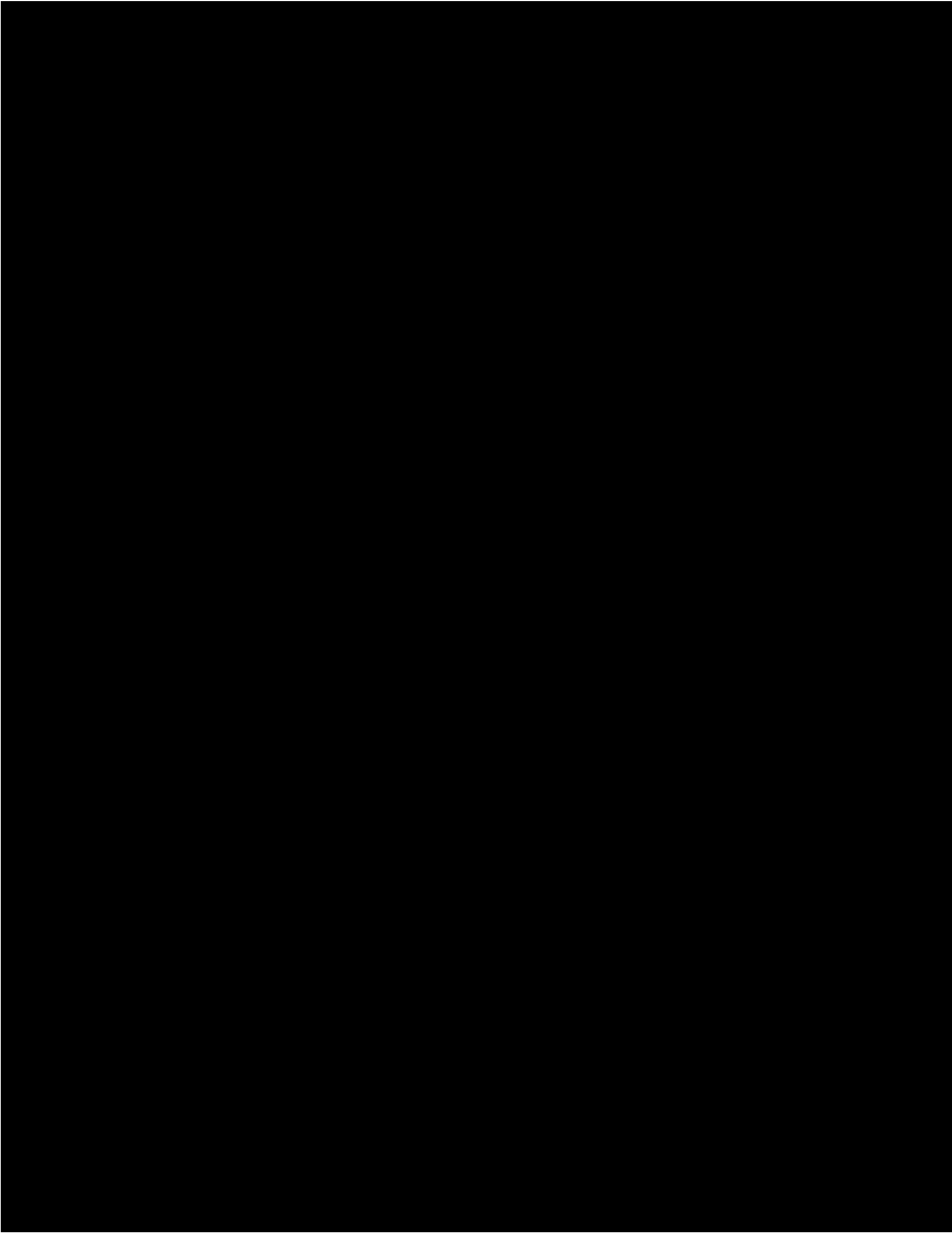
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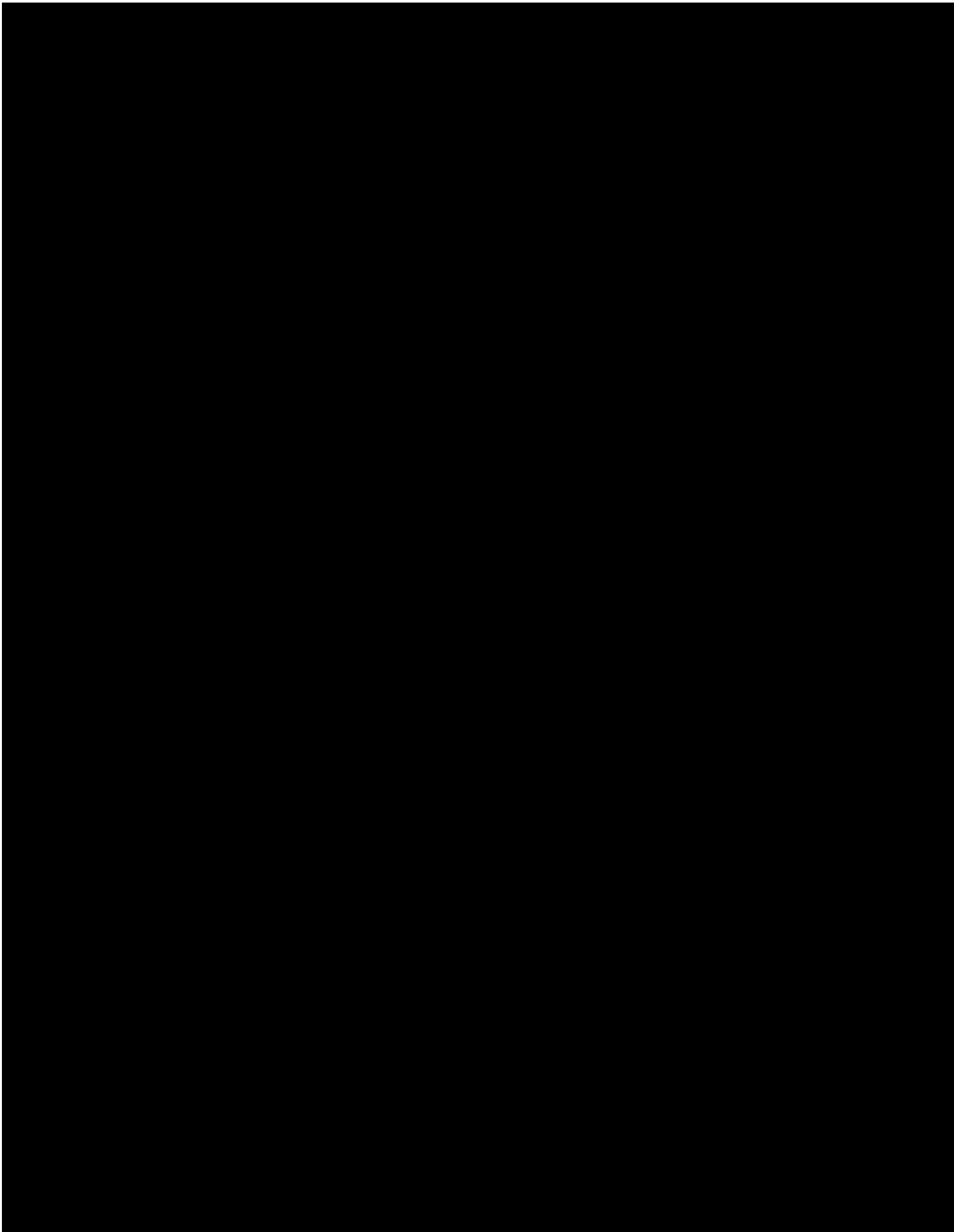


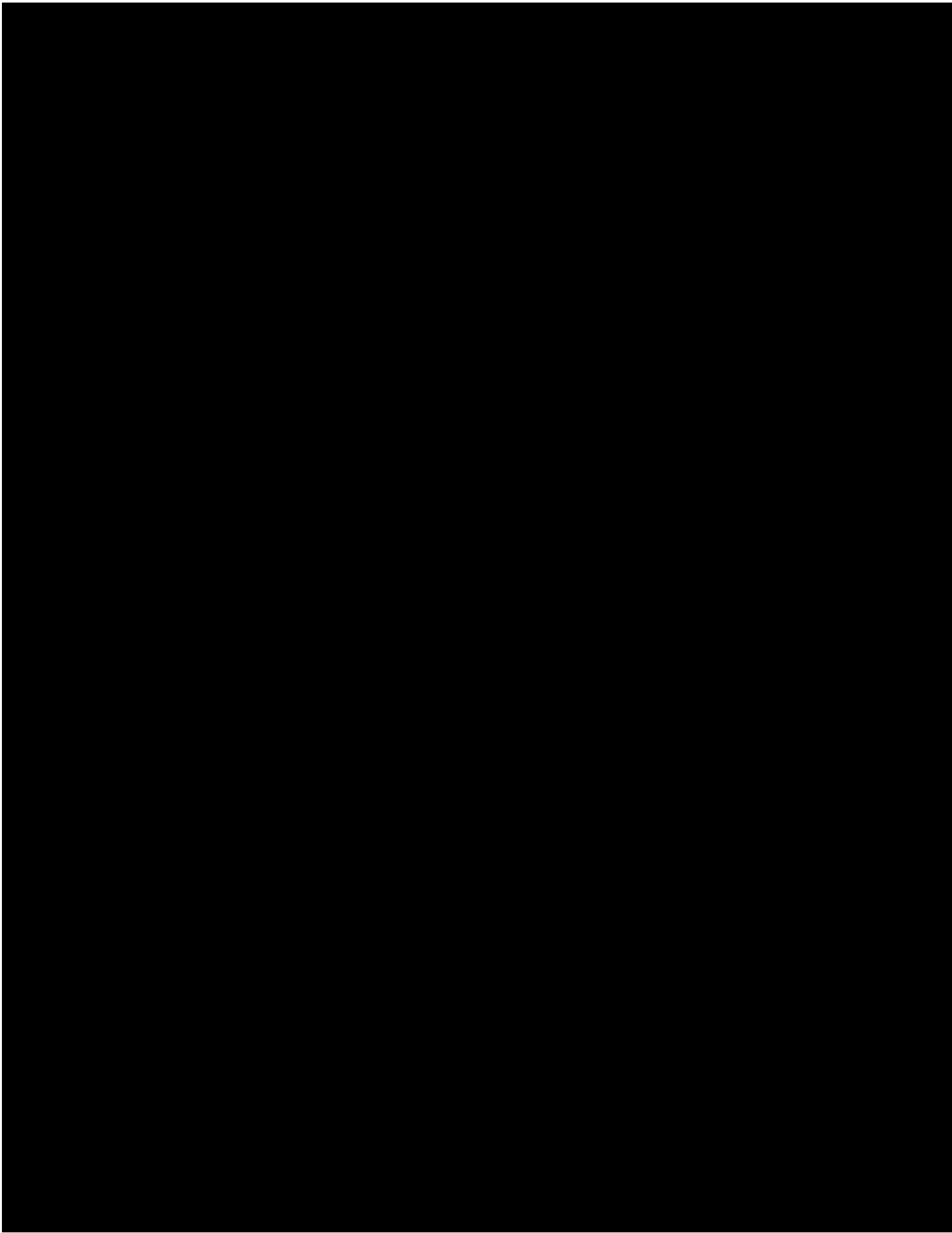


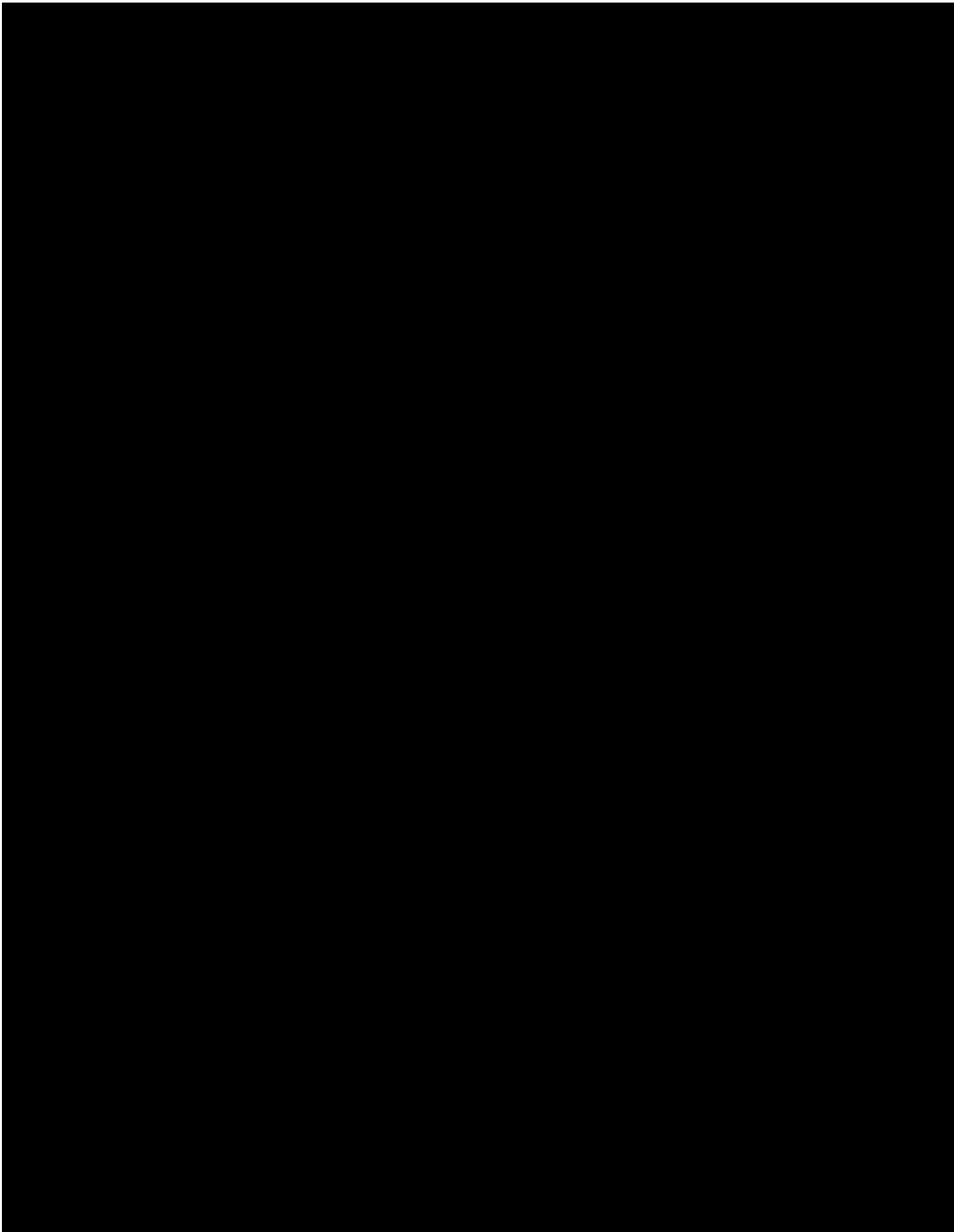


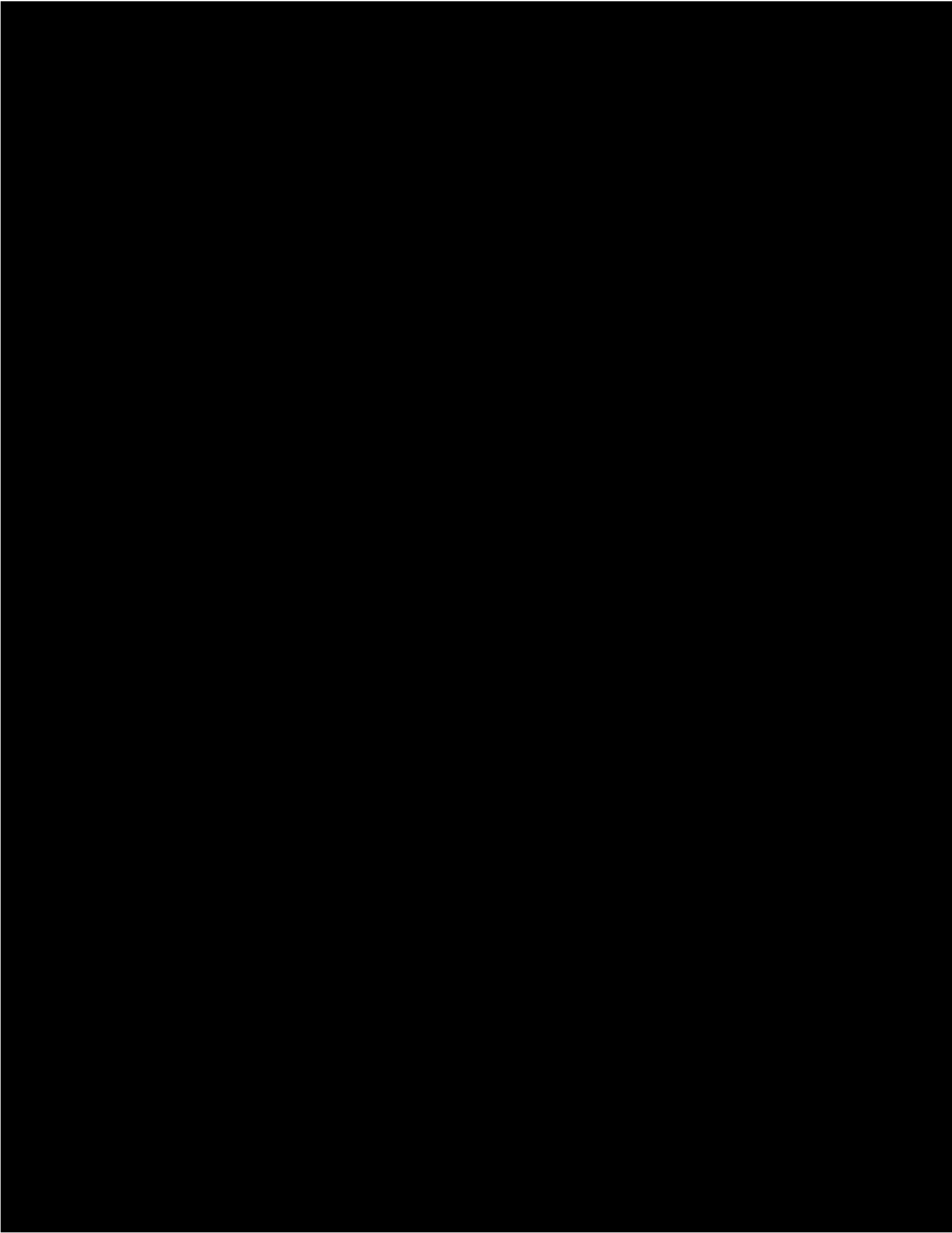


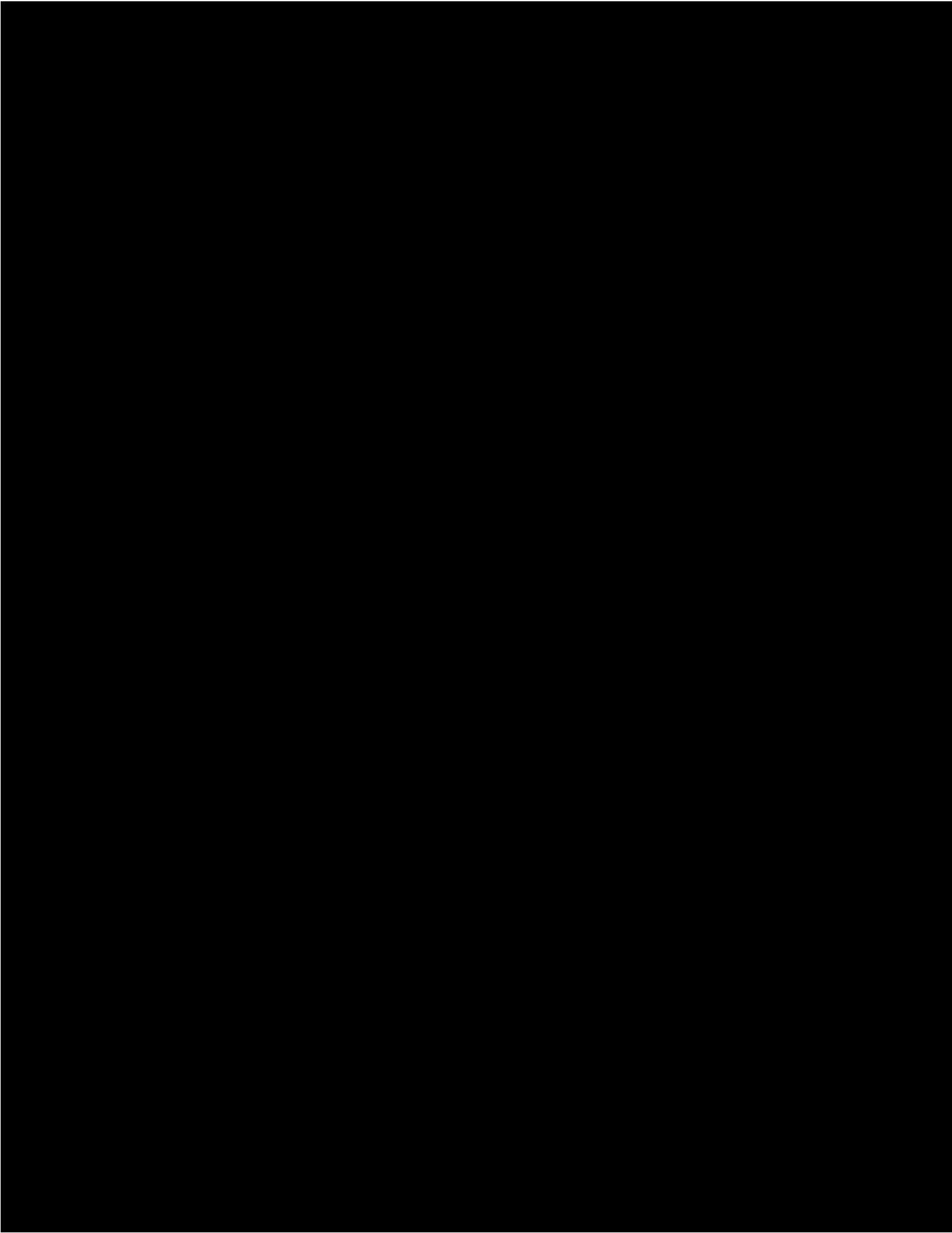


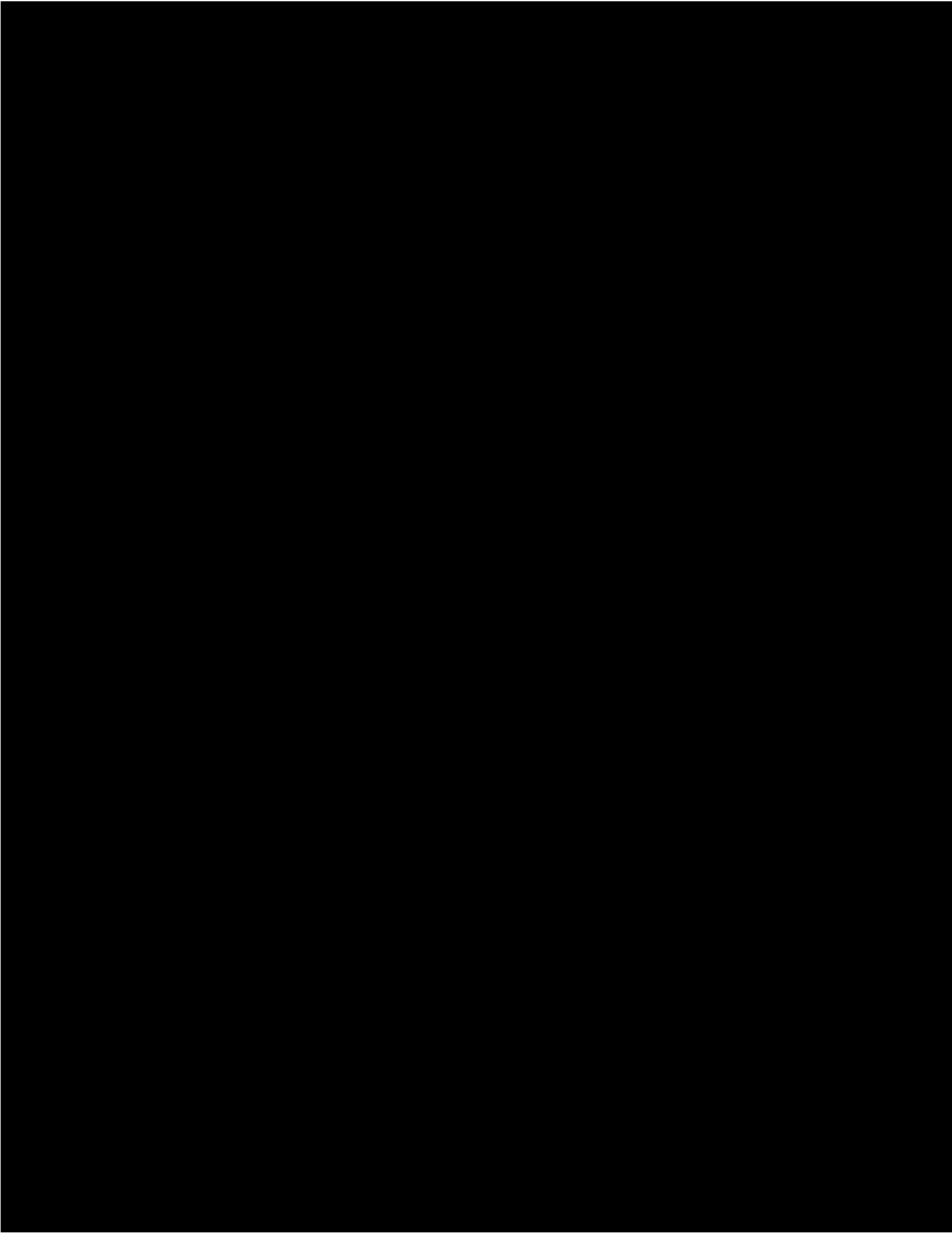


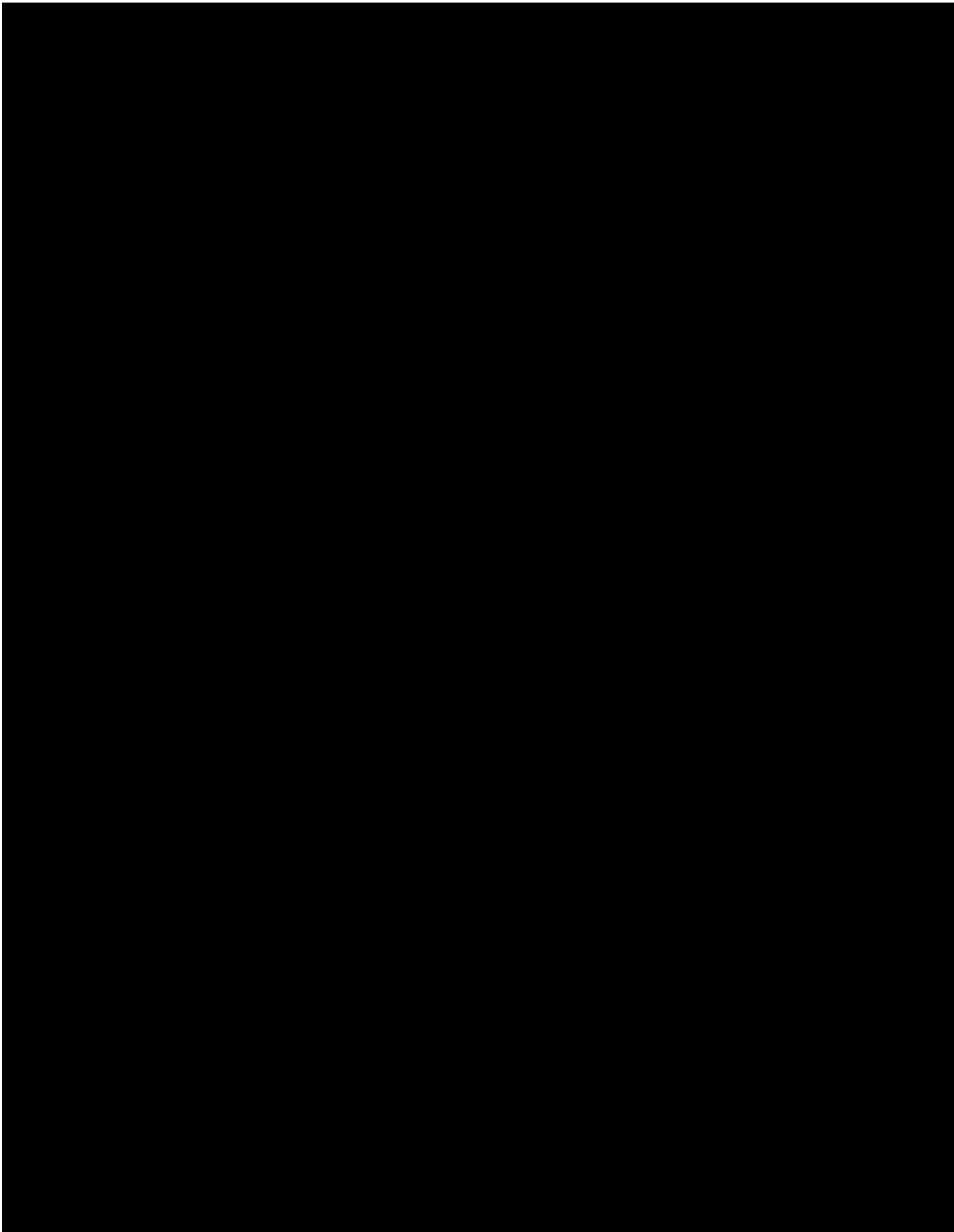


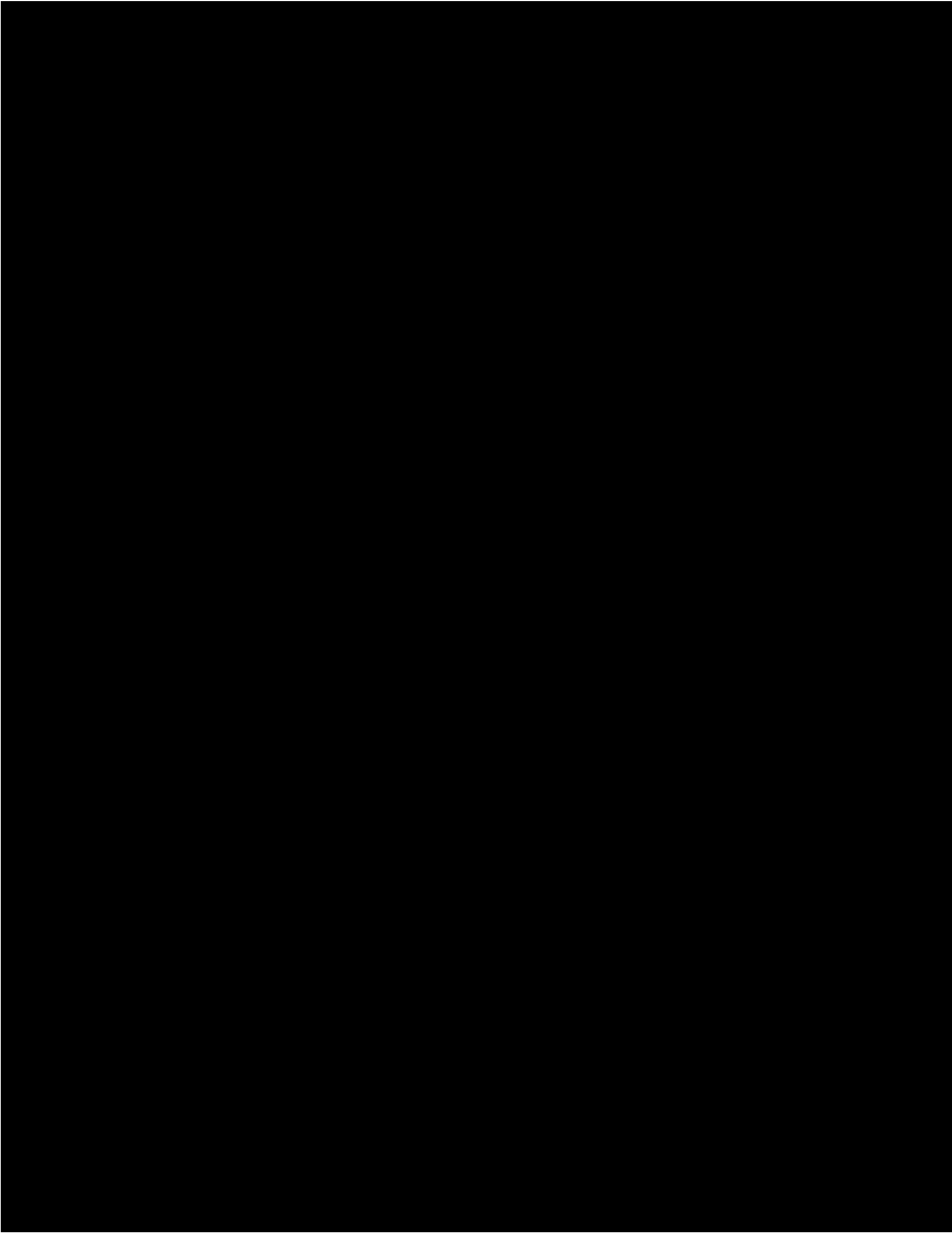


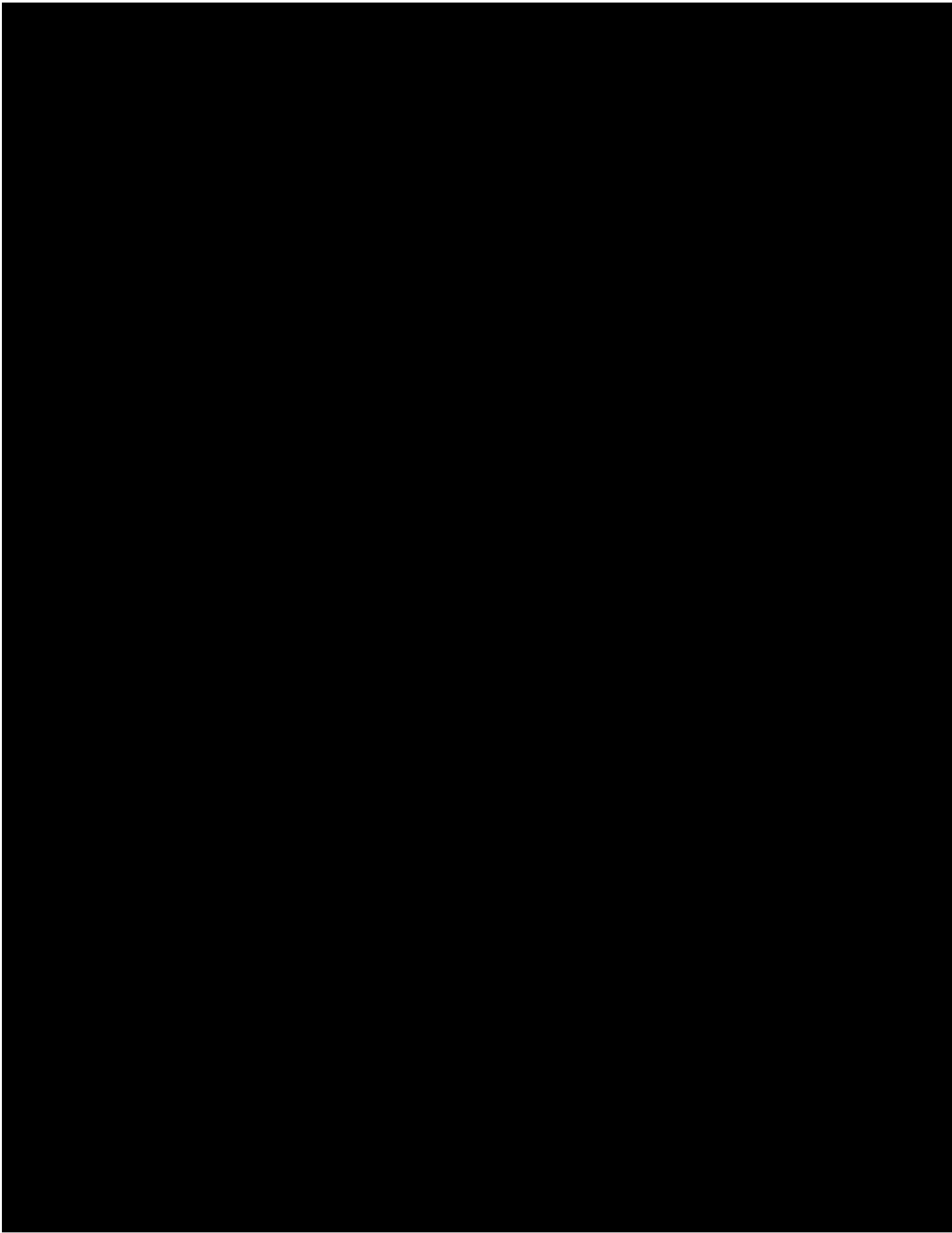


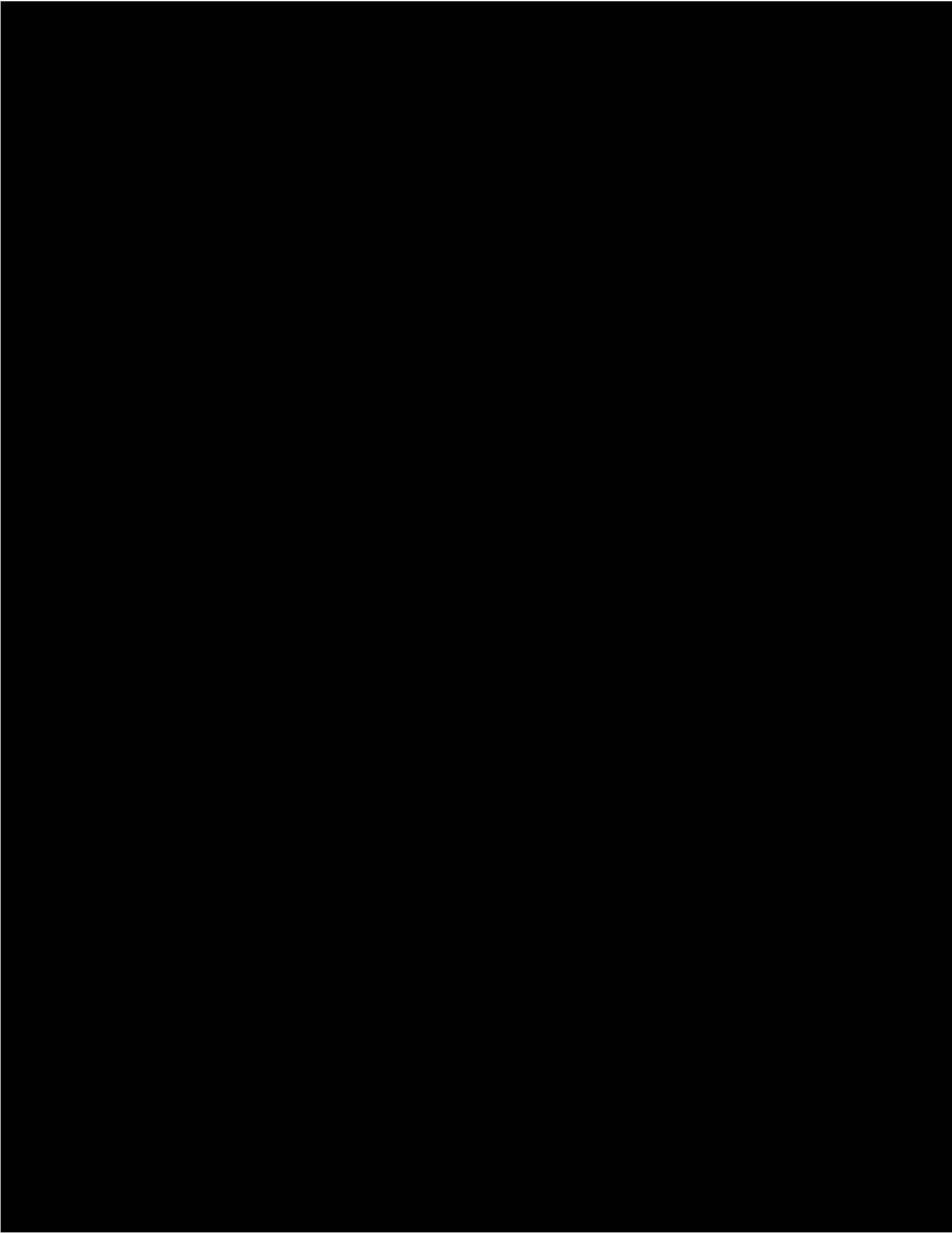


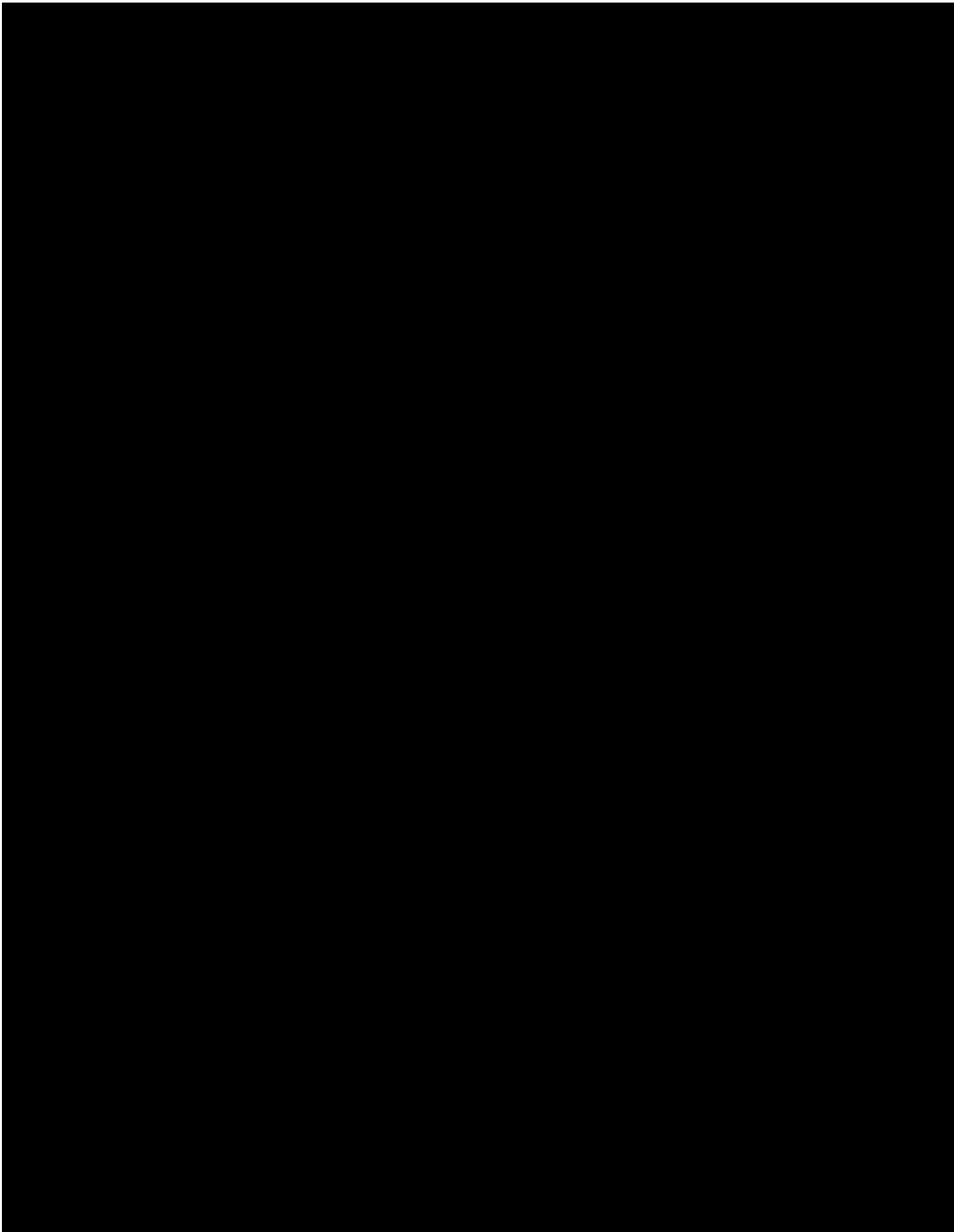


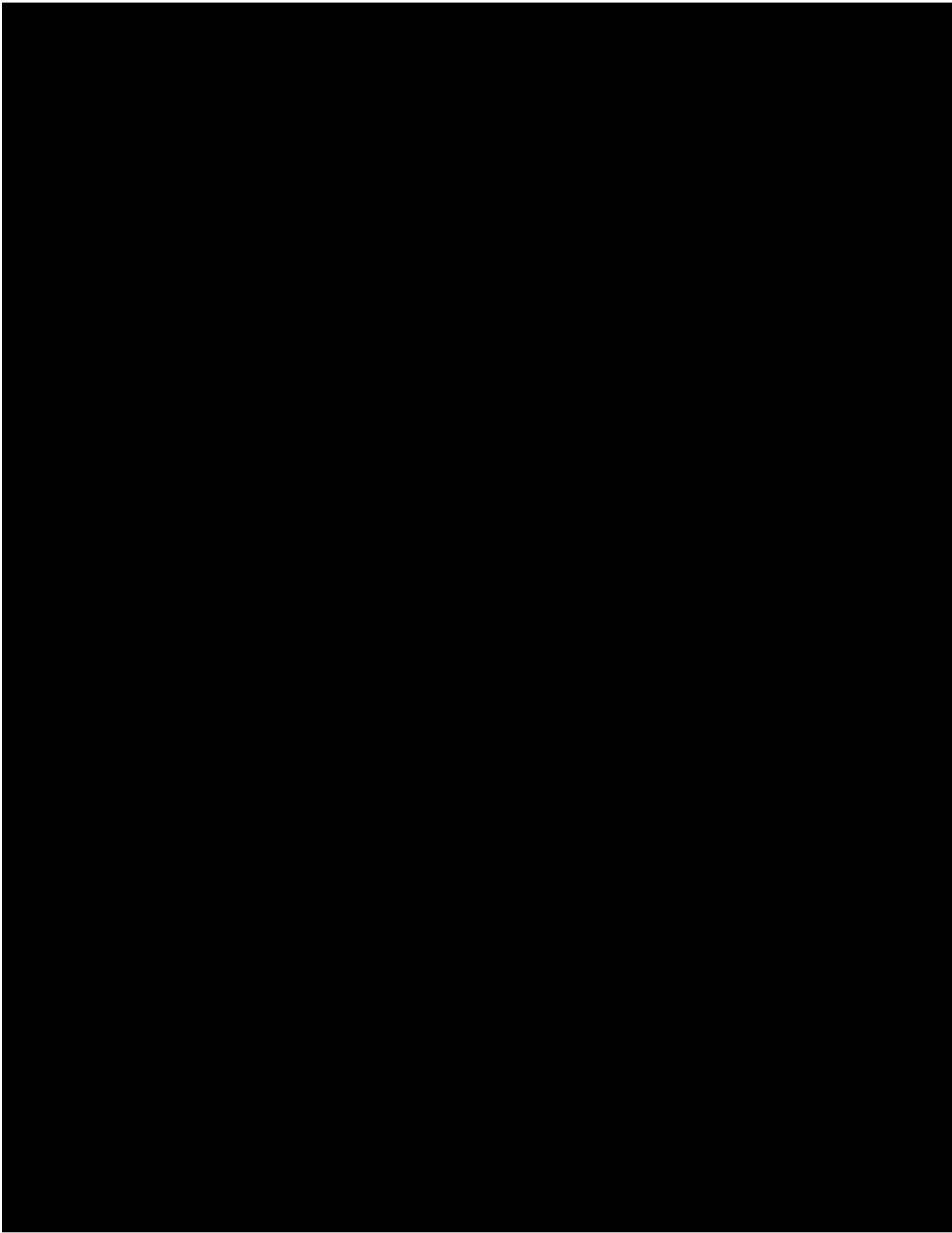


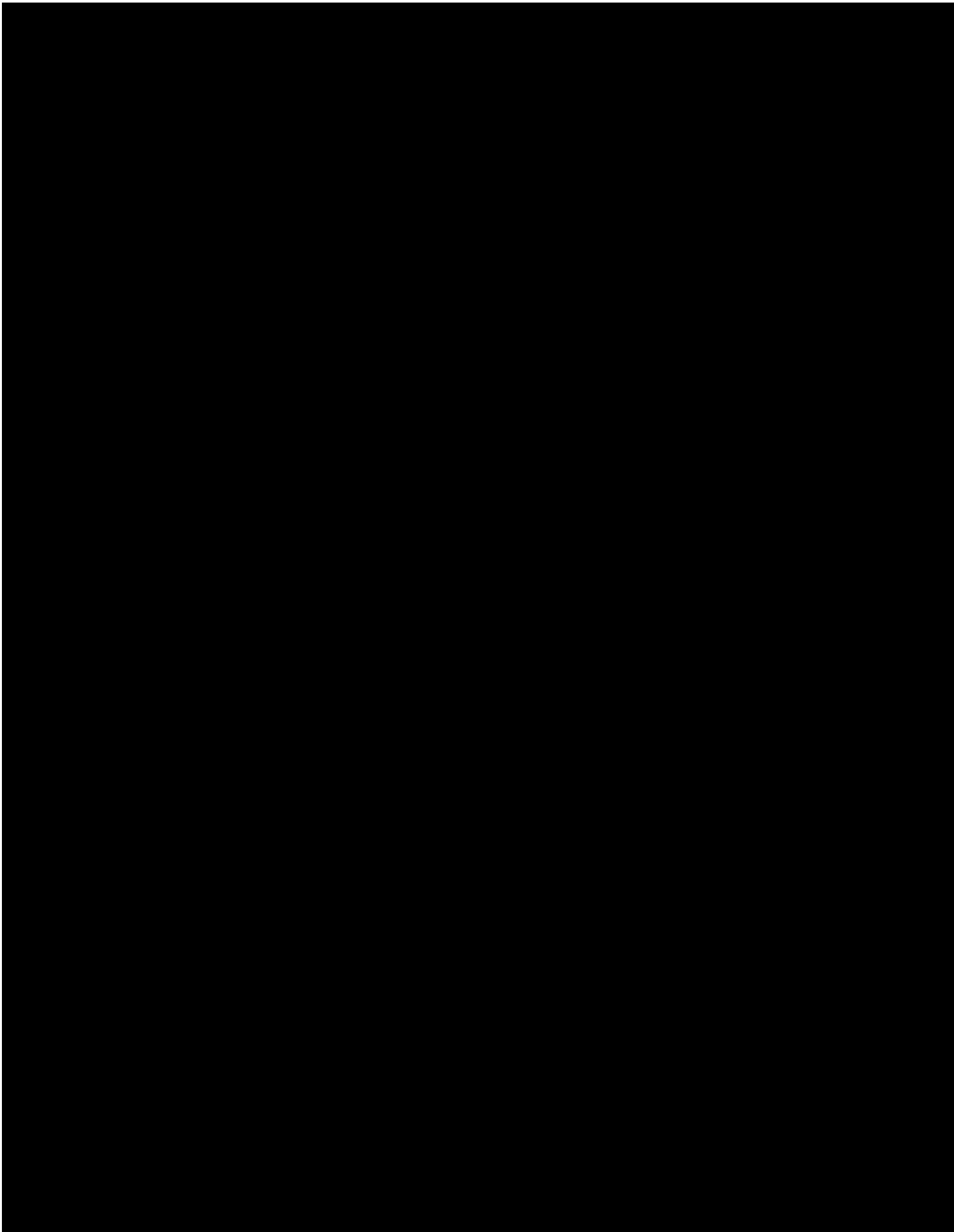


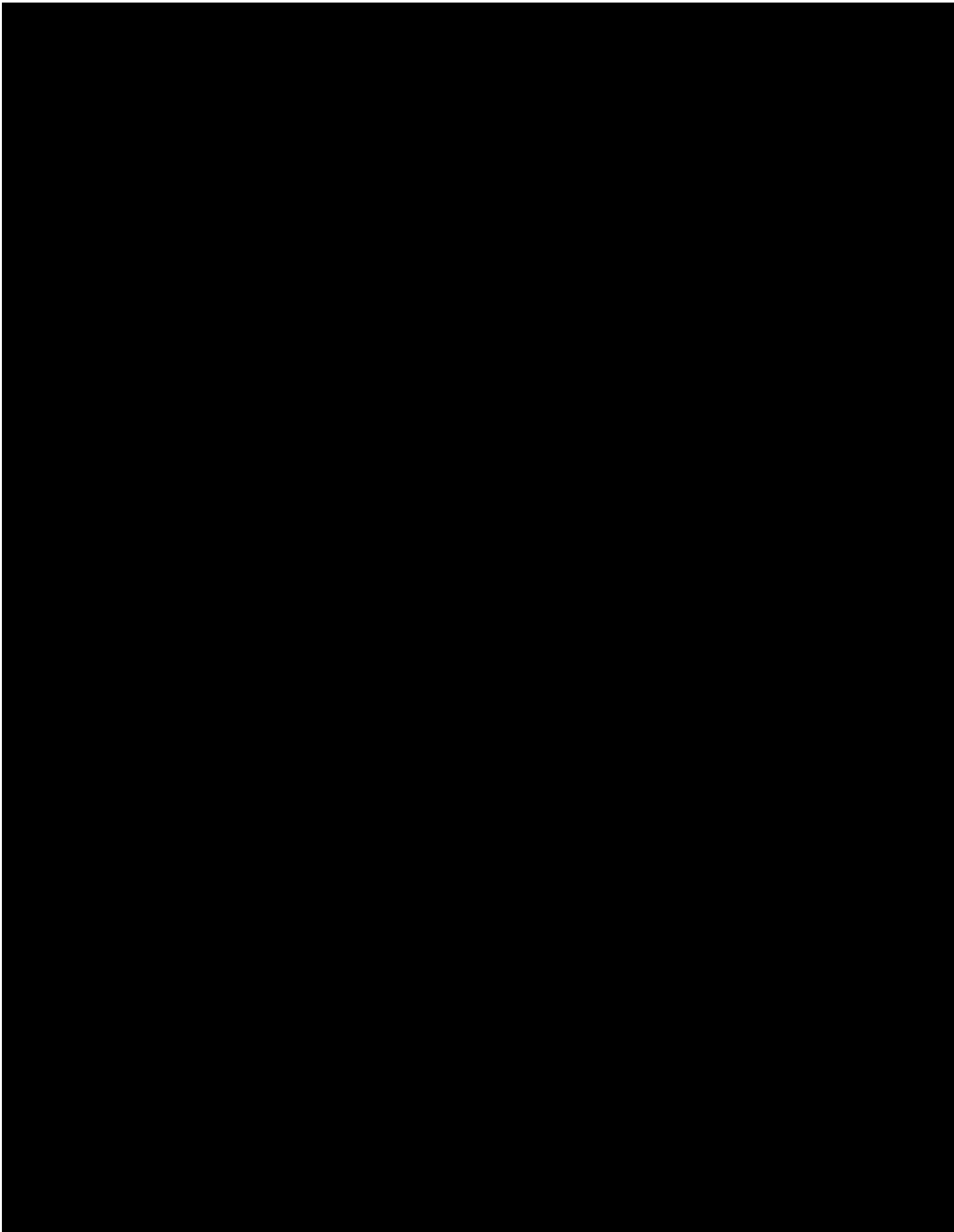


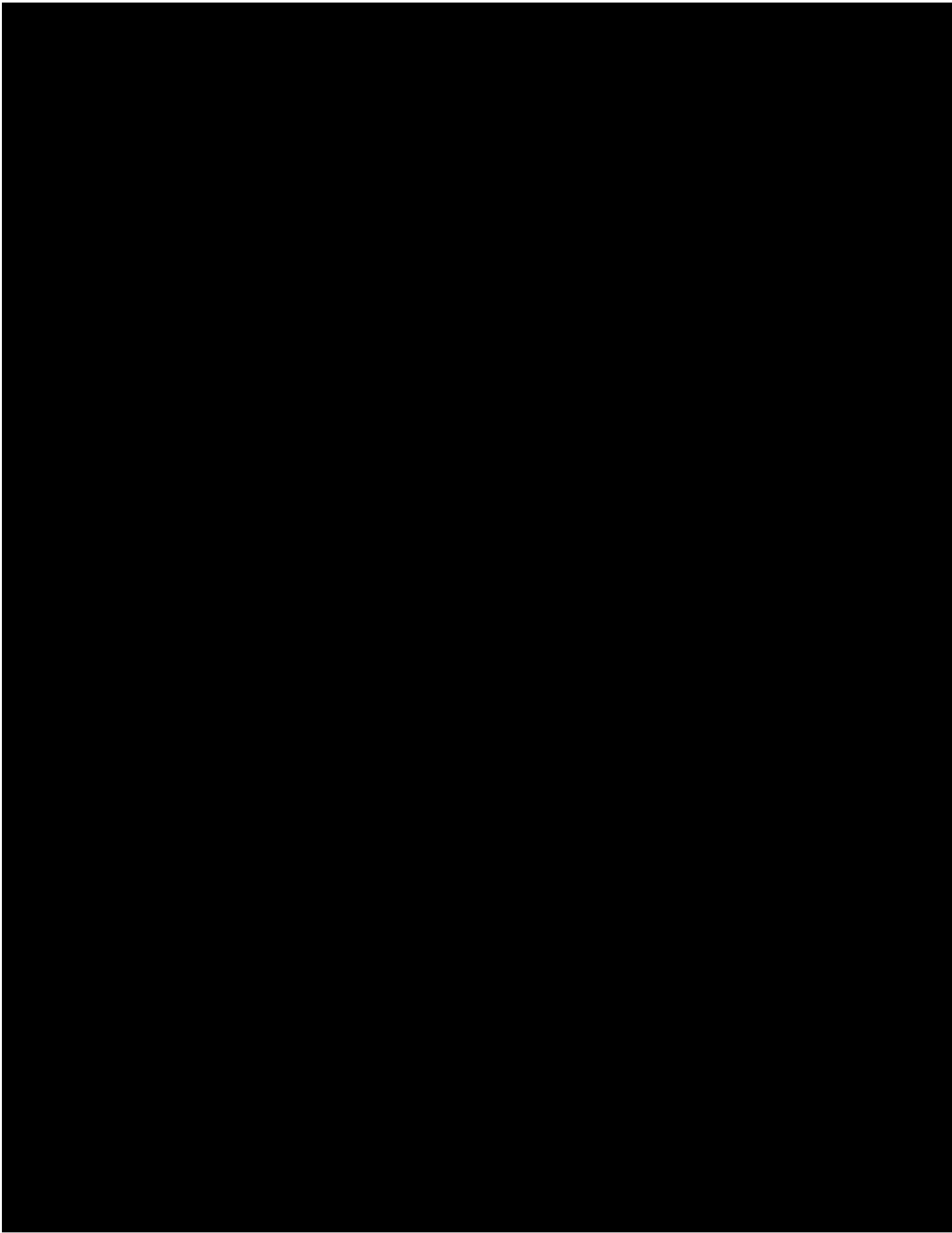












MEDICAL RECORDS

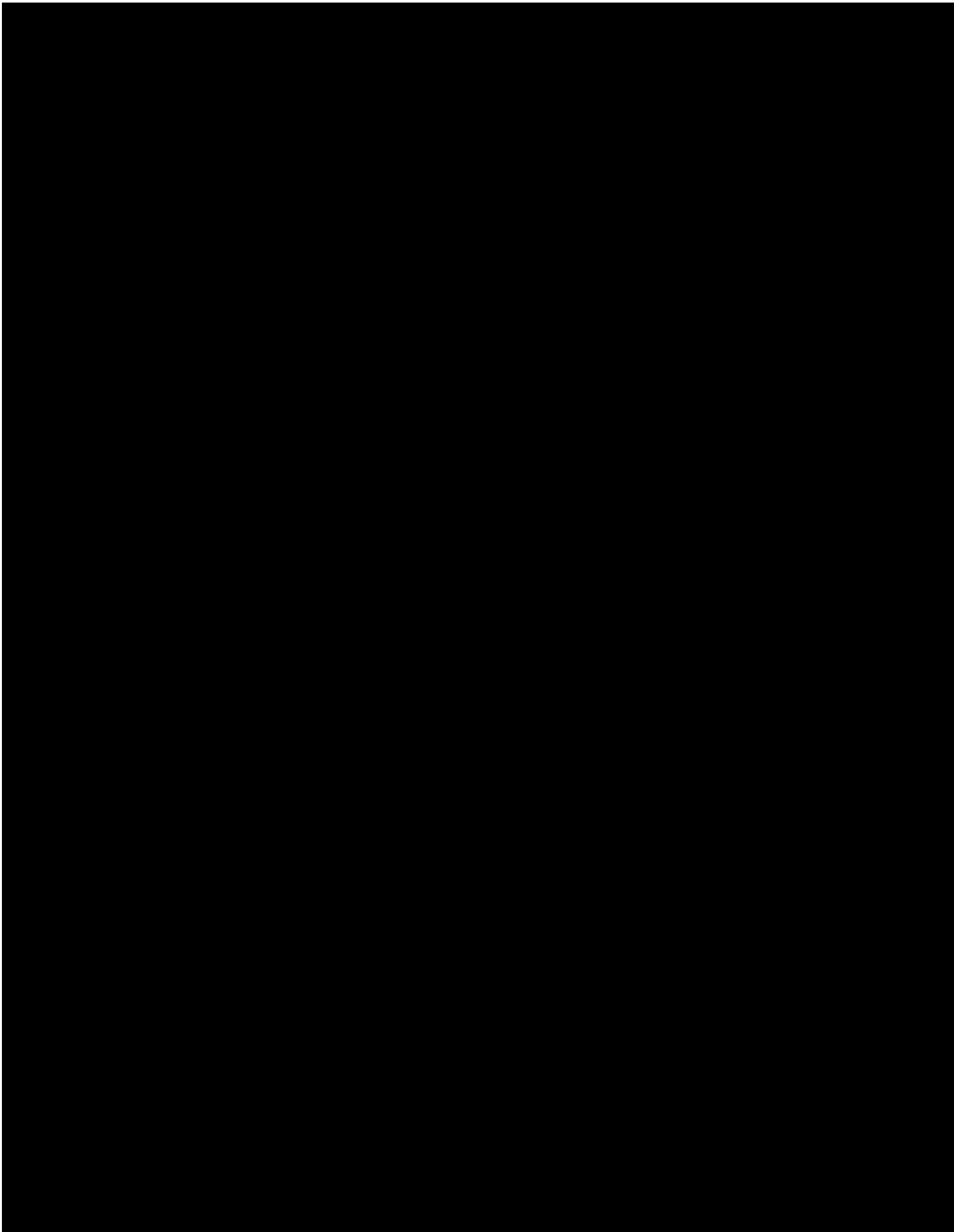
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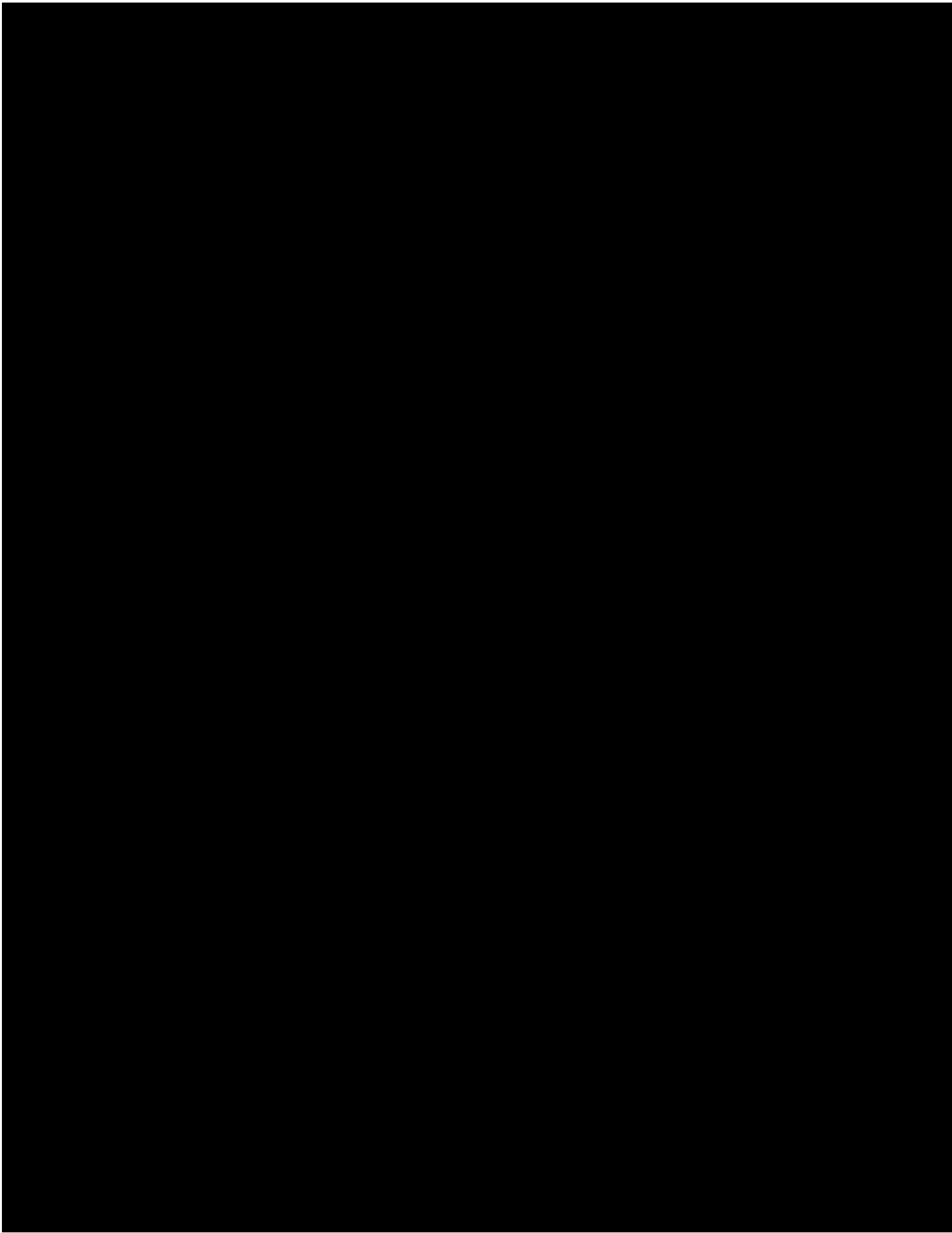
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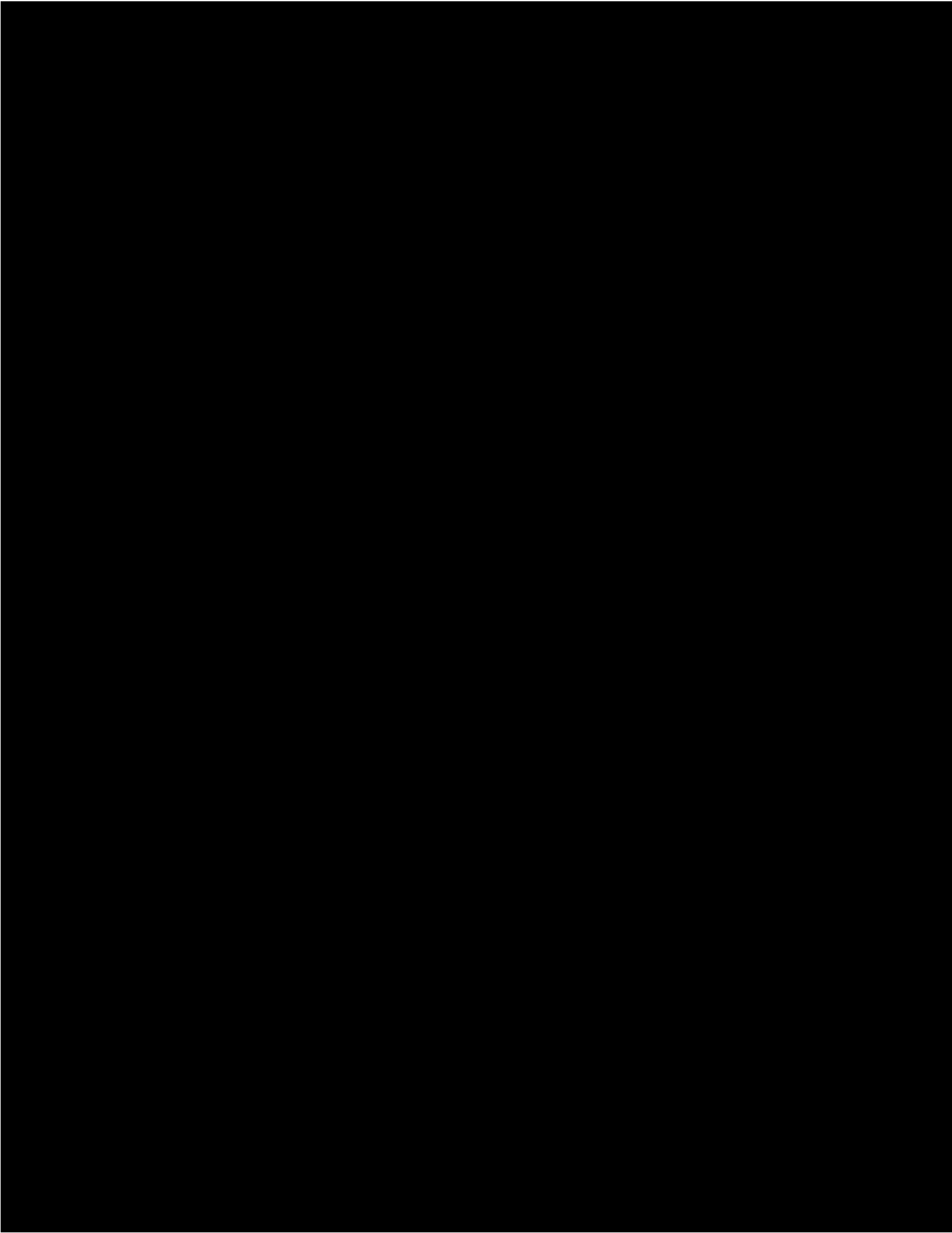
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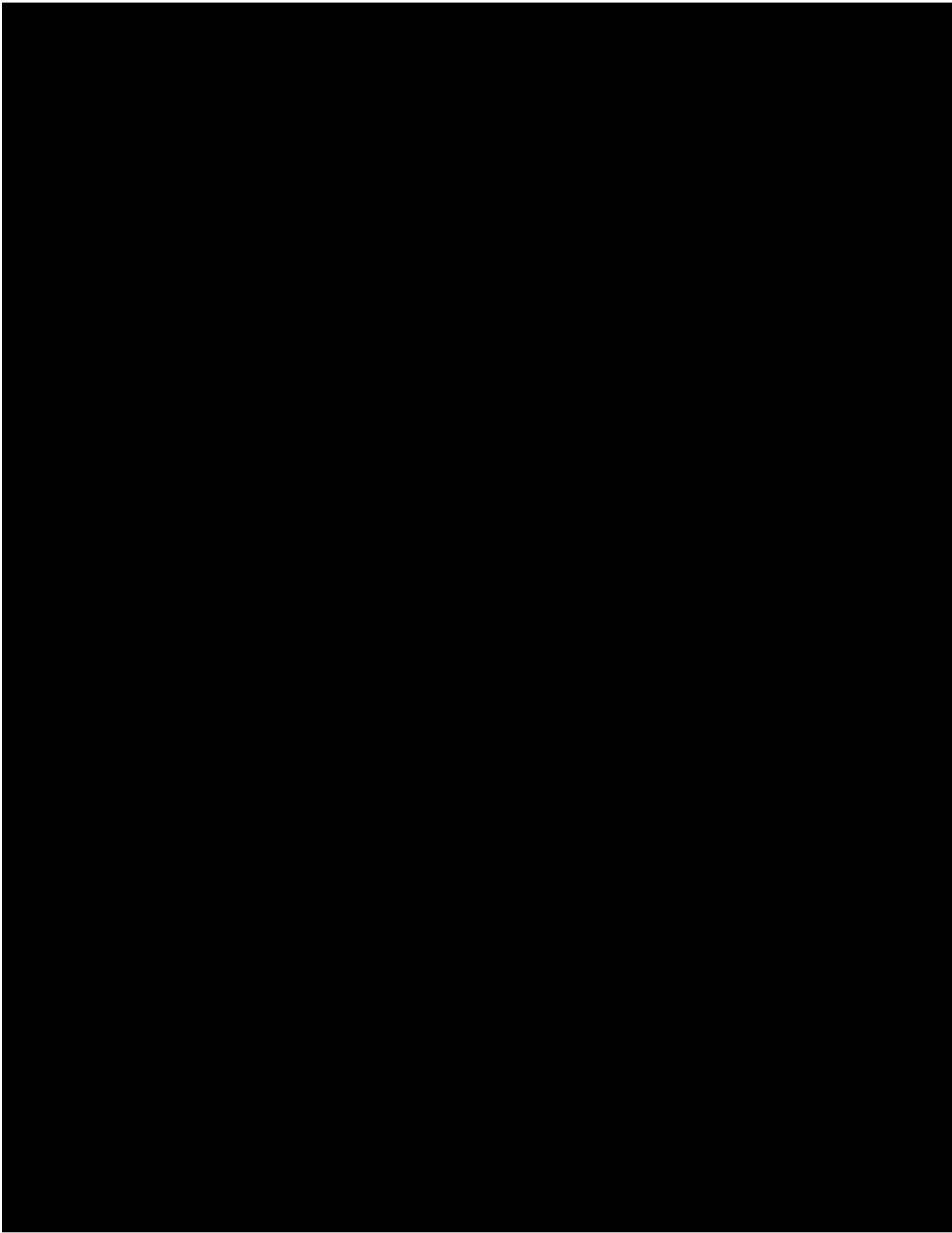
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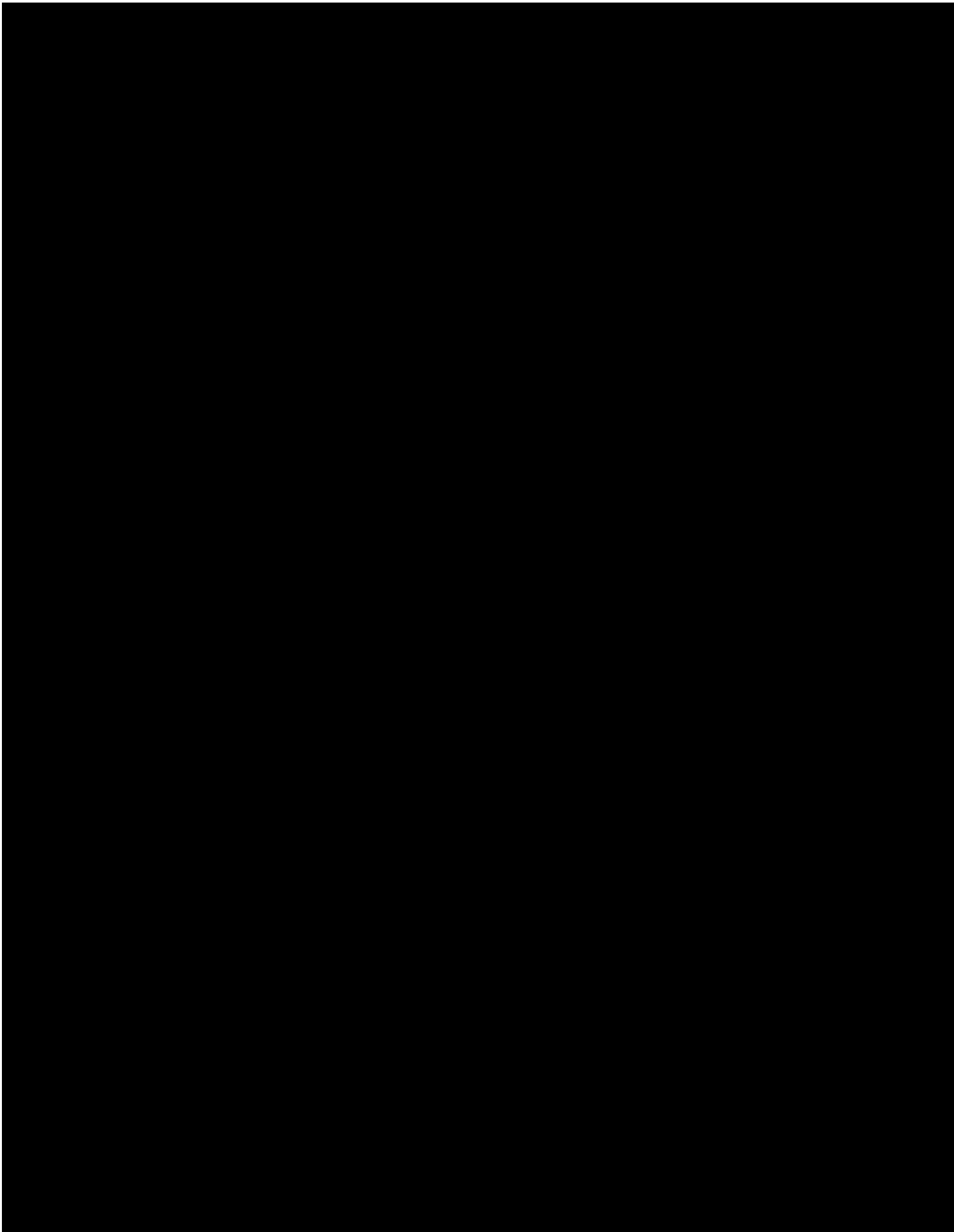


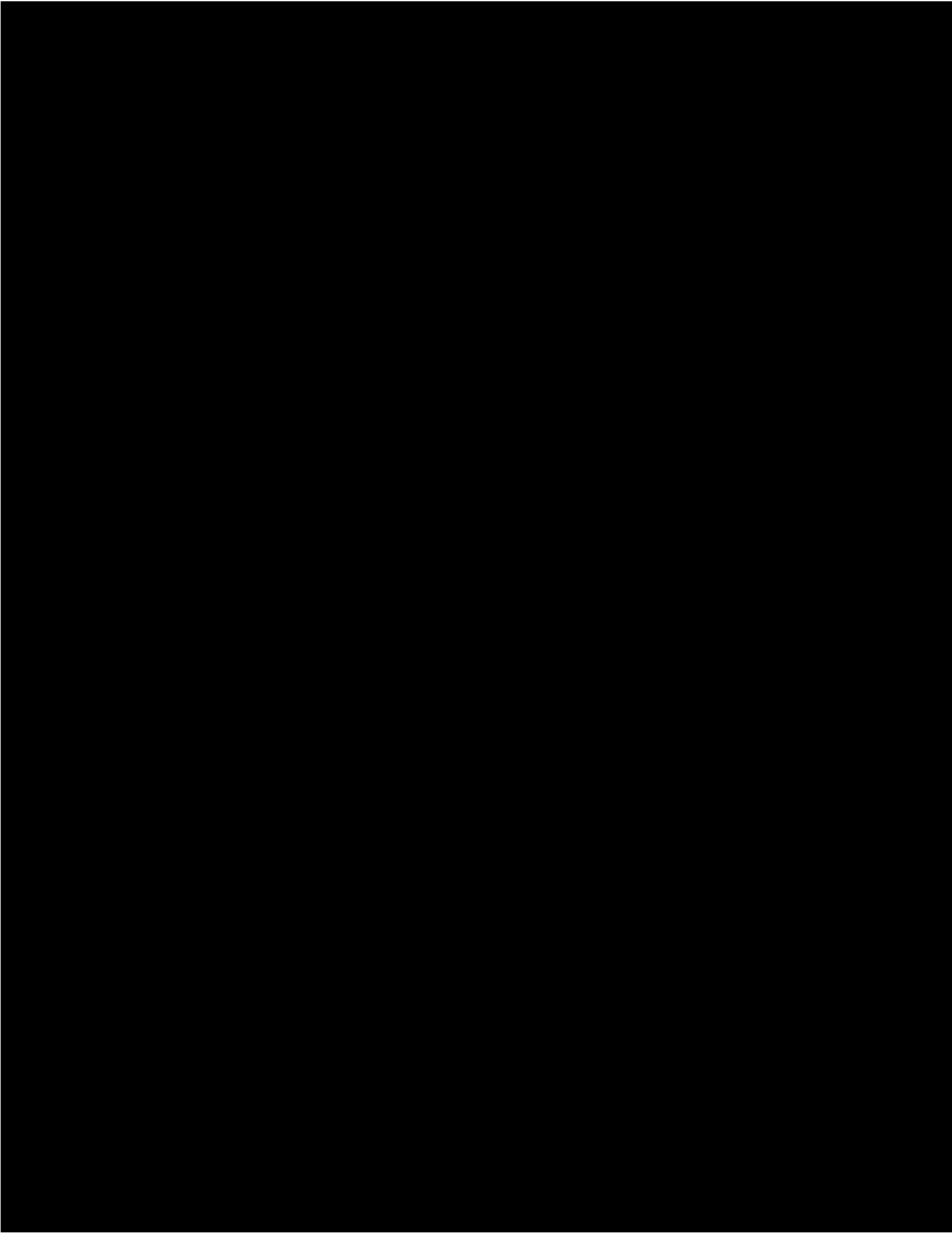


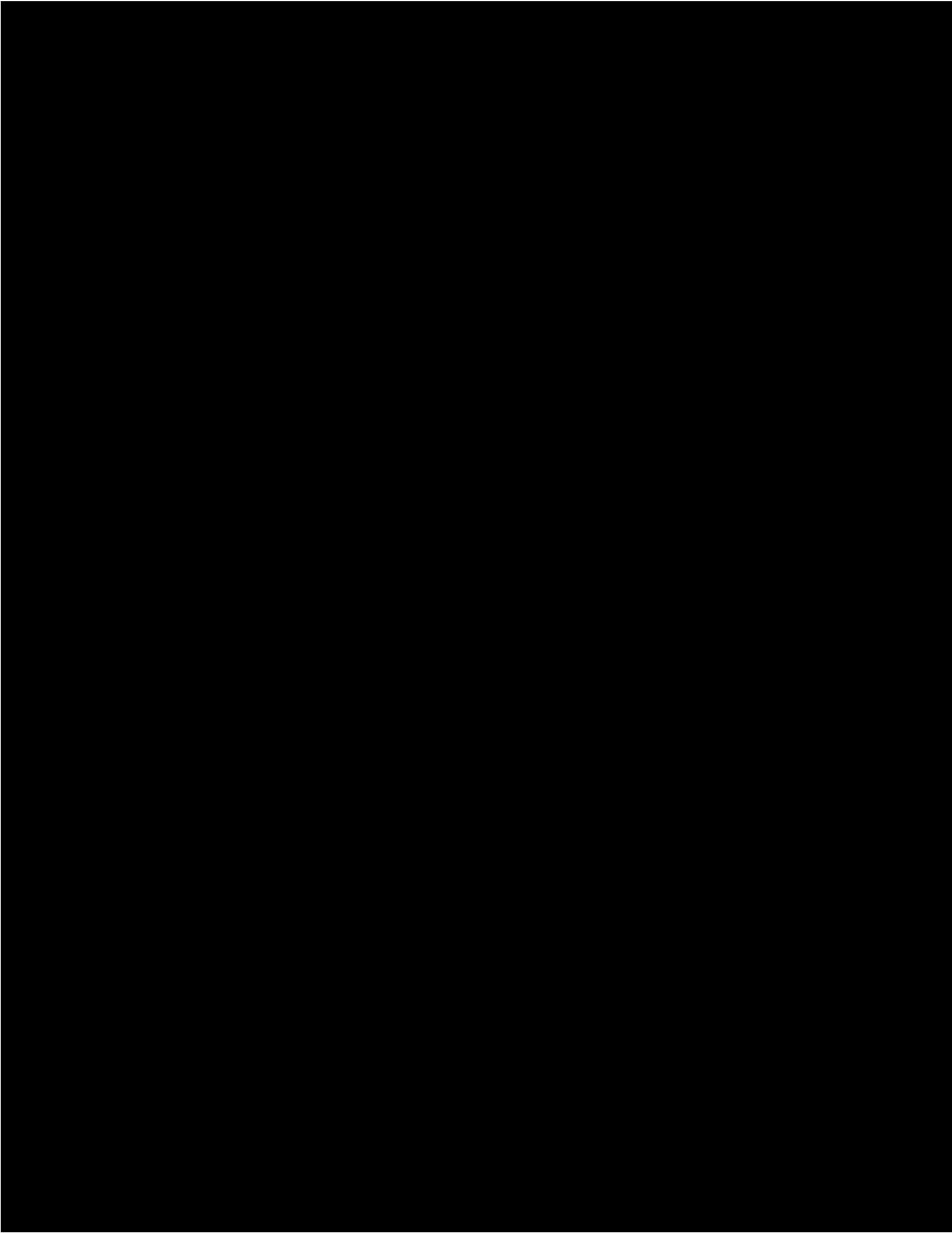


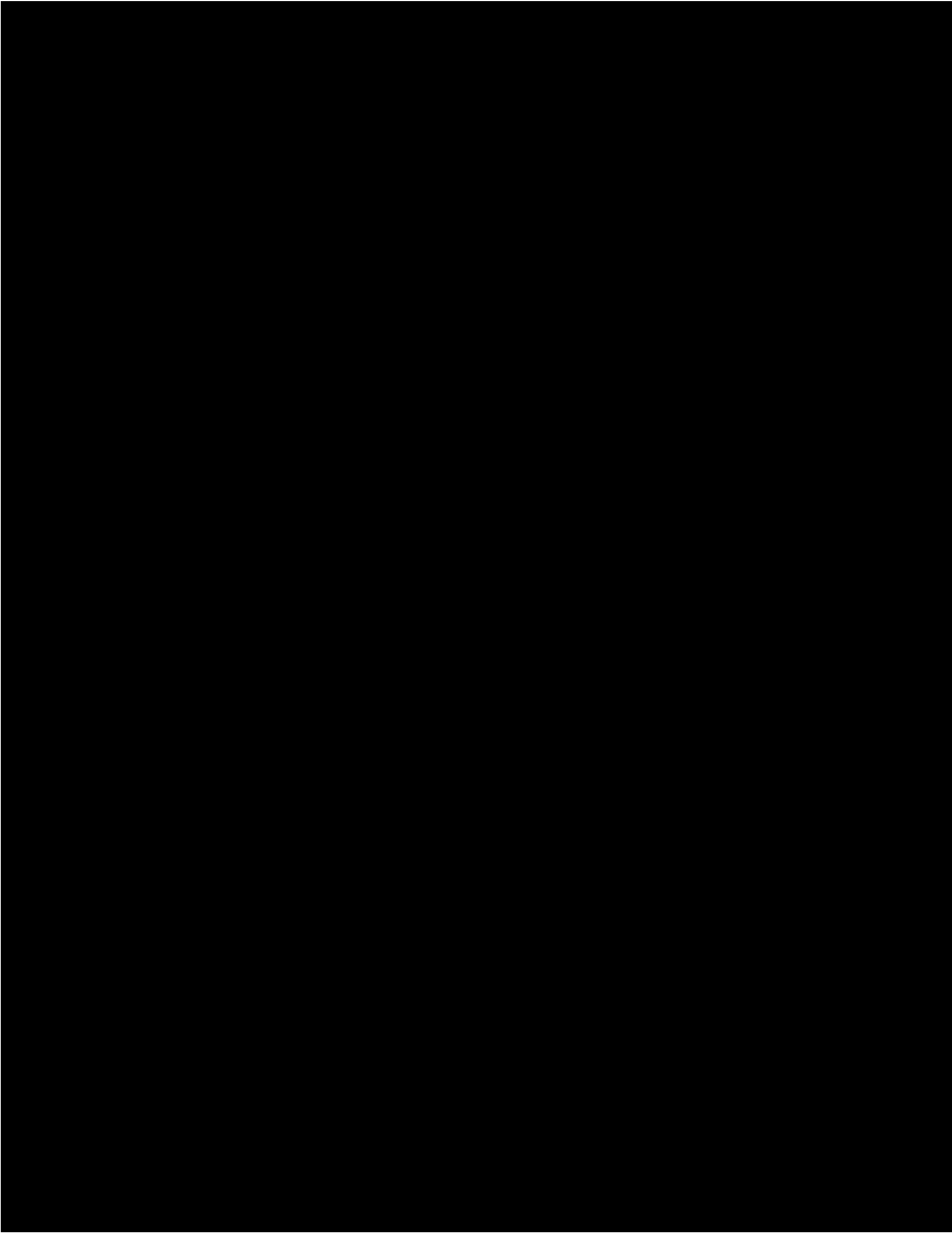


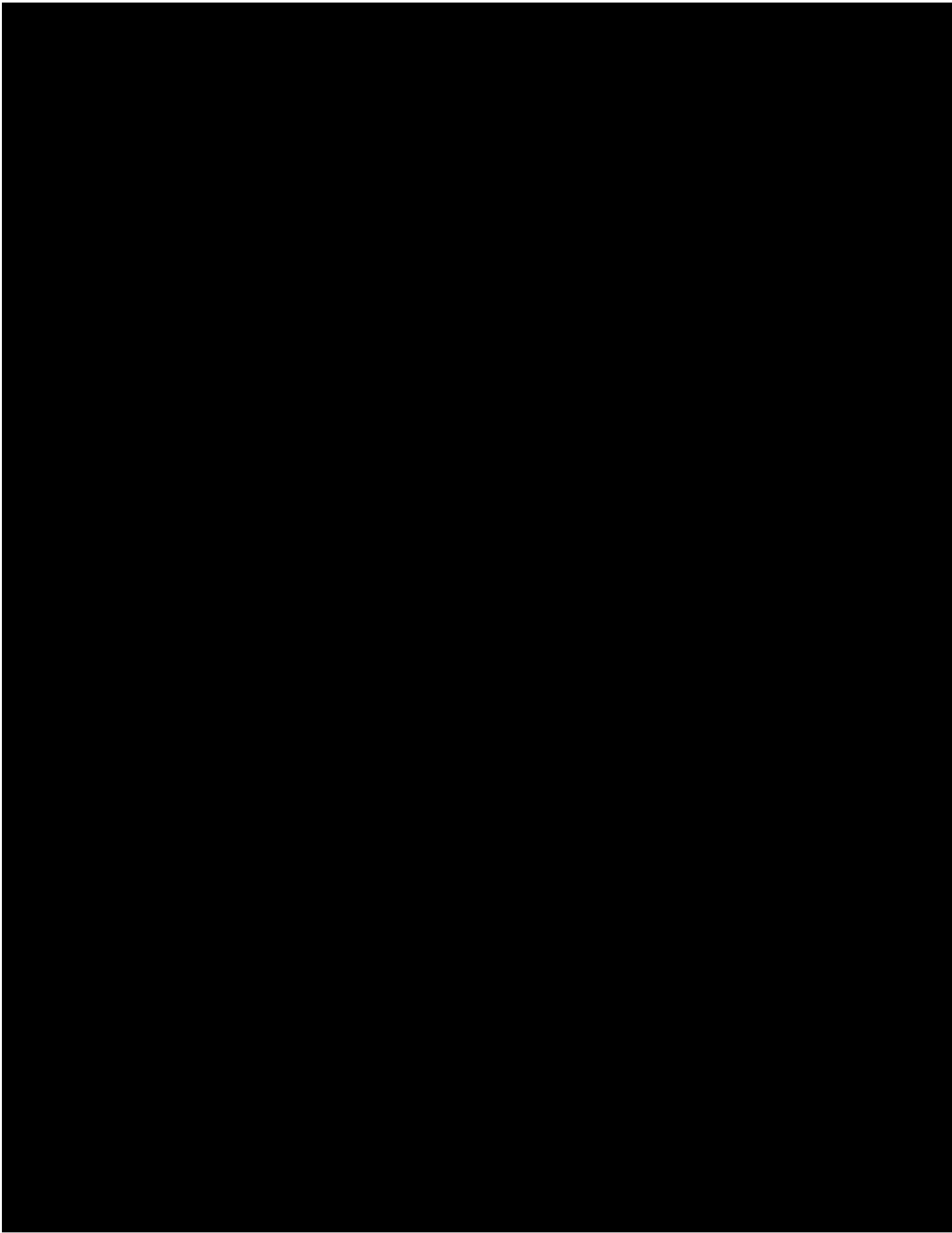


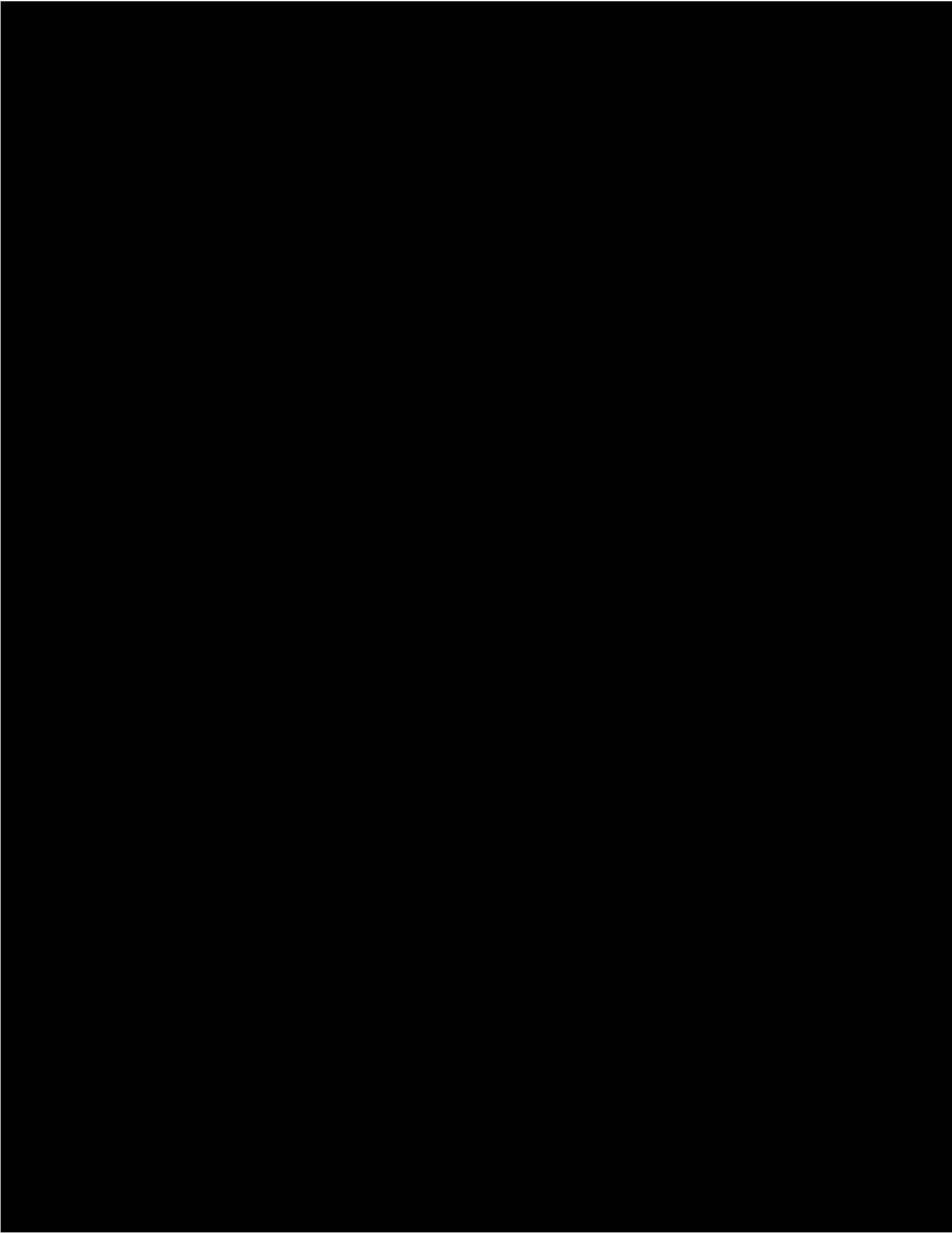


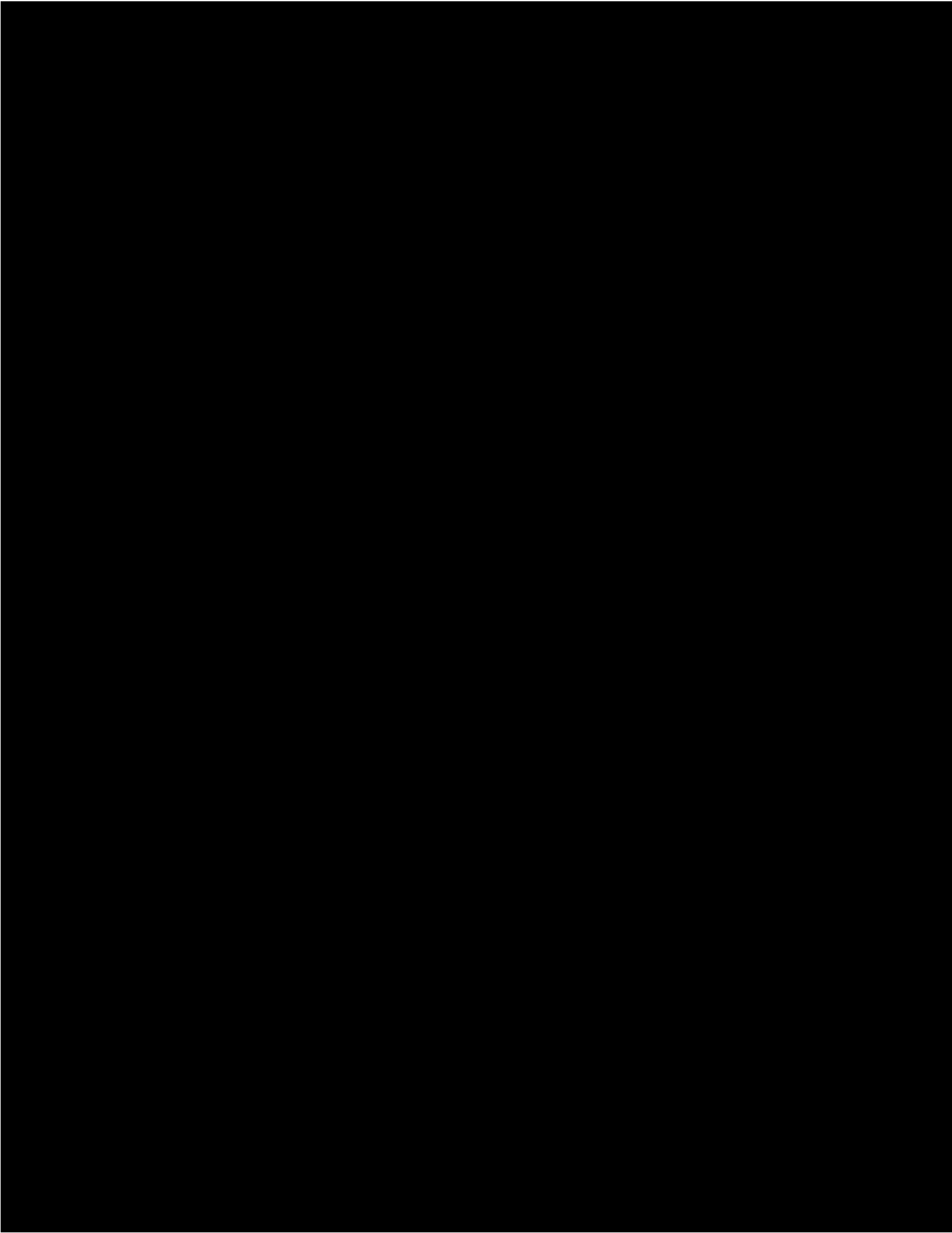


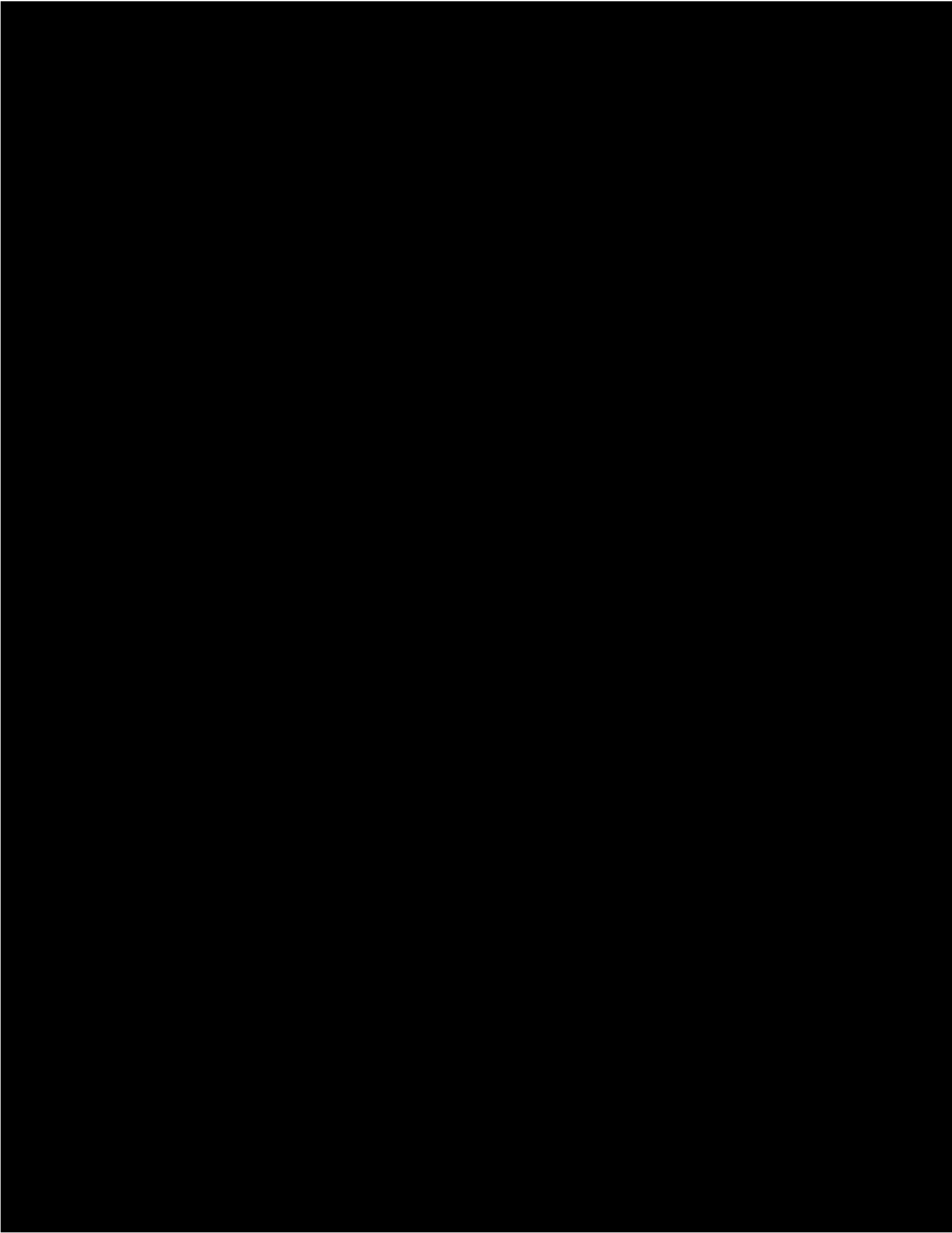


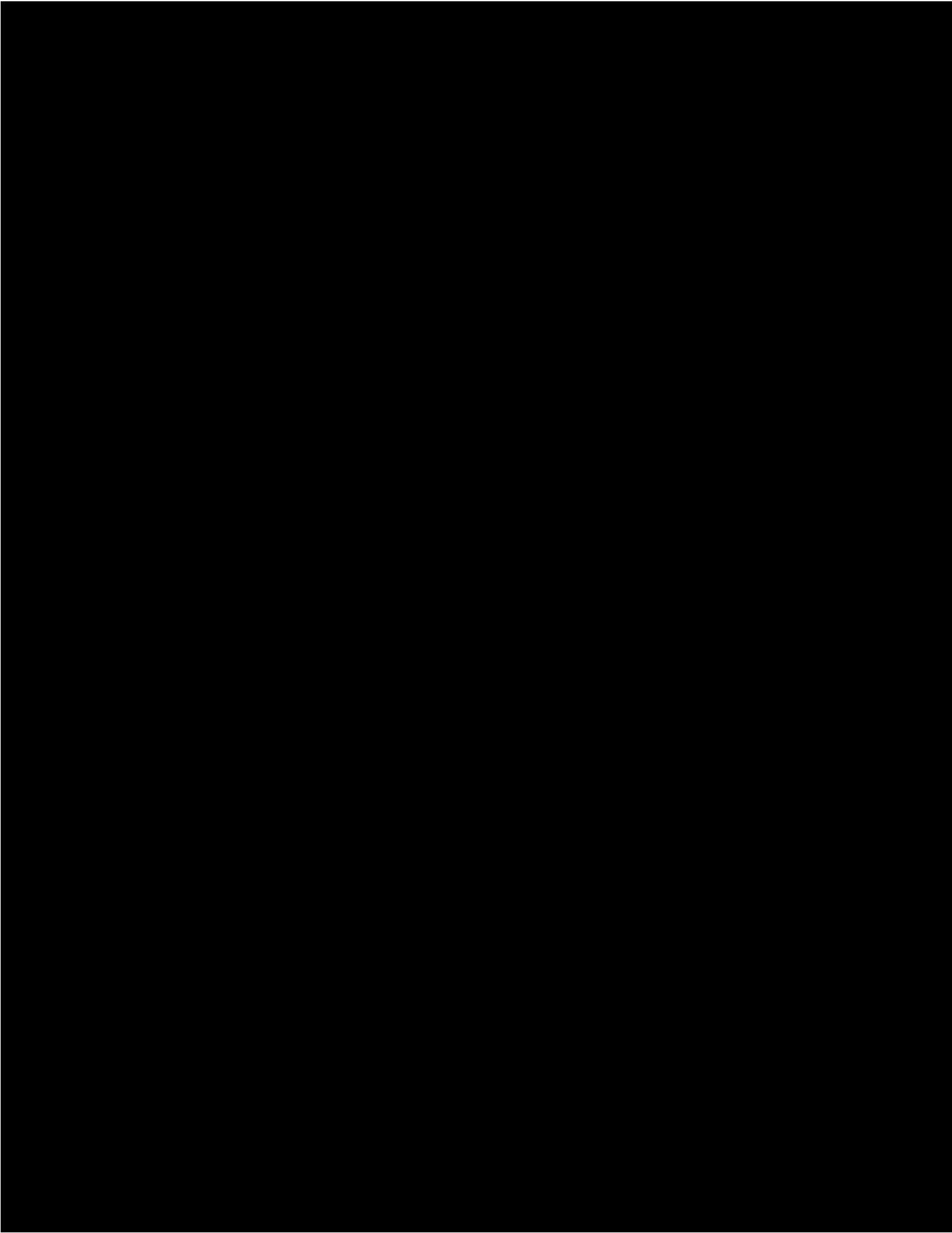












1
10/16/2024

MEDICAL BILLING
RE: STERLING D. DODSON

Medical Provider	Service Start	Service End Date	Description	Total Inv. Amount	Dodson Paid
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Totals				\$ 59,375.14	\$3,914.54

EXHIBIT
5

Sterling Dodson's Payroll Journal Summary
from [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

- [REDACTED]

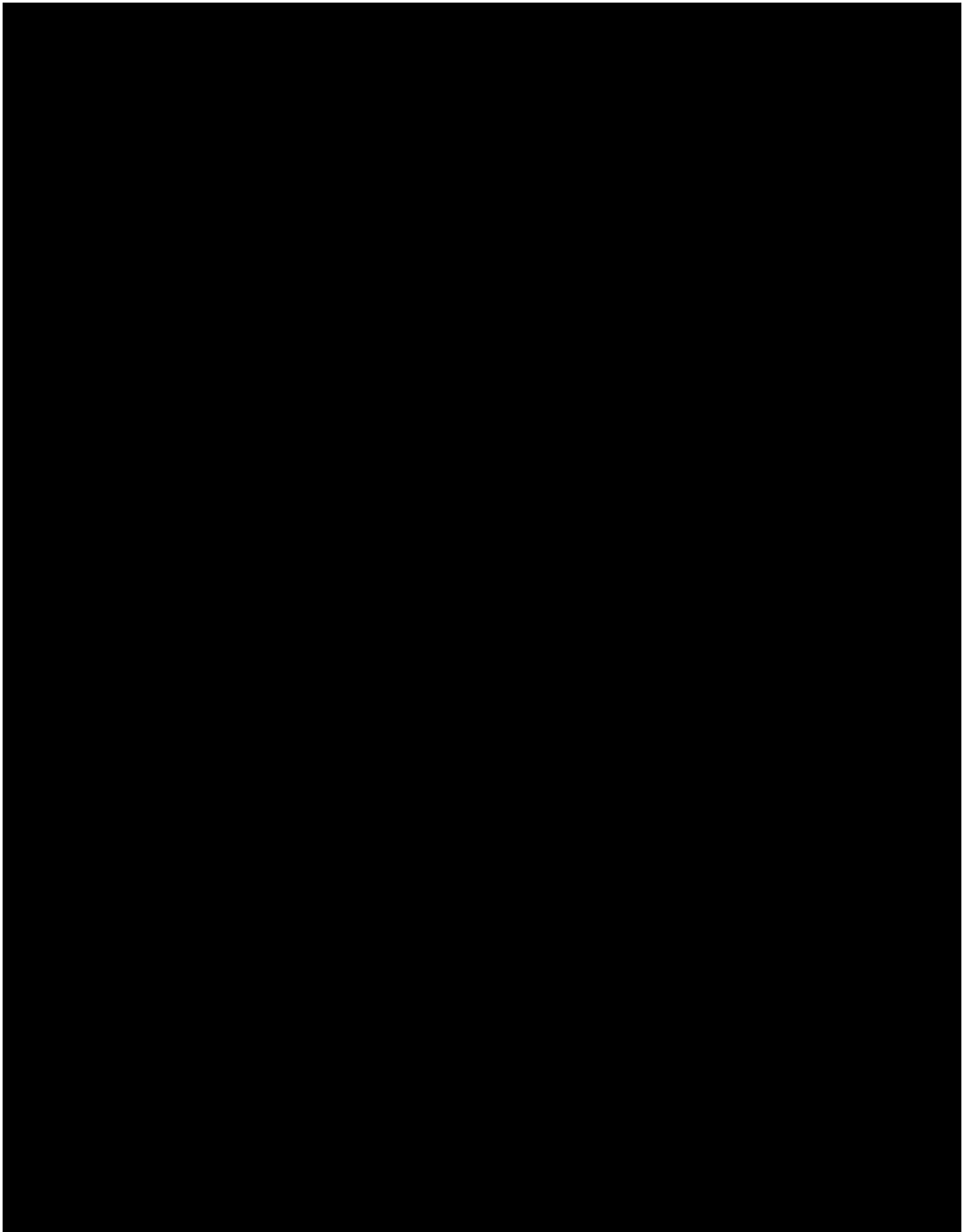
[REDACTED]

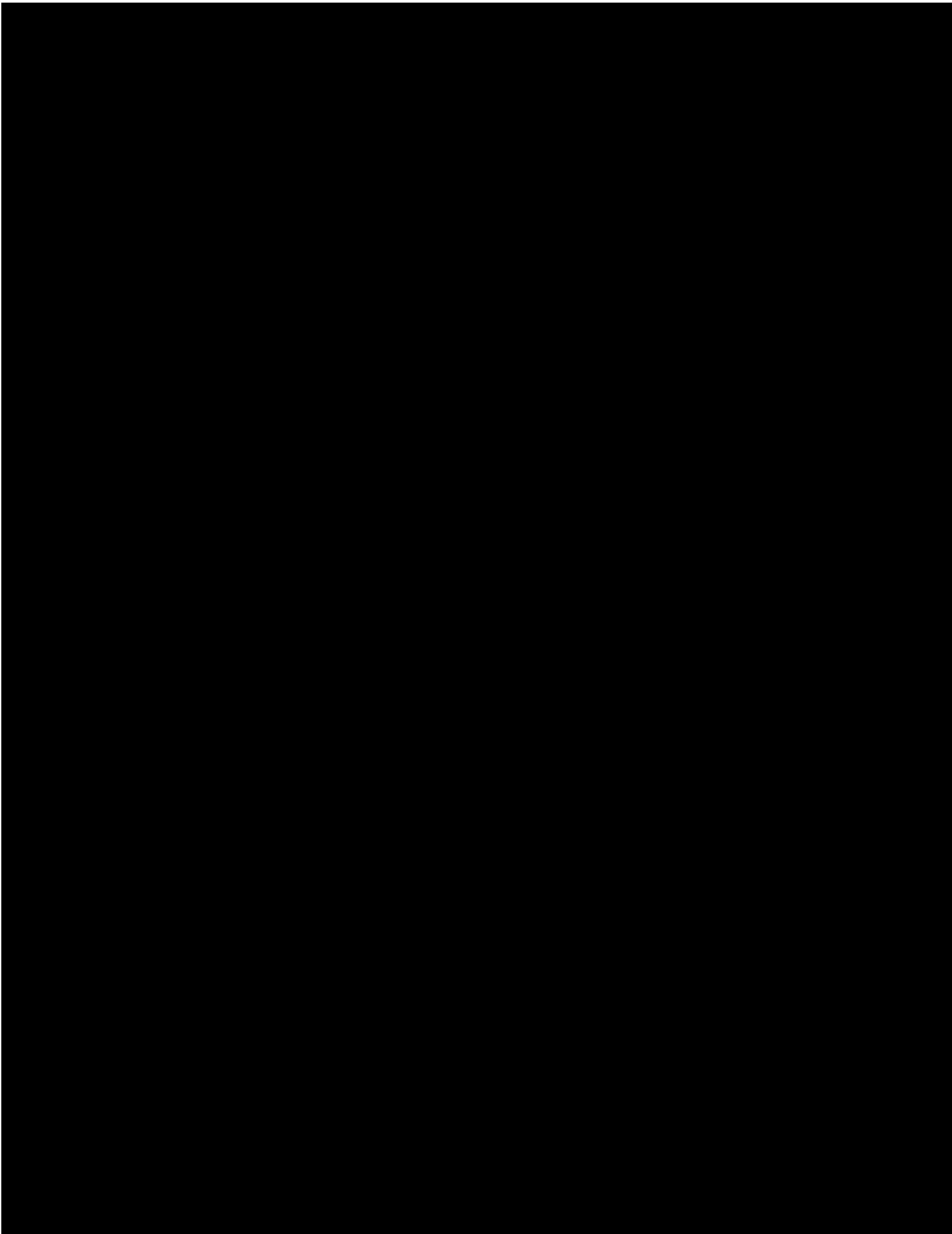
- [REDACTED]
- [REDACTED]

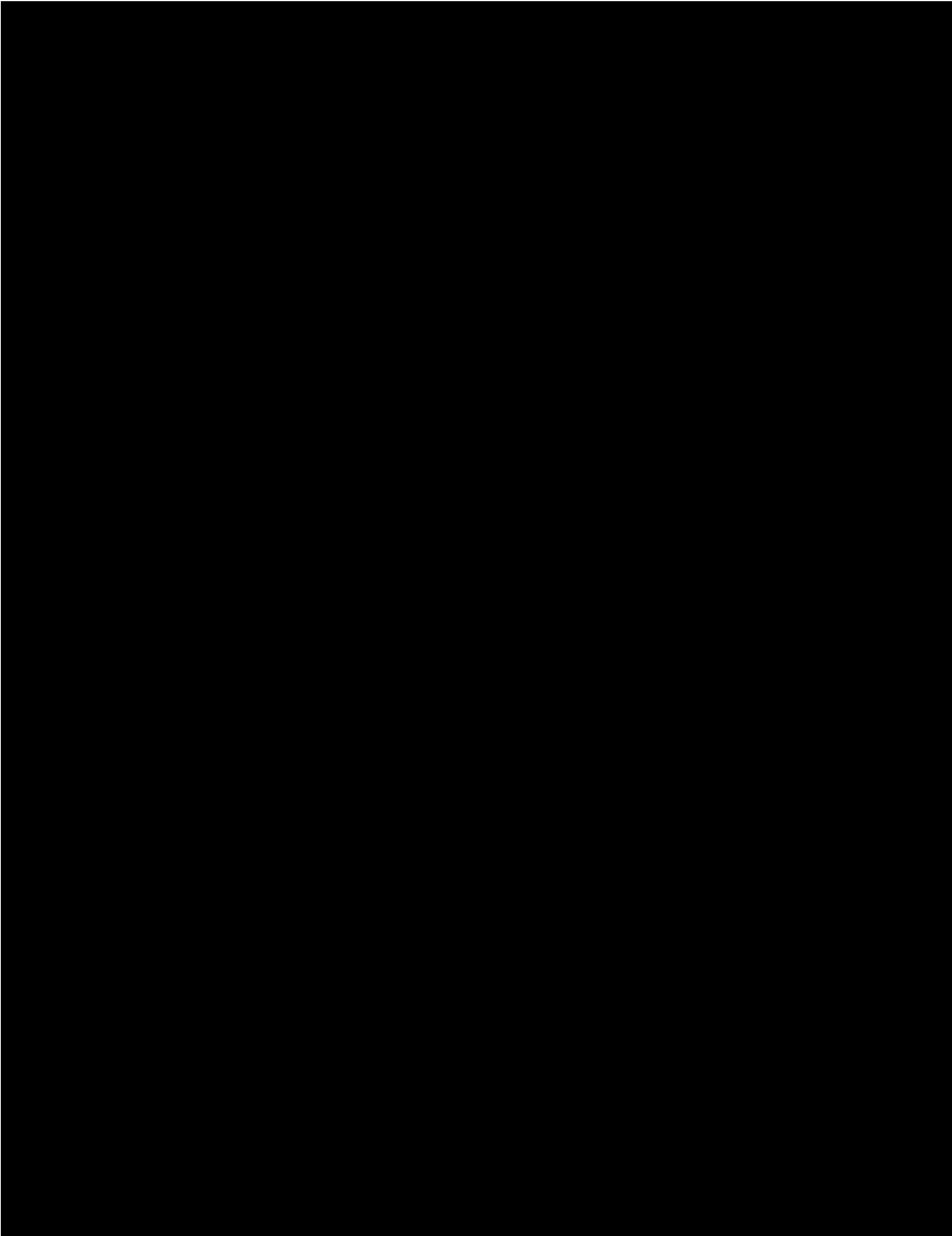
Conclusion

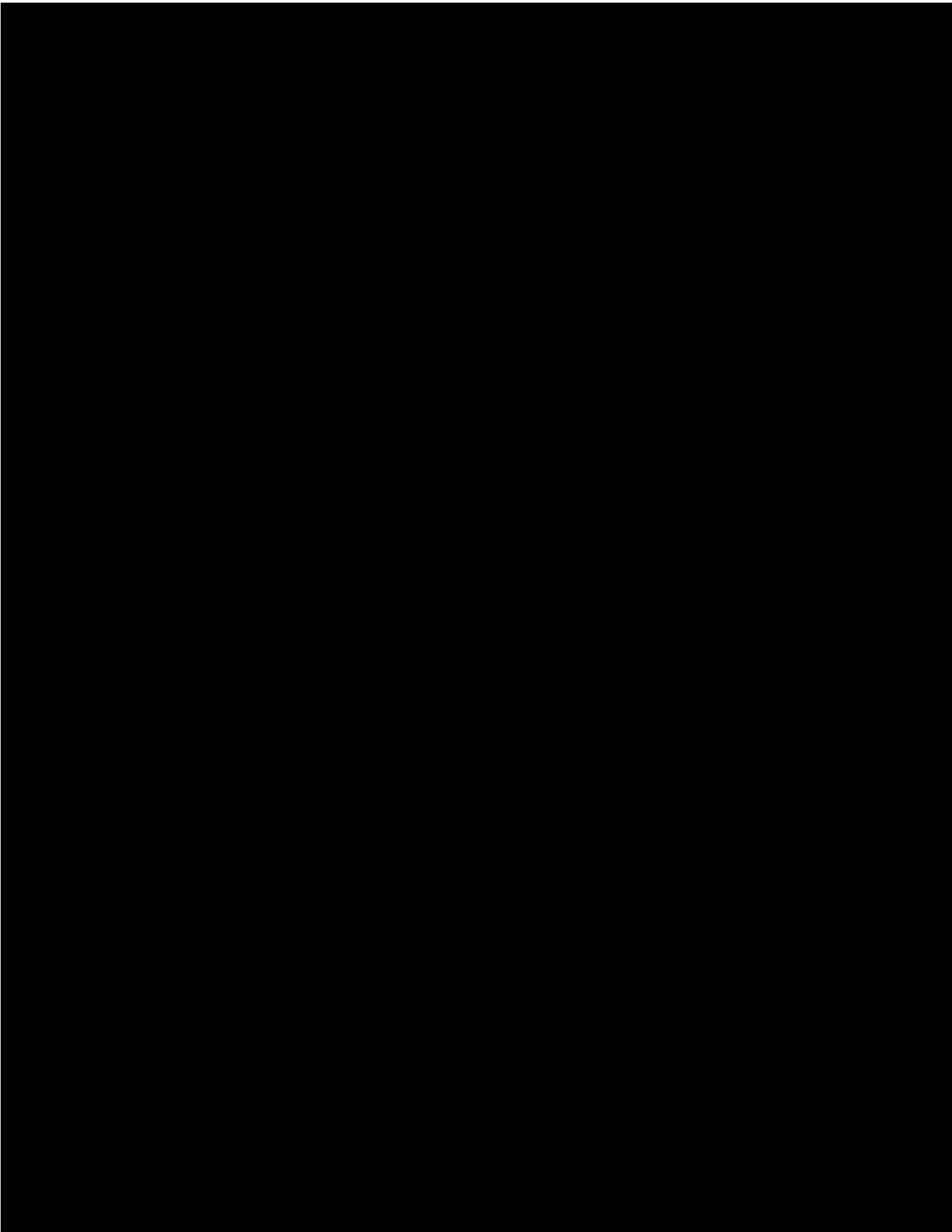
The payroll journal indicates that [REDACTED]
[REDACTED]
[REDACTED] a total net pay of \$10,072.87 after deductions.

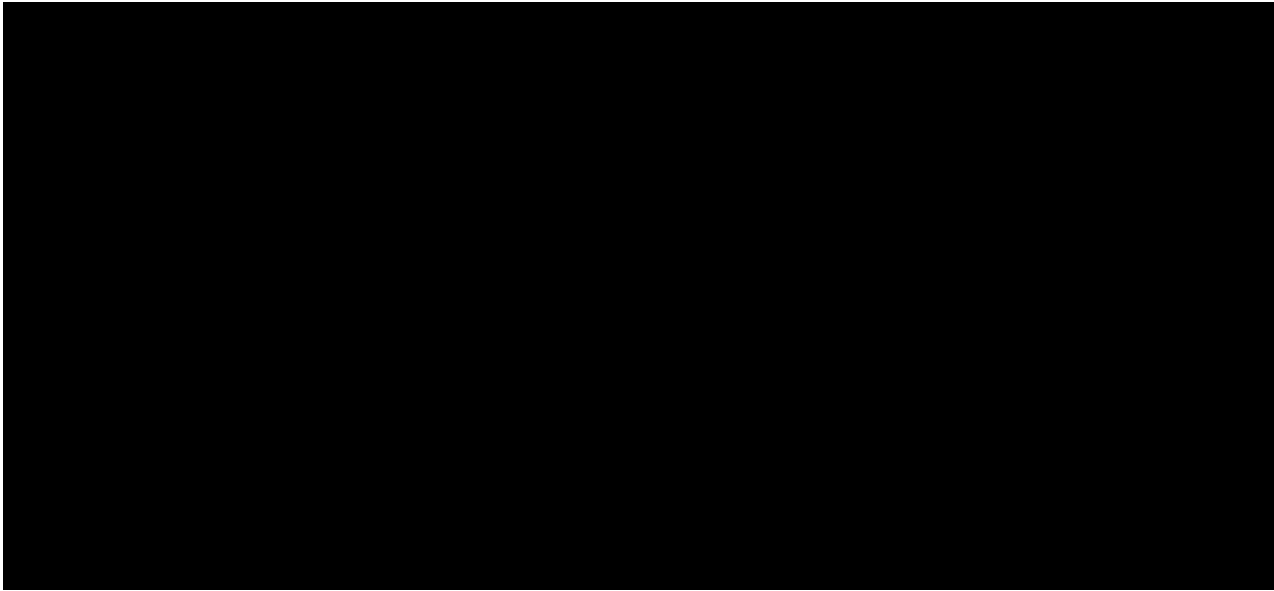
EXHIBIT
6

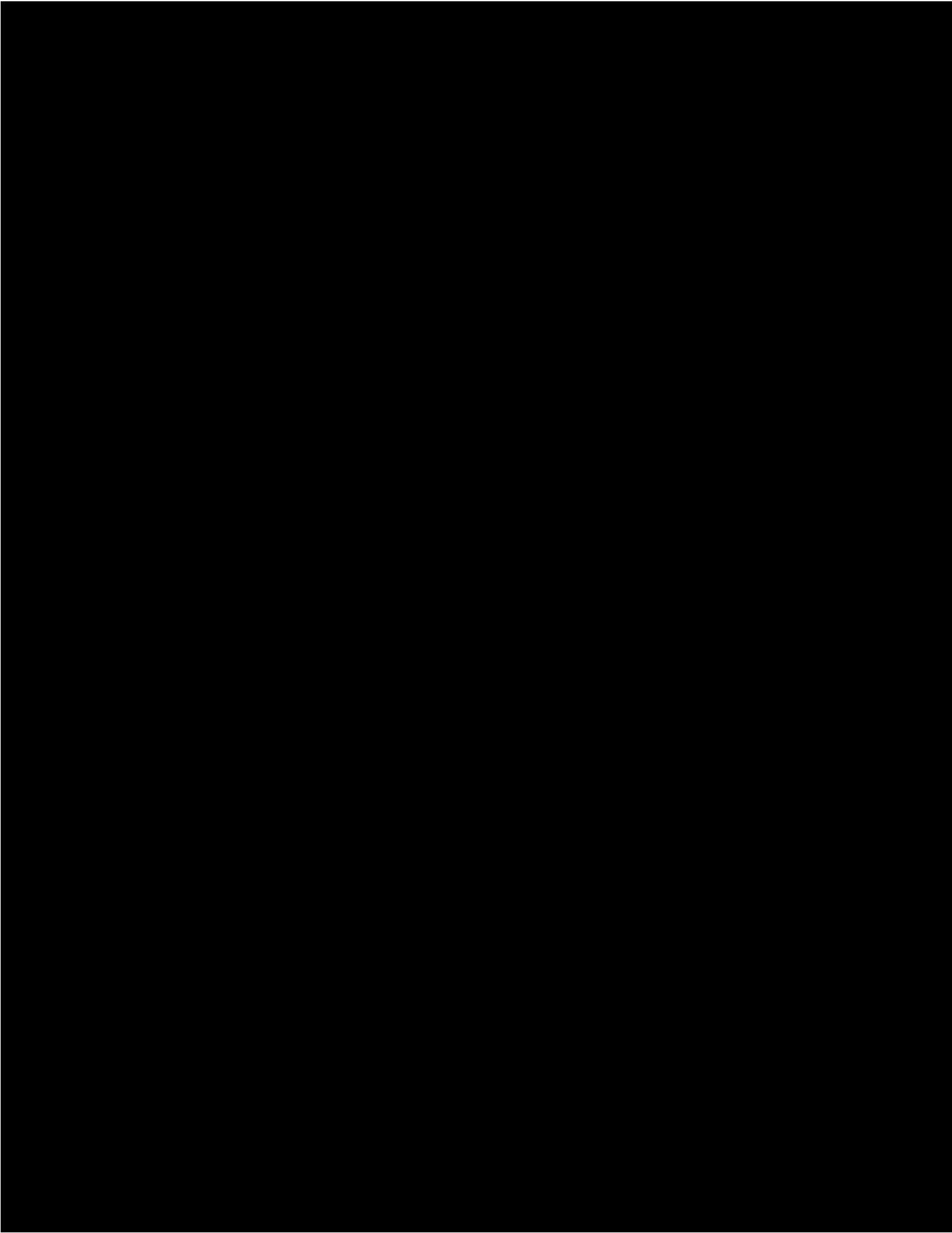


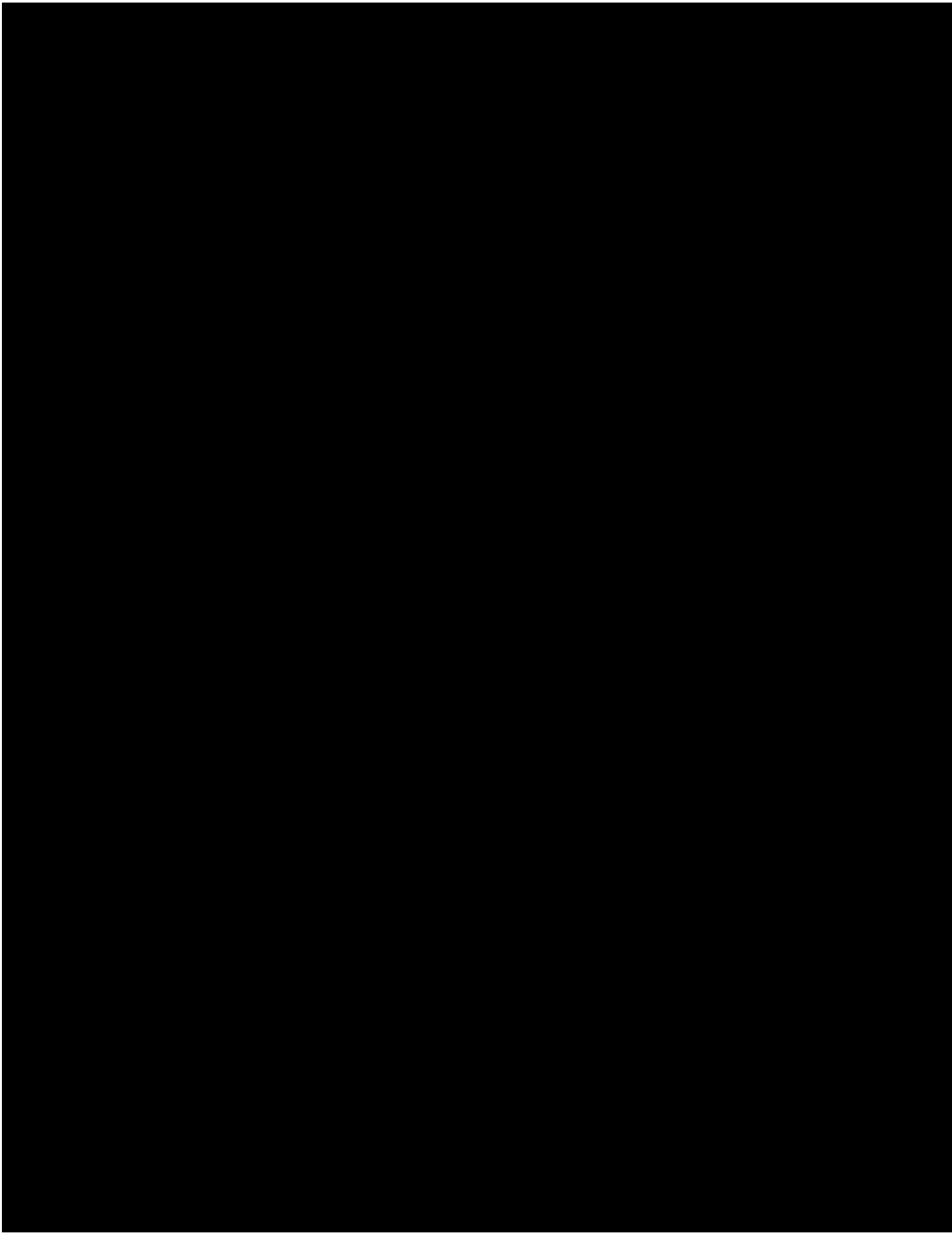


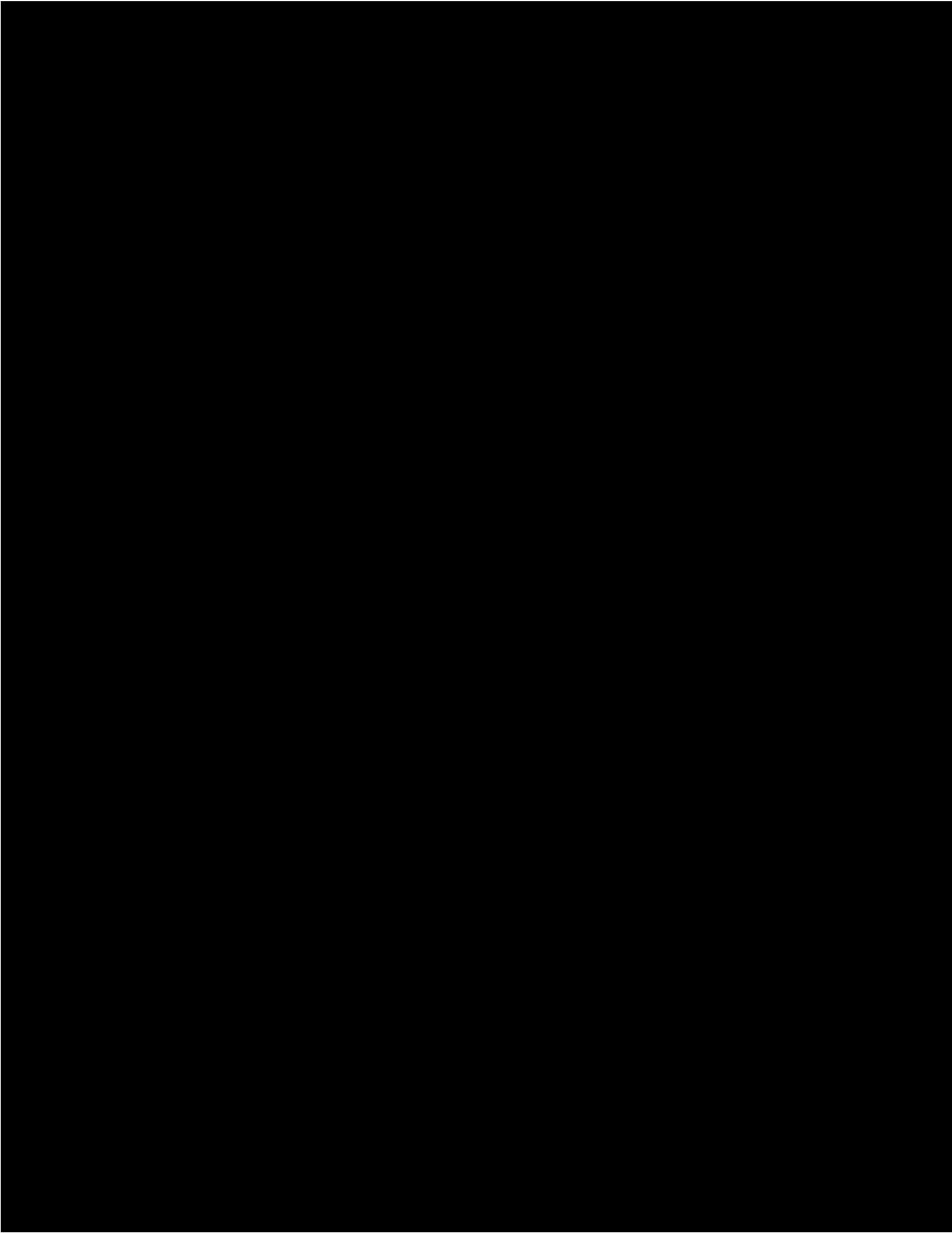


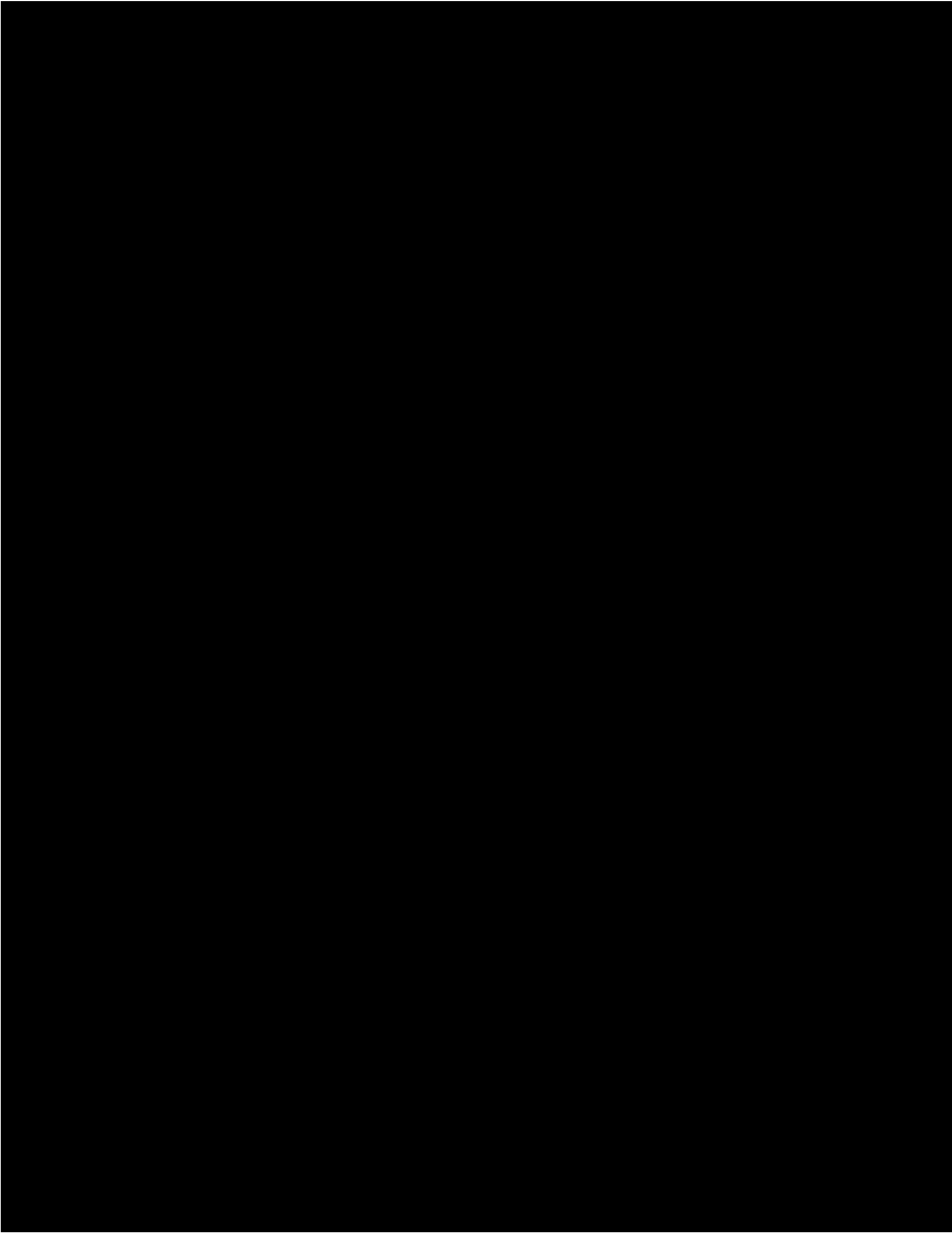


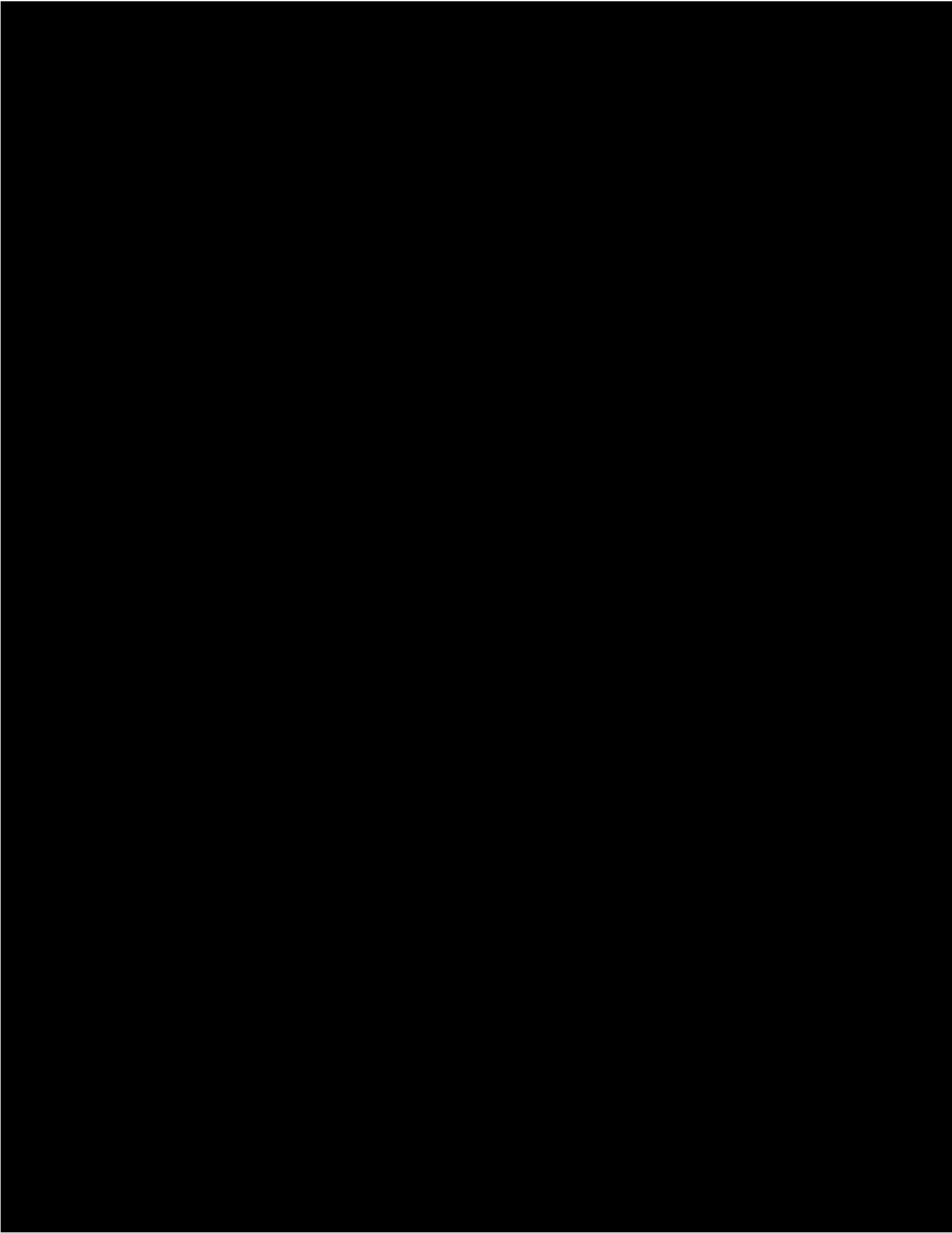


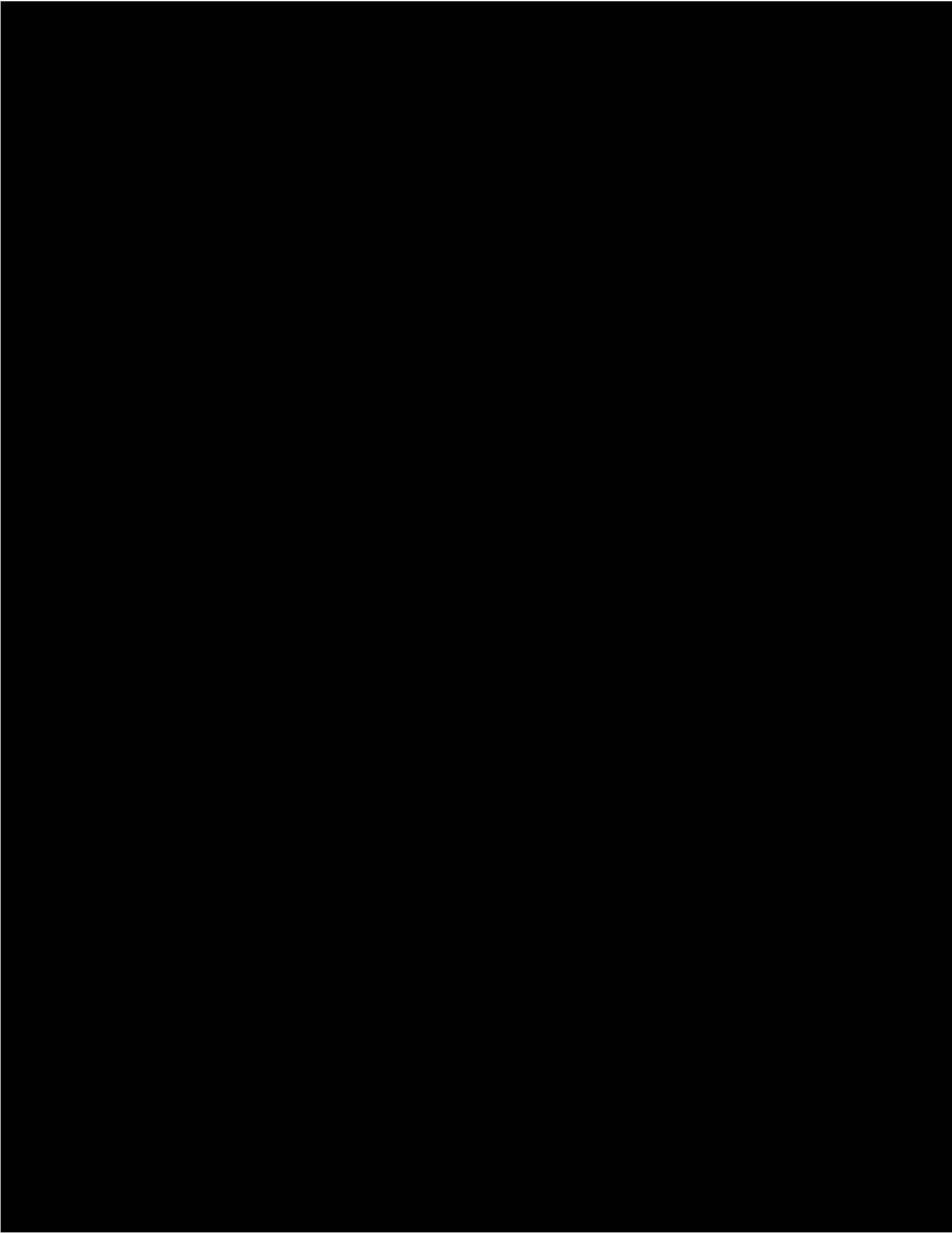


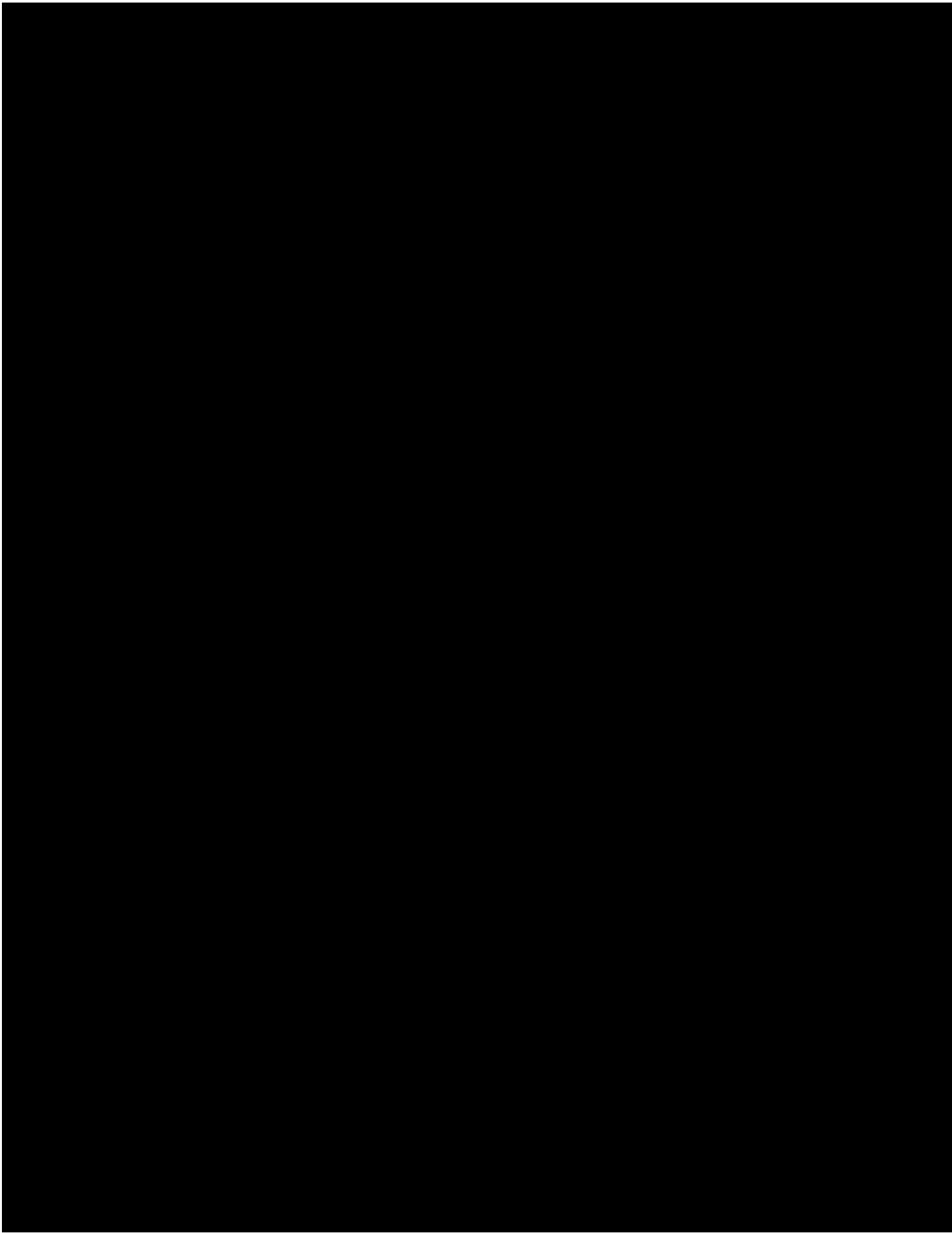


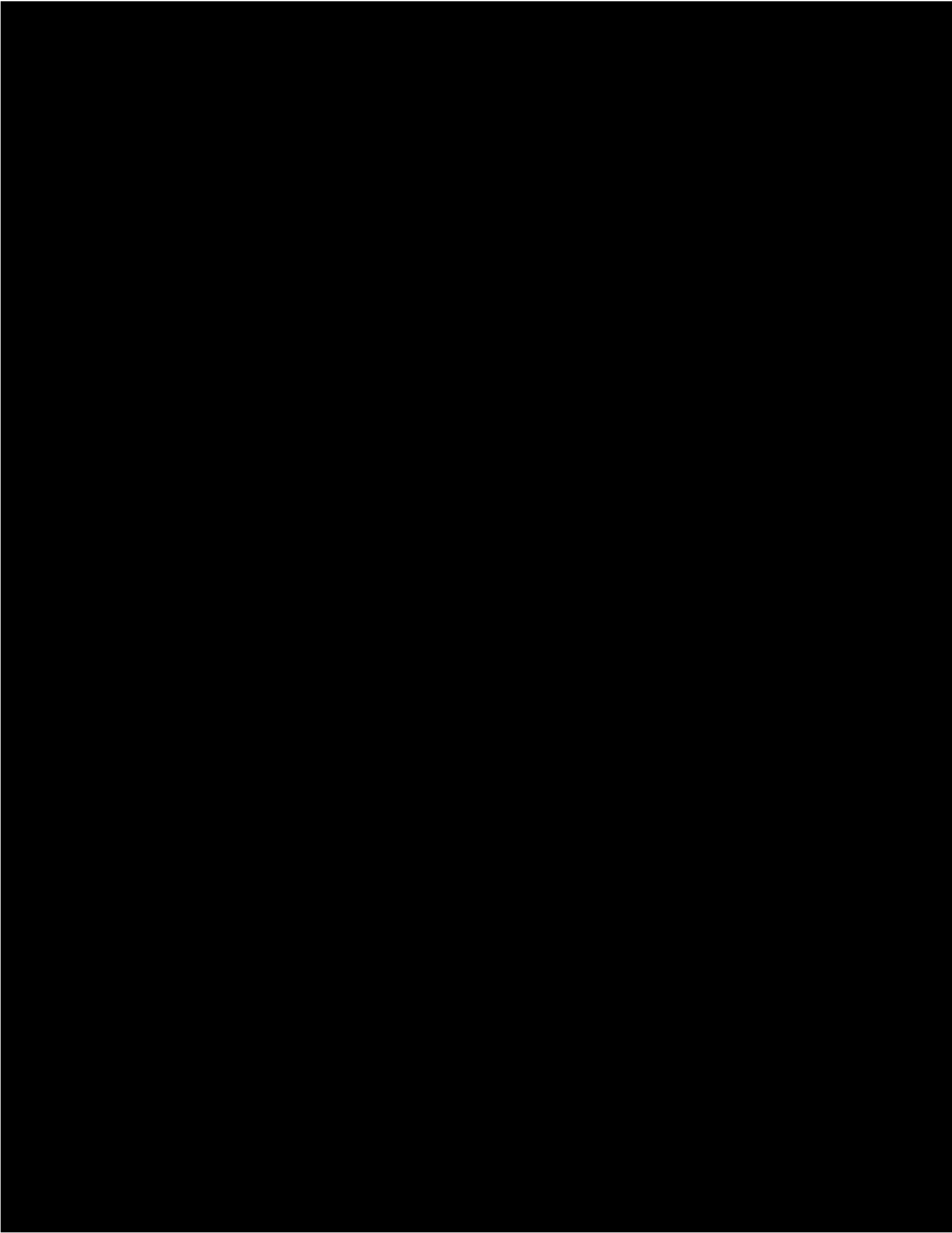


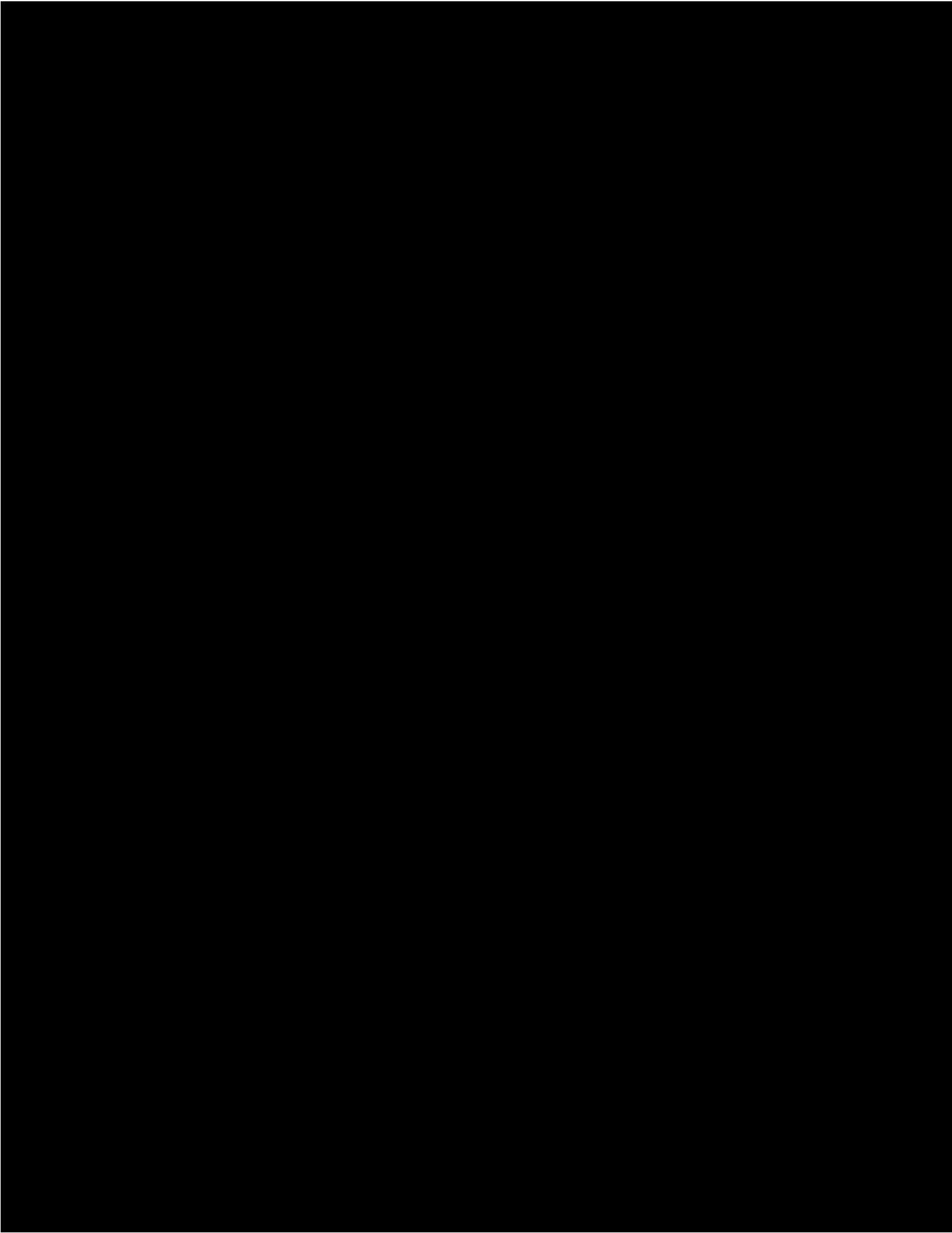


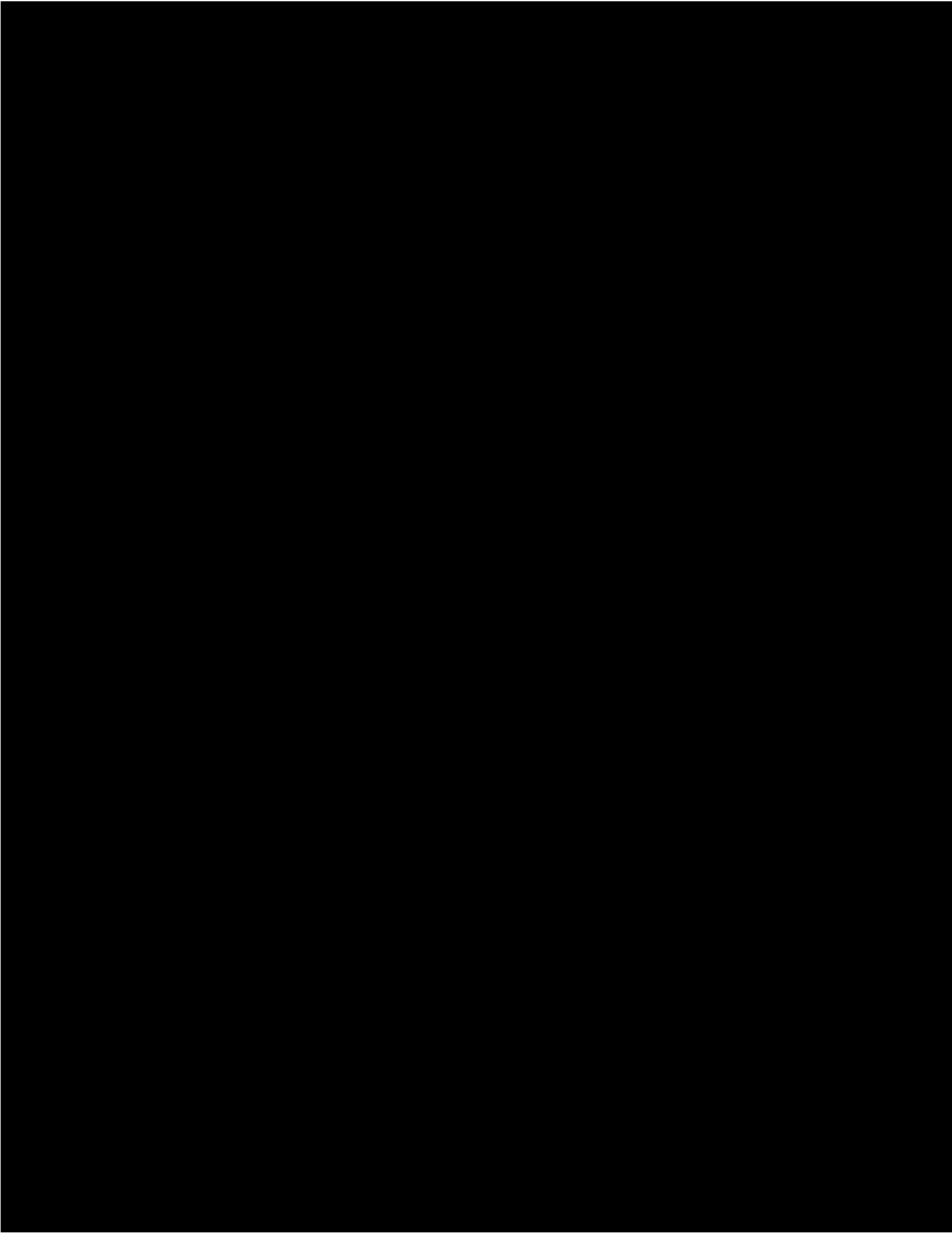


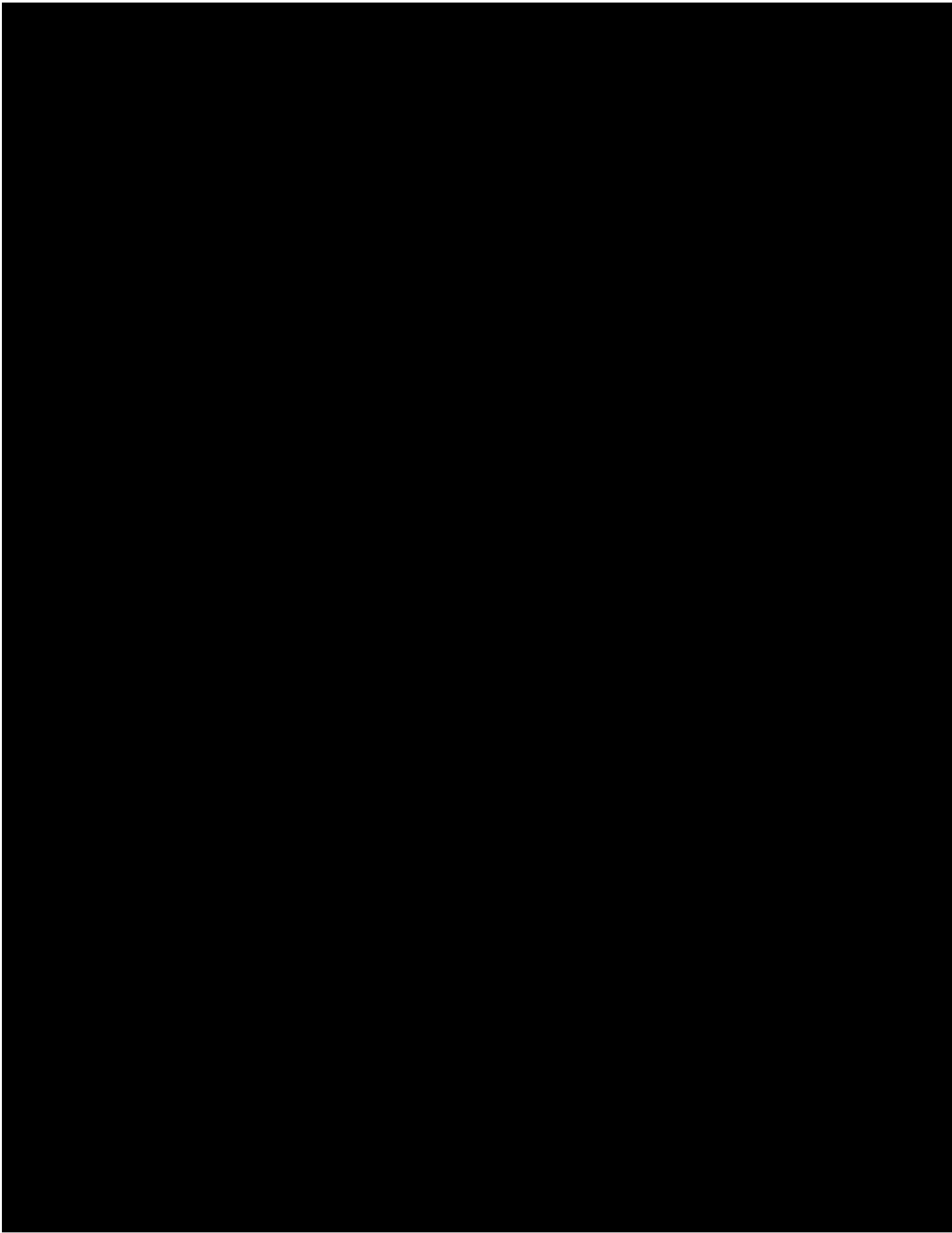


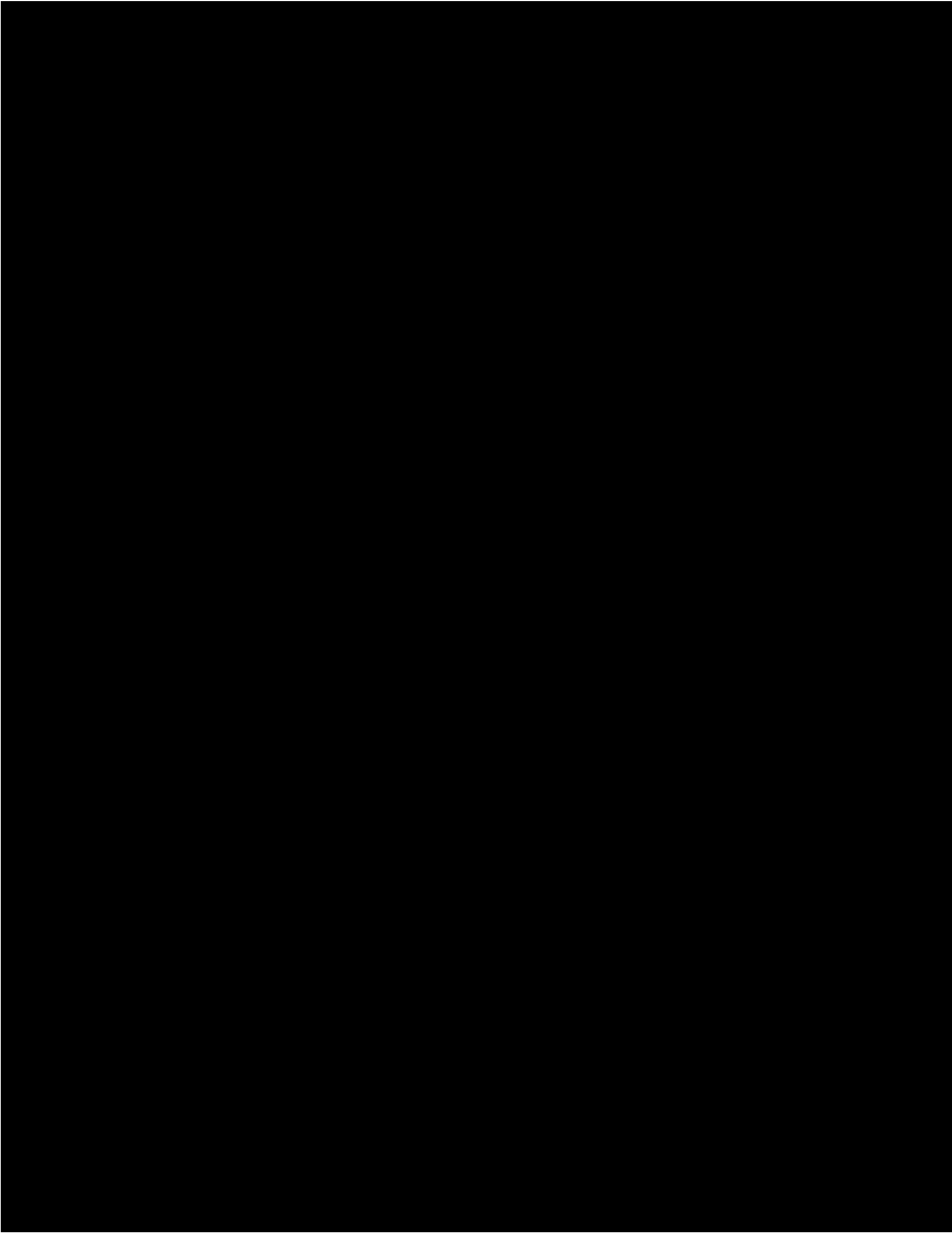


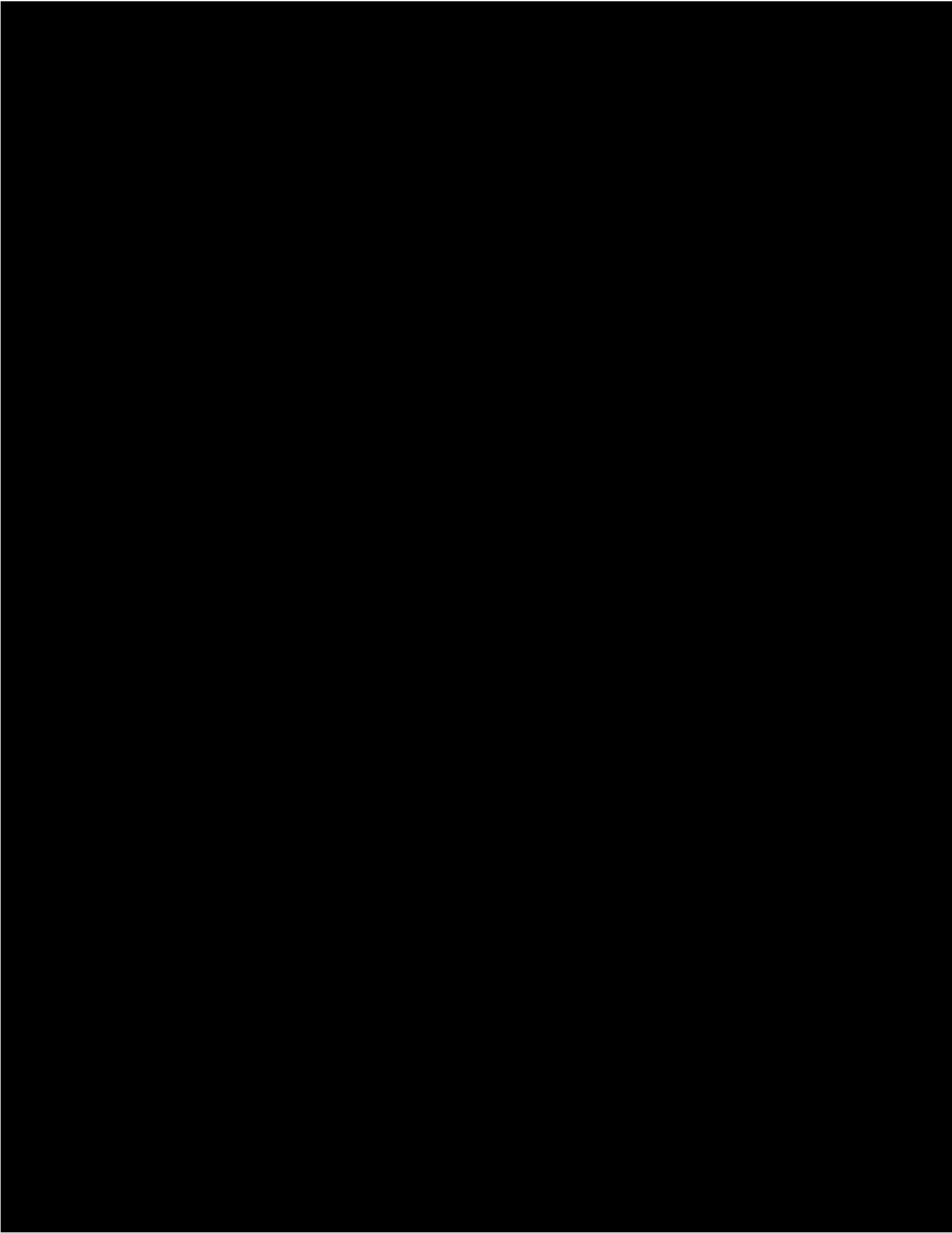


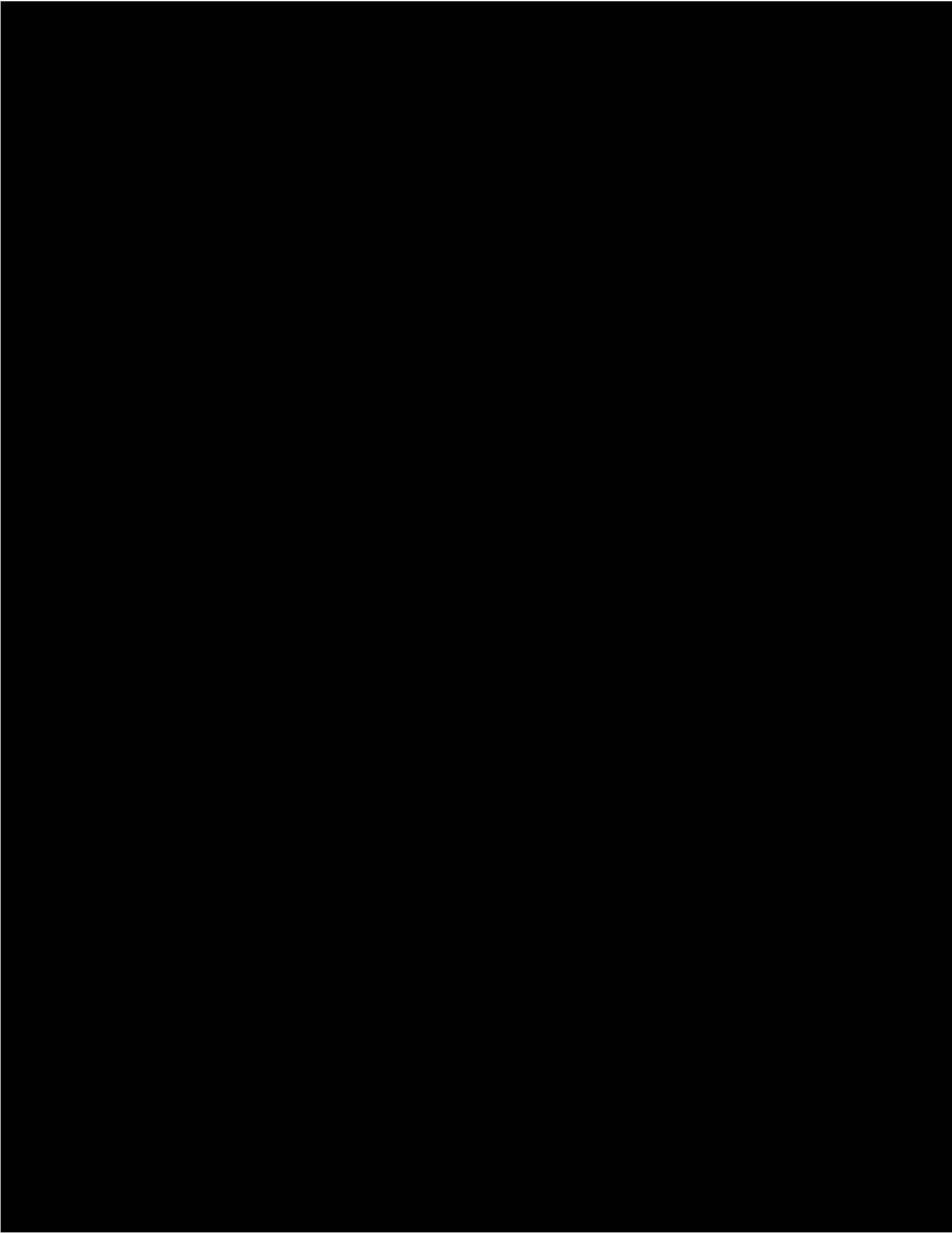


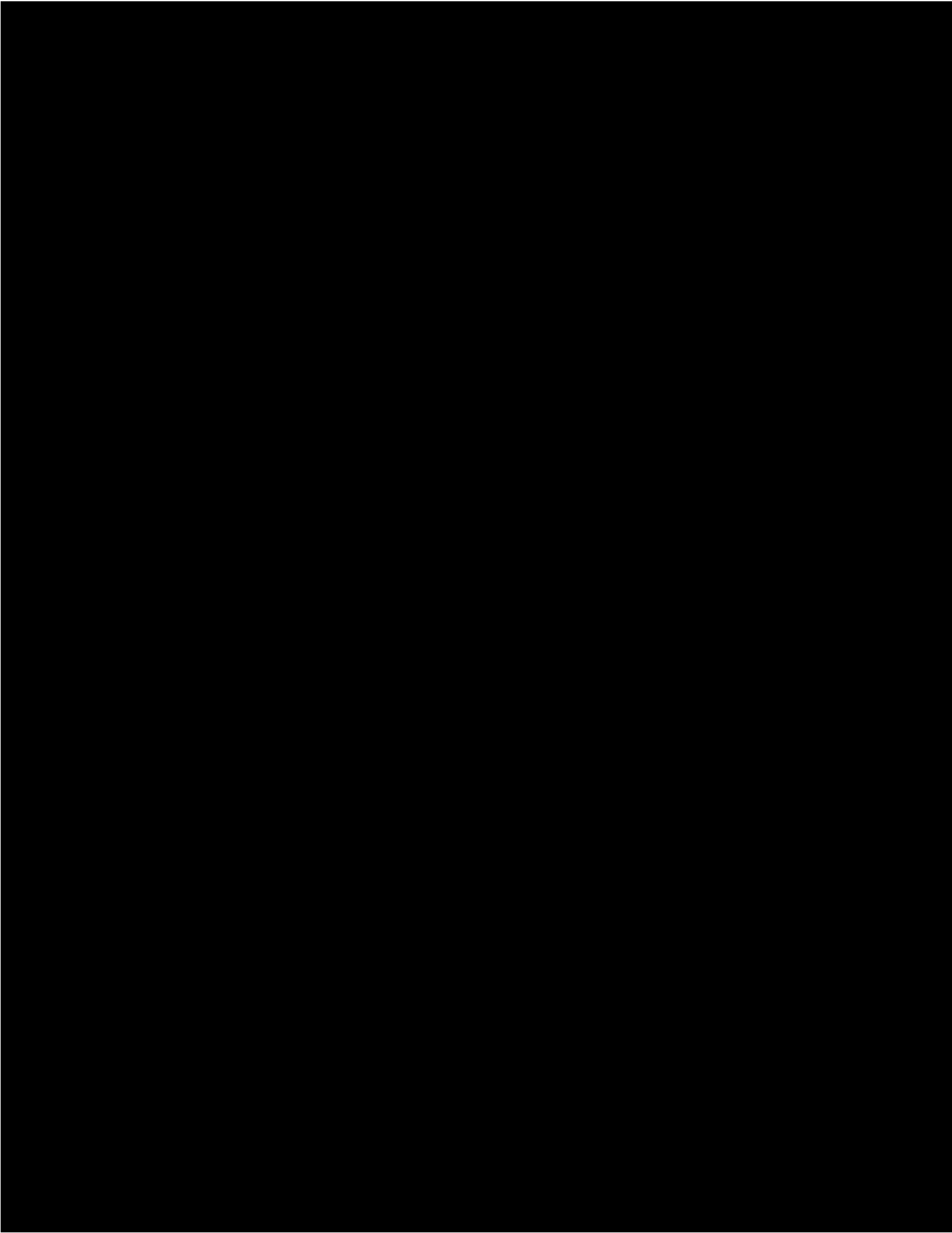


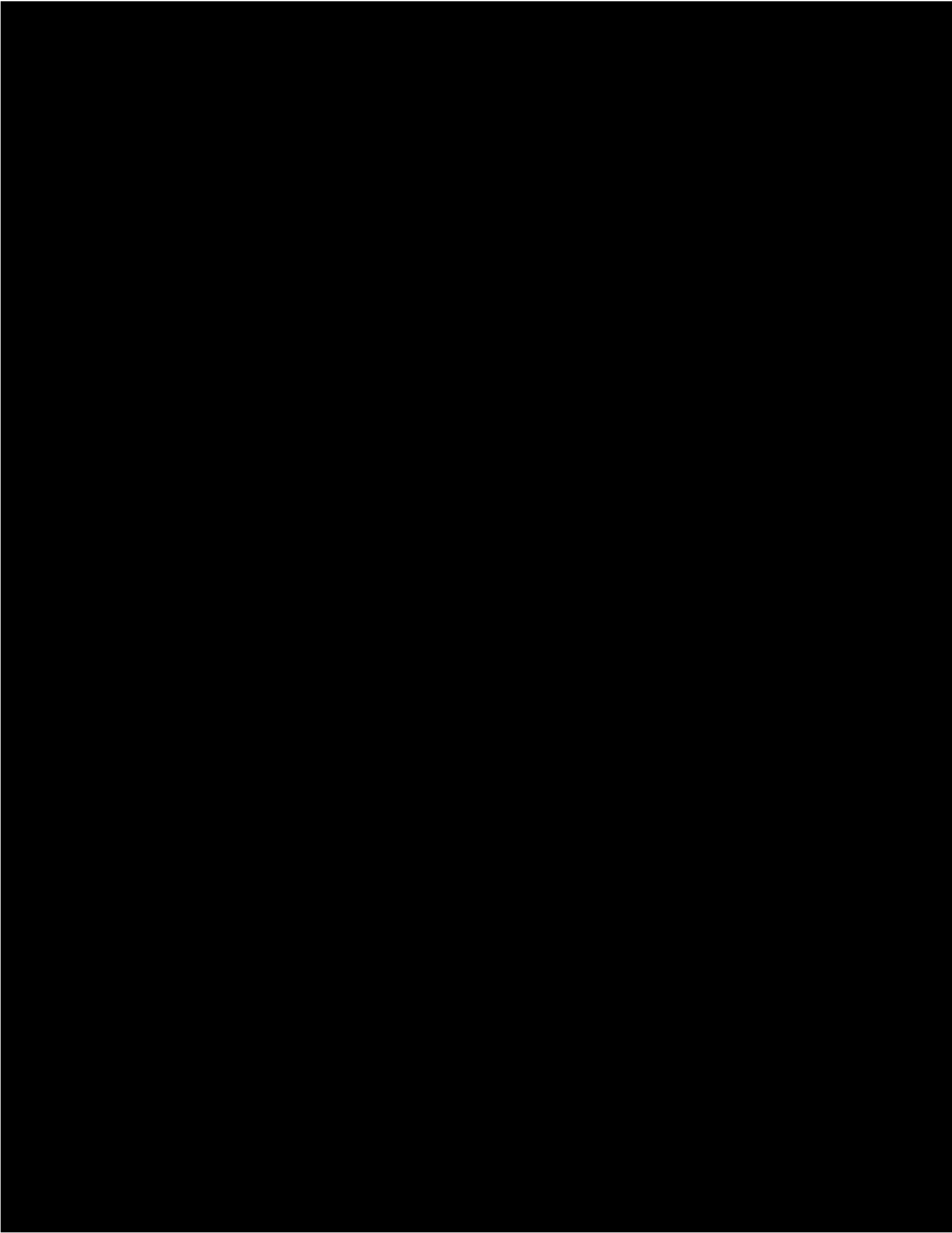














MOWERS WORKING THE SUMMER AFTER STERLING'S INCIDENT

EXHIBIT
8 a



ROCKS LEFT BY ARDOT MOWING CREW

EXHIBIT
8 b



EXHIBIT
8 c



EXHIBIT
8 d

July 19, 2023

Re: Dodson

Fred Meek
[REDACTED]

T/C w/ Fred Meek this date. Mr. Meek was driving westbound on Hwy 51. He said the AR DOT work crews were located on both sides of the road. He observed a bat winged bush mower on the north side of the road near Panther Pass which backed up into Mr. Meek's lane of travel. At one point, this mower was headed in the direction of Mr. Meek's car. He had to bring his car to a stop. He was driving a VW Jetta. He observed Sterling driving eastbound on Hwy 51 at about 10 to 15 mph. While Mr. Meek was stopped, he observed that the mower, which was west of Panther Pass store, was on an embankment. On the left side of the mower its rotor blade was kicked up in the air about 4 feet. Mr. Meek observed an object about the size of a hockey puck be ejected-leave the mower and shoot across the roadway traveling past the front of Mr. Meek's windshield. He stated that the object was approximately 10 yards in front of him. He did not see the object strike Sterling but he heard it hit him. He described it like a .22 going off. He heard the object which he had just observed shooting across the roadway from the mower hit Sterling. Mr. Meek turned his vehicle around and went back to the Panther Pass to attend to Sterling. He said that there was blood everywhere. Sterling was screaming and in pain. It was a terrible scene.

Mr. Meek said, "I saw the object go in front of me. It was about 10 yards in front of me." Mr. Meek had his windows up and his radio was off. It was a warm morning and he had his air conditioner on. He stated that the object which struck Sterling could have been a rock. He doesn't know exactly what the object was. He just knows for a fact that it came from the bush hog mower and shot across the roadway hitting Sterling. The object was about chest high, 4 to 5 feet off the ground as it went across the roadway. He said there was blood gushing out of Sterling's face. When he took his hand off his left eye, it was really bad.

Mr. Meek left his business card with Sterling, telling him that he had seen what had happened and if he needed to, he could give him a call.

When Mr. Meek left, he drove past a person from the work crew who was sitting in their truck. He told them that their mower ejected an object which just hit a man in the eye. He stated, "Something flew out of your bush hog and hit a guy who's at Panther Pass." The AR DOT employee told him, "Thank you."

Mr. Meek stated, "This is not just what I think happened, I know this happened.":

This was a bat winged bush hog and it can eject objects at a high velocity. The mowers have a lot of torque on its blade(s) and it can eject things a long way.

Mr. Meek observed the mower come into his lane of travel on the roadway, then backed up, and then went onto an embankment on the north side of the road. When it did, the left side bat wing was up in the air about 4 feet when the object was ejected from it. The AR DOT guy he talked to was the flag guy but he was just sitting in his truck.

Mr. Meek has been back to the scene and now there is a different AR DOT crew working in the area. The roadway in this area is a straight away. There are other areas on this road where there are curves and in these areas, there are flag men controlling and managing traffic.

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BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

Arkansas
State Claims Commission

OCT 17 2024

RECEIVED

STERLING D. DODSON

CLAIMANT

V CASE NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

DEPOSITION OF
STERLING DODSON

Malvern, Arkansas
April 15, 2024, at 10:10 a.m.

CRIS M. BRASUELL, CCR
ArkansasCourtReporter.com

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A P P E A R A N C E S

ON BEHALF OF THE RESPONDENT:

AMANDA ANDREWS, ESQUIRE
ARKANSAS HIGHWAY TRANSPORTATION DEPARTMENT
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LITTLE ROCK, AR 72209
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ON BEHALF OF THE CLAIMANT:

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S T I P U L A T I O N S

IT IS HEREBY AGREED AND STIPULATED by the parties in the above cause, through their attorneys of record, that the testimony of Sterling Dodson, produced, sworn, and examined at the offices of ARDOT, 3922 Oliver Landcaster Boulevard, Malvern, Arkansas, commencing on April 15, 2024, at 10:10 a.m., before Cris M. Brasuell, CCR, pursuant to the terms and provisions of the Arkansas Rules for use as permitted by the Rules; that the questions and answers so given and propounded shall be transcribed by the reporter.

WHEREUPON, there being no further stipulations, the following proceedings were had and done, to wit:

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P R O C E E D I N G S

THEREUPON, Sterling Dodson was duly sworn to tell the truth, the whole truth, and nothing but the truth and gave the following testimony to wit.

DIRECT EXAMINATION

BY MS. ANDREWS:

Q Thank you, Mr. Dodson.

My name is Amanda Andrews and I represent the Arkansas Department of Transportation and we mostly call it ARDOT.

So we're here today regarding a claim you filed against ARDOT related to an accident that happened on July 11th, 2023. I believe I have that date right.

A Yes.

Q I'm going to ask you some questions about the case. Have you ever given a deposition before?

A (Witness motions head side to side.)

Q Okay. I'm going to give you some kind of just preliminary, what I call, ground rules. But they're not mean. It's just so we can have just a conversation.

A lot of times, just as the conversation we just had, it's easy to get excited about something or forget something and jumping in and, you know, and filling me in on something.

1 Cris here is taking down everything that we both
2 say. So we can have a clean transcript or a clean
3 recording of today, if you'll just wait for me to finish
4 a question, and I'll try to remember to do the same for
5 you.

6 If you don't understand a question, I am very prone
7 to asking bad questions, so just say so and I won't be
8 offended, I'll repeat the question.

9 Because Cris is taking down everything we say,
10 verbal responses are important. Again, so when I go back
11 and I read today, I know what you said and I don't have
12 to assume. So uh-huh, hu-uh, and head nods or shakes are
13 hard for her to take down.

14 A Oh, yes.

15 Q So if you can try to remember verbal.

16 A Okay.

17 Q And if I pause and say was that a yes, again, I'm
18 not trying to be rude.

19 A I understand. I do understand.

20 Q It's just so your story is clear.

21 A Yes, ma'am.

22 Q Because that's what we're here about today, is your
23 story of that day.

24 If you don't hear a question, there is some road
25 noise outside, so if you'll just let me know, I didn't

1 hear that.

2 And, if you don't know the answer to a question, I
3 don't know is a reasonable response. Totally reasonable.

4 As I shared with you earlier, we do have a restroom
5 right here. If you need a break to run to the facilities
6 or to speak to Jim your attorney, just let me know, we
7 can go off the record, not a problem.

8 I just only ask, if there is a pending question,
9 that that would be answered, unless you have an issue
10 with a question and you need to talk to your attorney.

11 All right?

12 A Okay.

13 Q Finally, you've taken an oath to tell the truth.
14 will you do that today?

15 A Yes, ma'am.

16 Q All right.

17 will you please state your name.

18 A Sterling Dwayne Dodson.

19 Q will you spell that for us?

20 A S-t-e-r-l-i-n-g, D-w-a-y-n-e, D-o-d-s-o-n.

21 Q Is it D-e-w --

22 A D, D-w.

23 Q D-w. Okay. Is there an apostrophe?

24 A No.

25 Q Okay.

1 And what's your date of birth, Mr. Dodson?

2 [REDACTED]
3 Q As you sit here today, are you on any medication
4 that might affect your ability to understand what we're
5 doing?

6 A I don't think so.

7 Q Okay.

8 what is your address?
[REDACTED]

10 Q Okay.

11 A And that's [REDACTED] [REDACTED]

12 Q How long have you lived there?

13 A This residence, just a year and three months. New
14 house.

15 Q Okay. Where'd you live before?

16 A [REDACTED].

17 Q Here in [REDACTED]

18 A Yes. Right across the highway from where I am now.

19 Q Okay.

20 A It's all out in [REDACTED]. We were there 26 years.

21 Q Oh, okay. Did you build a new house?

22 A Yes, we did.

23 Q Okay. And do you live alone?

24 A No, ma'am.

25 Q Who do you live with?

1 A My wife and my youngest son.

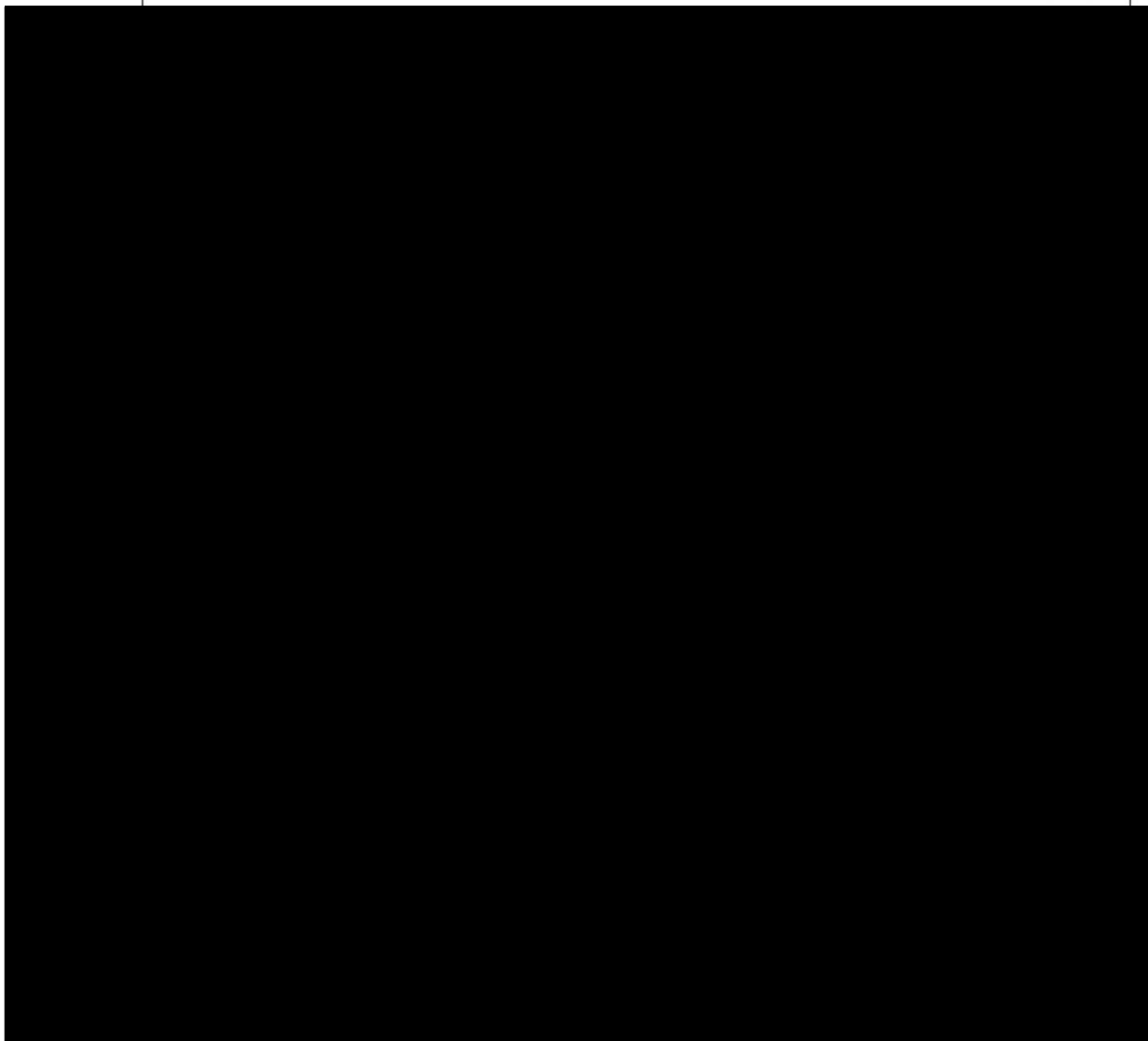
2 Q what is your wife's name?

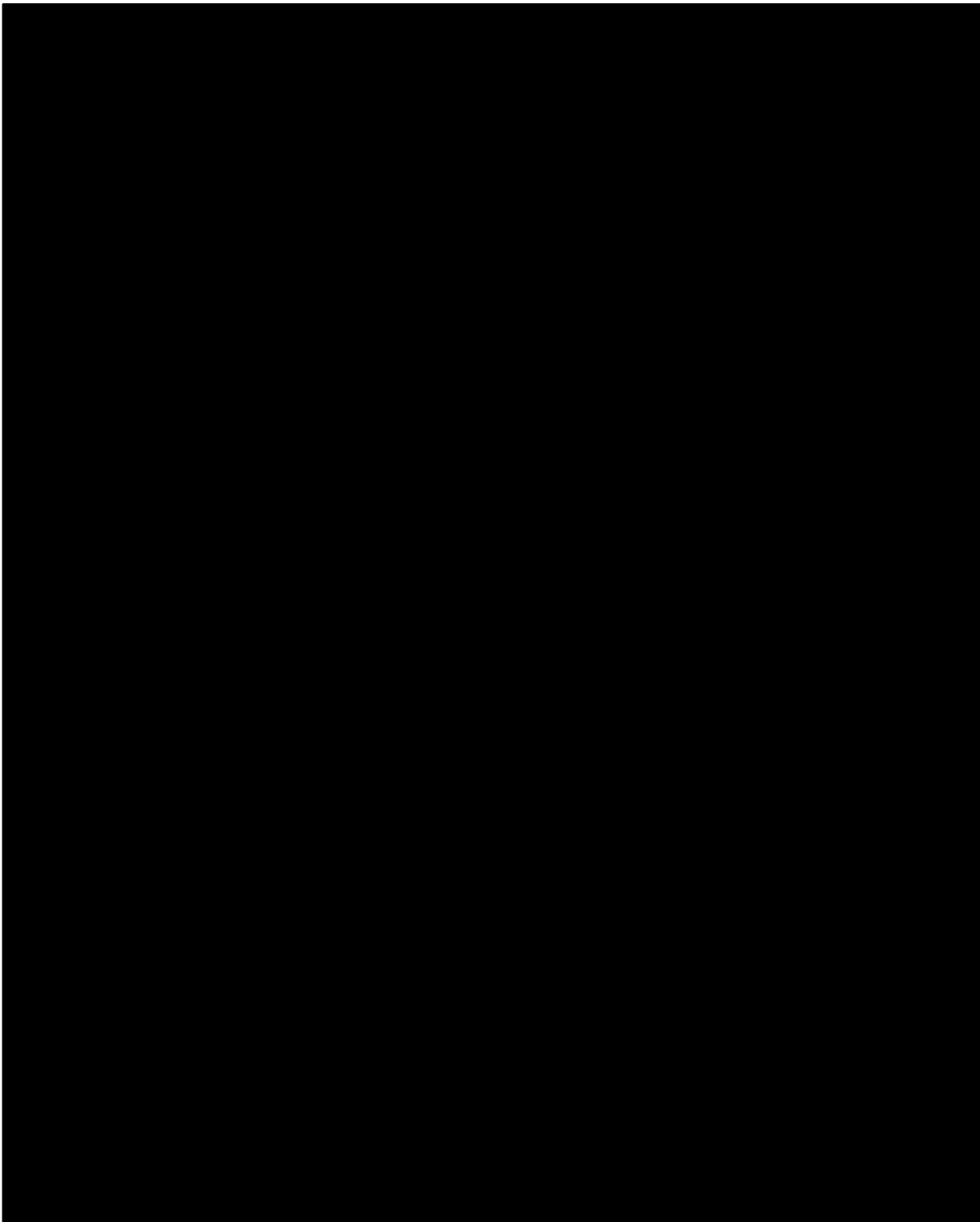
3 A Teresa.

4 Q How does she spell that?

5 A T-e-r-e-s-a.

6 Q And your son's name?





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1 Q Tell me about your educational background.
2 A High School.
3 Q what high school?
4 A Lakeside in Hot Springs.
5 Q Did you graduate?
6 A I did.
7 Q what year?
8 A '85. I did some -- I guess, two years of VoTech at
9 high school and then went in the Air Force for four
10 years.
11 Q was that right after --
12 A Yes.
13 Q -- high school? Tell me about your time in the Air
14 Force.
15 A I painted airplanes, giant airplanes.
16 Q wow. Did you have any tours?
17 A No.
18 Q No?
19 A I was stuck in New Jersey for four years.
20 Q Oh, goodness.
21 A That's why I didn't stay.
22 Q And, after four years, when your time was up --
23 A was up, yes --
24 Q -- you left?
25 A Yes. Uh-huh.

1 Q Well, thank you for your service.

2 A Thank you. You're welcome.

3 Q Are you employed?

4 A Yes.

5 Q Okay.

6 Before we get to your current employment, give me a
7 little bit about your employment background after you
8 left the military.

9 A Drove a truck for a short time. That was what I
10 thought I would be doing.

11 Married, got into the body shop business for
12 several, several years. Because of family situations,
13 left there, mechanic shop for a little while, went to the
14 railroad for a little while.

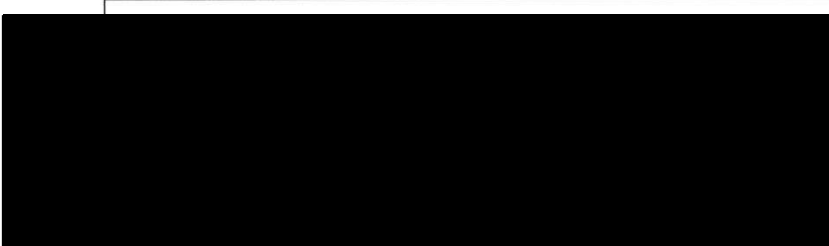
15 School bus mechanic down at our local school,
16 Magnet, a short time in an excavating company. I'm
17 trying to think of what -- I did several things for a
18 while trying to find myself again.

19 And now I've been back in the body shop business for
20 about ten years.

21 Q Oh, okay. And where do you work? What's --

22 A And -- oh, the crane company. I missed the crane
23 company I worked at.

24 Q Oh, okay. And what's the name of the body shop?



5 Q what do you do at the body shop?

6 A I am just a body man. That's -- I mean, that's my
7 title. I'm kind of the shop -- I'm the old guy in the
8 shop. I'm the experience in the shop.

9 But, yeah, I'm a body man, but -- basically. I'm
10 a -- I was a body man and painter but I don't paint
11 anymore.

12 Q why is that?

13 A Because I -- depth perception with one eye is
14 horrific. And I just -- I just can't. It doesn't -- I
15 streak it, I run it, I -- I still get away with priming
16 some things. But the painting part is no go.

17 Q Can you describe what kind of bodywork you do? or
18 generally, actually, what's -- just describe a general
19 day to me.

20 A I tear all the damaged parts off of your car, repair
21 what can be repaired, and replace what has to be
22 replaced. I mean, I --

23 Q And so you physically do the body work?

24 A Yes, ma'am.

25 Q And did you testify you've been at Crutchfield for

1 about ten years?

2 A For about -- I think it's nine and something I've
3 been there, and --

4 Q And, in case I skip over this later, how much do you
5 make?

6 A Eleven-fifty a week.

7 Q You're salary or hourly?

8 A Salary.

9 Q Do you just make a set amount each week?

10 A Yes, ma'am.

11 Q Do you ever get overtime?

12 A Yeah, when it's there. I -- and I could take more.
13 Most of our overtime just ended for a while; but, yes,
14 no, I do take overtime when it's available.

15 Q Do you do any car repairs outside of [REDACTED]?

16 A My own is all.

17 Q So you do work on yours and Teresa's vehicles?

18 A As much as I possibly can.

19 Q Okay.

20 A I've had to give up a few parts, but --

21 Q What parts are those?

22 A I have a -- my three-quarter-ton work truck needed
23 spark plugs and it's -- it's hard to explain.

24 Fords are notorious for stripping out threads where
25 the plugs go. And I just could not do it. I couldn't

1 see good enough to do it down in that hole and so I hired
2 it out done.

3 Q And was your inability to see related to your eye
4 injury?

5 A I -- yes, ma'am. I couldn't get my -- you're
6 working in a hole that's this deep. And it just -- I
7 just couldn't do it. I tried. And, before I messed it
8 up worse, I -- well, actually, after I messed it up, I
9 decided I would get some help.

10 Q I understand.

11 A little bit about your background, and I apologize
12 for this question, but have you ever been arrested or
13 convicted of a crime?

14 A No, ma'am.

15 Q where'd you grow up?

16 A I was born in Kansas City, Missouri. Moved to
17 Independence, I mean, to Lincoln, Nebraska, back to
18 Kansas City and then to Ohio and then to Arkansas --

19 Q when did you --

20 A -- when I was 11.

21 Q Eleven? And what part of Arkansas did you first
22 move to?

23 A Hot Springs.

24 Q what brought your family here?

25 A My mom's parents were from here. My whole mom's

1 family was here.

2 Q I see. And so it sounds like, from your previous
3 testimony, you stayed in Hot Springs until you graduated
4 high school?

5 A Yes.

6 Q Went into the military for four years in New Jersey?

7 A Yes.

8 Q Goodness.

9 A Yeah.

10 Q And did you then come back to Arkansas?

11 A Yes.

12 Q In your adult life, have you ever volunteered for
13 anything outside of work? Done any volunteer work?

14 A Yeah. I mean, we've -- I was a t-ball and little
15 league coach for several years. I was a peewee football
16 coach for four years. I continued to volunteer at the
17 little league fields for a few years after mine were up
18 and gone from there.

19 Countless things at the school. You know, they
20 always ask for parents to volunteer work days, that kind
21 of stuff. Church work day volunteer groups that we go
22 out and help people in the community, in our
23 congregation, that can't take care of the yard.

24 Q Yes, sir.

25 A That kind of stuff, but that's that --

1 Q That's --

4 Q Oh, heavens. Oh, my.

5 A If it raises money, I'll do it.

6 Q And I failed to ask, besides [REDACTED] how many other
7 children do you --

8 A I have another, an older son.

9 Q How old is he?

10 A He is 31.

11 Q What is his name?

12 A Blake. Married with my two beautiful grandkids.

13 Q Where does Blake live?

14 A Blake lives out -- he's in [REDACTED] also.

15 Q I see.

16 A Four miles from me.

17 Q Okay.

18 A So that's why we moved across the highway, to get
19 that much closer to him.

20 Q Okay.

21 A Yeah.

22 Q That makes sense. Do you spend a lot of time with
23 Blake and his family?

24 A As much time as possible, yes. Every Tuesday.

25 Tonight's a t-ball game, our first t-ball game with my

1 grandson playing and my son coaching. I'm excited to see
2 this.

3 Q Oh.

4 A It's going to be quite the --

5 Q And you said Blake has two children?

6 A Yes.

7 Q Prior to the accident we're here about today, had
8 you ever previously been in any motor vehicle accident?

9 A I've wrecked a vehicle lightly myself. Got
10 rear-ended one time. But, no, no other motor vehicle
11 accidents.

12 Q So you wrecked a vehicle your -- it was a single
13 vehicle accident?

14 A Yes, it was all me. I drove it in the ditch in --

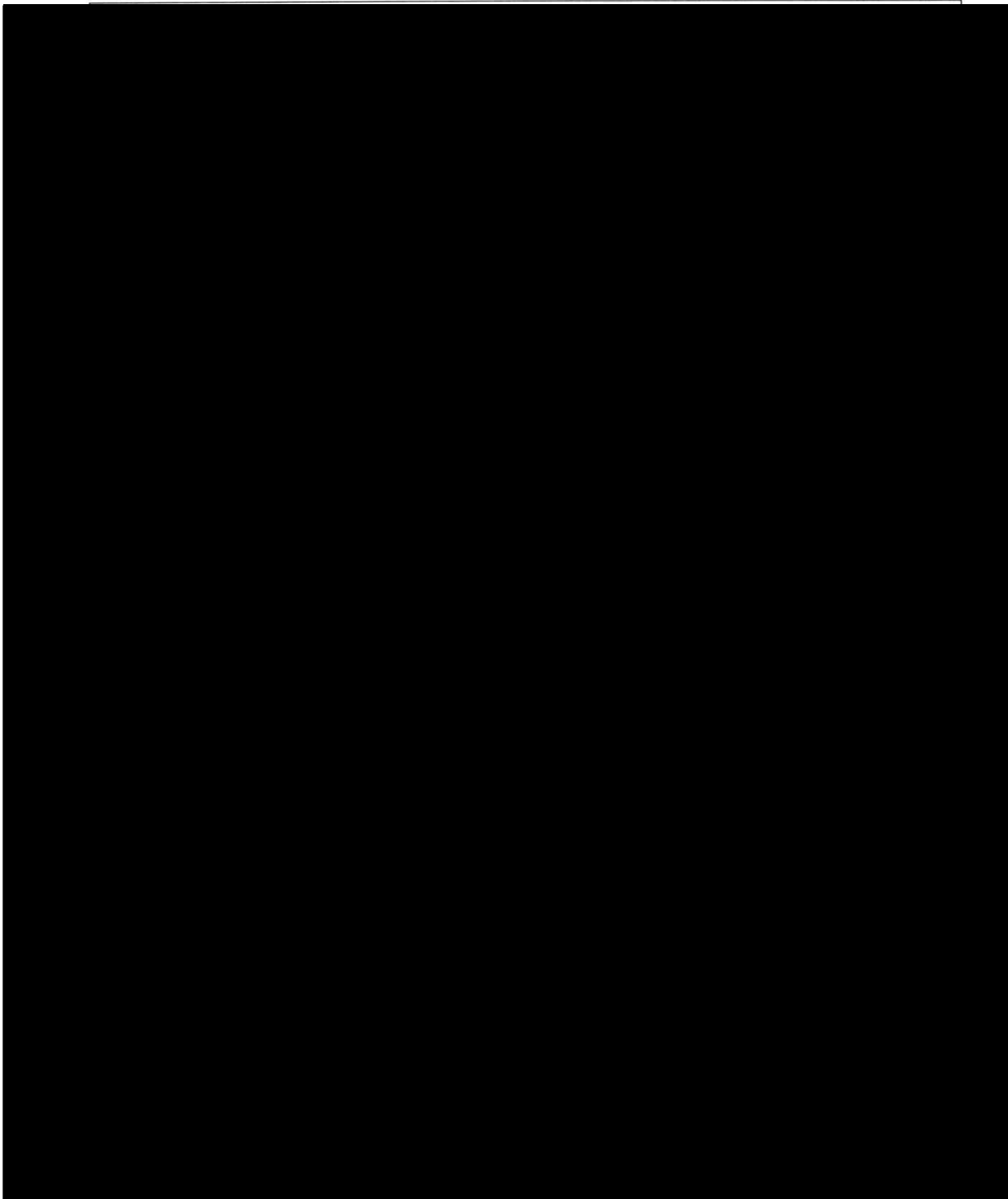
15 Q Were you injured?

16 A No. No. Just hurt my pride and my truck.

17 Q Certainly.

18 Have you ever been involved in any other accidents,
19 let's say, at work or out and about?

20 A Not -- I mean, not any kind of injury accident or
21 anything that I --



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[REDACTED]

2 But, besides that, I do pretty well, I think. I
3 outwork the other guys in my shop by 20 years and --

4 Q That's something to be proud of.

5 A Well, it is. I mean, I'm a worker. That's what I
6 try to be, is -- that's what I do best.

7 Q And what kind of hobbies do you have outside of
8 work?

9 A I used to enjoy building vehicles. That's not near
10 as enjoyable anymore.

11 Q Why is that?

12 A Just because of the disability. It -- it's harder
13 for me to -- I don't know how to explain it to you.

14 But when you -- when you try to put a bolt in a hole
15 right here and you go right here and you have to get both
16 hands and a flashlight up there to make it line in the
17 hole, it just gets unenjoyable.

18 We like to four wheeler ride a lot. That's another
19 one that throws me off. I -- I don't read terrain well,
20 so we try to stick to the same old trails now that I know
21 what it, what it is.

22 Q Any other hobbies?

23 A We used to dirt bike ride a lot and was looking
24 forward to that again. I just don't think I'll ever do
25 that one again. It's too much -- try to quick read to

1 where to go.

2 Golf, but I've given that up a long time ago. It's
3 just --

4 Q Okay.

[REDACTED] there's just not time for golf.

6 Q I understand. Who did you dirt bike with?

7 A My sons and his friends.

8 Q Uh-huh.

9 A I actually have -- I have already purchased a dirt
10 bike for my grandson. One I've -- it's a work in
11 progress. We're going -- and my son. We're just waiting
12 to get them ready and I'd be ready and I was going to buy
13 one.

14 Q I hope you bought a helmet too.

15 A Oh, yeah, no, we ride safe. We don't ride on the
16 road and we're -- and we protect well. Hopefully they'll
17 still ride.

[REDACTED]

22 Q Okay.

23 And the accident that we're here talking about
24 today, do you believe that it -- do you believe that you
25 had any back injury as a result of the accident?

1 MR. JACKSON: Back injury?
2 MS. ANDREWS: Yes.
3 MR. JACKSON: Like spinal?
4 MS. ANDREWS: Right. Well, anything. He
5 had the [REDACTED]

6 BY MS. ANDREWS:

7 Q So I just want to know, are we saying there was any
8 kind of injury from the accident?

9 A No, I wouldn't say that.

10 Q Okay.

[REDACTED]

14 Q Okay. All right. It's just to narrow down --

15 A I understand that. Yeah, and I'm not -- no.

16 Q And it was a terrible question.

17 A It -- it -- I mean, no. I mean, I -- knock on wood,
18 my back does good every day, so --

19 Q Okay.

20 A And it hasn't changed.

21 Q We are, again, here about an incident that happened
22 on July 11th, 2023.

23 A Uh-huh.

24 Q Can you tell me the time of day that the incident
25 happened?

1 A It would have been about 7:20 in the morning.

2 Q And where did it --

3 A To 7:30.

4 Q Okay. And where did it happen?

5 A Right on Highway 51, between the store and [REDACTED]

7 Q What store?

8 A It's Panther Pass now. It's the only store in
9 Magnet Cove out there on that highway.

10 I can show you exactly where it happened; but, I
11 mean, I don't know how to explain it to you.

12 Q Oh, no, just a general idea.

13 And you said -- and the road that your house is on?

14 A Yes, ma'am.

15 Q Okay. Well, you were familiar with area, weren't
16 you?

17 A Yes.

18 Q Okay. Where were you going when the accident
19 happened?

20 A I was going to the store. I was on my way to work.
21 But I stop at the store to get a Mountain Dew every
22 morning. So, I mean --

23 Q They're hard to live without.

24 A I -- I've cut myself to one a day --

25 Q Nice.

1 A -- which is good for me, if you knew me back ten, 15
2 years ago.

3 Q We had --

4 A One small one a day.

5 Q We have a little area in the basement of our
6 building with, you know, drinks and snacks. And it's
7 really hard when 2:30, three o'clock rolls around --

8 A Yes.

9 Q -- it starts sounding good.

10 So you were going to head to Panther Pass and then
11 to work?

12 A To work, yes, ma'am.

13 Q Had you just left your house?

14 A Yes.

15 Q Okay.

16 All right. Now, if you'll describe exactly what
17 happened.

18 A What I remember is driving, seeing the mower. I saw
19 him come up out of the ditch. I saw that thing tangled
20 up like that and I just thought, ugh; and, the next thing
21 I know, I -- I don't know what's going on, basically.

22 Q So, walking through that, a little step by step, in
23 the direction that you were headed, on which side of the
24 vehicle was the mower?

25 A On the driver's side.

1 Q Okay. And what was the object or the piece that you
2 saw sticking out?

3 A I saw the mower and the mower blades.

4 Q The mower blades?

5 A I didn't see what hit me in the face. I just know
6 he came out of the ditch to go around something, I guess,
7 in the ditch and I was thinking, when he come up out of
8 the ditch, that I didn't like seeing the underside of his
9 bush hog. But I never thought it was going to do this.

10 Q And were your windows rolled down?

11 A My window was down.

12 Q And that's all you remember?

13 A That's all I remember, except a really loud noise
14 and trying to get stopped.

15 Q What do you then remember?

16 A I remember a boy coming out of the store and he said
17 do you need help; I said yes.

18 And then several of the people that I see at the
19 store every day, except for four of them, all come out
20 and started tending to me.

21 Q Do you recall the names of the people who came to
22 the scene?

23 A Oh, yeah.

24 Q Okay.

25 A I see them every day.

1 Q Tell me about --

2 A Tom --

3 Q Tell me those names.



9 Q Did they work at the store?

10 A Yes, ma'am. The other four guys are just coffee
11 drinkers there in the morning. But they're who come and
12 took care of me until the ambulance got there.

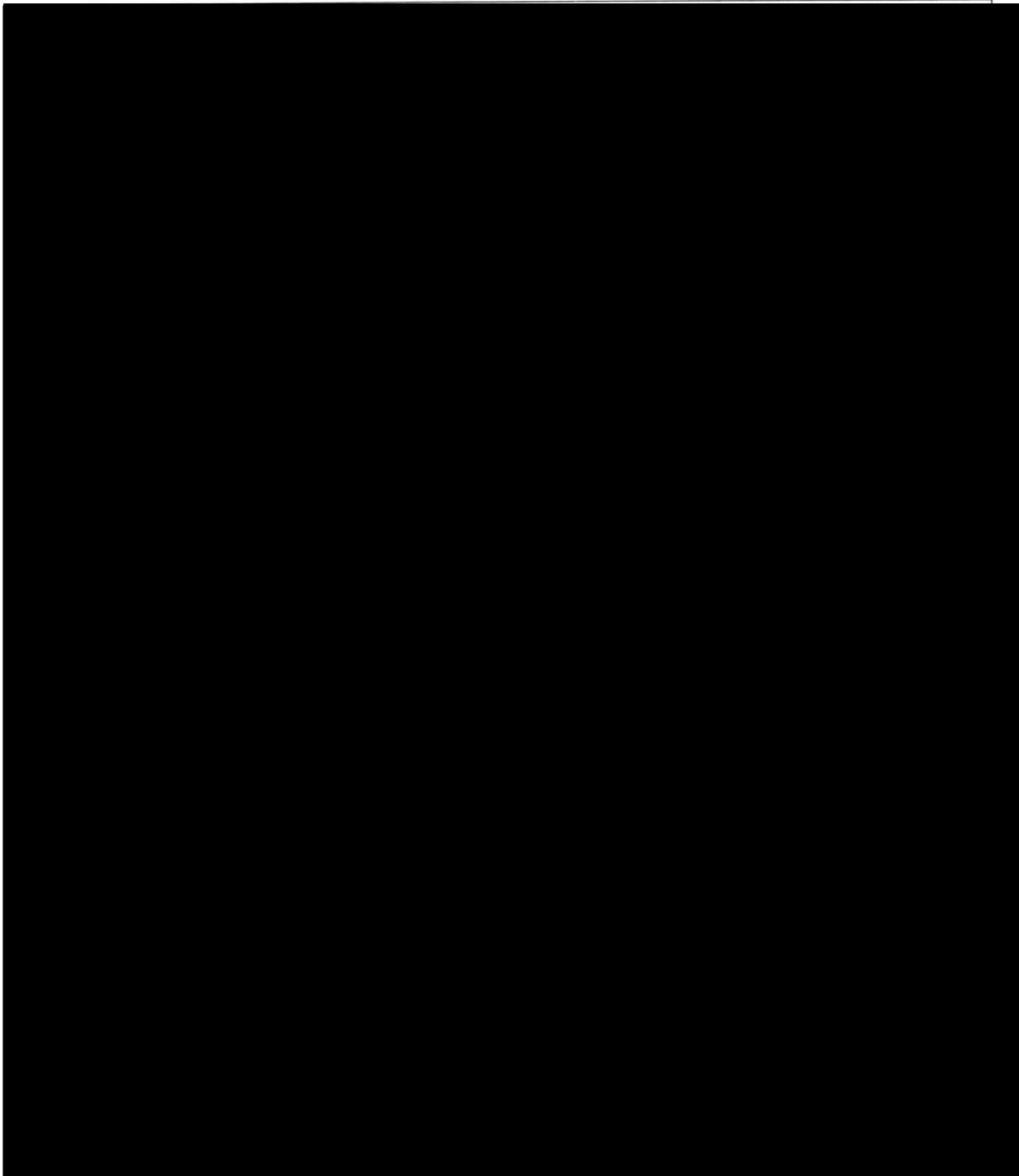
13 Q And what kind of help did they give you?

14 A Mostly a lot of emotional support because I -- but
15 holding ice on my, on my -- I was bleeding profusely. So
16 they swapped me out with ice and rags two or three times
17 waiting on the ambulance.

18 Honestly, I don't know if you want to hear it, but
19 --

20 Q Uh-huh.





25 Q About how far past the mower or the bush hog did you

1 stop? Or would you say you stopped right at it?

2 A No. He hit me, I tried -- I started pulling over
3 right away because I was -- I didn't -- I mean, I -- and
4 I got there.

5 I got my -- a shirt I had in my truck, I put here
6 because I knew I -- and then I looked and I saw the
7 store, it's another 40 yards is all, sixteenth of a mile,
8 maybe. I told myself to get there to get help.

9 Q I see.

10 A So --

11 Q Okay. So you actually pulled into the store --

12 A Yes.

13 Q -- holding a shirt up?

14 A Yes.

15 Q And, the ARDOT workers, did any of them come to your
16 vehicle?

17 A They didn't come to my vehicle. But they came and
18 talked to the gentleman -- a gentleman stopped.

19 He was actually coming towards me. And, when the
20 mower come out of the ditch, he had to stop. So he was
21 my witness that saw throw something. And he didn't see
22 what it was. He just heard it hit me and he knew I was
23 flailing, is what he called it, afterwards. So he knew
24 something was bad wrong.

25 He came back -- he went up the road and told them

1 you guys have hit this man with something. And I don't
2 know who -- from there, I don't know which one of them --
3 or if they just called their boss and the boss is the one
4 that came out there. I don't know if any of the guys on
5 that actual crew came down there.

6 I think they sent Wade out there; which is kind of
7 the boss here at this --

8 Q Uh-huh. Okay.

9 A And he got statements from Wade and -- I mean, from
10 that Mr. Meek, the witness guy.

11 But he didn't actually talk to me. But I was in --
12 I wasn't in any shape to talk to anybody.

13 Q Sure. And tell me again the name of the witness.

14 A Fred Meek.

15 Q Do you know Mr. Meek?

16 A I do not. I've tried to contact him afterwards and
17 haven't had any luck.

18 Q And do you know the name of the ARDOT worker or
19 workers who came to the store after?

20 A No. I know who was on the mower.

21 Q Okay. And who was that?

22 A I don't -- well, I don't know his name. I don't
23 want to say.

24 Q It's --

25 A He's my grandson's baseball coach.

- 1 Q It's okay.
- 2 A I don't know his name.
- 3 Q Oh, okay.
- 4 A He's the only black guy that works here.
- 5 Q Oh, okay.
- 6 A And I just know he was on the mower.
- 7 Q But you knew who he was?
- 8 A Yes. I mean, I -- I had actually talked to him
- 9 before several times. And I still see him.
- 10 Q Certainly.

- 24 Q Have you spoken to the ARDOT worker who -- the
- 25 driver, have you spoken to him since the incident?

1 A No.

2 Q Haven't talked to him about it?

3 A No.

4 Q Have you talked to anyone at ARDOT about the
5 accident besides me?

6 A I know I have two really close friends, Dean Teague
7 and James Wallace, that both work here. They've called
8 and asked how I was a bunch of times.

9 And that's just about -- I would just tell them how
10 I was at the time. And this was after it happened at
11 first.

12 Q Sure.

13 A I guess they just called checking on me. That's the
14 only two I've really talked to.

15 Q Of course.

16 A I'm getting a cramp in my leg.

17 Q You need to stand up?

18 A No, I don't think so.

19 Q And you said Dean Teague?

20 A Dean Teague.

21 Q And who's the other?

22 A James Wallace.

23 And, like I said, they're -- I know several of these
24 guys. Those are actual acquaintant friends, I would
25 call. And like I say, they just called checking on me.

1 Q Sure.

2 A But I really haven't discussed any of it with -- I
3 don't like -- I don't like talking about it.

4 Q So, besides the workers that were there actually
5 doing the mowing work, you believe Wade came to the
6 scene?

7 A Yes, ma'am.

8 Q Okay.

9 A Because that's who called my wife.

10 Q Did you talk to Wade at the scene?

11 A I did not.

12 Q Okay. It sounds like things were a bit -- pretty
13 chaotic and --

14 A They were for me.

15 Q Okay. And your friends were just trying to take
16 care of you --

17 A Yes.

18 Q -- waiting on the ambulance --

19 A Yes. Yes.

20 Q -- is that right? Okay.

21 Did you talk to Wade after?

22 A No. I've still not talked to him.

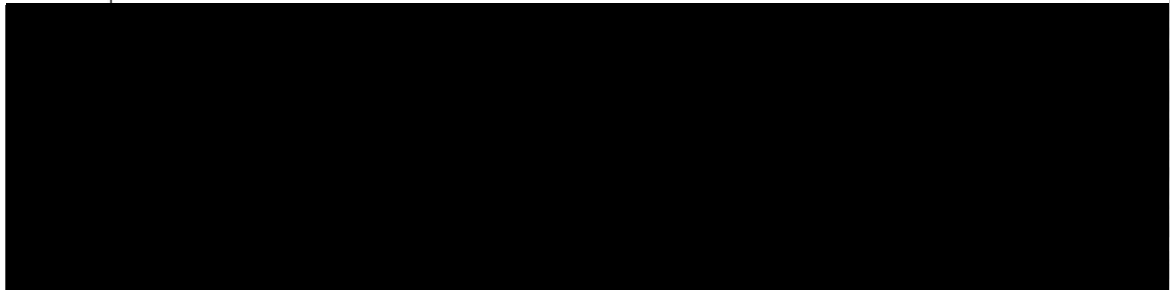
23 Q Okay.

24 A Like I said, I think he has contacted my wife early
25 on a couple of times. I'm not even a hundred percent

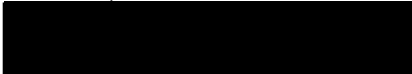
1 sure about that, but --

2 Q After the ambulance arrived, can you tell me what
3 you remember?

4 A I remember getting in the ambulance and her trying
5 to lay me down and I told her that wasn't going to work.
6 She had to set me back up.

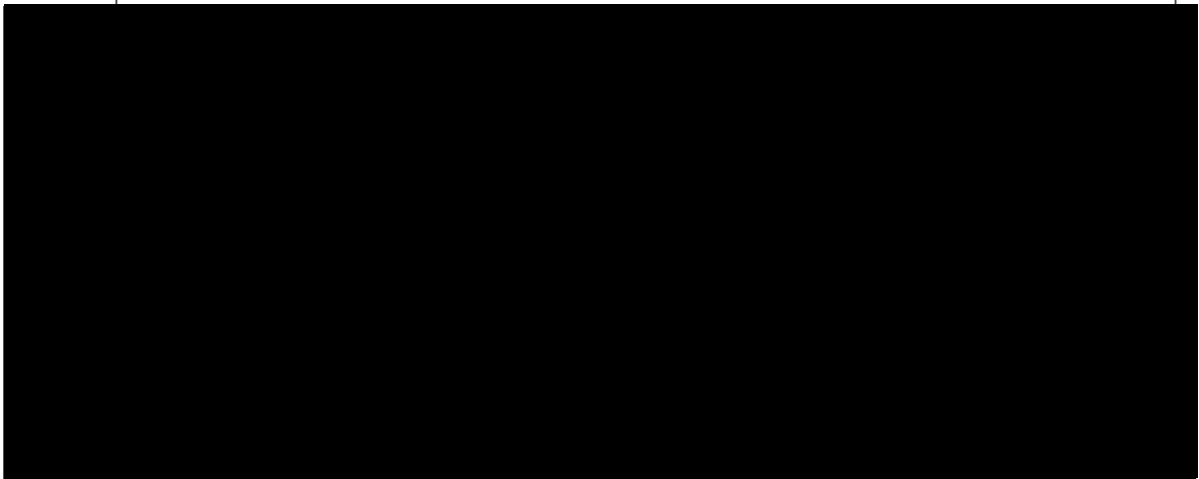


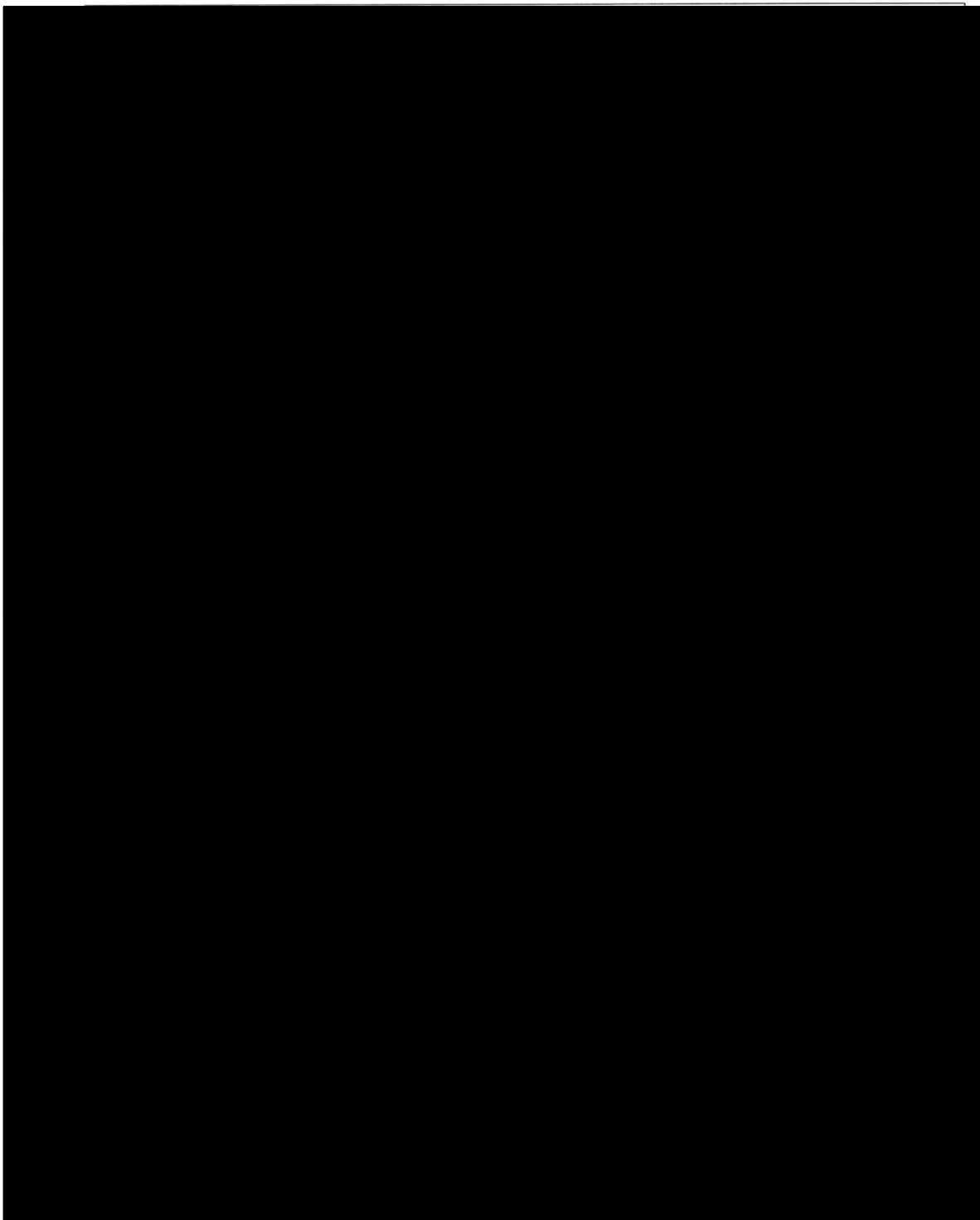
12 Q And what hospital are you taken to?



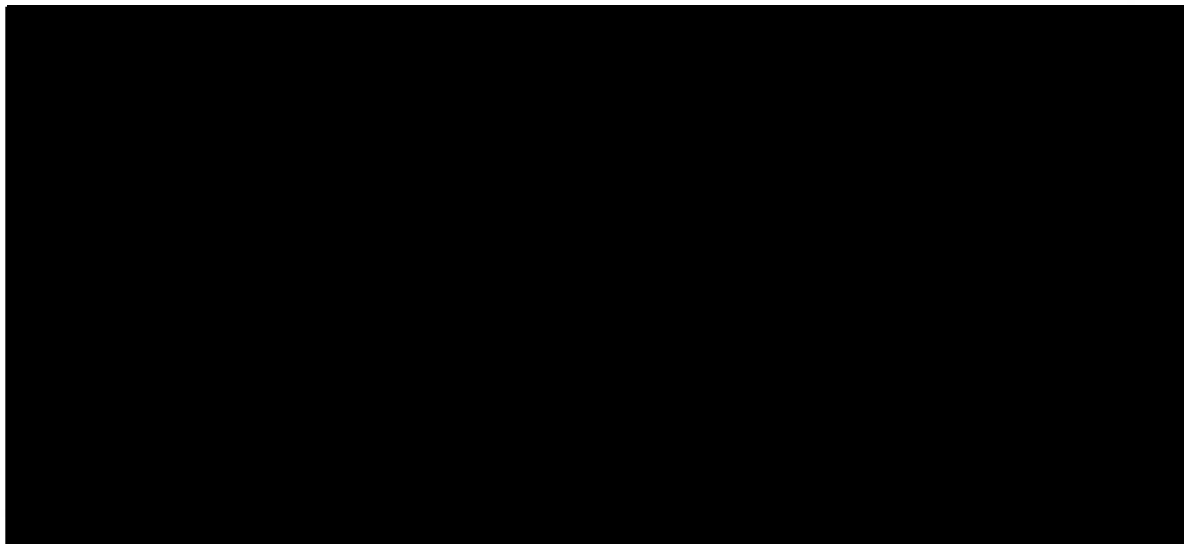
14 Q Okay. Was it that same day?

15 A Yes, ma'am. It was about a -- what felt like about
16 a ten-hour ambulance ride. I know it wasn't that long
17 but it seemed like a long time.





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10 Q Certainly.

11 A But I was lucky that they didn't have to take my
12 whole eye, I guess. So I still have a thing that's about
13 that big; which helps my fake one track a little bit
14 anyways.

15 Q After you were released from [REDACTED] did you go home?

16 A Yes.

17 Q And tell me about, you know, the weeks following
18 that, the accident.

19 A Well, I had a brother from Shreveport come up.

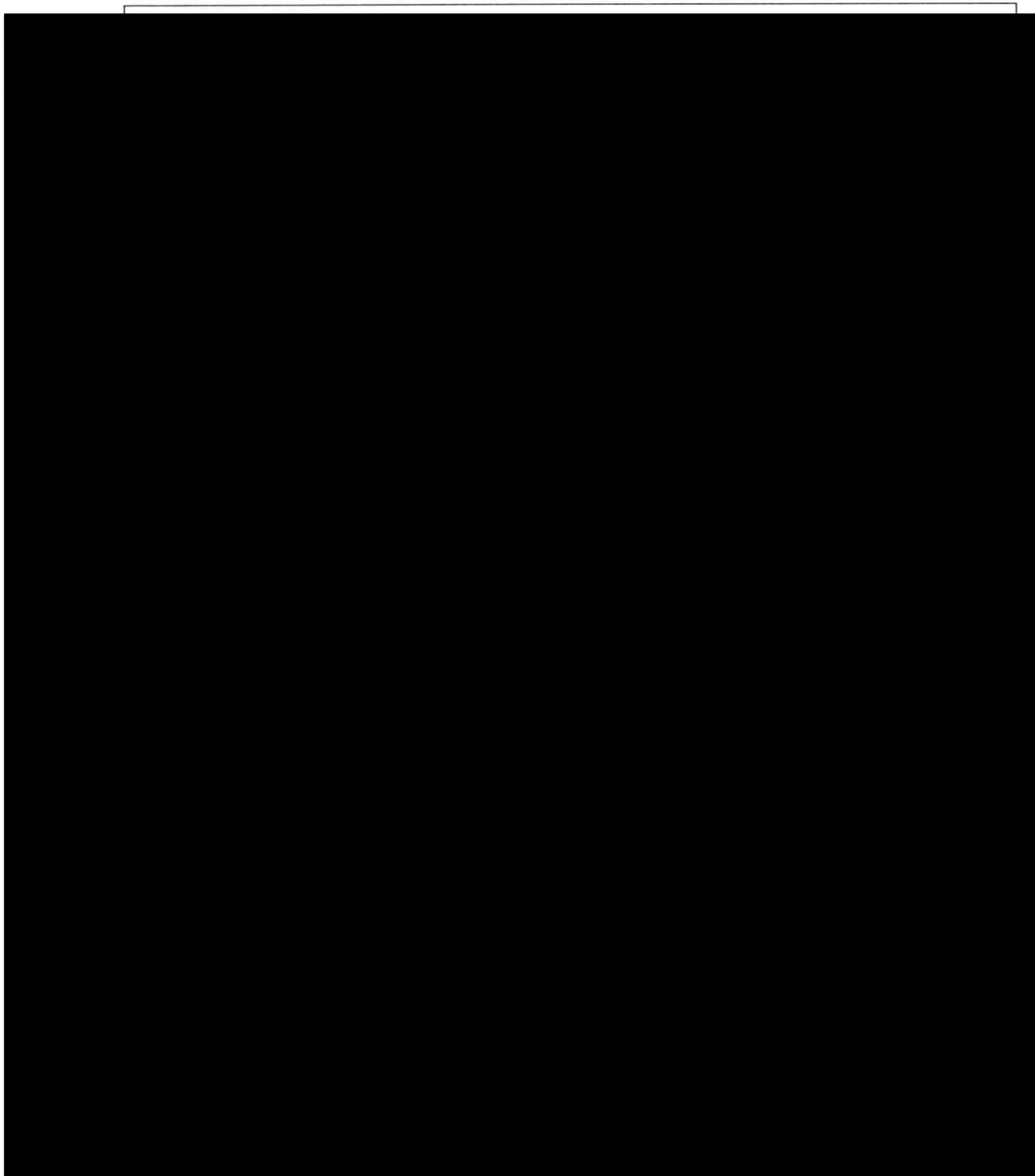
20 My wife is a strong woman. But, if you saw my eye
21 the day afterwards, and [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED] i [REDACTED] t [REDACTED]



25 Q No, no, we have your medical records.

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1 A I --

2 Q Just what you remember.

3 A I heard I was lucky. She's really good at it, so --

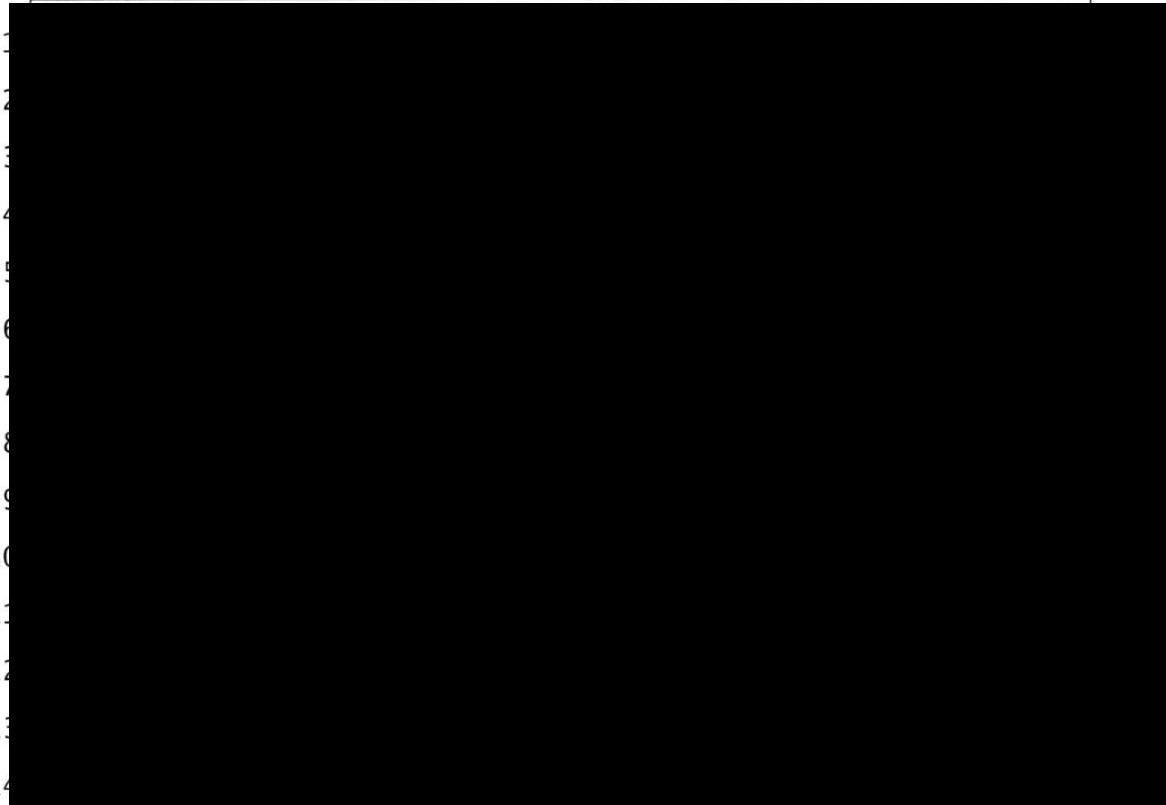
4 Q About how long would you say the healing process
5 was?

6 A I didn't look at my own eyeball for a month because
7 I -- from talking to other people, they said there ain't
8 no sense in you looking at it yet, so I did not look.

9 I -- I mean, at two months, it was back to a normal
10 thing. But that's when my eye really started shrinking.
11 So, every day, my eyelids would be a little more closed
12 and a little more closed and a little more closed.

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24 Q What do you mean by that? Give me a little bit more
25 of a description.



15 I mean, it let it heal like it was supposed to be
16 healing.

17 Q And how long would you say it took to get to as
18 fully healed as it was going to?

19 A I've only had this --

20 THE WITNESS: Do you know when the first
21 time you saw Michael with me?

22 MR. JACKSON: February.

23 A | Sc [redacted]

24 [redacted].

25 [redacted]

1 [REDACTED]
 2 [REDACTED] 1 [REDACTED] s. [REDACTED]
 3 [REDACTED]
 4 [REDACTED]. [REDACTED]
 5 [REDACTED]
 6 [REDACTED] s [REDACTED] en I [REDACTED] [REDACTED] ' [REDACTED] n [REDACTED]
 7 [REDACTED] A [REDACTED]
 8 [REDACTED] B [REDACTED]
 9 [REDACTED]
 10 BY MS. ANDREWS:
 11 Q And --
 12 A And that was just a month ago.
 13 Q what was that date range?
 14 A where are we at now? April? I got it --
 15 MR. JACKSON: We can get the dates for
 16 you.
 17 MS. ANDREWS: Okay.
 18 MR. JACKSON: But it would have been --
 19 would have been in March is when you had your
 20 final --
 21 THE WITNESS: Right.
 22 MR. JACKSON: -- one put in.
 23 BY MS. ANDREWS:
 24 Q And that's what I'm looking, for just kind of a
 25 general. So about March --

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MR. JACKSON: So February, then four weeks later --

THE WITNESS: There and --

MR. JACKSON: -- is about when you came in and he did the final --

THE WITNESS: Yes.

MR. JACKSON: And you've got the temporary one here --

THE WITNESS: Yes.

MR. JACKSON: -- with you?

THE WITNESS: I keep it with me, because -- I mean, I [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A [REDACTED]
[REDACTED], [REDACTED]
[REDACTED]

BY MS. ANDREWS:

Q Sure.

Through this time, were you under regular doctor care?

A Yes.

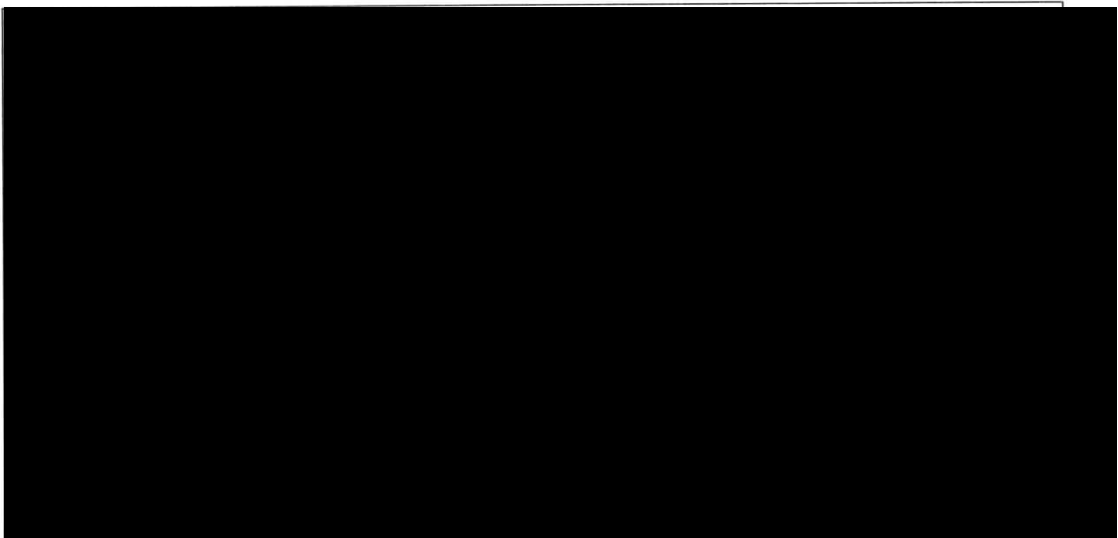
Q As your eye was healing?

1 A Yes
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20 Q Okay.
21 And through the recovery process, you described --
22 just want to make sure I get your testimony.
23 The first month, what was your pain and your healing
24 like?

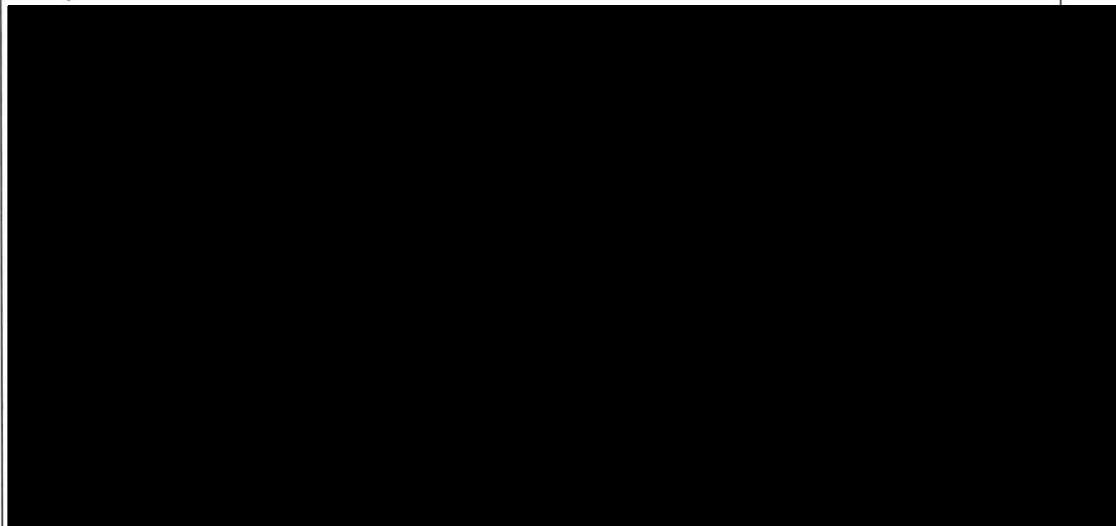
25 A

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Q would you say, after about a month, you -- do you
feel you started turning a corner?

A I do. I do. After -- I mean, it wasn't as bad. I
think [REDACTED] getting used to it was a help to me and him
not dwelling on me about it. I think learning to live
with it a little bit, dealing with it in my own head
helped me a little bit.



1

2

3 Q Kind of some details about the scene and then I want
4 to talk about sort of what your life has been and the
5 expectations going forward.

6 But, at the time that accident happened, did you
7 have a cell phone with you in the vehicle?

8 A I did.

9 Q Were you using it at the time?

10 A No.

11 Q What was the number?

12 A Same number I have now, it's [REDACTED]

13 Q Who's your carrier?

14 A [REDACTED]. Yeah, I had to get a new phone after that
15 day.

16 Q Why is that?

17 A Because I got blood all in my speaker calling my
18 wife to tell her what was going on. I could not get it
19 cleaned out, never hear out of it again.

20 Q Do you have any social media accounts?

21 A No, ma'am. One of the few.

22 Q Given the state that you were in, I'm assuming, at
23 the scene, you did not take any photographs?

24 A I had my -- my retired fire fighting friend took
25 one. He tried to get a better picture. He said -- not

1 because he wanted to see, because he was afraid.

2 But, no, all the photographs came after. My wife
3 took one of me in the emergency room, what she walked in
4 on. The first time she took the bandages off after
5 surgery and they wanted her to squirt eyedrops in my eye.
6 Those kinds of pictures, she has.

7 Q who took the -- who took a picture at the scene?

8 A Larry Vincent, my -- he took the one picture that
9 day. And I have it. I didn't look at any of those
10 pictures until just about three weeks ago.

11 MS. ANDREWS: Jim, do we have the picture
12 Larry took?

13 MR. JACKSON: I do not.

14 A I -- I can get -- well, I'll show it to you and you
15 can -- I made him send it to me.

16 BY MS. ANDREWS:

17 Q Sure.

18 A This was just minutes after the deal. That's when I
19 was still -- that's when they were attended to me in my
20 truck.

21 Q Right.

22 A And that's before it got all swollen and stuff. It
23 looked much better there than it did a little later.

24 Q Certainly. I know we have photographs from in your
25 medical records. I was just --

1 A I gotcha.

2 Q -- you know, just --

3 A Yes.

4 Q Just curious.

5 A I knew -- I know UAMS had to have taken some
6 pictures, I would have thought. I don't know, but I mean
7 --

8 Q Certainly.

9 Besides the first responders, were --

10 MS. ANDREWS: Go ahead, Jim.

11 MR. JACKSON: I was going to say, Amanda,
12 if you'd like to attach it as an exhibit, we
13 can produce it and send it to Cris.

14 MS. ANDREWS: And send it to Cris? Sure,
15 we can do that. We'll do that.

16 MR. JACKSON: You'll share that with us?

17 THE WITNESS: Oh, yeah. If you need,
18 that, it -- I don't mind.

19 MS. ANDREWS: Okay. So Exhibit 1 to
20 today's deposition will be a photograph that
21 you'll supplement that's a -- immediately after
22 the accident, a photograph taken by Larry
23 Vincent. Thank you.

24 (WHEREUPON, the document was later
25 received and marked for identification as

1 Exhibit No. 1 and attached hereto.)

2 BY MS. ANDREWS:

3 Q Besides the ambulance, did any other -- were there

4 any other first responders or law enforcement that --

5 A The only --

6 Q -- responded?

7 A The only first responder from our local showed up

8 that I, that I saw, was a young man named Brandon Reed

9 that I -- I took -- he's a friend of my son's.

10 He told them guys they were doing anything he would

11 know to do already.

12 Of course, like I said, Larry is a retired fireman.

13 He's pretty well first aid trained. Steve Cook is a

14 retired state trooper and game and fish commissioner.

15 He's had lots of experience in these kinds of situations.

16 Brandon was detrimental in getting ahold of my son for

17 me.

18 Q Who does Brandon work for?

19 A I don't know who his job is. He's a volunteer at

20 the Magnet Cove Fire Department.

21 Q Oh, okay.

22 A He's a first responder for them. And he just ask --

23 leaned in the truck and asked me he said, Sterling, do

24 you want me to call Blake; and I said, yes, please.

25 Q And did he just happen upon the incident?

1 A No. I think he got the call out when the ambulance
2 got called.

3 Q Okay.

4 A He got to the store. I saw him up here. But he
5 really didn't tend to me, but he -- like I saw him
6 talking to Larry. And I know he -- Larry said, you know,
7 he said, we were doing anything that Brandon could do
8 without -- it's not like he comes with a doctor bag or,
9 you know --

10 Q Certainly.

11 A He's just a volunteer fireman, but --

12 Q What about sheriff or police officers?

13 A Never saw them.

14 Q Did they come to the scene?

15 A No.

16 Q Okay.

17 Besides, let's say, medical records or anything
18 medical related, are you aware of any reports that were
19 created because of the accident?

20 A Not unless it was some kind of report that these
21 guys do on an incident that they have.

22 Q And who all have you spoken to about the accident?

23 Let's say after, with the -- so we know about what
24 happened at the scene.

25 After the scene, and not referring to your attorney,

1 but have you spoken to anyone else or given a statement
2 to anyone?

3 A No. I mean, my friends have asked me questions
4 about the day. But they're just -- I mean, like my
5 coworker. I mean, that -- that's it. I mean, no -- no
6 official -- I haven't talked to anybody.

7 No papers, no -- nobody's like -- no.

8 Q And, just so I have your understanding, what do you
9 think ARDOT did wrong?

10 A I would love for you to come out and see this
11 highway that they're on. If I look at it from my
12 standpoint, he's pulling a 12 or 15 foot Batwing mower.
13 And there's only one maybe hundred yard spot that that
14 mower will actually fit in. And that's right where he
15 had to come out of the ditch and did this to me.

16 I don't understand why that piece of equipment would
17 even be on that highway when that whole stretch of
18 Highway 51, however long it is, doesn't have but two and
19 three foot shoulders.

20 So, I mean, I -- I mean, it seems weird to think
21 this; but, when I saw that thing sticking up out of the
22 ditch, I thought they shouldn't have that running up, you
23 know, sticking up above the road surface this high. It
24 don't -- I don't understand why that piece of equipment's
25 even on a job like that.

1 And they might have reasons that it's there. But,
2 in my mind, especially after this, it makes no sense to
3 me whatsoever why that was out there. It really doesn't.
4 I mean, I -- and I would love for everybody to go drive
5 that stretch of highway and tell me why it was there.

6 And when I mow my grass, I don't leave my mower
7 halfway in the, in the road and halfway in the grass. I
8 keep it in the grass to mow. What I can't mow out there,
9 I weed eat or I spray or something like that.

10 I mean, it -- I'm -- that's what really got me that
11 day. Besides that -- and, I mean, I understand they have
12 to mow. I don't know how -- if you watch them out here
13 where they contract the work out, for a week straight,
14 you see people picking up trash and then they come
15 through and mow.

16 When they get out there, they ain't picking nothing
17 up. They just sling it all in the road and go on. I
18 mean, you can tell, when they've been through there,
19 there's chunks of tires and rocks and everything else up
20 on the roadway. Trash, whatever's in the ditch, they
21 mow.

22 And that's another one I'd kind of -- I mean, I know
23 they haven't got the time to go out there and clean up
24 trash, but it would reduce the amount of things flying
25 out of there.

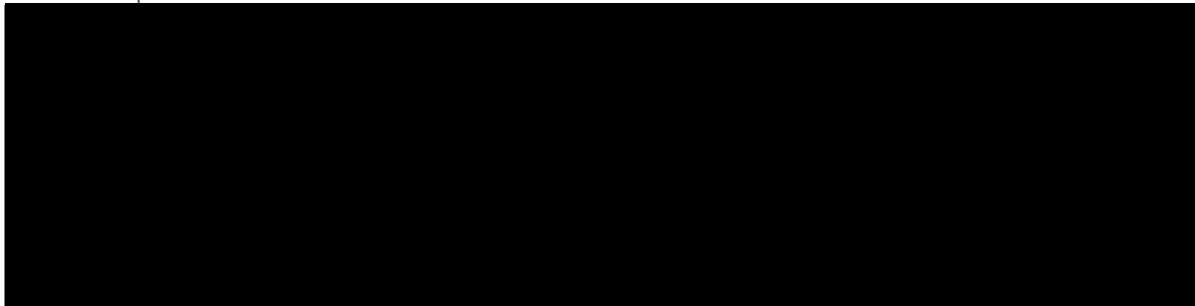
1 MR. JACKSON: Amanda, we've been going
2 about an hour. Do you mind if we take a short
3 break?

4 MS. ANDREWS: Of course.

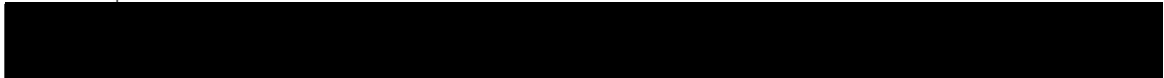
5 (WHEREUPON, the record was suspended
6 momentarily and the proceedings resumed as
7 follows, to wit.)

8 BY MS. ANDREWS:

9 Q All right. Mr. Dodson, we are back on the record.



15 Q Oh, goodness. Can you spell that?



17 Q Okay. And who do you see?

18 A Mike.

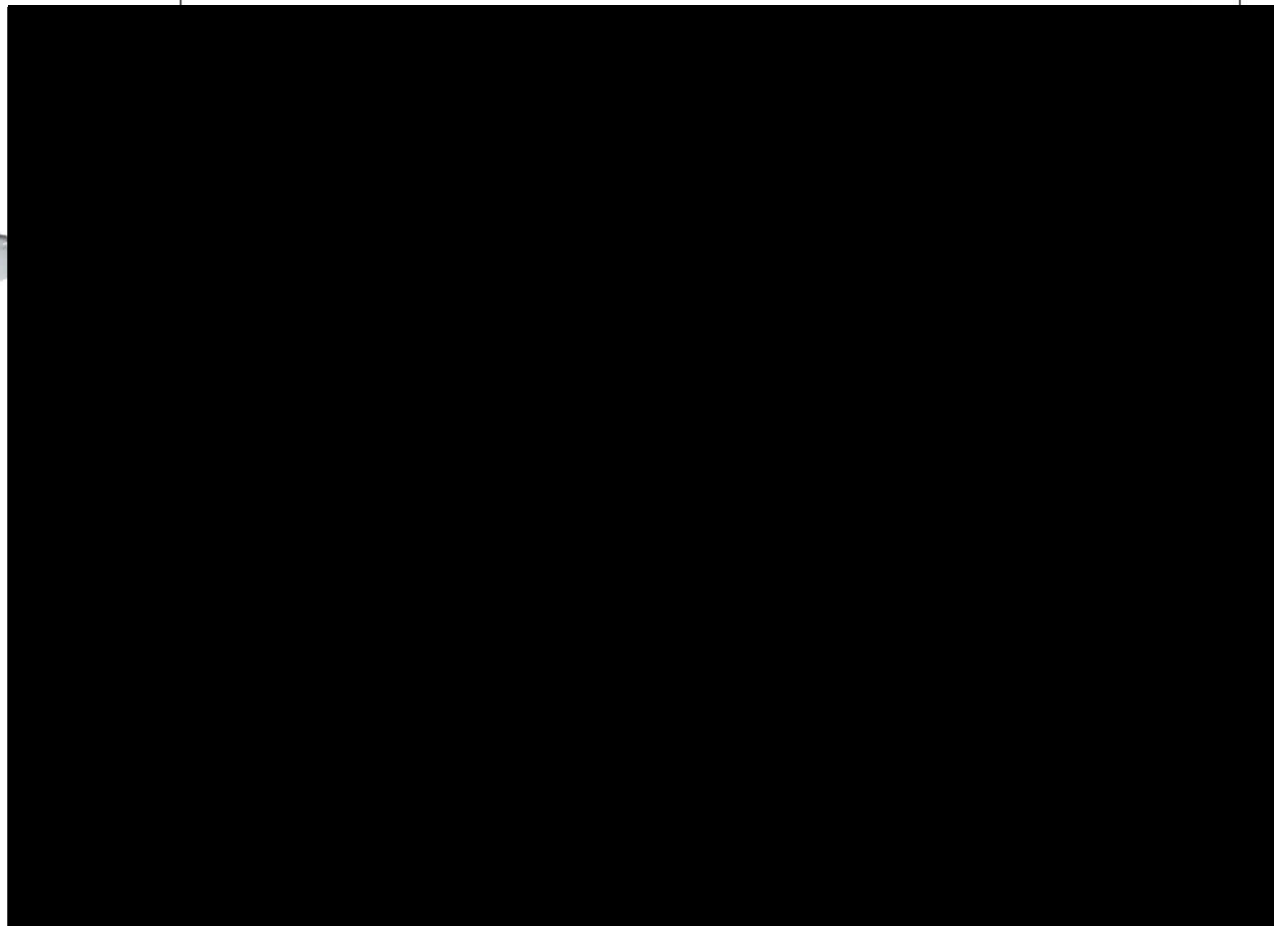
19 Q Do you have Mike's last name?

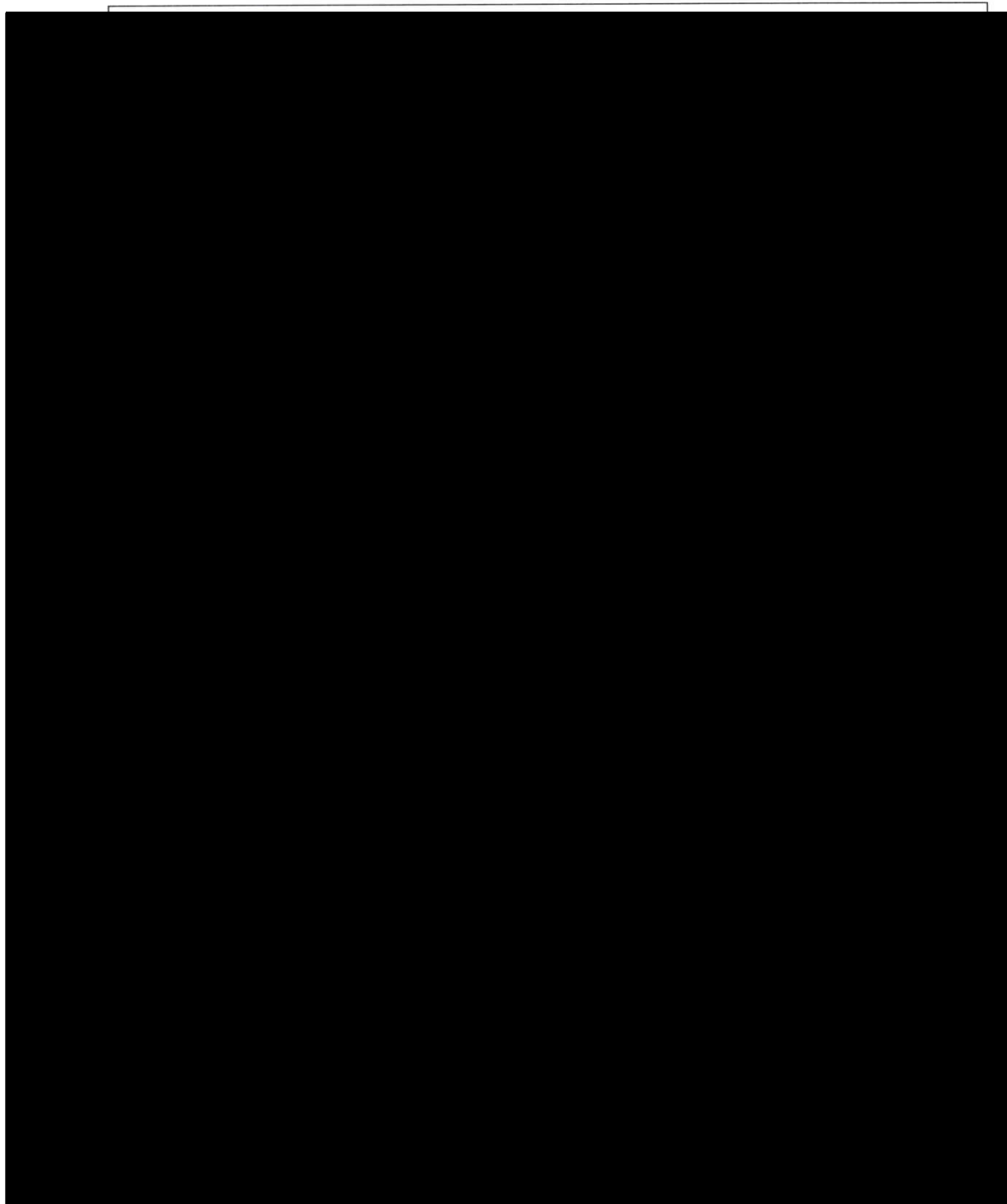
20 A Cass -- no. It's hard to say. He's the only one
21 there.

22 Q Oh, okay.

23 A He is the man. He has people that work for him, but
24 he's the one that does the -- if you ask for Mike, you're
25 going to get the man.

1 Q And, be [REDACTED] Pe [REDACTED]
2 [REDACTED] [REDACTED]
3 [REDACTED] s [REDACTED] r [REDACTED] s [REDACTED] d [REDACTED] p [REDACTED] a [REDACTED] ?
4 MR. JACKSON: And would you clarify, when
5 you say [REDACTED] p [REDACTED] [REDACTED] a [REDACTED]
6 [REDACTED] ?
7 MS. ANDREWS: That's right.
8 MR. JACKSON: Okay.
9 MS. ANDREWS: All of it. Uh-huh.





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1 MR. JACKSON: Cigna Healthcare.

2 BY MS. ANDREWS:

3 Q And, talking about just some kind of technicalities,
4 do you know up to today how much in medical bills you've
5 incurred? And we have the records, it's --

6 A I do not.

7 Q It's fine if --

8 A I did not.

9 Q Okay.

10 A I -- I --

11 Q Did you turn over the medical bills to your
12 insurance?

13 A Yes. I'm sure she has. I mean --

14 Q So talking about when you kind of, when you hit the
15 point where you would say you've reached sort of your --
16 the maximum healing or, you know, tell me how life has
17 been for you since the accident.

18 A Everything I do is a little bit difficulter. I
19 mean, I -- I -- to shaving my face to driving myself to
20 work.

21 I work at a very busy shop. It's hard for me to
22 even park cars in a tight parking lot anymore. I get
23 extremely aggravated at everything I do because I can't
24 do it like I used to.

25 And I don't -- I refuse to go places I don't know

1 just for the simple fact I don't -- it's not worth -- if
2 I don't have to go, it's not worth my anxiety to try to
3 push myself to go.

4 I feel vulnerable when I get in a crowd. I don't
5 know -- I mean, I can get through everything. But it
6 ain't -- there's not one thing that it don't make it
7 difficult on me. More difficult, I guess.

8 I'm at a point in my career that it didn't matter
9 what they put in front of me, it was no stress to me to
10 fix the car. Well, it's a total stress all the time now.
11 I can't see if my lines are straight half the time. I
12 can't -- depth perception, when I'm spreading mud on a
13 car, I mean, it helps to be able to know if you're
14 pulling a smooth line.

15 You know, it's all harder on me. Again, it's just
16 extremely aggravating. I don't know.

17 Q Do you still have any physical symptoms such as
18 pain, headaches?

19 A I get eye headaches if I have to stare or read. You
20 know, electronics on cars nowadays, you can't just put a
21 headlight in the car and it work. You have to reprogram
22 it.

23 If I have to stare at a computer screen for three or
24 four minutes to go through that process, I get a
25 headache. Reading seems to be worse than reaching up,

1 trying to figure out which way a wiring plug goes
2 together and getting the two points to go together.

3 I guess that's the biggest thing. If it's an eye
4 straining deal for me to do, which some of my work is
5 not, but some is, I get -- Dr. Pemberton calls it an eye
6 fatigue headache from my -- it feels like a sinus
7 headache, is what it feels like.

8 I try to find something else to do for a little
9 while that's not strenuous, ease it up, and then go back
10 to what I was doing.

11 Q After the accident, did you miss any work?

12 A Yes.

13 Q How long?

14 A I think it was a little over three months I didn't
15 go at all. And then I worked part time for another three
16 months or so.

17 Q Did you have any disability, any type of disability
18 insurance to make up the difference in the lost wages?

19 A No, I don't think so. Not that I know of. Aflac or
20 one of them, no.

21 Q Right. Right. So, for three months, were you just
22 without a paycheck?

23 A Yes, ma'am.

24 Q Okay. And, when you were on part time for about
25 three months, were you getting half the pay?

1 A Yes. Instead of changing the payroll, he just paid
2 me every two weeks instead of every week.

3 Q But he held his -- held your job for you?

4 A Yes. He's -- I have a wonderful boss.

5 And, after about a while of the part-time, he just
6 -- he said, if there -- if you physically can come back,
7 I'll take you, no matter what you can do.

8 So I just -- like I said, I have a wonderful boss.
9 Most wouldn't put up with that. I mean, he pays me a set
10 amount. Knowing what I can do, he still pays me that
11 amount and I can't do what I used to do. But that
12 doesn't bother him, so I'm lucky.

13 Q Besides health insurance, were there any -- did you
14 get any other -- were there any other sources of monetary
15 payment during this time to help with lost wages or
16 medical bills?

17 A Hu-uh.

18 MR. JACKSON: And, Amanda, he may not --
19 Teresa may know more about it, because they did
20 have a [REDACTED] [REDACTED]

21 MS. ANDREWS: Okay.

22 MR. JACKSON: But he wouldn't know.

23 Teresa would know more about that.

24 A I will admit I'm a husband that I give my wife my
25 money when I make it and I trust her to do everything

1 right with it.

2 I don't -- I don't do much banking. I don't do, you
3 know -- I'll be lost without her.

4 BY MS. ANDREWS:

5 Q I can understand that.

6 A Well, my wife and my sis -- my mother was always in
7 the banking business. And, when I started making money,
8 I gave it to mom, she paid my bills and gave -- you know
9 what I mean?

10 Q Uh-huh.

11 A I've -- it's probably not a great thing. But I've
12 always had somebody to take care of my finances.

13 Q I wish I did.

14 Looking to the future, as far as work goes, do you
15 believe that how you're performing now is how you will
16 continue to perform?

17 A I still have hope that some will get better. They
18 say your mind relearns even when it's old like mine.
19 It's -- but it's a slow process.

20 But I -- I don't -- I sure hope things don't go
21 backwards. I don't know how much forward more they will
22 go, but I -- I hope that I get better at doing
23 everything.

24 Q Have any of your doctors told you that the depth
25 perception will improve?

1 A It does over time.

2 Q Okay.

3 A Somewhat.

4 Q Do you have an idea how long?

5 A No. But I can tell you Dr. Pemberton and my
6 alloplasty guy, their recommendation is that I change
7 jobs.

8 Q why is that?

9 A Because what I do is dirty, dangerous. They just
10 think if I could find something that was more easier for
11 a one-eyed person to do, I guess.

12 But I'm not changing jobs. This is what I do. I
13 mean, I -- he was hoping I could go to a admin side of
14 it. well, I'm a small body shop in a small town. I'm
15 not just --

16 Q Right.

17 A They have expectations that some people can live
18 with, do.

19 Q So for you --

20 A If I wanted to be in the office, I would have been
21 in the office years ago --

22 Q Right.

23 A -- is my -- I mean, that's just --

24 Q Kind of give me an idea, we -- and I know we've
25 talked about this. So, if it's repetitive, I apologize

1 for that.

2 On a daily basis, how has your eye injury affected
3 your life?

4 A I mean, to me, that's vague and hard to answer. I
5 mean, everything -- I mean, I don't know what more to say
6 than every part of my life changed just because of it.

7 I mean, from starting my day to starting [REDACTED]
8 day to work, driving to work.

15 I don't know what else to say, I mean, how to
16 explain it. Bending over to pick up a piece of trash out
17 of the floor or something he's dropped is -- I mean --

18 Q Is there anything that you just can not do now that
19 you could do before?

20 A I can not hardly make myself cut, grind, and weld;
21 which is a daily part of my job. On a lot of cases, I'm
22 scared to death, that even with my safety glasses on, I'm
23 going to get a piece of metal or something in my good eye
24 now.

25 So I try to pass a lot of that off on some other

1 boys, which I don't know if that's right or not. But I
2 have 1001 projects at home I'd like to be doing. But a
3 project that takes the minimal effort that turns into an
4 ordeal, it's not fun to do. I mean, it --

5 Q So there are things you avoid doing or you just
6 don't do because of the difficulty?

7 A Yes. I just can't -- I -- I just -- I mean -- and
8 I'm a doer and -- for my family, for two other families.

9 Q You just don't sit still?

10 A No, I've tried. I prefer not to. But, I mean,
11 there's a -- it's hard. It's just hard.

12 Q Since the accident, would you say that the accident
13 affected your home life?

14 A Yeah. I -- I try not to be moody but I am. I know
15 it.

16 I thought anxiety was a made up thing until now.
17 And I can assure you it is not.

18 Q It is not.

19 A It is not. And I feel --

20 Q Uh-huh.

21 A -- horrible for thinking that about people in the
22 past, thinking like what -- what do you -- because you're
23 nervous a little bit. I've been nervous lots of times.
24 But anxiety is a whole new thing.

25 Q And did you experience anxiety before?

1 A Not that I -- no. Not that I -- that's why I say, I
2 thought it -- I've been nervous about things.

3 Q Sure.

4 A Nervous is one thing. That's -- but the whole
5 anxiety attack thing is something I just thought was -- a
6 weak person came up with it. No, it is not.

7 Q And do you experience that now?

8 A I do. Lots of things give me -- any unexplained
9 loud noise puts me in an anxiety attack for about a half
10 an hour until I can -- if it's something that happens
11 quick and I can, in a few seconds, realize where the
12 sound came from, it's not as bad.

13 But, when things -- and I don't know where it come
14 from. I don't know why that affects me more, but I don't
15 know how to explain it. But loud noises definitely give
16 me a panic or an anxiety attack.

17 Q And did you say new things or places or kind of the
18 unknown?

19 A I -- I will not drive -- I just started driving to
20 Little Rock, my last two appointments, just because it's
21 so hard to see out of my blind side. Blind side, I have
22 a double blind side now.

23 I borrowed a truck from my mother-in-law once and it
24 helped a little bit. But, then again, it makes me super
25 anxious to rely on a little yellow light telling me

1 there's somebody there or somebody not there.

2 Driving at night seems way more difficult. I -- I
3 guess because your lights -- your eyes are what brings
4 the light in to help you. Well, only having one, I guess
5 it seems to be darker now.

6 I don't like roads I don't know. And I'm a
7 professional driver. I'm a Class A CDL driver. And
8 there's -- that's another thing. I don't think I'll ever
9 -- I hope I don't ever have to go driving a truck again.
10 But I don't think I could. I mean, it's just too much to
11 try to keep up with.

12 Q Are you able to maintain the CDL or will you lose
13 it?

14 A I don't -- I've yet to see that. I'm anxious -- I
15 -- I hate to let it go because I paid for it for years.
16 It's always been a backup plan. If things go south, you
17 could make a living driving a truck.

18 But I don't see how I could pass the vision test. I
19 really -- I mean, I --


20 Q And looking forward to the future, we've talked
21 about the care that you have gotten. What kind of
22 continued medical care are you expecting to have?

23 A I -- Dr. Pemberton will give you the -- there's
24 still a chance that this nuclear thing, what -- whatever
25 he calls my eyeball now, could still go south.

1 It's a rarer chance now that I've healed this long,
2 but there's still that chance and always will be. The
3 prosthetic is continually changing.



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8 Q I'm sorry I have to ask the personal questions. It
9 gives me an idea of how you have suffered, what your life
10 is going to look like going forward, as best you can tell
11 me. Just gives me a really good picture of what you've
12 been through and what you would testify to at a hearing.

13 This is the chance that we get, really the only time
14 that we get to sit down and talk about that day --

15 A Uh-huh.

16 Q -- what happened, going forward. So I hate to get
17 personal and, you know, in all the details. But it's my
18 time for, you know, for me to get to hear what happened.

19 Is there anything that we haven't discussed that you
20 want to be sure, hey, I want ARDOT to note this? Is
21 there anything that we haven't discussed that you think
22 is important to talk about?

23 A I know they know what they've put, I guess -- I
24 don't want to see anybody else go through this.

25 Q Certainly.

1 A My grandson sits in his car seat at the exact same
2 height that I sit. It would killed him.

3 Might have killed my wife. I mean, it -- if it had
4 removed right here, it would've killed me. I just --
5 they got to come up with something.

6 I know they damage cars all the time from mowing and
7 stuff. So be it, that's some property. They got to come
8 up with something not to injure people. I don't care how
9 they have to do it.

10 Let them mowers hit my road, I won't drive. I'll
11 turn around and drive the long way. I know it was an
12 accident, but I think it's one that should have been
13 avoided somehow.

14 Q If you get to later today thinking about today's
15 deposition you thought, oh, I don't think I answered that
16 correctly or I meant to -- I should've said this, just
17 let your attorney know --

18 A I will.

19 Q -- and we can chat.

20 A I mean, I --

21 Q Thank you, Mr. Dodson. Those are --

22 A You're very welcome. I mean, I -- I don't -- I
23 don't know what else to say though.

24 Q No, that's -- that's fine.

25 Some people have a very -- have something, well, we

1 didn't talk about this or I'm not, you know, I'm not able
2 to pick up my dog anymore. And, for me, that would be
3 like the end of it.

4 Or just anything we haven't, you know --

5 A Right.

6 Q -- something I might not even think about.

7 A well --

8 Q well, I appreciate your time. Those are all the
9 questions I have.

10 A Thank you.

11 MS. ANDREWS: Jim?

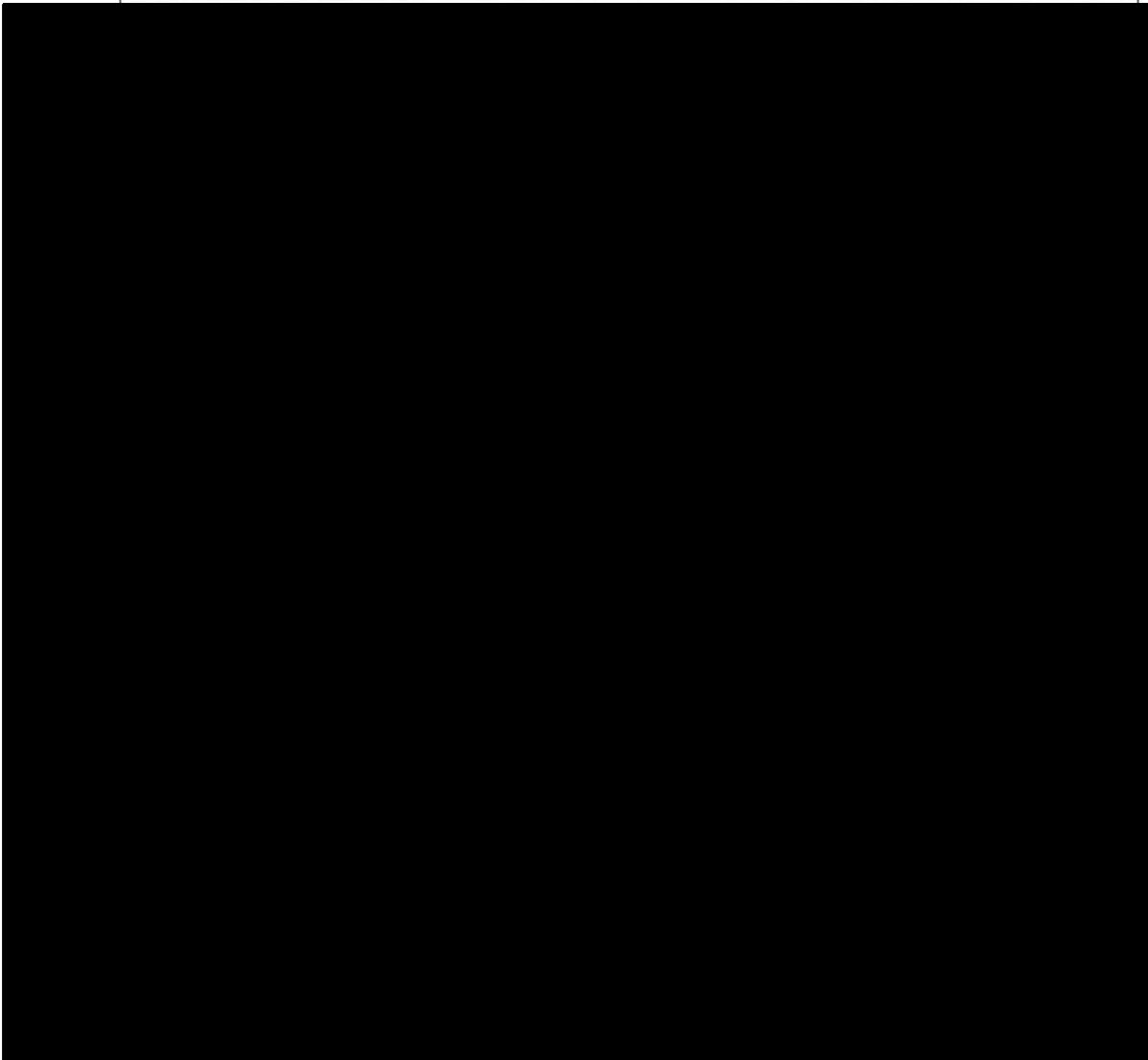
12 MR. JACKSON: Sterling, I've got a few
13 questions I want to follow up with.

14 THE WITNESS: Yes, sir.

15 CROSS EXAMINATION

16 BY MR. JACKSON:





20 Mowing grass, I worry to death if -- if you've ever
21 got a piece of grass in your eye and you can't see out of
22 it very well and it's the only eye you got, well, it's
23 really bad then.

24 Just picking up a water out of my thing, I can't
25 take a drink with this hand, driving down the road. I

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1 have to swap hands.

2 It -- I can't play baseball with my other grandkids
3 because I can't catch the ball.

4 Q One of the things I read about in your medical chart
5 is driving with monocular precautions. Do you know what
6 that means?

7 A Not exactly, term wise. I mean --

8 Q But what would you explain to people --

9 A I have to drive down the road with my head cocked
10 this away the whole time to try to get a -- I say normal.

11 I don't -- this is all gone. So I drive down the
12 road like this just so I have a half and -- a half vision
13 of each side of me. It's pretty annoying to drive down
14 the road with your head cocked over.

15 Trying to pull into a parking spot when you can't
16 tell where the end of your corner is, it's not easy.
17 I've hit the Sonic thing already. I ran into my house
18 with my tractor. So it sucks. I don't know how --

19 Q The eye strain headaches, do you take anything for
20 those?

21 A I try not to because it's the same thing as -- I
22 mean, I have to sometimes. But am I going to live on the
23 Tylenol and ibuprofen. This is just like this crap he
24 wants me to take.

25 Q What did Dr. Pemberton tell you about precautions

1 for your good eye? Especially around work or around

2 [REDACTED] when you're --

3 A He won't -- I am never to not have a

5 Q And is what you have --

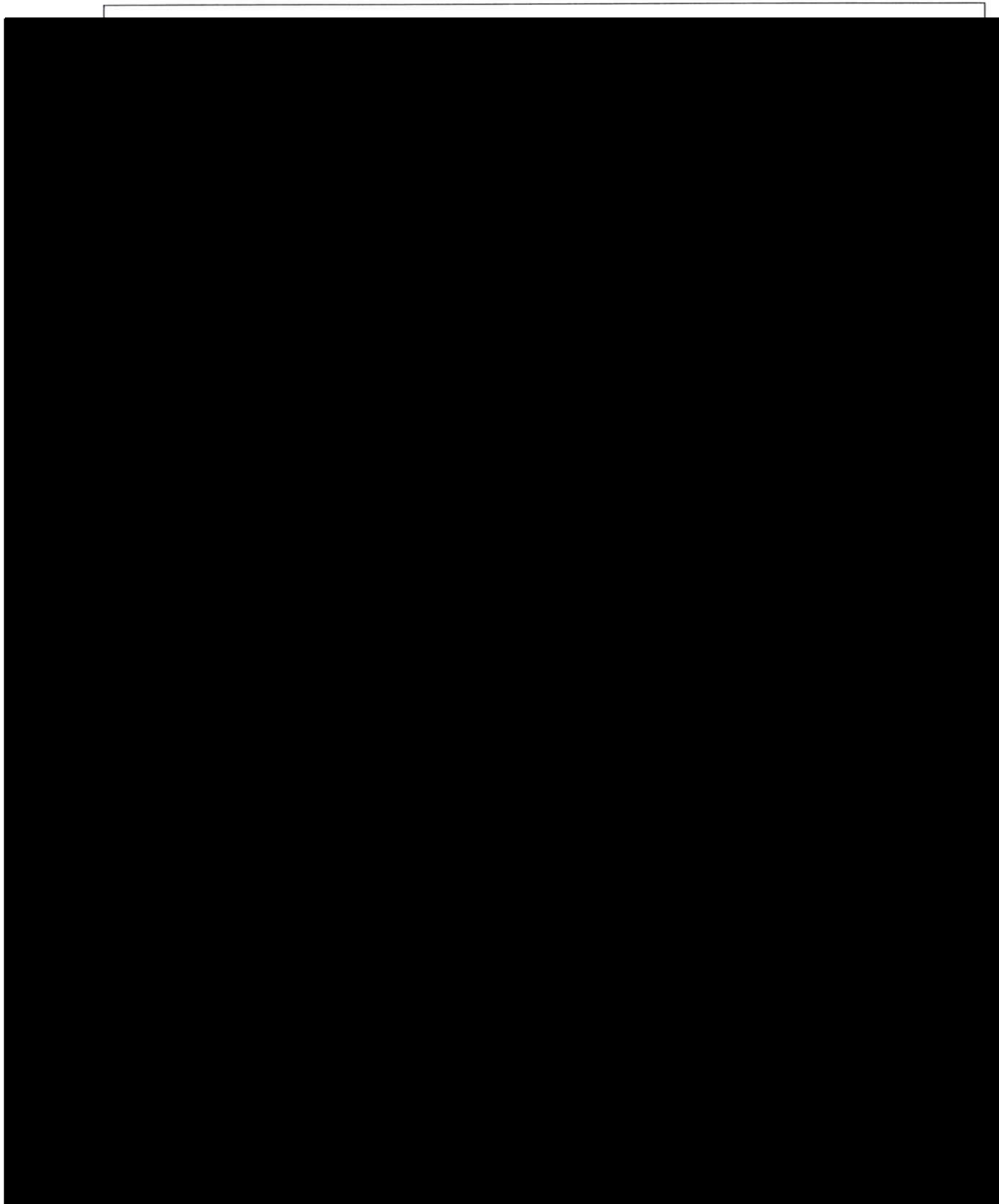
6 A Yes, that's --

7 Q -- those glasses that you're wearing?

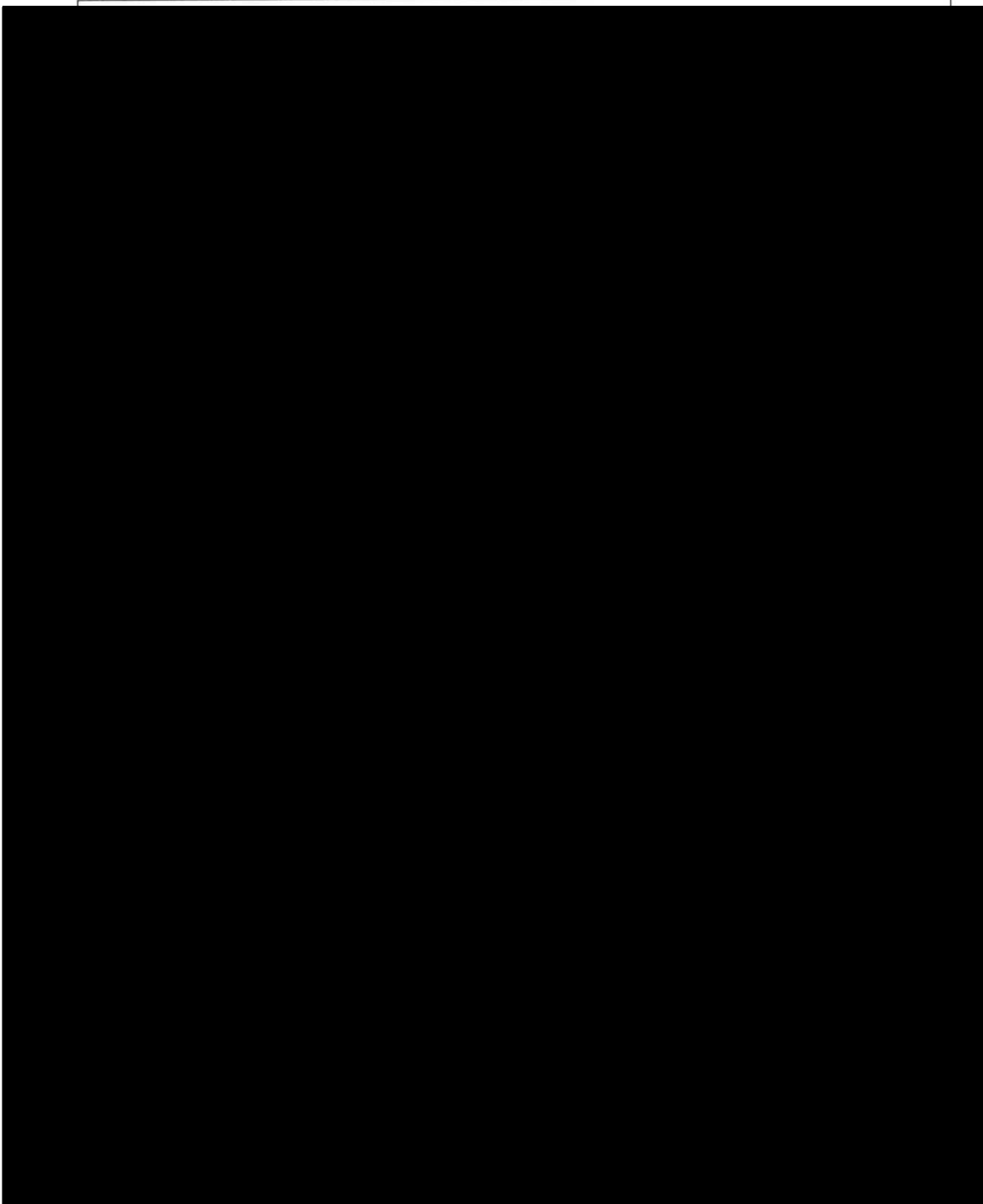
8 A That's what these are, yeah.

9 They're -- he would prefer me to have -- and I'm

13 Q what drops do you use for your left eye and --



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1 Q And just, for the record, you're using your finger
2 to point at an area right below your eyebrow?

3 A Yes. It's --

4 Q There's a couple of --

5 A It's over here.

6 Q -- raised areas --

7 A You can see those -- yes. And then the ones on the
8 side right here.

9 Q I'll call those small knots, is that --

10 A Yes, that's what they are. They're --

19 Q Sterling, I'm going to mark this as Exhibit 2 to
20 your deposition.

21 (WHEREUPON, the document was marked for
22 identification as Exhibit No. 2 and is attached
23 hereto.)

24 BY MR. JACKSON:

25 Q Can you tell us, do you know what that is?

1 A That is my, my prosthetic eye.

2 Q Is that the --

3 A And that's my dirty, nasty hand holding it.

4 Q And that's the blue dot on there, is what goes up --

5 A Yes.

6 Q -- to the top of your -- that helps orient --

7 A Yes.

8 Q -- when -- if you have to orientate it, you --

9 A Right.

10 Q How often do you take that out?

11 A I don't -- I've only taken it out twice since he's
12 put it in. I -- I -- well, I would think you can
13 imagine, it's not what I prefer to do.

14 Q I'll hand you what we'll mark as Exhibit 3 to your
15 deposition.

16 (WHEREUPON, the document was marked for
17 identification as Exhibit No. 3 and is attached
18 hereto.)

19 BY MR. JACKSON:

20 Q Do you recall that?

21 A Yes.

25 Q we'll mark this as Exhibit 4 to your deposition.

1 (WHEREUPON, the document was marked for
2 identification as Exhibit No. 4 and is attached
3 hereto.)

4 BY MR. JACKSON:

5 Q Do you recall that examination by Michael?

6 A I do.

7 Q And, earlier, you were talking about what's
8 remaining and left of your, of your eye. I want to hand
9 you what we'll mark as Exhibit 5.

10 (WHEREUPON, the document was marked for
11 identification as Exhibit No. 5 and is attached
12 hereto.)

13 BY MR. JACKSON:

14 Q Does that show what's left of your eye?

15 A That's -- that little thing in the middle is my eye.

16 Q And it's my understanding that what's good about
17 that is that there are muscles attached to that which
18 allows you to track left and right or up and down; is
19 that correct?

20 A Yes, it is.

21 Q And is the possible loss of that, is that something
22 that Dr. Pemberton has talked to you about?

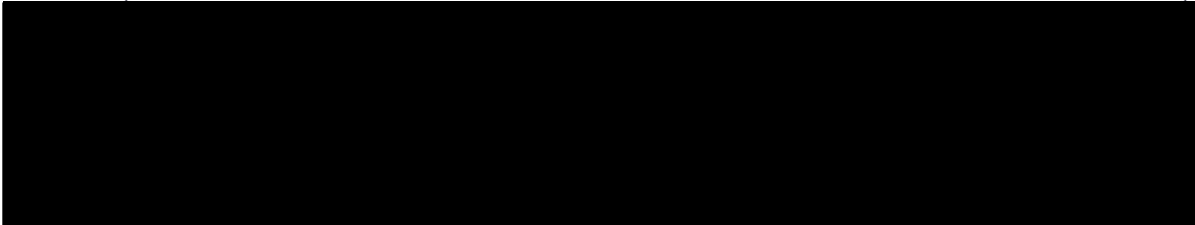


9 Q I'll hand you what we'll mark as Exhibit 6 to your
10 deposition.

11 (WHEREUPON, the document was marked for
12 identification as Exhibit No. 6 and is attached
13 hereto.)

14 BY MR. JACKSON:

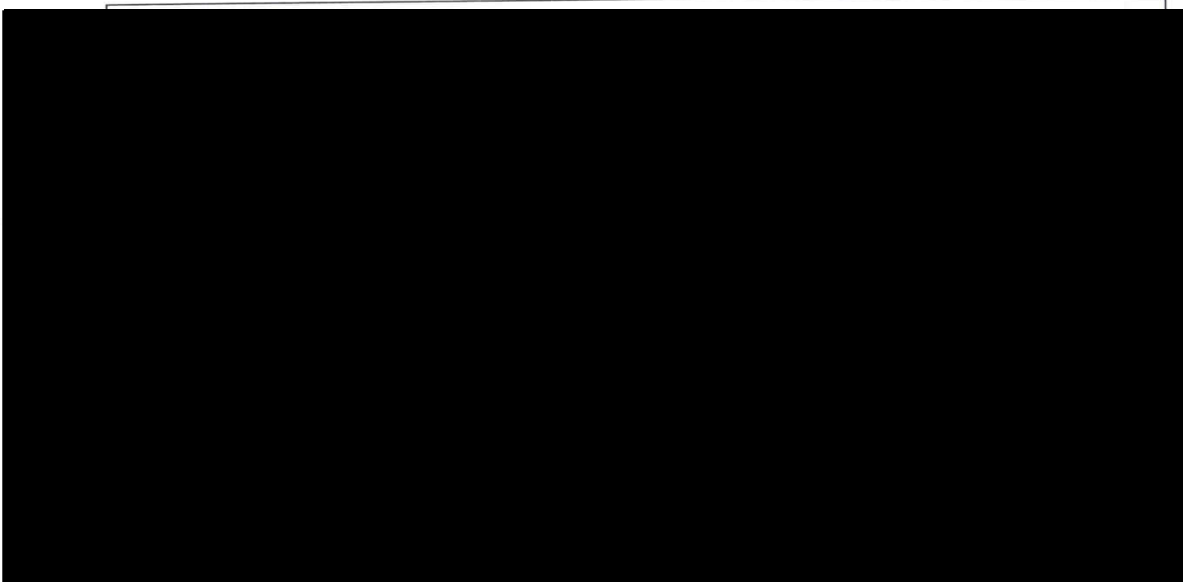
15 Q Is that -- what is that?



20 Q Exhibit 7, is that a -- just a different view of the
21 same eye?

22 (WHEREUPON, the document was marked for
23 identification as Exhibit No. 7 and is attached
24 hereto.)

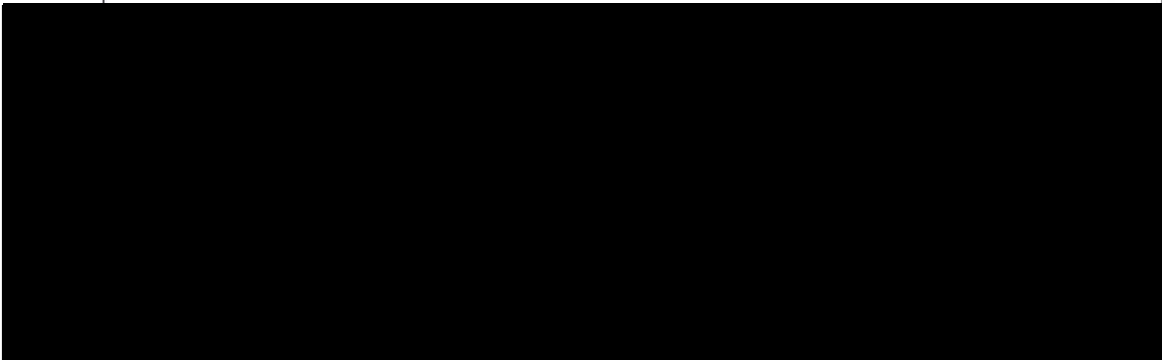
25 A Yes.



11 Q And how did your son, your children and family,
12 treat you when you had that, what I'll call, the
13 temporary one?

14 A My grandson did really well.

15 My wife, she still to this day looks at my right
16 eye. I can see her, she doesn't even -- even with this,
17 she still looks at half of me.



24 And now I think, in his mind, I'm perfectly fine,
25 you know. which is good. That's what I was going for.

1 I mean, I -- I don't want him to look at me with
2 that weird look on his face anymore.

3 Q I'm going to hand you what we'll mark as Exhibit No.
4 8.

5 (WHEREUPON, the document was marked for
6 identification as Exhibit No. 8 and is attached
7 hereto.)

8 BY MR. JACKSON:

9 Q Can you explain to us what is in Exhibit 8?

10 A That is the process he has to go through to come up
11 with this fall -- final --

16 MR. JACKSON: Can we go off the record for
17 just a moment?

18 (WHEREUPON, the record was suspended
19 momentarily and the proceedings resumed as
20 follows, to wit.)

21 BY MR. JACKSON:

22 Q Sterling, we just had a chance during the break to
23 look at a video when you were with [REDACTED] at [REDACTED]

24 [REDACTED] g [REDACTED] [REDACTED]

25 Describe your reaction when you were able to get the

1 final prosthetic in.

2 A It made -- like I said, I didn't think it would
3 matter, but it made me feel good again.

4 Not that it changes anything. It just -- I don't
5 have people looking at me funny. If you don't know,
6 people don't know, and I'd just well keep it that way.
7 But I didn't think it would mean so much to me to see it
8 myself.

9 Q would it be fair to say that having the symmetry of
10 having an eye that appears the same as your --

11 A It's huge. I don't have to wear an eye patch to
12 shave and brush my teeth anymore.

13 Q sterling, you were laughing in that video. And
14 today --

15 A Was a good day.

16 Q -- would -- that was a good day.

17 And, today, you prepared for this meeting with Ms.
18 Andrews and to talk about it, you've been in a really
19 good mood; is that right?

20 A I've tried, yes.

21 Q Is it fair to say that you also have dark times or
22 --

23 A Yes.

24 Q Do you think about what ifs a lot?

25 A Yes.

1 Q Is that some of those things that keep you from
2 sleeping or waking you up at night?

3 A Yes.

4 Q And when you're driving to work or back home from
5 work, this loss has affected you, that stays on your
6 mind?

7 A Yes.

8 Q I know we've talked about health insurance covering
9 some of your, some of your costs. But are there expenses
10 that you've had out of pocket that -- eye patches,
11 pharmacy things that --

12 A Oh, yes.

13 Q Who paid for your new phone?

14 A I did.

15 Q And is that the phone you have here with you?

16 A Yes, sir.

17 Q Do you know how much your --

18 A No, sir.

[REDACTED]

4 (WHEREUPON, the document was marked for
5 identification as Exhibit No. 9 and is attached
6 hereto.)

7 BY MR. JACKSON:

8 Q Is that the set of instructions, the handout the
9 doctor gave you --

10 A Yes.

11 Q -- or -- Michael is not a doctor. But he gave you
12 --

13 A No, he is not. Yes. He should be.

14 Q Do you recall you and Teresa paying, using your
15 credit card to pay some of Michael's bill?

16 A Yes.

17 Q I'll hand you two documents that are statements from
18 [REDACTED] c. Does it look like a \$3,000 charge --

19 A Yes.

20 Q -- that y'all paid?

21 A Yes.

22 Q And then there was \$1,000 bill to hold?

23 A Yes.

24 Q And then part of that bill has been paid for by

25 [REDACTED] [REDACTED]

1 A Yes, I -- I --

2 Q And we just need to find out what --

3 A The numbers, yes.

4 Q But 3,000 came from --

5 A Yes, I -- I -- I had to make a down payment because
6 the insurance was not --

7 Q And you had to buy safety glasses, eye patches, bed
8 wedge pillow, items like that, that your -- as you went
9 through your recovery?

10 A Yes.

11 Q And sweatbands, headbands to keep the sweat out of
12 your eyes, that's more important than it was before?

13 A Much more important.

14 Q One of the things I noticed in the records, a --

1 a difference between your headaches and your strain
2 headaches, eye-strain headaches?

3 A Yeah. An eye-strain headache, to me, it comes -- it
4 feels like half of a sinus headache to me.

5 I don't know, if you -- I get a sinus headache, I
6 can squeeze both sides and it relieves, it makes it feel
7 better. When I get an eye-strain one, I can do this and
8 it'll -- but I -- this doesn't make it -- so, I mean, but
9 it basic -- it feels like half of a sinus infection. If
10 that makes sense.

11 Q How often will you have those, Sterling?

12 A It -- it -- I could let myself have one every day if
13 I pushed myself and I -- but -- so, I mean, I -- I try
14 not to. Because everybody knows a headache's no fun, so
15 I mean --

16 Q So you know when one's -- what activity will --

17 A Well, I can --

18 Q -- will trigger it?

19 A Yes. And -- and I can tell, when it comes on, to
20 quit and go do something else and let it -- I don't close
21 my eyes but I don't -- I just try not to focus super hard
22 on reading all this. And it will subside itself.

23 Q Do you have any other, any other types of headaches
24 that are related to this? Or is it the eye strain, is it
25 just eye strain?

1 A I think it's just the eye strain. I mean, I don't
2 think -- nobody has said anything about sinus damage from
3 it all. So I don't -- I mean, I just think -- I -- I
4 just think it's the eye-strain headaches that I get.

5 Q And I want to ask you about pain.

6 Just right here today, are you pain free in your
7 left eye?

8 A For the most part, yes. It's a -- I wouldn't call
9 it pain. It's -- it's a slight discomfort all the time.
10 It's -- well, I have a piece of plastic shoved in my eye.

11 As well as it's made, it's still a big piece of
12 plastic shoved in my eye. And there is some discomfort
13 too.

14 Q And I know you answered this earlier, but that's 20
15 -- that prosthetic, that's what you're referring to as a
16 --

17 A Yes.

18 Q -- big piece of plastic? That's in your eye 24/7 --

19 A Twenty-four/seven.

20 Q -- and it's not coming out at night?

21 A No.

22 Q Okay.

23 That's all the questions I have.

24 Ms. Andrews may have some more follow-ups.

25 MS. ANDREWS: No, no more questions.

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(WHEREUPON, the proceedings were concluded
in the matter at 12:31 p.m.)

* * * * *
(WITNESS EXCUSED)

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C E R T I F I C A T E

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, CRIS M. BRASUELL, Certified Court Reporter and Notary Public do hereby certify the proceedings which appear in the foregoing pages are the proceedings taken by me verbatim through the use of the voice-writing method and was thereafter reduced to typewritten form under my supervision; that the witness, Sterling Dodson, was duly sworn by me; that the foregoing pages contain a true and correct record of the testimony given by said witness held to the best of my ability, along with all items of evidence admitted hereto.

In accordance with Rule 30(e) of the Arkansas Rules of Civil Procedure, review of the transcript was not requested by the deponent or any party thereto.

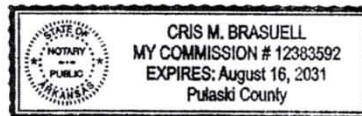
I FURTHER CERTIFY, that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise, in the outcome of this action, and that I have no contract with any parties within this action that effects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties in the action.

WITNESS MY HAND AND SEAL this 7th day of May, 2024.

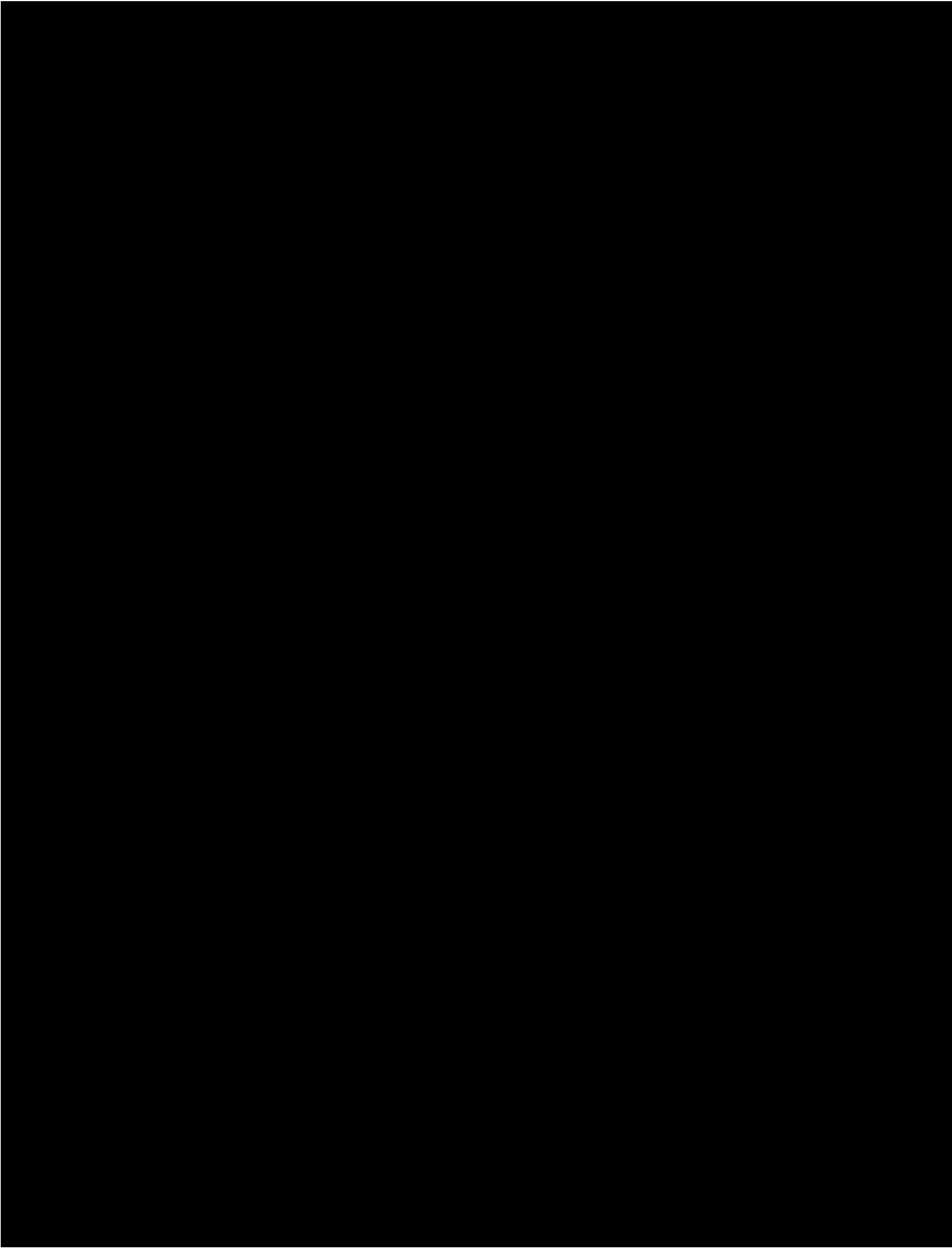


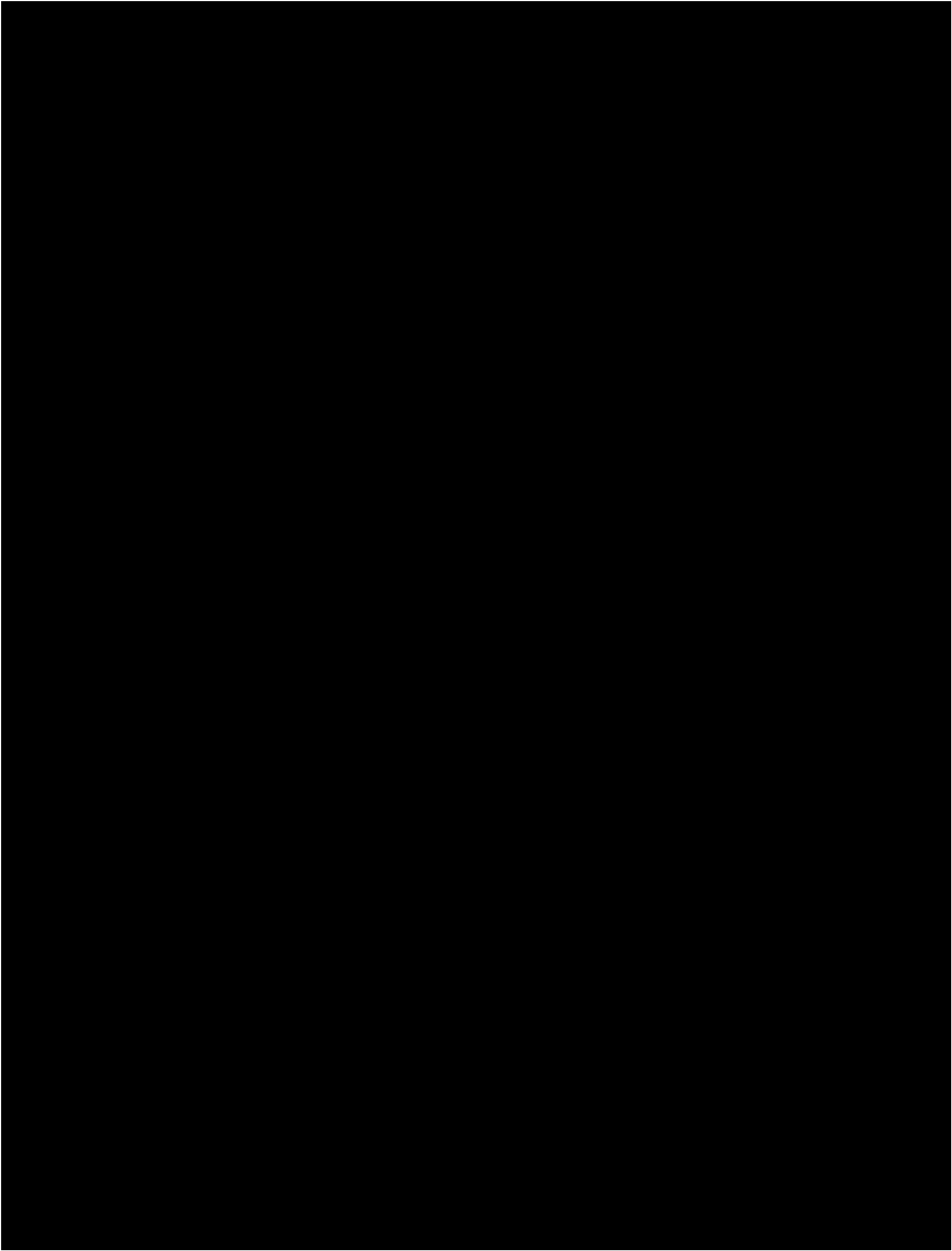
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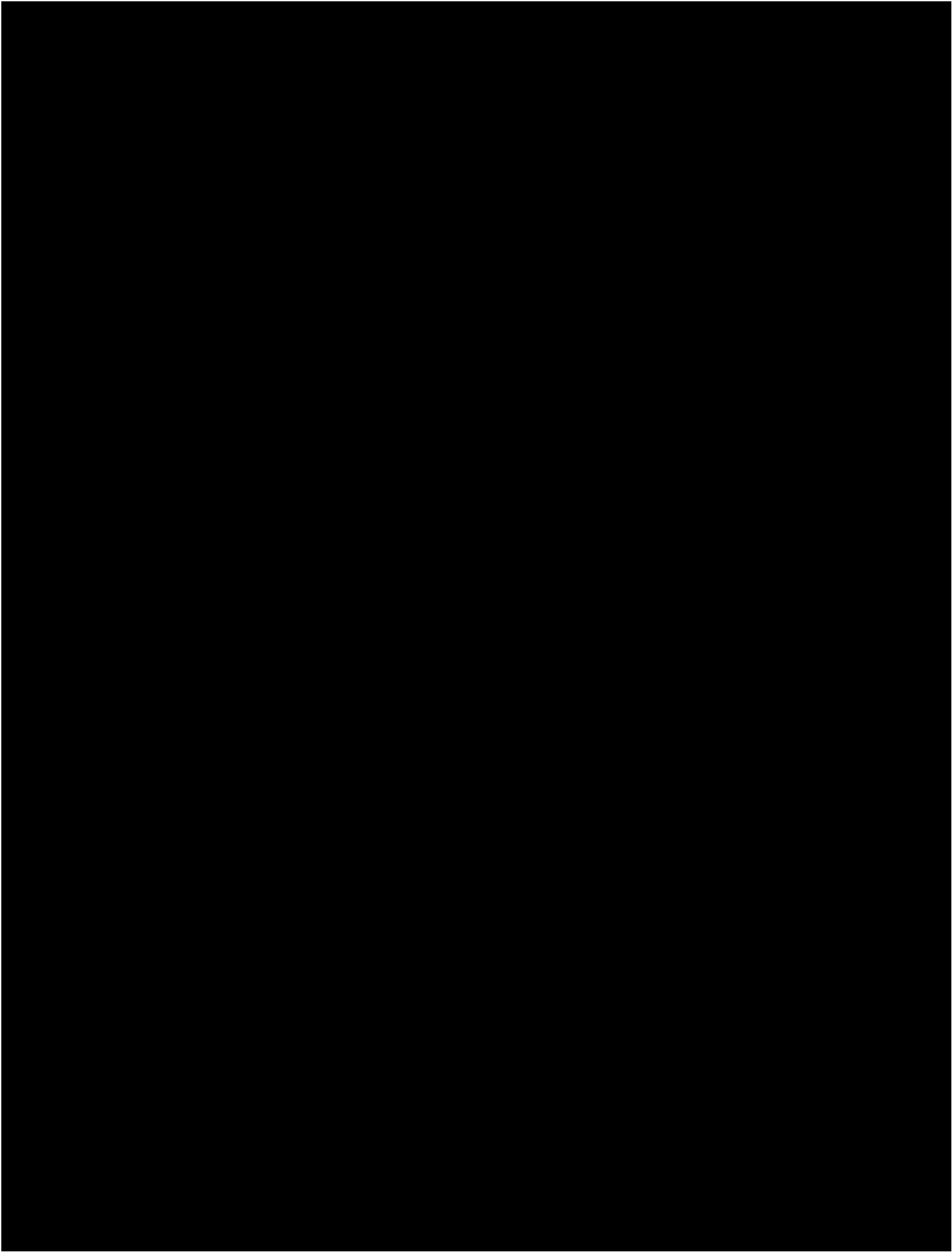
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August 16, 2031

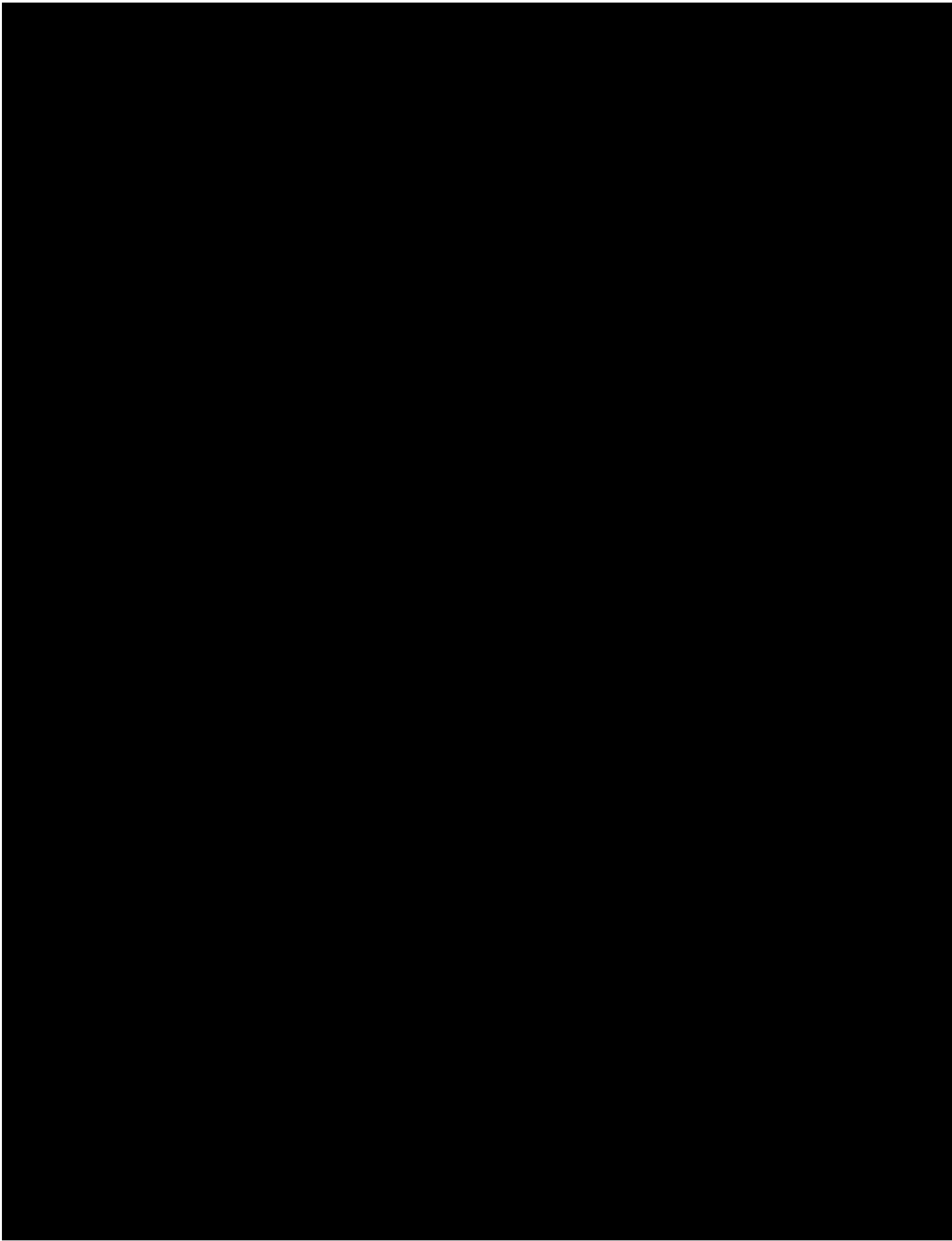


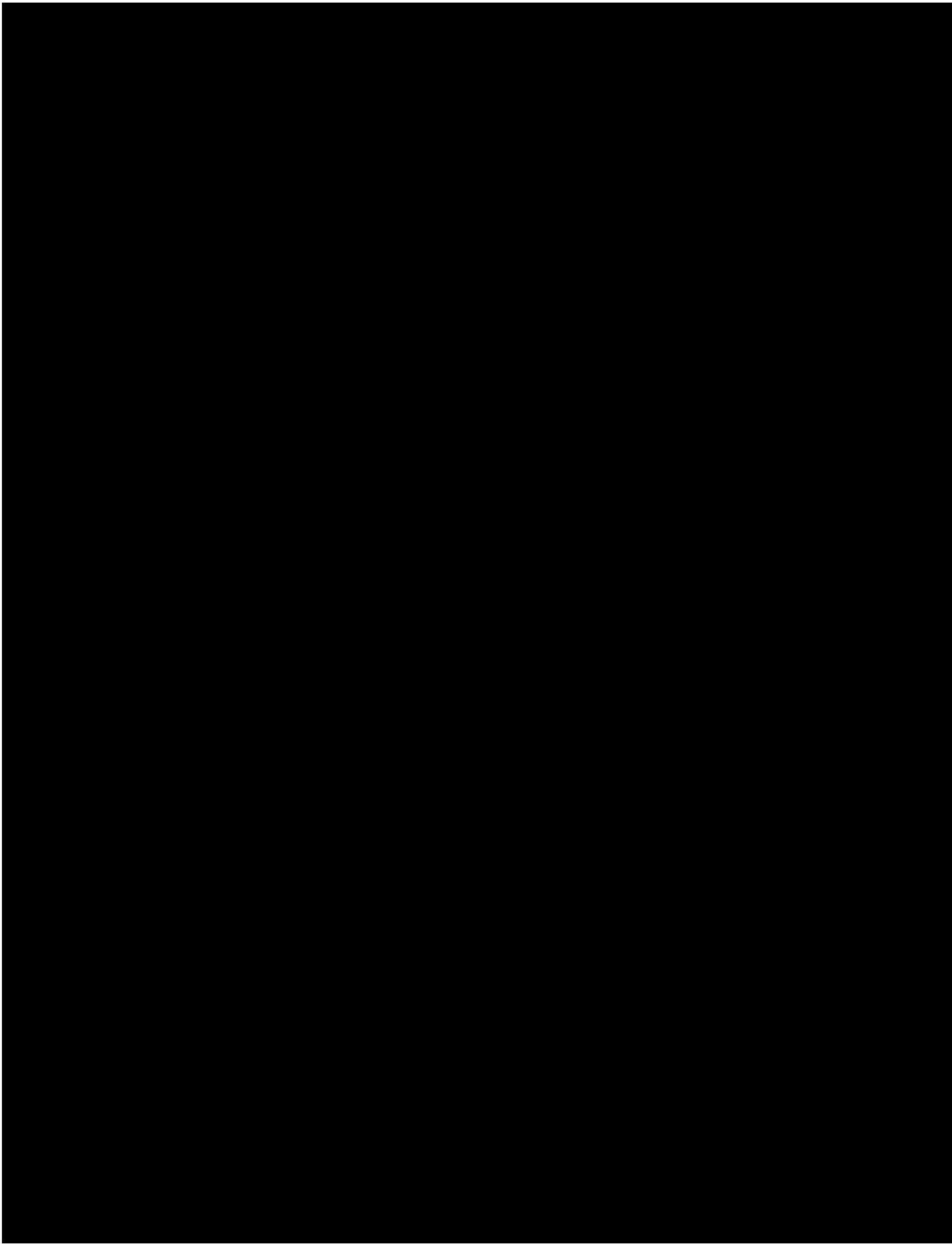
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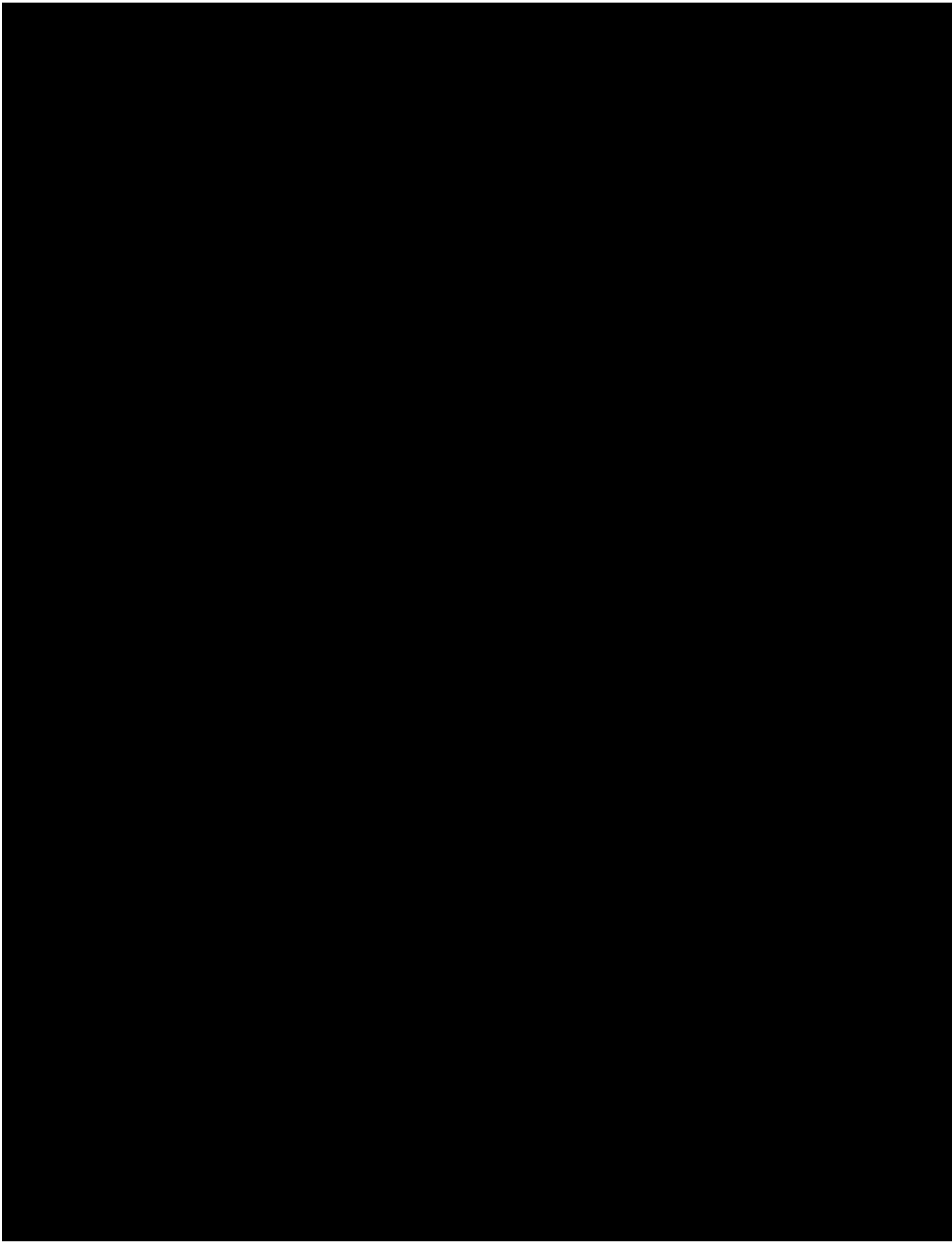


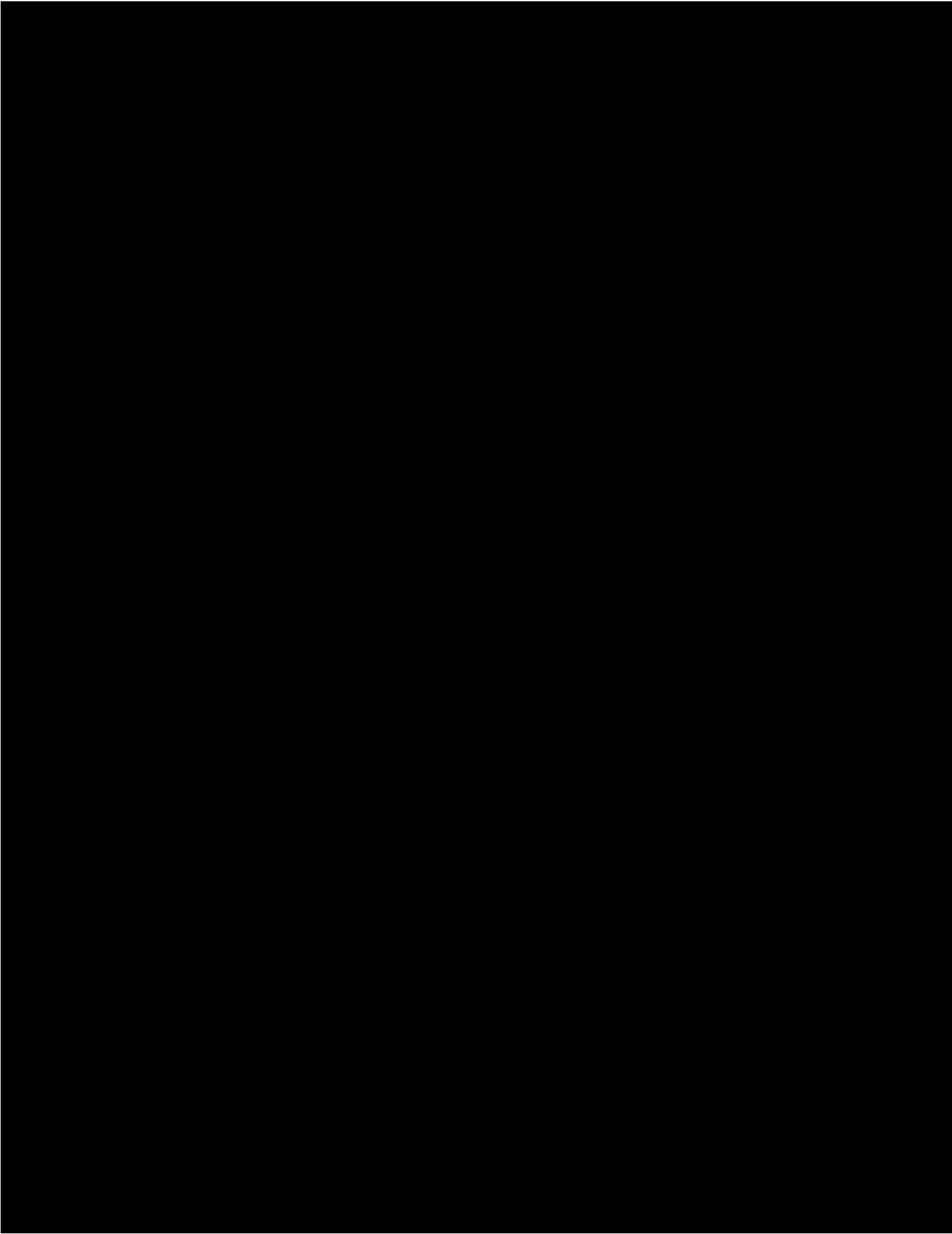


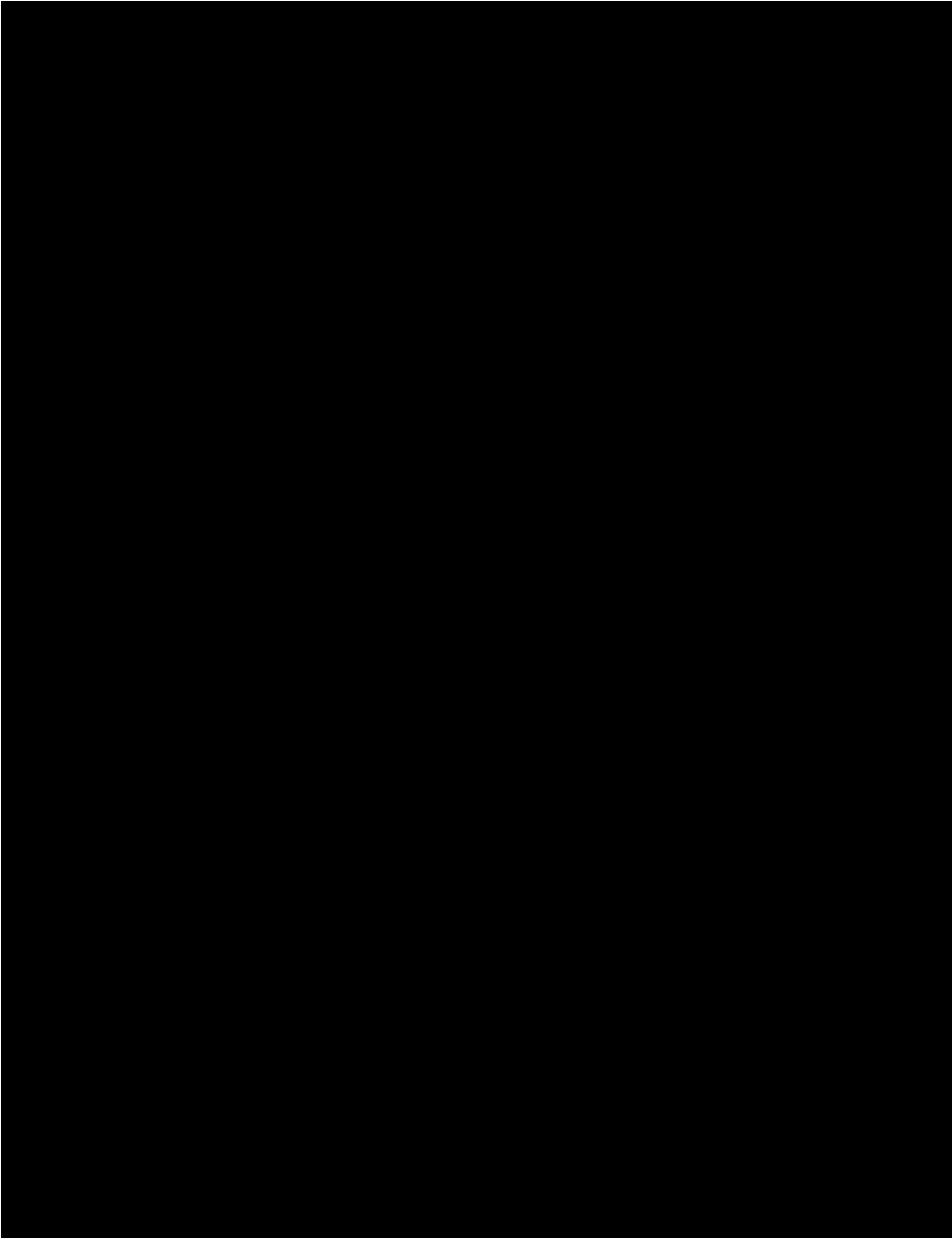


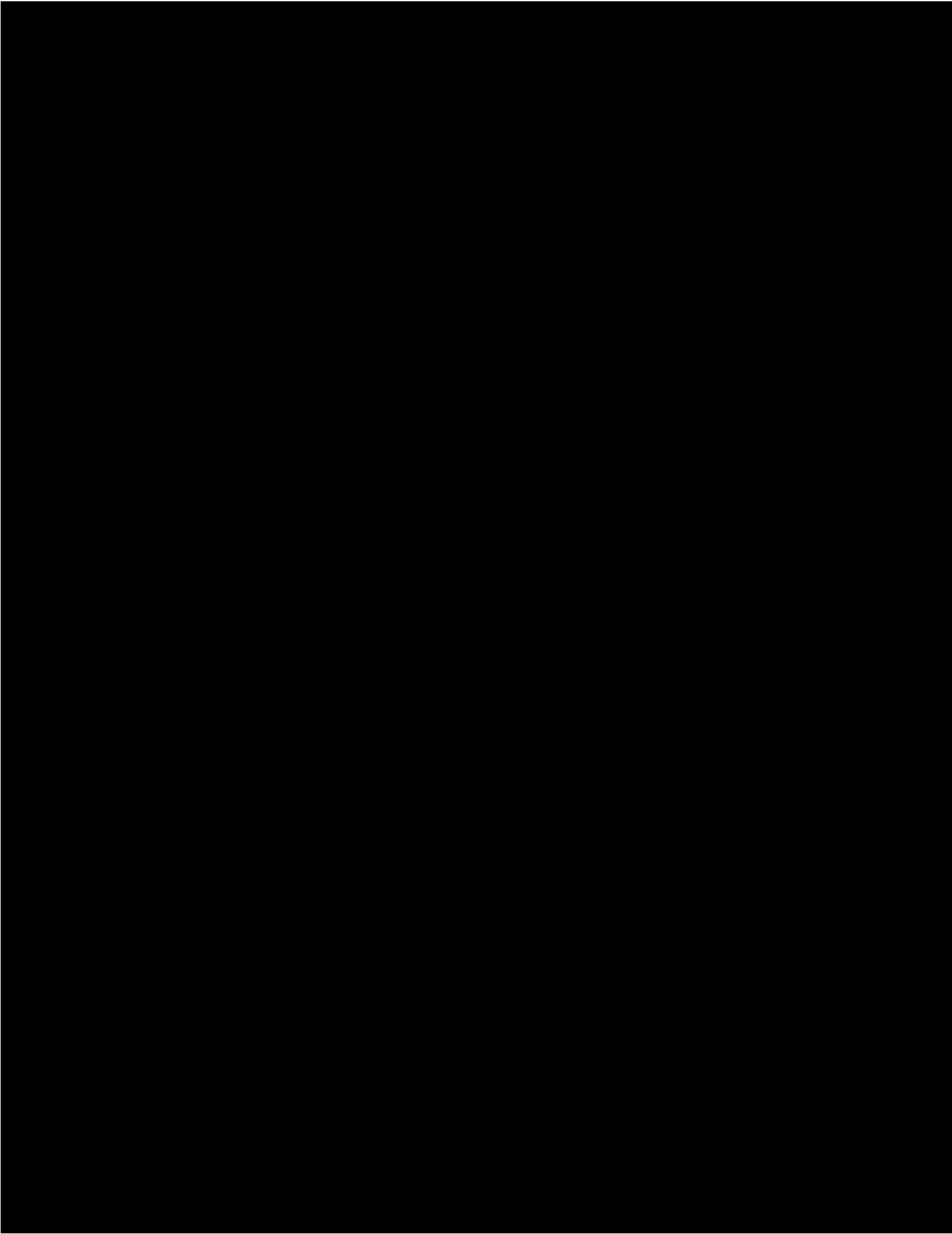


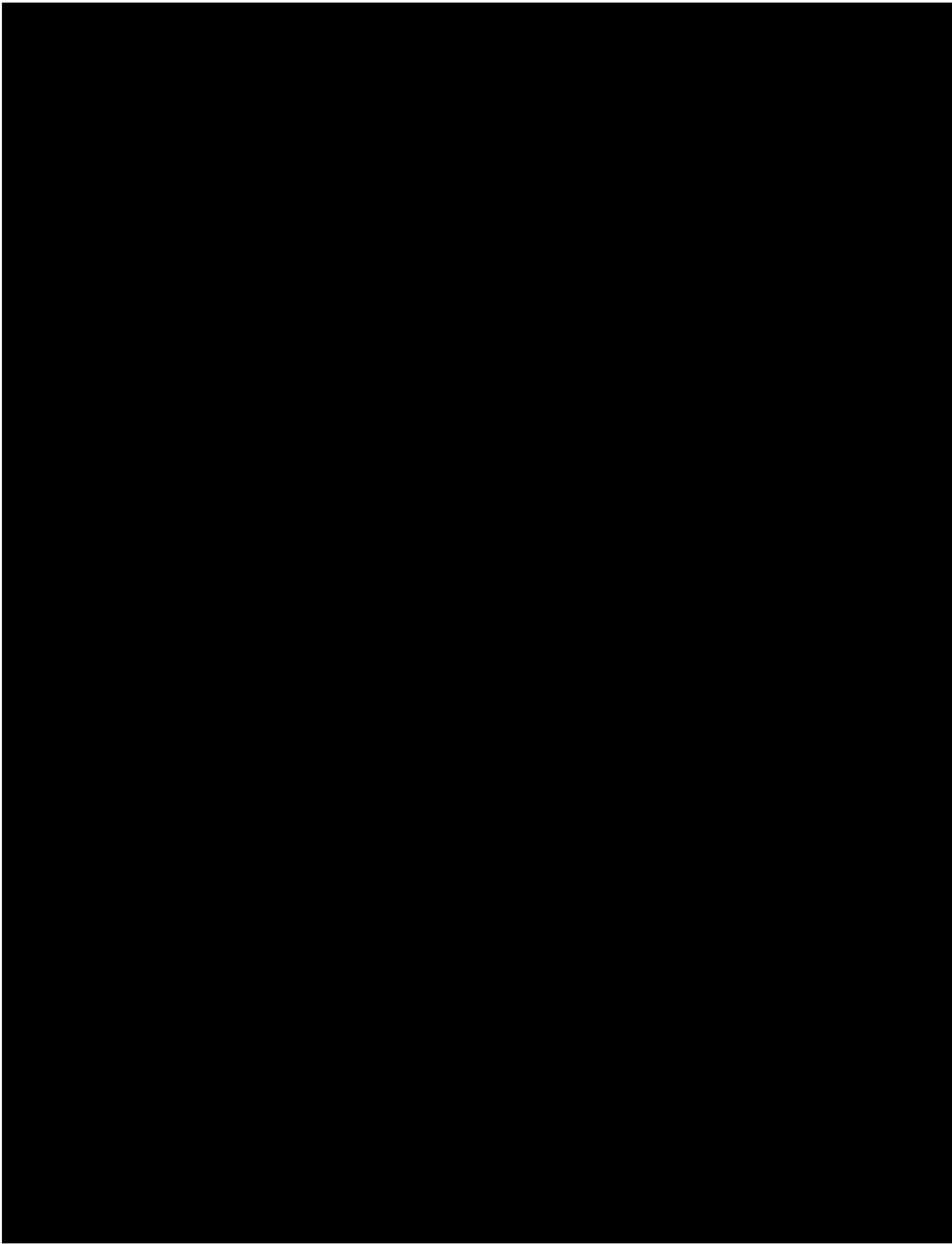


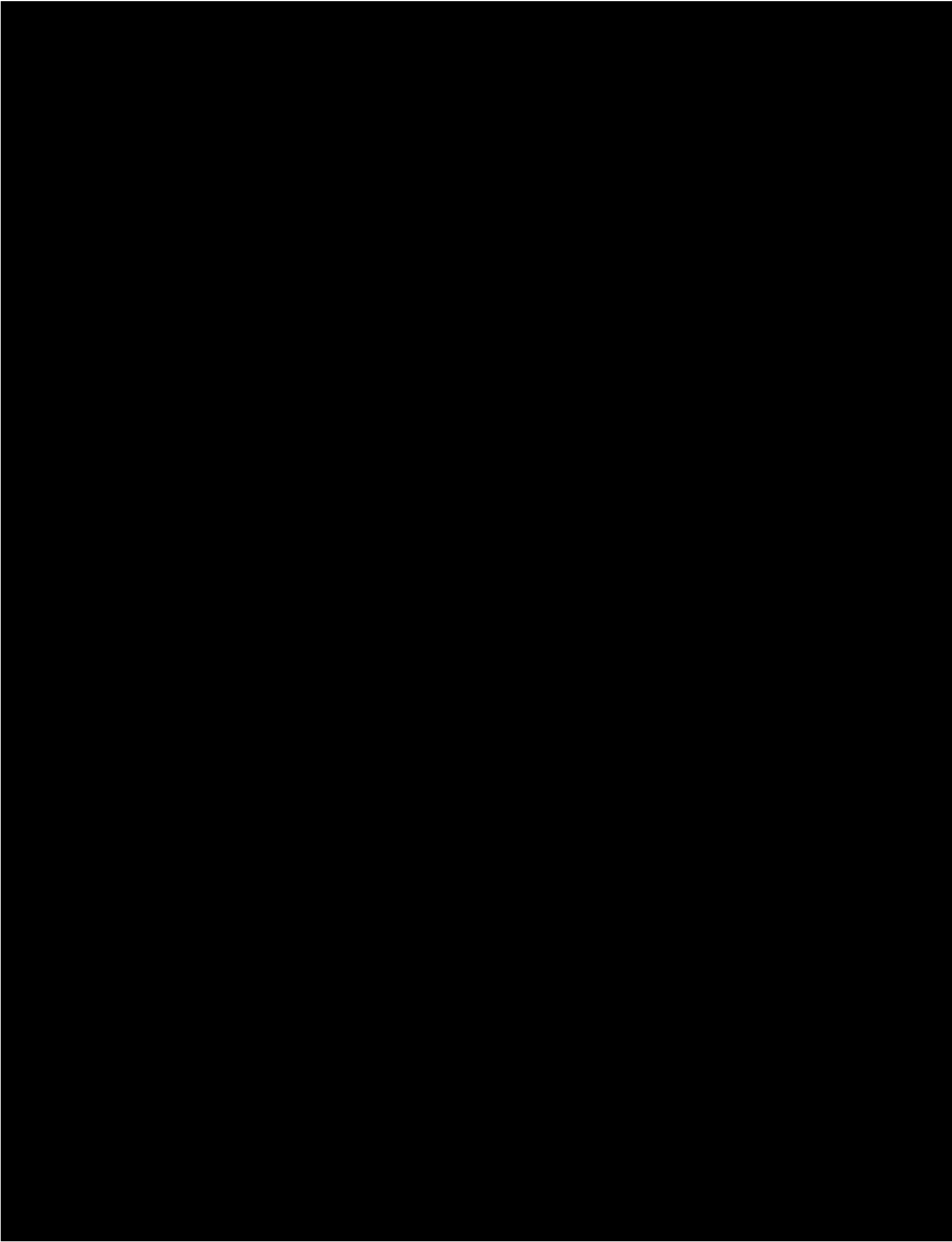


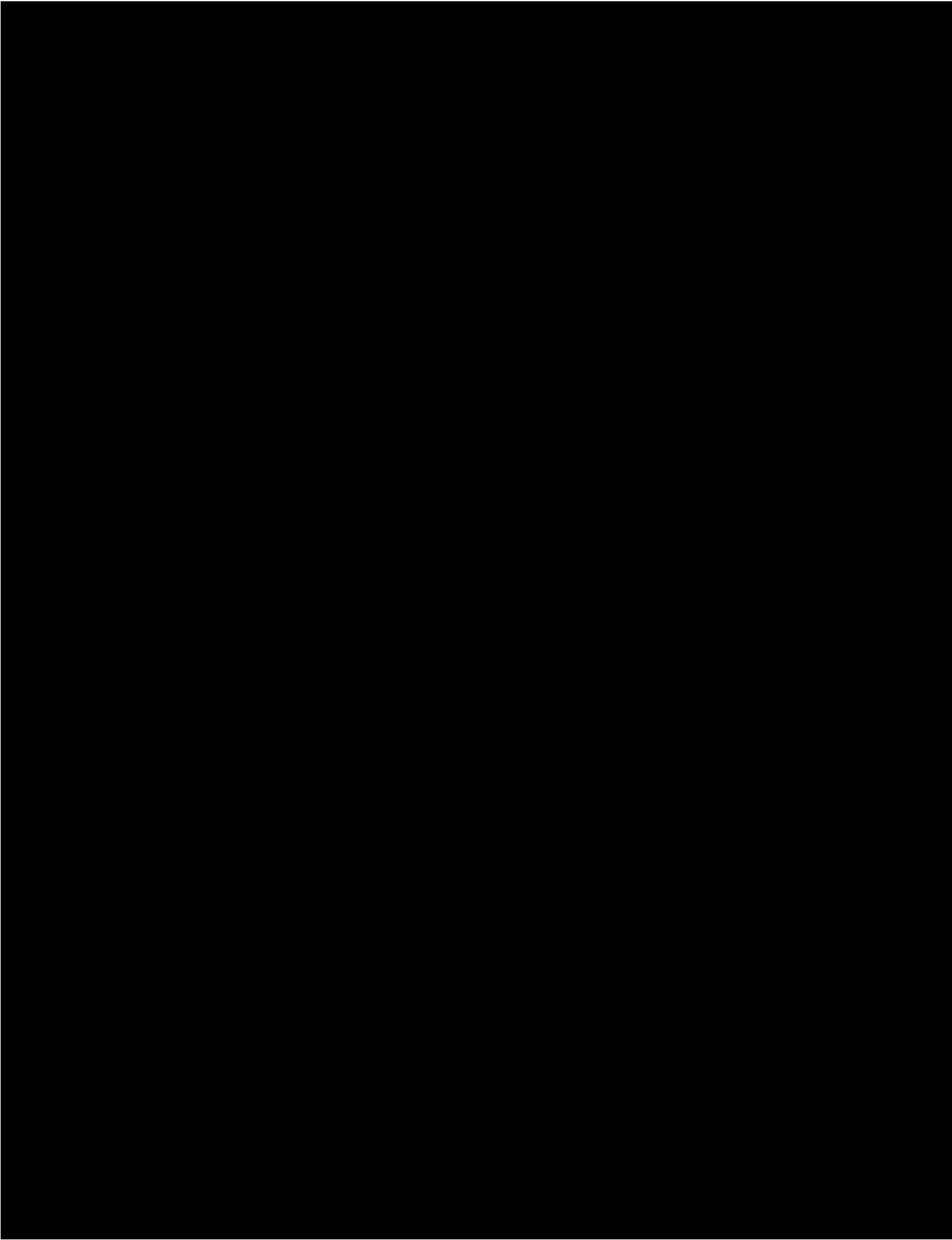


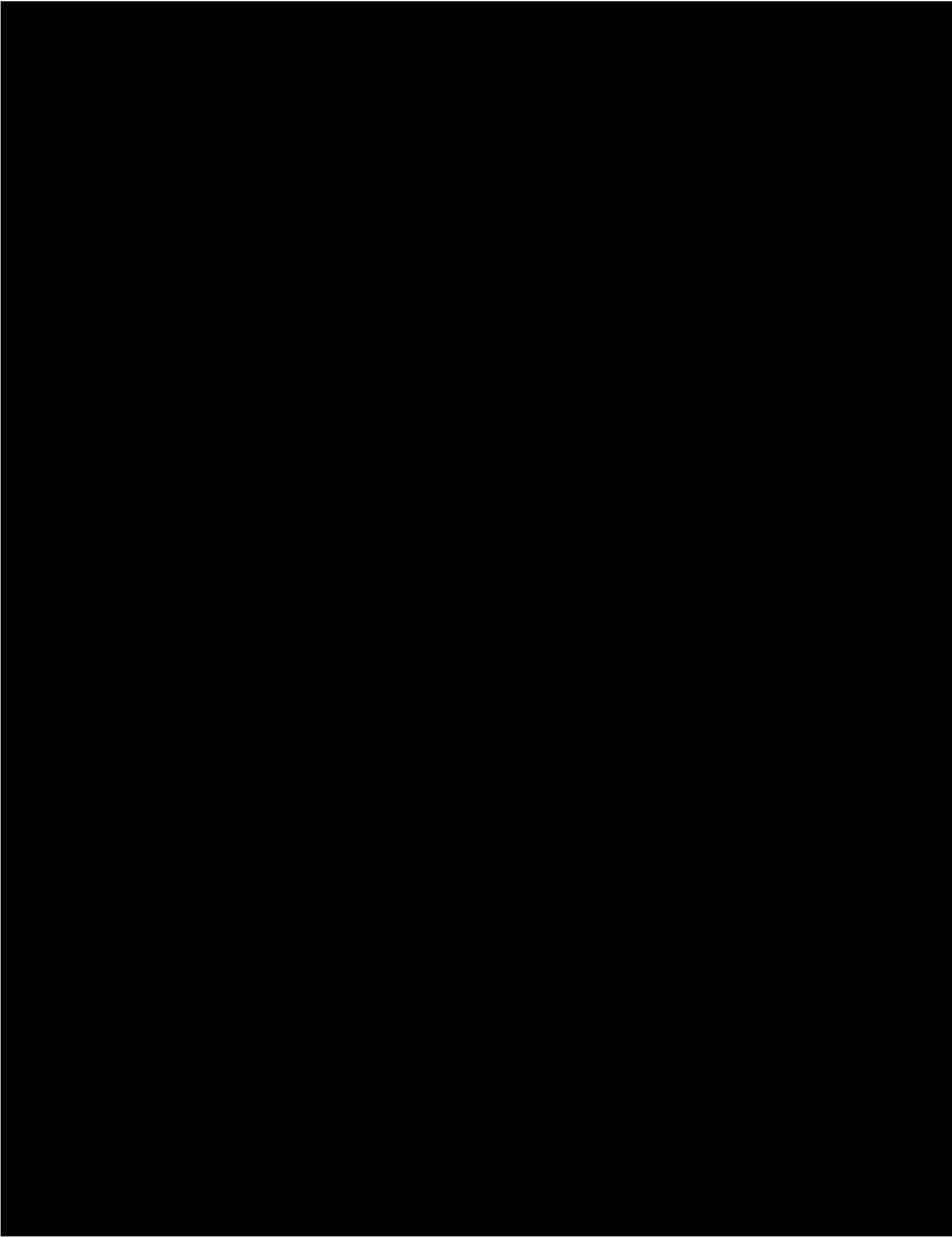












Arkansas
State Claims Commission

BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

OCT 17 2024

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STERLING D. DODSON

CLAIMANT

V

CASE NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

DEPOSITION OF
TERESA DODSON

Malvern, Arkansas
April 15, 2024, at 1:08 a.m.



CRIS M. BRASUELL, CCR
ArkansasCourtReporter.com

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A P P E A R A N C E S

ON BEHALF OF THE RESPONDENT:

AMANDA ANDREWS, ESQUIRE
ARKANSAS HIGHWAY TRANSPORTATION DEPARTMENT
10324 INTERSTATE 30
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ON BEHALF OF THE CLAIMANT:

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S T I P U L A T I O N S

IT IS HEREBY AGREED AND STIPULATED by the parties in the above cause, through their attorneys of record, that the testimony of Teresa Dodson, produced, sworn, and examined at the offices of ARDOT, 3922 Oliver Landcaster Boulevard, Malvern, Arkansas, commencing on April 15, 2024, at 1:08 a.m., before Cris M. Brasuell, CCR, pursuant to the terms and provisions of the Arkansas Rules for use as permitted by the Rules; that the questions and answers so given and propounded shall be transcribed by the reporter.

WHEREUPON, there being no further stipulations, the following proceedings were had and done, to wit:

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P R O C E E D I N G S

THEREUPON, Teresa Dodson was duly sworn to tell the truth, the whole truth, and nothing but the truth and gave the following testimony to wit:

DIRECT EXAMINATION

BY MS. ANDREWS:

Q My name is Amanda Andrews and I represent the Arkansas Department of Transportation. We also call it ARDOT.

And we're here today regarding a claim that your husband filed against ARDOT after an accident that happened on July 11th, 2023.

I'm going to ask you some questions about that case. Have you ever given a deposition before?

A No.

Q All right. So, just to kind of go over some general, I call them ground rules, but just to make sure that the record is clear, Cris is taking down everything you say, so -- and everything that I say.

So I ask that your responses be verbal. Handshakes and nods, uh-huhs, hu-uhs, those are hard to translate when I'm reading it back. So if you'll just be sure to say yes or no.

If you answer a question and I say was that a yes or

1 was that a no, I'm not trying to be rude. It's just so
2 that things will be very clear.

3 If you don't understand a question, I am prone to
4 ask bad questions, ask me to repeat it. I won't get
5 offended.

6 If you're not sure about an answer, I don't know is
7 a perfectly reasonable answer. That's fine. What I'm
8 really wanting to know is your knowledge and your memory
9 of the events and after the fact.

10 If you don't hear a question, we've got some road
11 noise outside, feel free to ask me to repeat, and I will.
12 If you need a break, as I said earlier, no problem at
13 all, we can take a break. I would just ask, if there's a
14 question hanging out there, to just answer that and then
15 we can go off the record.

16 The big thing is kind of the most common thing, I'm
17 telling you this to remind me mostly is for us to let
18 each other finish before speaking. It's hard for Cris if
19 we're talking at the same time to get down what we're
20 saying. So I will do my best to remember to let you
21 finish, if you'll do the same for me.

22 A Okay.

23 Q And you just took an oath to tell the truth. Will
24 you do that today?

25 A Yes.

1 Q Will you state your name for the record.
2 A Teresa Dodson.
3 Q Will you spell your first name?
4 A T-e-r-e-s-a.
5 Q And your last name?
6 A D-o-d-s-o-n.
7 Q And, Ms. Dodson, what's your date of birth?

[REDACTED]

10 A Thank you.

11 MR. JACKSON: What year? I mean, what was

12 -- say it --

13 THE WITNESS: [REDACTED]

14 MR. JACKSON: -- again.

15 THE WITNESS: [REDACTED]

[REDACTED]

17 BY MS. ANDREWS:

18 Q It was a beautiful day.

19 A It was.

20 Q As you sit here today, are you on any medication
21 that might affect your ability to understand what we're
22 doing?

23 A No.

24 Q Any medication that might affect your memory?

25 A No.

1 Q What is your address?

4 Q And who do you live with?

5 A I live with my husband Sterling and

10 A We do. We also have a adult son who -- Blake, who
11 is 30. He'll be 31 this year, I believe. No, he'll be
12 32 this year, I think.

13 Q I was going to say, right --

14 A Yeah, after I did the math in my head, he's going to
15 be 32. It just seems like he shouldn't be that old.

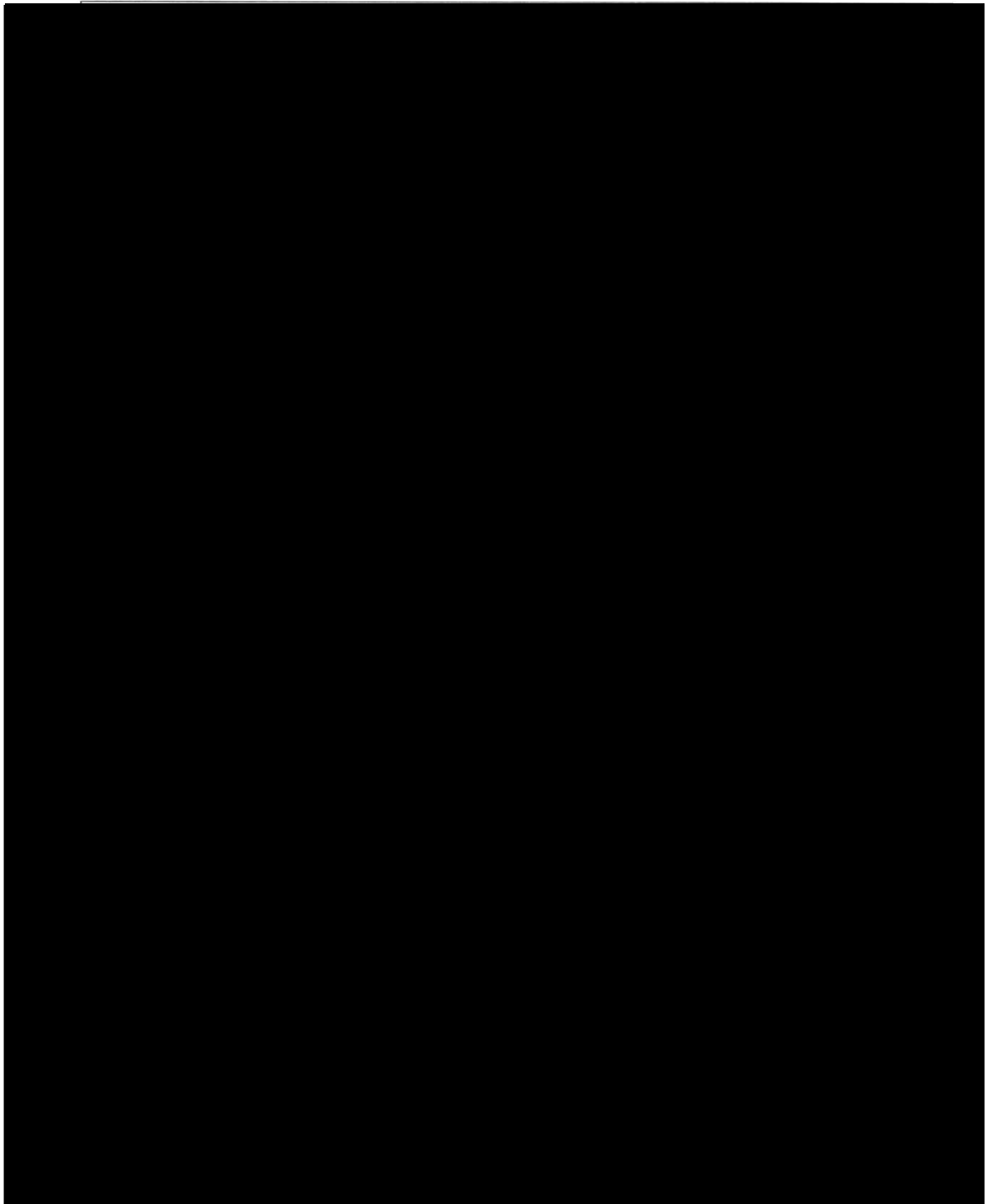
16 Q And do you have any grandchildren?

17 A We do. We have a three-year-old grandson and a
18 one-year-old granddaughter.

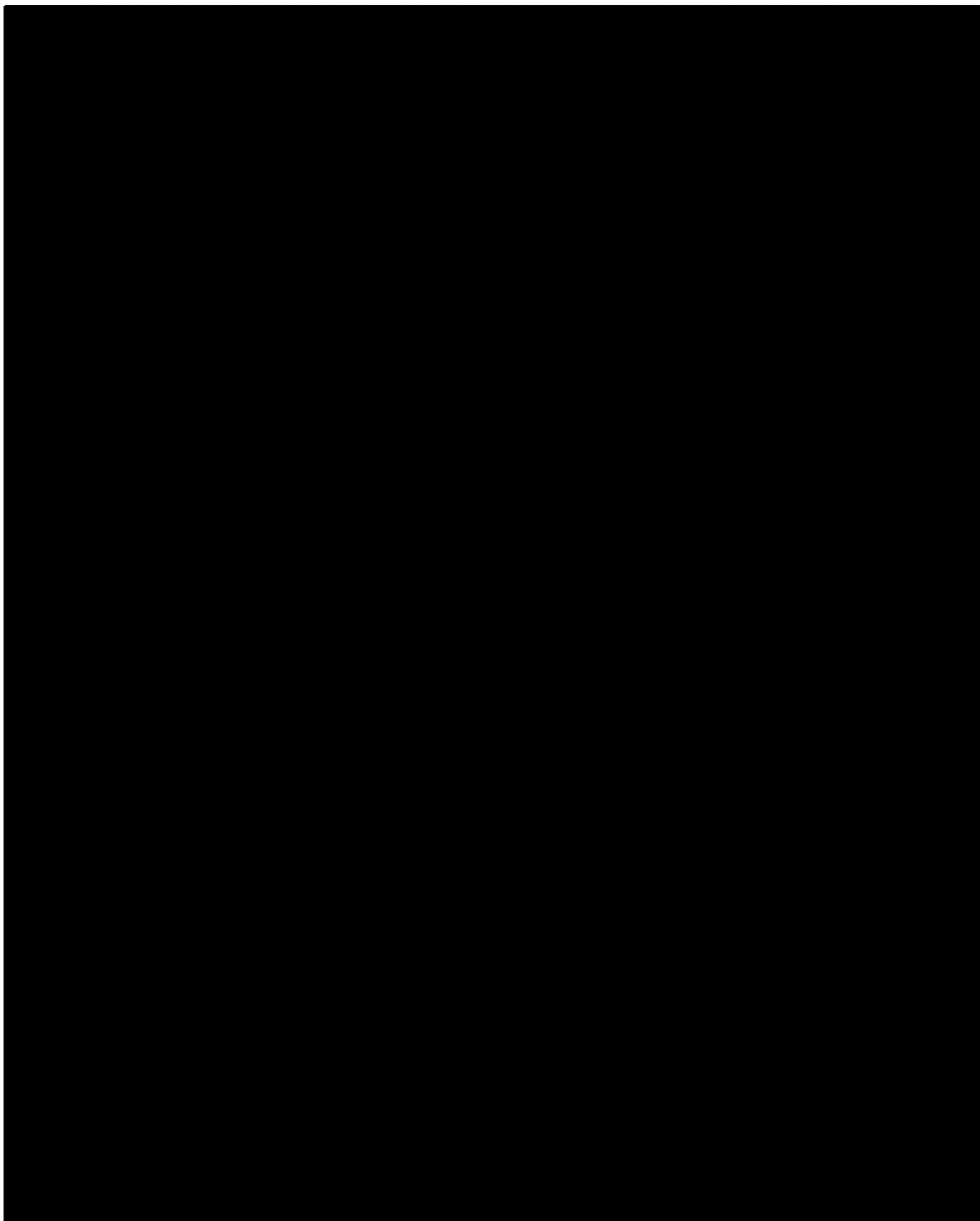
19 Q Do you spend a lot of time with Blake and his
20 family?

21 A We do. They come over for dinner. I cook dinner
22 for them at least once a week. And then I try to get the
23 grandkids as often as they'll let me.

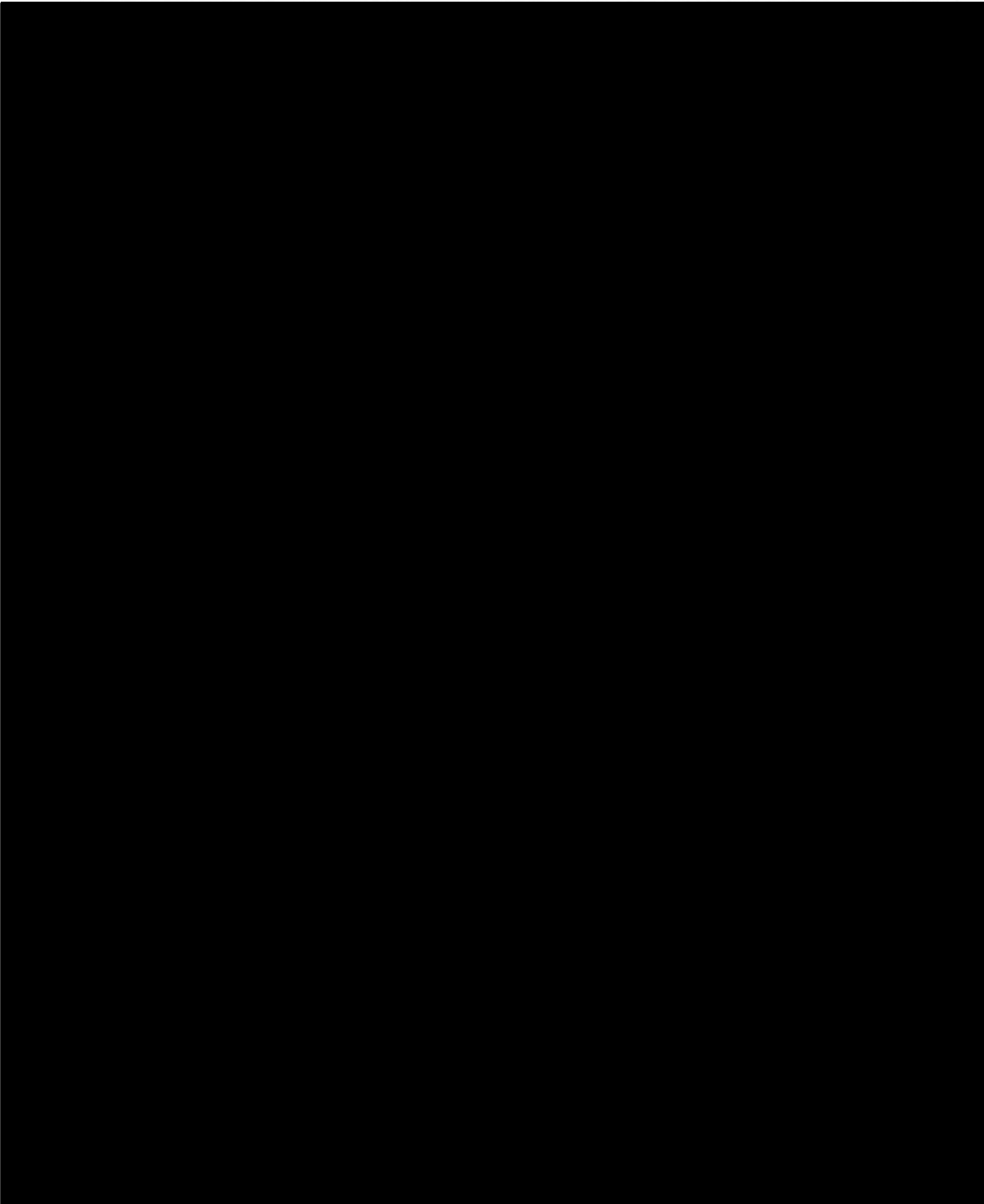
24 I try to get them once a week or so, hang out for a
25 little while, spend time with them.



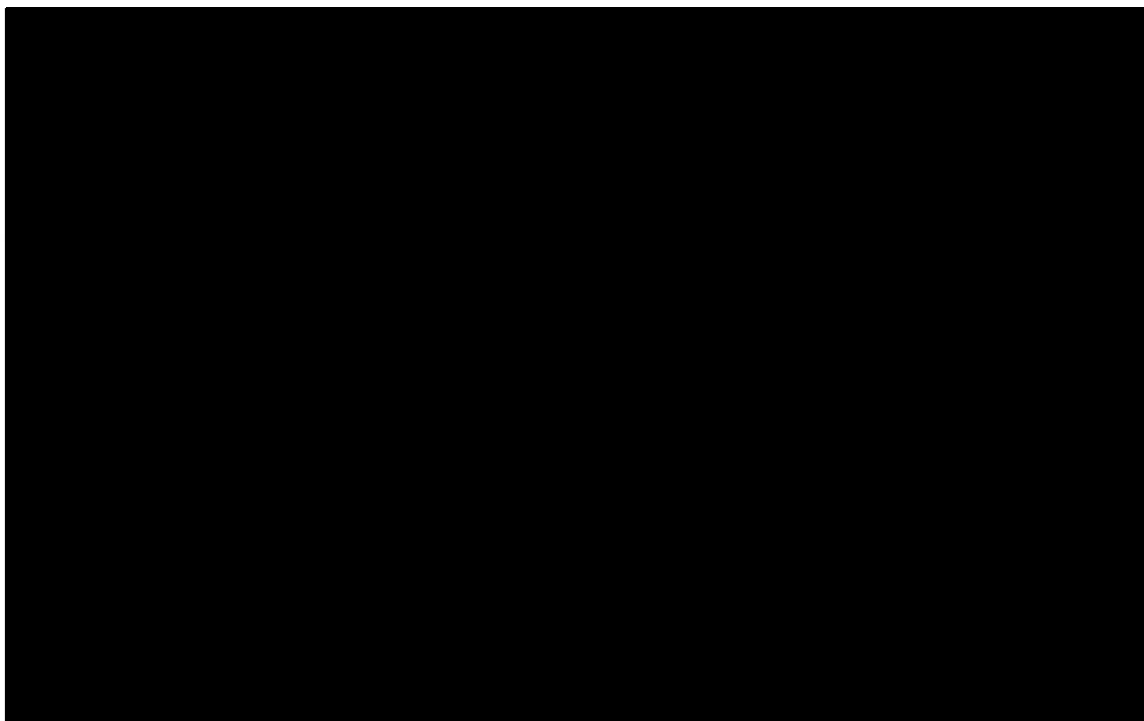
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13 Q Ms. Dodson, where did you grow up?

14 A I grew up in Hot Springs.

15 Q And did you go to high school?

16 A I did. I went to Lakeside High School. I graduated
17 in '91.

18 Q Did you know Sterling?

19 A Uh-huh. We had started dating while I was in high
20 school.

21 Q Okay. When did you get married?

22 A In '91. I graduated in May and we got married in
23 October. In December that year, I got pregnant with our
24 oldest son Blake.

25 Q And did you move with -- was Sterling already back

1 from the military when --

2 A Yes. Yes, he was. Yes, he was a truck driver when
3 we got married. And he worked -- he was gone over the
4 road.

5 And, when I got pregnant, I did not want to be a
6 single mom while he was on the road and so he -- when I
7 told him, I -- he -- he didn't want to be either. So it
8 was kind of a mutual agreement, and we're going to find
9 another job. So he did.

10 He came home and he actually went to work for my
11 dad. My dad taught him the body shop business, so --

12 Q After high school, did you do any other education?

13 A No. I had planned on it. I was going to sit out a
14 semester and then go to college. And, when I got
15 pregnant with Blake, that all changed, so I did not. I
16 got a full-time job and --

17 Q Did you serve in the military?

18 A I did not.

19 Q Okay.

20 Tell me a little bit about your employment
21 background.

22 A So at the time, when I got pregnant with Blake, I
23 worked -- I had worked in retail. And -- but before --
24 after I got married, I went -- I was trying to find a
25 more -- a job that wasn't weekends and nights.

1 So I was working as a pharmacy technician at a
2 hospital while I was pregnant with Blake. And then,

6 So, after I went on maternity leave and came back to
7 work, I realized I didn't want to continue working there.
8 So I called my old boss at a retail store that I had
9 worked at and she hired me back immediately.

10 So I left there and went back into retail. So I did
11 that for several years, probably until Blake was three or
12 four. And then I decided I wanted a Monday through
13 Friday job. I didn't like Sterling having to raise my
14 son on the weekends and the evenings. In retail, you
15 work a lot of weekends.

16 So I went to work at Farm Bureau Insurance and I
17 became an insurance agent. So I got -- as a -- I became
18 licensed to sell property and casualty and life
19 insurance. I worked there for ten years.

20 And then I moved on. I wanted to be able to do
21 commercial insurance, so I went to work at Malvern
22 National Bank and opened a -- they were partnered with a
23 insurance agency out of Benton. So I managed the agency
24 through Malvern National Bank for five years, until

[REDACTED]

2 So then I switched and took a job doing insurance
3 inspections so that I could work from home. I would do
4 inspections during the day while [REDACTED].
5 And then I was able to be home after school.

[REDACTED]

20 That's what I've been doing since then.

21 Q And that was about --

22 A About six years ago. Almost seven years ago now, I
23 guess.

24 Q we're here today talking about a claim that your
25 husband filed against ARDOT related to an accident that

1 happened on July 11th, 2023. Do you remember that day?

2 A Yes, I do.

3 Q And tell me about it.

4 A So he got up like we typically do. We usually get
5 up between six and 6:30 and we sit on the couch and watch
6 the news together while we drink a cup of coffee.

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED] Shortly after he left, my phone rang. And, when I
11 went -- it was him, which I thought was odd, because he
12 had just left for work. So I thought, oh, he must have
13 forgot something.

14 But, when I answered the phone and he said, hey, and
15 I could tell he had a panicked sound in his voice. I was
16 like, hey, what's wrong; and he said, well, I got hit in
17 the head with something thrown from a mower and I -- I'm
18 at the store and they said I need to go to the emergency
19 room.

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 But I could tell he sounded very panicked in his
25 voice, so I wasn't -- I just knew he got hit in the head

1 with something. So I was immediately pissed, because, I
2 mean, he's trying to go to work and he got hit in the
3 head with somebody mowing, how stupid, was what I was
4 thinking.

5 I had no clue. I thought he got to the store,
6 somebody was mowing at the store, something got thrown
7 and hit him in the head. My thought was, okay, I'll find
8 somebody to get [REDACTED] so I can go to pick him up at the
9 hospital after he gets stitches. And that was my
10 thought, that -- and he'll go back to work.

11 So I called my mom, was my first thought. And I
12 said I've got to find somebody [REDACTED]
13 Sterling's got hit with a rock, he's on his way to the
14 hospital.

15 She had a doctor's appointment so she told me that
16 she couldn't, she couldn't come. And I said, okay,
17 that's fine, I'll figure out something. So I called
18 Blake, our oldest son, and I told him what Sterling told
19 me. And he said, okay. I said I might need your help

[REDACTED] and he said, okay -- I
21 forget what he said.

22 But we got off the phone and he must have, at that
23 time, called Sterling's phone. Because he called me back
24 and he said, when I tried to call dad, Brandon called me
25 back; and I said, Brandon, Brandon who. And he said

1 Brandon Reed.

2 well, I know that Brandon Reed is a first responder,
3 so it clicked in my head, okay, Brandon must have seen
4 Blake call Sterling's phone so Brandon called him to tell
5 him what was going on.

6 And he -- and Blake said, mom, I'm just going to go
7 straight to the hospital and Caitlin's coming there to

9 So, at that point, I knew something was wrong, bad
10 wrong, for Blake to tell me he was going straight to the
11 hospital. So I said, Blake, what is it; and he said,
12 mom, it's his eye and they said it's bad. I said, okay.

13 So, I waited. I started getting ready and waited
14 for my daughter-in-law to get there.

16 to the doctor. And I just rushed out and went straight
17 to Hot Springs CHI.

18 I don't know if -- have y'all -- have you seen the
19 picture of what I walked into that day? I had showed --
20 Sterling just recently saw this picture. I hadn't even
21 showed it to him until we had the meeting with Victoria.

22 So, when I walked in to the emergency room, he was
23 covered in blood and he was vomiting blood. It was -- it
24 was very traumatic.

25 I get the phone call and I'm expecting that he's

1 going to get a few stitches in his head and then I'm
2 going to take him back to work. And so when I walked in
3 -- which I knew it was worse than that by the time I was
4 headed to the hospital.

5 But it was -- that was hard to walk into.

6 Q Yes, ma'am.

7 A And then, on top of that, the nurse that was taking
8 care of him, I had realized it was the same nurse that
9 had taken care of my best friend that had just died six
10 months before at that hospital. So I really didn't want
11 to be there.

12 So I was kind of relieved when they said that they
13 were transporting him to UAMS. But, at that point, he
14 was throwing up so much blood, I couldn't imagine him
15 having to ride in the ambulance like that. I kept asking
16 them, is there something you can do, why is he throwing
17 up blood.

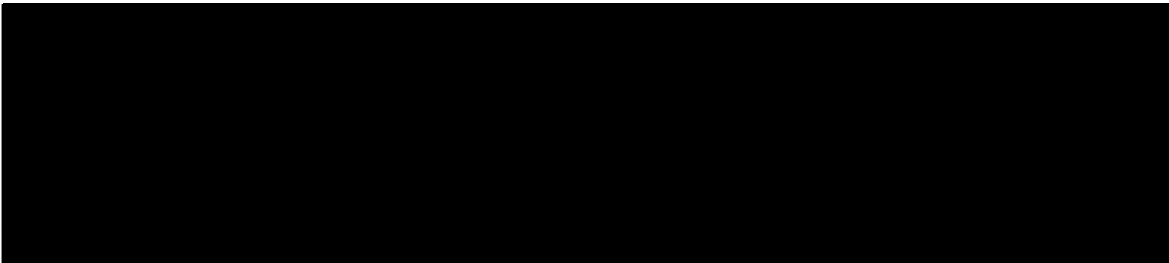
18 They explained to me, that when he was hit, it also
19 fractured -- he had orbital fractures. So she said most
20 likely -- she said eye injuries bleed like head injuries.
21 And she said, most likely, it's just draining through his
22 sinus cavity and coming back up.

23 So they were trying to assure me that he wasn't
24 vomiting up blood. Like I was afraid he had other
25 internal injuries, but I guess they had already checked

1 for all of that, so it was just the eye injury was so
2 bad, he was -- it was just draining and coming back up.
3 That -- it was scary.

4 Q I'm sure. I'm sorry you had to go through that.
5 Tell me about when, when Sterling was taken to UAMS.
6 what --

7 A So they told me that he was going to be taken by
8 ambulance. So we were scrambling at that time trying to



5 So I waited for the ambulance to get there. And I
6 kissed him goodbye. I went -- I knew it was going to be
7 cold in the hospital. I didn't -- I had on shorts that
8 day, I think. It was July, so I'm pretty sure I had on
9 shorts. So I thought, well, I'll go -- my mom's house
10 was between Hot Springs and Little Rock. So I stopped at
11 her house and went in and got a sweater. She wasn't back
12 from the doctor yet.

13 So I left there and I went straight to UAMS from
14 there. I think I got there right after the ambulance
15 did.

16 Q And what do you know about the surgery that they
17 performed?

18 A So, when we left the CHI, I knew that they said his
19 eye had ruptured. And it -- I could tell, the way they
20 were acting, it wasn't good.

21 So I was -- I was really in shock, honestly. I
22 thought they were going to try to do something to save
23 his eye. I mean, I didn't realize at that point that
24 they were talking permanent vision loss.

25 So I got to UAMS. And I think they just went off

1 the original CT scan that was done at CHI. But the
2 doctor -- they have medical students there, so I don't
3 know if it was a medical student or a doctor.

4 But he came in and took the guard off. I couldn't
5 look. He said we're going to get close-up pictures. I
6 had to turn away.

7 That's when they had -- that's when they said it --
8 this is -- I could just tell that they had never seen
9 anything like this before. And that's when they said
10 he's got a -- we have to do emergency surgery. And I
11 said, you know, what -- and he said, well, we're hoping
12 we can save the eye.

13 And I said, well, save it so that -- I mean, he's
14 going to be able to see, and they said, oh, no, no. No,
15 we -- we just want to save the eye.

16 I didn't understand that. I mean, if it's -- if it
17 -- if he can't see again, what's the point of it being
18 there. My thought was, if you need to take it out, take
19 it out, I mean, what -- and she said, no, it's -- that's
20 our last -- that's the last thing that we'll do. We
21 won't -- we won't take it out unless we can't preserve
22 it.

23 I didn't -- I was still in shock. I didn't
24 understand all that. They were saying he wasn't going to
25 see but they said we're going to go in and sew it up. So

1 that was what I knew. And they said if it's salvageable.
2 I guess they -- they would have taken it out if they saw
3 a need to.

4 They explained to me later, that when you have to
5 remove an eye, you have to clip the optic nerve and so
6 it's -- it -- you take a chance of killing the other eye.
7 So they don't like to have to remove the actual eyeball
8 itself.

9 So they went in and sewed it up and said that went
10 great. We still -- I -- I knew they -- they kept making
11 -- they even told us that day that he -- before he left,
12 that he was permanent vision loss. He would never be
13 able to see out of it again.

14 I didn't know the extent at that time of how bad the
15 eye would get and how bad it would look after the healing
16 process. So -- and then we had a lot of people keep
17 telling us -- you know, people were trying to be
18 optimistic. Well, maybe it'll heal, maybe they'll be
19 able to do something to get his vision back.

20 And -- but I knew, just from the way the doctors
21 talked and how they looked at it, that that wasn't going
22 to be a possibility. But, at that point, I just became
23 thankful that it was only an eye.

24 But now I realize that I'm not the one that has to
25 live with it. Even though it's only an eye to me, I

1 still can see with both of mine.

2 So -- I thought, at that time, it was going to be
3 easier than it turned out to be.

4 Q Tell me about Sterling's recovery. After you left
5 UAMS, what was his recovery like?

6 A I was in shock still for a little while, so it's --
7 there's some of it, I -- it's kind of blurry.

8 He came home, and even though he wasn't in -- he was
9 still having pain at that time. But it was the -- it was
10 manageable. It was -- he said, once they sewed his
11 eyeball up, the severe pain that he had at first was not
12 nearly as bad.

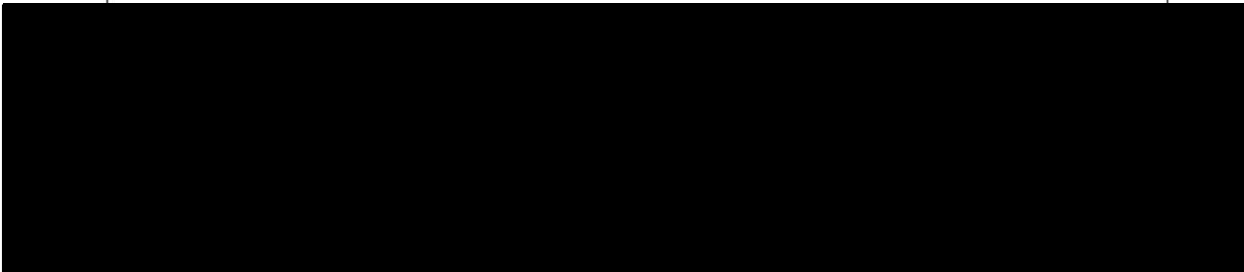
13 So he was still having pain, but I think he was so
14 in shock and just a trauma response that it was -- it was
15 a lot, trying to take care of him and Nathan both.

16 So that first week, I was really -- I was kind of in
17 shock still. I remember we came home with a bag full
18 eyedrops with directions and we had to put certain
19 eyedrops in every two hours and some eyedrops every four
20 hours. And so it was -- we were around the clock doing
21 eyedrops.

22 He wasn't able to help with any of that in the
23 beginning. So I was -- I just set a timer. We have
24 Alexa device and I would just have Alexa remind me every
25 two hours which eye drops that I had to put in.



8 Oh, gosh, that first week or so I have foggy memory

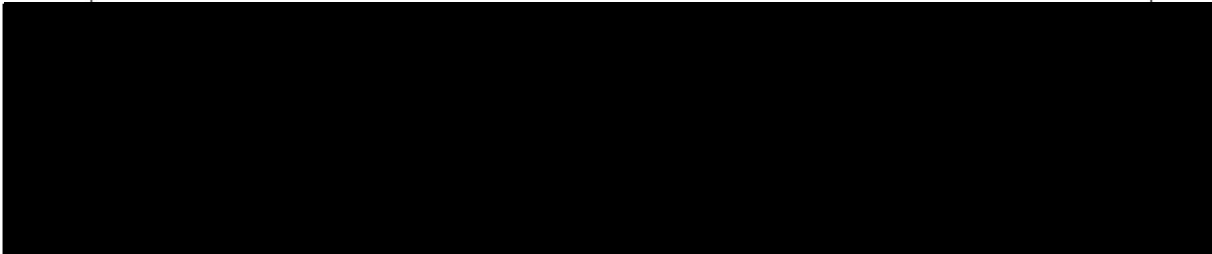


14 So my memory of that first week is kind of cloudy.

15 Q I can imagine.

16 Sterling testified, that after about a month or so,
17 kind of turned a corner. would you agree with that?

18 A Yeah. And I'd have to look back on the dates, but
19 he got sick again. It was probably about a month, he



24 anxiety before the accident. He did, he just didn't

25 acknowledge it as anxiety.

[REDACTED]

[REDACTED] And that made him mad. And he told me then, I'm
5 just going to quit work, I'm just not even go worry about
6 going back, I'm just going to tell them to find somebody
7 else.

8 But then, after he recovered from [REDACTED] of [REDACTED] that
9 was when he really kind of turned around and said I'm not
10 going to lay here and do nothing. So, yes, he did.

11 Q About how long would you say the recovery from

[REDACTED]

16 Q Do you recall how long Sterling was off work?

17 A I know he was -- he went back part time before he
18 went back full time.

19 I would have to check our records. I know he was
20 off, I'm thinking, a month straight before he went back.
21 But, when he did go back, he just went back part time.

22 He would get really bad eye fatigue. He still gets
23 headaches. But, in the beginning, they were frequent and
24 a lot and so he would take off.

25 He worked -- he would go in the mornings still to

1 meet with the guys at the store where he has coffee --

2 Q Uh-huh.

3 A -- and then he go to work. So he was probably work
4 -- going to work about nine and he would come home by two
5 and lay on the couch, rest his eyes.

6 Q Okay. Do you recall when he started working again
7 part time?

8 A I don't remember exact dates. I mean, I can go back
9 and look.

10 Q Just kind of a general time --

11 A I would say -- I -- I would say he took off at least
12 a month before he went back part time. And then he did
13 part time for probably four to six weeks before he felt
14 comfortable going back full time.

15 Q So it'd be a month after the accident plus another
16 week to two weeks to recover from colitis?

17 A Yes, approximately.

18 Q Maybe about six weeks to two months after?

19 A Yeah, I think so.

20 Q How long did he work part time? To the best of your
21 memory.

22 A I think for about four to six weeks, he did part
23 time.

24 Q Okay.

25 what was Sterling like during this period of

1 recovery? Generally, his disposition.

2 A He went through a lot of emotions. Angry, denial.
3 He became emotional. Very short tempered for a while.
4 That's -- that gets better some days.

6 Sterling would have very short patience with him some
7 days. And it -- he -- it was hard to live with him for a
8 little while.

9 And just a bad attitude. He would get -- he'd have
10 to look in the mirror, he would get mad. It was -- it
11 was just rough for a little while.

12 Q Sure. And did you say that you really felt he
13 turned a corner after he healed [REDACTED] [REDACTED]

14 A Well, yeah. I mean, that's when he just decided he
15 wasn't going to let this put him down permanently. He
16 said I --

17 Q Certainly.

18 A -- I'm -- Sterling's always been a hard worker.
19 I mean, I knew that he -- I knew he would go back to
20 work doing something just because he's not one to sit
21 around and do nothing.

22 So I knew, no matter how hard it was on him, he was
23 going to go and do whatever he could do, to the best of
24 his ability. So I knew that. It just took a little
25 while, I guess, for him to come to the realization that

1 he was going to do that.

2 And so, yeah, and his -- and his -- kind of his
3 whole mind. He's -- we talked one day and I said
4 something about PTSD and he said, no, I'm not going to
5 have PTSD, I'm going to turn this around and I'm going to
6 make something positive out of it.

7 So he did start trying to look at it differently.
8 And we would talk and say, you know, it -- even one of
9 the nurses said, my gosh, if he had gotten hit a little
10 lower, it could have cut a vein and he could have bled
11 out before he made it to the store.

12 If he had gotten hit a little higher, it could have
13 caused brain damage. And, you know, him -- had all --
14 you know, lots of other issues besides vision loss.

15 So we tried to just start looking at things from a
16 more positive standpoint rather than, oh, we've -- we
17 can't see out of his -- you know, he can't see out of his
18 eye. It's -- so he did.

19 I think he just started trying to get a different
20 mindset and be more positive about it and put a different
21 spin on it.

22 Q You just have to wish they wouldn't say things like
23 that. It's like, okay, it's bad enough.

24 A Right.

25 Q Adding to the anxiety of what could have been.

1 A Yeah.

2 Q It really does, it adds to it. Goodness.

3 During this time period of Sterling's healing
4 process, what were his physical limitations?

5 A At first, it was hard. I mean, he made a comment

8 He -- his balance and his depth perception and
9 everything was so off, just walking down the hallway was
10 difficult for him. I mean, I would watch him, you know,
11 reach out in the hallway to kind of feel where he was.

12 His balance was off. He would try to -- he'd try to
13 pour a cup of coffee and it went all over the counter.
14 And he would try to set something on the counter and it
15 would, I guess, be on the edge. He would think it would
16 be all the way up and it wouldn't, so it would fall and
17 break.

18 It was just very -- it was scary because I was -- I
19 was afraid it was going to be like that forever. But
20 then I knew that there other people that have lost vision
21 in their eye that -- so I knew that it would eventually
22 get better. We just had no idea how long it was going to
23 take.

24 So it was -- it was very challenging. I can't
25 imagine -- I can't imagine, from his perspective, how

1 challenging it must have been. Because, to watch it, it
2 was challenging.

3 I would come -- I've learned now not to come up
4 behind him on his left side. Because, you know,
5 sometimes, if you're in the middle of doing something you
6 just sling around. I can't tell you how many times I've
7 got hit on accident because he's just turning around
8 doing something and doesn't realize I'm there.

9 I don't realize he can't see out -- you know, you're
10 so used to that peripheral vision. And so I've learned
11 not to come behind him on his left side.

12 I've learned not to make loud noises that he's not
13 expecting because I guess that really startles him now.
14 And he --

15 Q Right.

16 A -- yells at me, don't do that.

17 Q About when would you say or about how long did it
18 take for you to start seeing him make improvements?

19 A Probably, probably about a month.

20 Oh, my gosh, the times, I am so off on the times
21 that -- he -- when he started seeing the occupational
22 therapist, she showed him some exercises and techniques
23 that he started doing at home that seemed to help.

24 And he's explained it, like he doesn't have depth
25 perception still, but I guess your brain starts to make

1 cues. They call them monocular cues. And so she showed
2 him exercises and techniques that helped --

3 Q Uh-huh.

4 A -- your brain do that quicker, by doing these
5 exercises.

6 And when he started doing those is when I could tell
7 that he was just learning different things. Like I watch
8 him now, he has to put his hand around his cut before he
9 can pour coffee into it because that just helps him know
10 where it's at. So it -- but he still has home hard time.

11 He went and got dirt for our garden and was trying
12 to back the trailer up to right outside where the garden
13 is. And I know he gets frustrated because he had to keep
14 getting out of the truck to go look to see where the
15 trailer was in correlation to the garden.

16 So there's still a lot of those things like that are
17 still very difficult for him. But I would say the first
18 three months or so, I think, were probably the hardest
19 for him.

1 Because they said there wasn't anything they could
2 do to save the eye or to make the eye better. But yet, I
3 guess, because they had stitched it up, they wanted him
4 to be careful with lifting and bending.

5 And -- which, the first week, he had so much
6 swelling and I think head pain from the fractures that he
7 stayed in bed for the first couple of weeks.

8 So I would say after that first month was when he



11 And we just kind of -- he just kind of slowly
12 started doing stuff again as he became more comfortable
13 with them.

14 Q Now, Sterling said that you're really the money
15 person --

16 A Yes.

17 Q -- at the house, so --

18 A Sterling's not good at managing money.

19 Q So tell me what kind of -- for the doctor's bills,
20 lost wages, it just -- tell me about what kind of
21 insurance was in place that contributed or paid for --

22 A So we had -- we have health insurance through my
23 employer. And the -- so we filed -- we were just filing
24 everything on the health insurance.

25 But then I guess it was you guys that said we had to

1 file the claim on the auto policy, the personal injury
2 protection on the auto policy, which I thought was wrong.
3 He was just in his truck driving to work. He shouldn't
4 -- his insurance, auto insurance, shouldn't have to pay
5 for that.

6 But we filed that claim; and that was \$5,000.

7 Q Are we talking about the personal injury protection?

8 A Yes, on his truck insurance.

9 Q Yeah. Did you know that's -- even if ARDOT had
10 insurance, that's no fault, so that's real -- that's
11 there regardless to help you.

12 A Okay. Well, it's something we pay for. So I just
13 didn't feel like we should have to file a claim on our
14 auto policy for something that wasn't --

15 Q Uh-huh.

16 A -- our fault when it's something we pay for.

17 Q I understand.

18 A Yeah.

19 Q I understand.

20 A And so there was \$5,000 on that.

21 And then our health insurance, we had a \$3,000
22 deductible with a, I think it was, a \$6,000 out of pocket
23 maximum. So the health insurance had paid for the
24 majority.

25 I think there's still a claim that's being held in

1 their subrogation department. But hopefully they'll pay
2 that soon too.

3 Q Okay. So you had a \$3,000 deductible on health
4 insurance?

5 A Uh-huh.

6 Q And then 6,000 out of pocket?

7 A Right.

8 Q And have you paid 6,000 total out of pocket?

9 A Yes. Between the deductible and the copays and the
10 prosthetic eye, yes.

11 Q Okay.

12 Is there anything, besides the 6,000, is there
13 anything that you've had to pay out of pocket related to
14 the accident?

15 Is there anything you've had to pay out of pocket
16 related to the accident outside of the \$6,000?

17 A Yes, his --

18 Q Tell me about that.

19 A His eye glasses.

20 Q Uh-huh.

21 A We have vision insurance. But, even after the
22 vision insurance paid his eyeglass, it was over \$400 for
23 his prescription eyeglasses. And then we --

24 Q Is that after the vision?

25 A Uh-huh.

1 MR. JACKSON: Is that a yes?

2 THE WITNESS: Yes. I'm sorry.

3 A Yes, that was after the vision paid.

4 BY MS. ANDREWS:

5 Q Okay.

6 A I believe it was maybe \$480 or \$460.

7 The vision therapy that we did with the occupational
8 therapist, none of that was covered by health insurance,
9 so I paid for those visits.

10 I believe the evaluation was like 150 and each visit
11 was a hundred. I believe he only did two or three visits
12 because she gave him all of the exercises that he just
13 continued at home rather than kept going to see her.

14 Q And do you --

15 A So I paid for those.

16 Q Do you have invoices for those?

17 A Yes. I've turned all those in to Jim.

18 Q Okay.

19 Is there anything else you can recall that you had
20 to pay out of pocket?

21 A Some of the prescription eyedrops and the
22 prescription -- I believe, he -- yeah.

23 He was on antibiotics following the surgery. So
24 there was copays on those.

25 Q Right.

1 A And then we did order safety glasses.

2 Q Uh-huh.

3 A I've turned in invoices for all of those items as
4 well to Jim. I would have brought all of that with me if
5 I ha have thought about that. I'm sorry.

6 Q No, that's fine. I'll go through -- I'll review
7 today's transcript and go through and figure out if
8 there's anything that we don't have yet.

9 We've gotten answers to discovery. It's just our
10 written questions that we send over, and so Jim will
11 supplement those with anything that he hasn't sent yet.

12 As part of the recovery, what kind of -- and this is
13 after the initial surgery.

14 what kind of medical care did Sterling have to have?
15 I told you I'd ask bad questions.

16 A Yeah. You mean like from his -- from the doctors,
17 as far as --

18 Q what kind of --

19 A -- what kind of care he needed?

20 Q That's right.

21 what kind of doctors did he have to visit? And how
22 frequently?

23 A So, right after the ER visit, I made him an
24 appointment with his primary care, which they -- I guess
25 they get ER records --

1 Q Uh-huh.

2 A -- when you go to the emergency room, your primary
3 care gets records.

7 made him follow, schedule a follow-up visit with his
8 primary care to follow up on that.

9 Turns out that was just a -- his body's reaction to
10 the trauma.

11 Q Sure.

12 A So it caused some abnormal tests. And so I made
13 them follow up just to make sure everything was okay.

14 I was having lots of anxiety from everything. I
15 wanted everything checked out. So he followed up with
16 his primary care doctor right after the accident.

17 And then we had to follow up with [REDACTED]
18 [REDACTED]. He was -- he looked at the bad
19 eye and then he told us to follow up with a local eye
20 doctor for care for his good eye.

21 Q Uh-huh.

22 A Because he said I want you to have glasses to cover
23 your good eye at all times, we've got to take care of the
24 good eye.

25 So [REDACTED] saw him for the bad eye. And he

1 went, I guess, a week after the accident. And then he
2 went every two weeks. And then he went again after a
3 month. He just kept going up there for the follow-up
4 visits.

5 And then until he was referred to Michael for the
6 prosthetic eye.

7 Q Okay.

8 A And then the regular -- the -- our hometown eye
9 doctor has been treating his good eye for -- they
10 prescribed his eyeglasses.

11 Q Before we went on the record, you were sharing about
12 the process with his prosthetic eye and going forward
13 some things here that will have to be done.

14 Tell me about that. What was involved with Sterling
15 getting the prosthetic eye?

16 A So it was a lot longer process than I realized it
17 was going to be. And, unfortunately, I did not go to
18 those visits with Sterling because they always fell on a
19 day that we did not have a caregiver.

20 So his very first visit was probably in, I guess it
21 was in November. Because he originally told me maybe
22 I'll have my eye before Christmas. And that was not
23 right. I should have went to those visits with him.

24 So, his first visit, they took a bunch of pictures
25 and did a mold of his eye. And, at that time, I guess

1 Michael decided that he wasn't quite ready for the
2 prosthetic.

3 So, out of the mold, Michael made him a very thick,
4 clear piece, that he could wear over it that helped open
5 up his eye. Because he was having a lot of -- he had had
6 a lot -- he was having pain that they had figured out was
7 scar tissue where he had gotten cut above his eye, had
8 developed some scar tissue.

9 And there was knots on the inside of his eye that
10 was rubbing on the -- what was left of the eyeball. And
11 so they made this thick, clear prosthetic, basically,
12 that he put in place that he was able to wear until he
13 got the actual prosthetic.

14 So they took the mold and made that and then started
15 working on the prosthetic. But I guess they wanted to
16 make sure that Sterling's eye was finished shrinking,
17 because it shriveled up really small.

18 So then, when he went back to check it, then he took
19 -- I think you -- Jim was at one of those appointments.
20 He took a whole bunch of pictures to get ready to color
21 the prosthetic.

22 And then, when Sterling went back, I guess it was
23 the third or fourth time he went back, he actually got
24 the prosthetic placed. And that's when Michael told him
25 that it would have to be -- he would have to come in

1 every three months to have it polished. I guess they
2 build protein up on them and he will polish it every
3 three months.

4 And I guess that takes a layer of the prosthetic
5 off. So he said, that every three to five years, it has
6 to be replaced. So I guess he has to go through that
7 whole process again of having a mold done and then they
8 create it out of that.

9 I really am interested in that whole process now
10 that I've seen it. I'm going to have to try to go to one
11 of those visits in the future.

12 Q It really -- it's fascinating, what technology can
13 do.

14 A It is.

15 Q Are there things that Sterling can no longer do
16 since the accident?

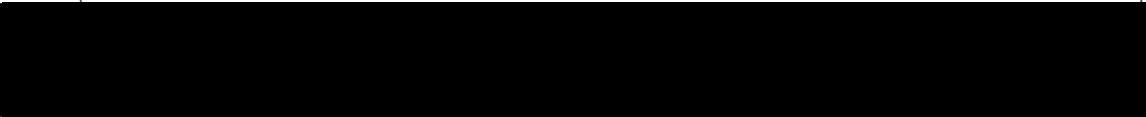
17 A He's been banned from being within ten feet of my
18 house on his tractor after he put a hole in the side of
19 the house trying to spread some dirt.

20 So he does have limitations. But Sterling's -- if
21 you tell Sterling he can't do something, Sterling's going
22 to try to do it to prove you wrong. So he doesn't want
23 to believe that he has limitations yet.

24 But I -- I can tell that he is starting to see that
25 there are limitations. And then some of it is, is he

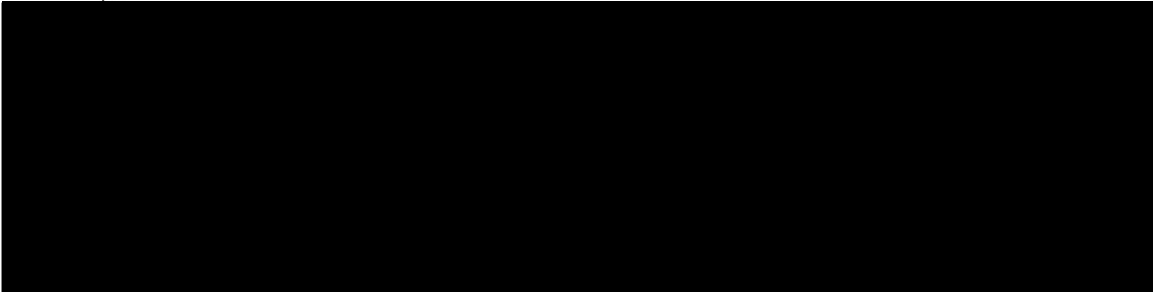
1 going to be stubborn enough to do it and take ten times
2 as long or is he just going to get somebody else to do it
3 for him so it can get done quicker.

4 And he's working on a fine line; because we've



7 So with -- when Sterling is at home, he wants to be
8 able to do all these things that he's always been able to
9 do. But all these things take him a lot longer to do
10 than they used to.

11 I know it's frustrating for him, but it's
12 frustrating for me too; because, every time, all the time
13 that he is outside doing things around our house or our
14 yard that needs to be done are times that I'm not getting



20 So I don't know that -- I -- I'm certain there are
21 things that he can no longer do that he's not admitting
22 he can no longer do; because that's just Sterling.

23 But I know for a fact, that even if he can do them,
24 it takes him a lot longer. Which I think is frustrating
25 for both of us.

1 Q Did the accident change Sterling?

2 A Yes. It's changed him in several ways.

[REDACTED]

6 We had -- we had just moved to our new house six
7 months before the accident. And we have five acres, so
8 we had bought a tractor with a bush hog. And there -- we
9 have a lot of plans for doing some stuff on the property.

10 He has not put that bush hog back on the tractor
11 since the accident. I know it's the noise. He doesn't
12 want to talk about it, but -- so I -- I mean, I know that
13 the PTSD is there and that he's scared to do certain
14 things. Even though he can do things that, that he was
15 able, he's scared to do certain things that he could do
16 before.

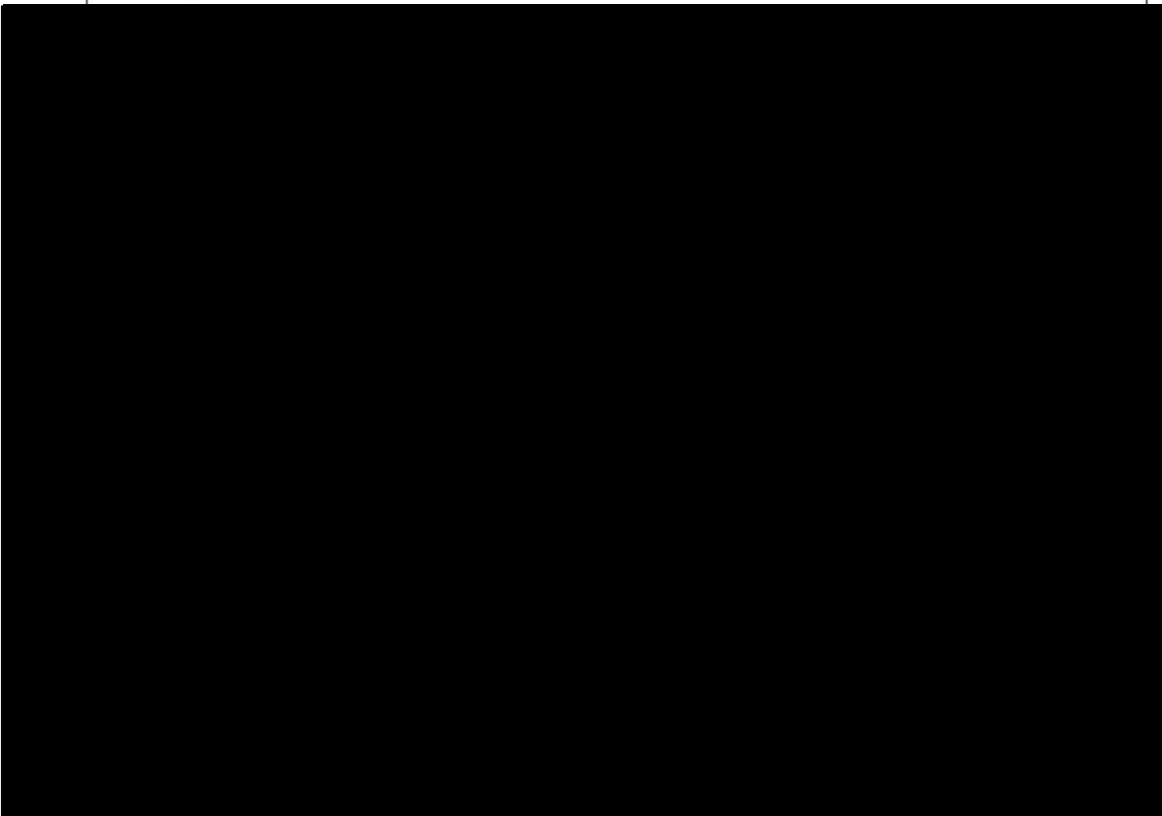
17 We like to ride on our side by side. Our son

[REDACTED] is going for vehicle
19 rides, and so we bought a side by side so that we could
20 do off-road driving. Sterling has always just been the
21 driver.

22 Well, now he's not comfortable off-road riding.
23 Now, if we go riding on the side by side, we get Blake
24 and his family to go because Sterling feels more
25 comfortable following behind him because he can see the

1 terrain and know which ways to go.

2 So things that -- things that we did enjoy doing
3 before, it's not as enjoyable for Sterling now because
4 it's so much harder for him. And so that's changed him
5 in ways that -- and he -- that he doesn't like to admit.



20 Q Uh-huh.

21 A So his -- he has a shorter temper.

22 He snaps at me more often than he used to. And I
23 feel -- I feel like these things will get better the
24 further we get away from the accident, but I don't know.

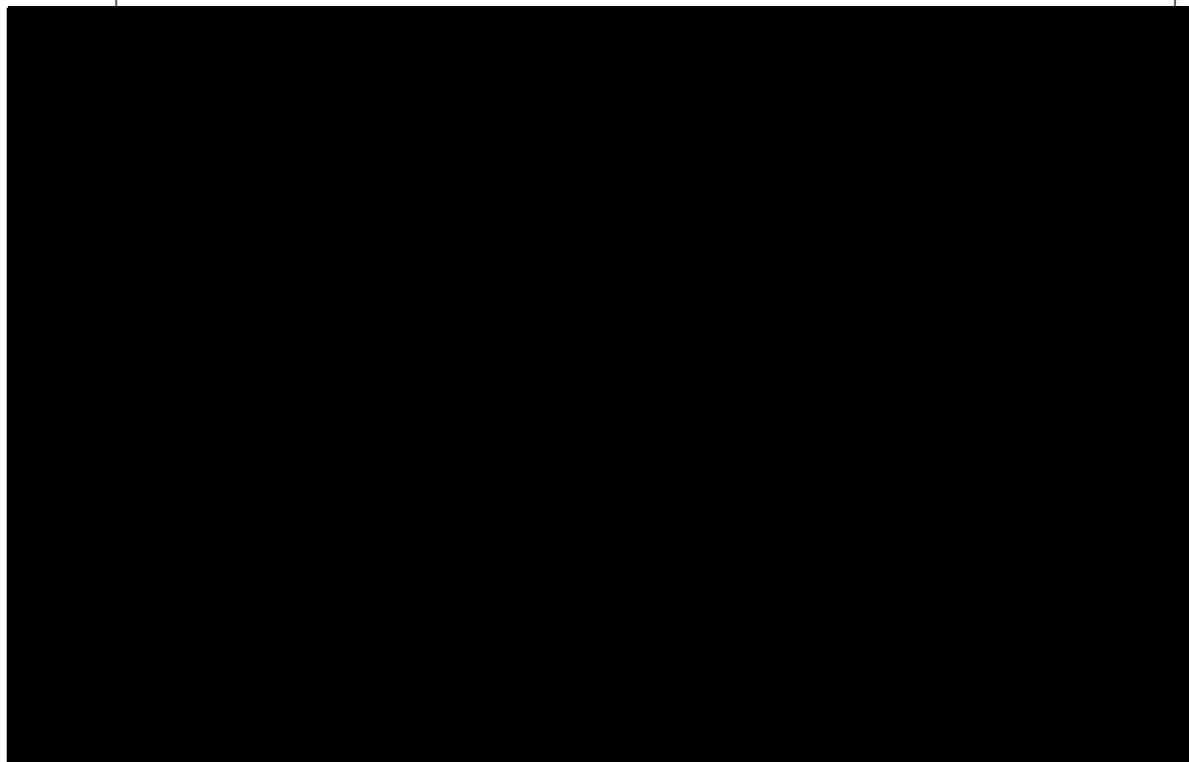
25 He -- I -- he stays angrier. Yeah, I guess that's

1 the best way to put it, is he's -- he doesn't -- and he
2 doesn't show that to other people. He's -- we're not
3 ones that like for people to see our bad sides, you know.
4 Nobody does.

5 But Sterling doesn't -- Sterling's not a complainer.
6 And so, to the general public, he's not going to show
7 things that he does at home. And so, I guess at home, he
8 lets it all out.

9 He gets frustrated and sometimes he takes it out on
10 me when he shouldn't. But I probably would too under the
11 same situation.

12 Q Sure.



6 And his first -- he said, no, it's too much money,
7 insurance doesn't cover that, so it would be extra
8 expense. Well, he feels like he's caused so much extra
9 expense that he didn't -- he didn't want to have to have
10 that financial burden, I guess.

11 Q Uh-huh.

12 A But it's something I'm doing more research on and
13 trying to get him to do more research on; because I just
14 feel like it could be an avenue that's different from the
15 prescription medication. Because he doesn't like take
16 those every day, maybe this is something that could
17 possibly help him.

18 I -- I don't know that he'll do therapy. But it --
19 we probably need to keep that avenue open too.

20 Q Just whatever helps him.

21 A Yes.

22 Q What about personal relationships and family life?
23 How have things changed or been affected since the
24 accident?

25 A We have a pretty close family. So I don't feel like

1 the accident has caused a big change there.

2 And I think it was -- Sterling was kind of scared
3 how the grandkids were going to react, so that caused him
4 a lot of anxiety.

5 But it was kind of scary for Bryce. The little one
6 didn't notice, but it was a little bit scary for Bryce at
7 first. But he handled it well. So I think that was
8 Sterling's biggest concern.

9 But we have -- like I said, we have a close family.
10 So I don't think it's caused any -- really anything
11 negative outside of our household.

12 Q Certainly.

13 I know this is all very unpleasant. I'm sure it
14 feels like you're talking about Sterling behind his back.
15 And I'm sorry to have to meet you under these
16 circumstances.

17 I just wanted to get as good of a picture as I could
18 of what this accident has done not only physically to
19 Sterling's body but also to his personality, his
20 abilities on a day-to-day basis.

21 If this were to go to a hearing, I also wanted to
22 understand what your testimony would be. So this is
23 really my chance to get to talk to you.

24 Is there anything that we did not cover today that
25 you believe is very important for me, as ARDOT, to know?

1 A I think this whole claims process is difficult.

2 Especially -- I mean, I know that -- I don't know.

3 I just -- I don't -- which I've never had -- I've
4 never had -- we've never been in a situation where we've
5 had injuries that were -- that were not our fault. So I
6 don't know what kind of process is -- I -- I just -- I've
7 not been happy with this whole process.

8 But it's not y'all's fault.

9 Q I really hate that the -- oh, gosh. Poor you. I
10 should just hush.

11 So the state has sovereign immunity. The state
12 can't be sued. But the legislature created a mechanism
13 called the Claims Commission where the state can be sued.
14 But they call it claims.

15 People like you and Sterling think that you're just
16 making a claim with your insurance. No, it's a lawsuit.

17 A Right.

18 Q It's a full-blown lawsuit. And it makes no sense
19 with the terminology that they've chosen and it gets
20 confusing. And people think, oh, I hit a pothole so I
21 just go through this claim. No, it's a lawsuit.

22 A Right.

23 Q And I'm sorry for the frustration. It really --
24 it's -- I don't think that the terminology represents
25 what it really is.

1 A No. Because they -- when they called and said,
2 well, you just need to make a claim and they're going to
3 take care of everything, you don't have to worry about
4 nothing, and that has not what this has been.

5 Q Who said that?

6 A The manager that contacted me and said -- that
7 reached out and said I'm going to give you the number for
8 the Claims Commission, this is how you file a claim
9 against the state, they'll take care of all your medical
10 bills and everything. And --

11 Q Are you talking about Wade?

12 A Uh-huh. Yeah.

13 And so, I mean, I -- it led me to believe, okay,
14 we're just going to fill out this form and they're going
15 to take care of everything. And that was not what it
16 was.

17 I mean, I -- we had never had to have an attorney

20 Q Uh-huh.

21 A But we'd never had to have an attorney before.
22 Yeah, I had to have -- I was an insurance agent. I knew
23 what insurance claims were.

24 Q Yes. Exactly.

25 A It was not -- it was not what I thought it was going

1 to be.

2 Q Exactly. That's why I hate the terminology; because
3 that terminology has a very specific and contractual
4 meaning.

5 A Right.

6 Q I'm going to stop now. I'm sorry. I'm sorry that
7 you got that information and that you --

8 A Yeah. So it's been -- it's been a lot more of a
9 headache than I had anticipated it being.

10 Q Certainly.

11 A And -- but, I mean, it is what it is. It's happened
12 and can't change it, so --

13 Q Right. Right. It's -- well, I'm really sorry that
14 that's the information you got. It is not --

15 A Well, I just hate it for -- we were -- we were in a
16 very -- we were in a very fortunate position, because we
17 had just sold our house and moved into our new house that
18 my mom financed for us.

19 So -- and, within that, we were able to keep funds
20 from the sale of our house, that we had money in savings,
21 that for a long time -- I mean, [REDACTED]

22 And I -- when I had to quit work, I was the main
23 income producer. And so it was a huge hit to our budget.
24 And we financially struggled for a long time until just
25 recently. And when -- so we had the money in savings,

1 thank God.

2 Because, had we not had that money and Sterling
3 couldn't work for two months, we would have been -- we
4 would have had to file bankruptcy. We could have been on
5 the verge of losing our home.

6 And that's what makes me mad about this process, is
7 had this happened to somebody that didn't have those
8 funds, what would have happened to them, what would they
9 have had to go through.

10 You know, Sterling might not have been able to get
11 his prosthetic eye yet had we not had that money in
12 savings to compensate his loss of income.

13 So I guess that's what frustrates me. I'm one of
14 the -- I'm an empath, so I feel bad for other people.

15 Q Me too.

16 A And it makes me mad that there's other people that
17 -- what if this had happened to somebody that didn't have
18 that money in savings and they could have -- I mean, this
19 could have been a financial hardship for them that wasn't
20 their fault.

21 Q Right.

22 A And I think that's what makes me so mad about the
23 process.

24 Q Sure. Sure. No, I can understand that.

25 And I hate that -- for me, I hate that it's -- this

1 is just like if I was, you know, Bob's construction
2 company that did this, I was just some regular -- it's --
3 you have to file litigation. And so I hate that there's
4 a misunderstanding.

5 And I'm sorry that our people gave you wrong
6 information.

7 A Well -- and, I mean, it wasn't just him. It was
8 other people. Like my husband knows --

9 Q Uh-huh.

10 A -- people that work for the state. And everybody
11 was like, oh, yeah, you're not going to have a problem,
12 they're going to take care of everything and -- okay,
13 when, tell me when.

14 Everybody acts like it's not going to be a big deal
15 but they're not the ones that lost the income for two
16 months --

17 Q Uh-huh.

18 A -- and had all these bills coming in. And it --
19 yeah, I mean --

20 Q Well, I appreciate your time. I don't want to take
21 any more of it. I appreciate your time.

22 MS. ANDREWS: Jim, that's all I have.

23 MR. JACKSON: Just a couple of questions.

24 Teresa, that photo that's on there, can we

25 --

1 MS. ANDREWS: Thank you.

2 MR. JACKSON: Can we mark that as Exhibit

3 1 --

4 THE WITNESS: Uh-huh. Yes.

5 MR. JACKSON: -- to your deposition? And

6 can you e-mail that to us?

7 (WHEREUPON, the documents were marked for

8 identification as Exhibit No. 1 and are

9 attached hereto.)

10 THE WITNESS: Yes.

11 MS. ANDREWS: Teresa, I know this is Jim's

12 time. Teresa, Sterling has in his billfold

13 Cris's business card. Thank you so much for

14 doing that. But we would like that to be

15 Exhibit 1 to today's deposition.

16 I'm sorry. It's Jim's turn. But Sterling

17 has her e-mail.

18 THE WITNESS: Okay. I've got it right

19 here.

20 MR. JACKSON: You can e-mail --

21 THE WITNESS: I'm going to send it now so

22 that I don't forget.

23 MR. JACKSON: And then what other photos

24 might you have that are relevant to --

25 THE WITNESS: I will -- I mean, I took

1 photos. Like this was after surgery. This was
2 after we got home and it swelled up a lot more.
3 So I've taken photos --

4 MR. JACKSON: Okay.

5 THE WITNESS: -- progression photos.

6 MR. JACKSON: Can we mark it -- well, we
7 need to share these with the court reporter.
8 Can you share those and we'll mark those as
9 Exhibits 1 and -- start out with 1A and go all
10 the way through the alphabetical number of what
11 she sends to you, transmits to you?

12 THE WITNESS: I was showing him -- I just
13 -- I took --

14 MR. JACKSON: Why don't we go off the
15 record for a moment.

16 (WHEREUPON, the record was suspended
17 momentarily and the proceedings resumed as
18 follows, to wit.)

19 CROSS EXAMINATION

20 BY MR. JACKSON:

21 Q I'm going to hand you what we'll mark as Exhibit 2.

22 (WHEREUPON, the document was marked for
23 identification as Exhibit No. 2 and is attached
24 hereto.)

25 BY MR. JACKSON:

1 Q It's some invoices I've highlighted.

2 I want to tell you that it's my belief these are
3 some of your out-of-pocket medical expenses.

4 Can you look through that and tell us what this is?

5 A Yes. This first one is the -- I guess, was the part
6 of our deductible for [REDACTED] that I paid.

7 Yes, this was a consult.

8 Q When you're saying this, Page 2 --

9 A Of --

10 Q -- of Exhibit 2?

11 A Page 2 was a consult visit that I paid for an eye
12 doctor in Hot Springs.

13 Q Is that [REDACTED] the name of the clinic?

14 A Yes, [REDACTED] so I thought that they did
15 vision therapy and so I made an appointment with her.

16 She no longer did vision therapy, but she was able
17 to prescribe a prism lens for his good eye that helped
18 with his vision more than just regular prescription lens.

19 So we did -- we had a \$65 visit to her that was not
20 covered by insurance.

21 Page 3 was -- this was our out-of-pocket expense for
22 the eyeglasses from our family doctor for \$459.40 that I
23 did pay to them.

24 Page 4 was a receipt \$120, I believe this receipt
25 was for the [REDACTED] that they

1 performed before they did [REDACTED].

2 Q And that provider's name is [REDACTED] S [REDACTED] [REDACTED]?
[REDACTED]

5 A Yes. So 120 to them.
[REDACTED]

14 This was out-of-pocket receipts that I paid to our
15 community care pharmacy, our local pharmacy, for
16 prescriptions that they filled after we got home. And
17 this was eye wash that I -- I think it was eye wash that
18 I purchased over the counter at Dollar General.

19 And this next page is a receipt for \$100 that I paid
20 to [REDACTED] for the vision therapy visit. I
21 mean, this next page, I paid \$83.80, or 20 cents, to [REDACTED]
22 [REDACTED]. I believe that was another partial
23 deductible.

24 I'm sorry. I think this is the same deal --

25 Q Yes.

1 A -- 83.20 and 83.20, so this was just the same bill.
2 One was received and one was a bill, I believe.

3 This one was an amount that I paid to [REDACTED]
4 [REDACTED]. It was part of our deductible for \$1,932.34.
5 And this was the -- that's the receipt for this bill.

6 And then this is the receipt that I paid to
7 [REDACTED] c [REDACTED] on, the \$3,000 for the down
8 payment of his prosthetic eye.

9 Q Okay. That's Exhibit 2.

10 I believe that you may have sent these to me. These
11 are some Amazon payments.

12 A Yes. These were some items that we had to order
13 from Amazon before he got his prescription eyeglasses.

14 His eye doctor had recommended that we have safety
15 glasses that he wore all the time. So I purchased a pair
16 of safety glasses for \$9.68.

17 He also, once he got his glasses, he thought he
18 wanted to try an eye patch over the bad eye. At that
19 time, it was kind of light sensitive, so I purchased some
20 eye patches that would go over his glasses for 14.99.

21 He was also having a lot of pressure in his head
22 when he would lay down at night. They think it was
23 coming from the fractures that they said would heal on
24 their own. And they recommended a -- to try propping him
25 up in bed instead of laying flat. So we bought a bed

1 wedge pillow for \$20.99.

2 We bought a second pair of safety glasses to see if
3 he liked the fit of those better than the first pair we
4 bought. They were \$12.

5 And then, when he got his eyeglasses, when he would
6 sweat, they would slide down his nose a lot. And I had
7 found these clear plastic pieces that stick into the nose
8 pieces. And there's -- I actually have them on mine.
9 They're silicone, so they keep the glasses from sliding
10 so bad when you sweat. So I purchased those for him for
11 \$12.98.

12 And then when he was still in recovery, any --
13 anything that got in his eye, it burned really bad. So
14 he noticed that sweat getting into that eye made it hurt
15 really bad. So we bought him sweat bands so that he
16 could work out in the yard and not get sweat in his eye.
17 So those were 9.99.

18 We had purchased all of that out of pocket.

19 Q And we'll mark that as Exhibit 3 in your deposition.

20 (WHEREUPON, the document was marked for
21 identification as Exhibit No. 3 and is attached
22 hereto.)

23 BY MR. JACKSON:

24 Q And if you have any other -- if you come across
25 anything else, whether it's from Amazon, Dollar General,

1 whatever, will you let us know and send those to us?

2 A I know we have a receipt for a work light that he
3 purchased. He said when he's working in -- on underneath
4 cars, up in the wheel well, now it's a lot darker up
5 there than it used to be.

6 He said, I guess, when you have two eyes, it's -- it
7 lightens up a lot. And so he had to buy a work
8 flashlight to help him see up underneath the cars. So I
9 have a receipt for that as well at home.

10 Q You had a chance to meet with Victoria Powell a few
11 weeks ago at your home; correct?

12 A Yes.

13 Q Is there anything that you and Ms. Powell discussed
14 that we haven't touched on today?

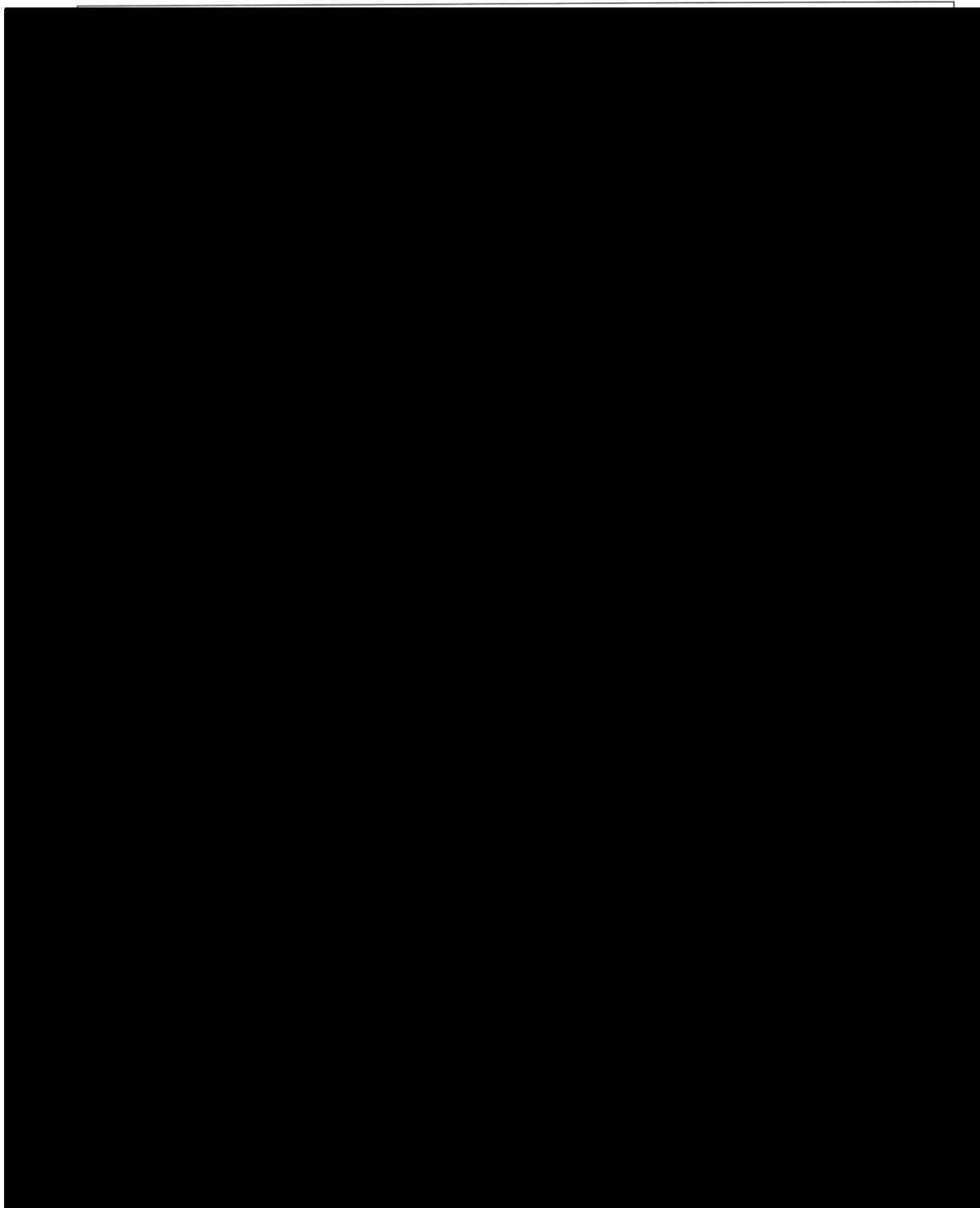
15 A We had talked about different needs for him in the
16 future. One thing that we know Sterling needs is a
17 different vehicle.

18 He -- when he has to go to Little Rock for his
19 doctor's appointments, he typically borrows my mom's
20 truck because it has -- the one that has the backup
21 camera. So, when he's backing up out of the parking lot,
22 he can see better behind him.

23 But it also has the lights on the rearview mirrors
24 that light up to tell you when there's a vehicle in your
25 blind spot. He's noticed it's harder for him to see, so

1 And they told him -- they ran blood work and I guess did
2 an x-ray, told me that they did not think that it was

4 so they sent him home.



CRIS M. BRASUELL, CCR
ArkansasCourtReporter.com

1 Q And whether those visits are related to anything
2 from the accident, we can look at the records to see what
3 they say?

4 A Yes.

5 Q Okay.

6 And, if you think of anything else to supplement
7 your answers or if you -- on the way home or tomorrow,
8 you think, oh, I should have mentioned this, will you let
9 me know and I'll send the information along to Ms.
10 Andrews?

11 A Okay.

12 MR. JACKSON: That's all the questions I
13 have.

14 MS. ANDREWS: I don't have anything else.

15 (WHEREUPON, the proceedings were concluded
16 in the matter at 2:32 p.m.)

17 * * * * *
18 (WITNESS EXCUSED)

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C E R T I F I C A T E

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, CRIS M. BRASUELL, Certified Court Reporter and Notary Public do hereby certify the proceedings which appear in the foregoing pages are the proceedings taken by me verbatim through the use of the voice-writing method and was thereafter reduced to typewritten form under my supervision; that the witness, Teresa Dodson, was duly sworn by me; that the foregoing pages contain a true and correct record of the testimony given by said witness held to the best of my ability, along with all items of evidence admitted hereto.

In accordance with Rule 30(e) of the Arkansas Rules of Civil Procedure, review of the transcript was not requested by the deponent or any party thereto.

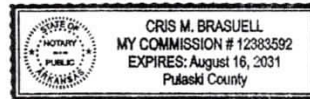
I FURTHER CERTIFY, that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise, in the outcome of this action, and that I have no contract with any parties within this action that effects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties in the action.

WITNESS MY HAND AND SEAL this 7th day of May, 2024.



Cris M. Brasuell
CRIS M. BRASUELL, CCR
Arkansas State Supreme Court
Certified Court Reporter No. 742

My Commission Expires:
August 16, 2031



CRIS M. BRASUELL, CCR
ArkansasCourtReporter.com

Arkansas
State Claims Commission

OCT 17 2024

RECEIVED
CLAIMANT

ARKANSAS STATE CLAIMS COMMISSION

STERLING D. DODSON

V.

CLAIM NO. 240185

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

TRIAL EXHIBITS FOR PERSONAL INJURY CLAIM
OF STERLING D. DODSON

TABLE OF CONTENTS

EXHIBIT #	DESCRIPTION	BATES #
1(a-f)	Photos of damage to Sterling Dodson's eye	0001 - 0006
2	Victoria Powell Life Care Plan, <i>Curriculum Vitae</i> , And three (3) photos	0007 - 0056
3	Deposition of [REDACTED] Exhibits	0057 - 0219
4(a-i)	Medical Records of Sterling Dodson	0220 - 0336
[REDACTED]		
5	Medical Billing Summary of \$59,375.14	0337
6	Payroll Journal Summary from Crutchfield Auto Body Shop. .	0338 - 0342
7	Income Taxes Returns of Sterling Dodson 2020 – 2023	0343 - 0359
8(a-d)	Photos of mowers working	0360 - 0363
9	Statement of Fred Meeks	0364 - 0365
10	Video of prosthetic eye implantation (flash drive to be provided at the hearing)	

From: [Martinez, Ivan](#)
To: [Kathryn Irby](#); [ASCC Pleadings](#)
Cc: [jim@jimjacksonatty.com](#); [Blakley, Sharon D.](#); [mcox@jimjacksonatty.com](#)
Subject: FW: Sterling Dodson and Teresa Dodson v. ARDot Arkansas Claims Commission #240185
Date: Friday, October 18, 2024 10:36:58 AM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[Dodson 240185 responses hearing submission.pdf](#)

Good morning Ms. Irby,

Apologies for missing the prehearing submission deadline. It is never my intent to not adhere to the Commission's schedule, it was an oversight on my part. Please find attached the Respondent's Witness and Exhibit List for the upcoming November 7, 2024, trial.

Mr. Jackson and I will work with together to hopefully settle this before trial. We will keep you posted on any new developments.

Again, apologies for any inconvenience and thank you for your patience.

Kind Regards,

Iván Martínez

Staff Attorney

Arkansas Department of Transportation

P.O. Box 2261

Little Rock, AR 72203-2261

Phone: 501-569-2158



From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Thursday, October 17, 2024 3:26:52 PM
To: [ASCCPleadings <ASCCPleadings@arkansas.gov>](mailto:ASCCPleadings@arkansas.gov); joe.woodward@ardot.gov
joe.woodward@ardot.gov; [Kathryn.Irby <Kathryn.Irby@arkansas.gov>](mailto:Kathryn.Irby@arkansas.gov); [Blakley, Sharon D. <Sharon.Blakley@ardot.gov>](mailto:Sharon.Blakley@ardot.gov)
Cc: Martha Cox <mcox@jimjacksonatty.com>
Subject: Sterling Dodson and Teresa Dodson v. ARDot Arkansas Claims Commission #240185

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.

All,

I am re-submitting the attachments and email below with the hyperlink.

I just learned that Mr. Woodward is no longer with ARDot.

I am cc'ing Ms. Sharon Blakely of ARDot on this email transmission.

Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



From: Jim Jackson

Sent: Thursday, October 17, 2024 3:20 PM

To: ascpleadings@arkansas.gov; joe.woodward@ardot.gov; kathryn.irby@arkansas.gov

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: Sterling Dodson and Teresa Dodson v. ARDot Arkansas Claims Commission #240185

Please find attached 3 PDF files and a hyperlink below containing the Claimant's Witness and Exhibits for the upcoming trial.

An original and 3 copies of these were hand delivered earlier today to the Arkansas Claims Commission.

Please let me know if you have any questions or issues opening the hyperlink which will require me to re-activate it after 30 days.

I have a couple of very short video clips of Mr. Dodson having the implant fitted which I will bring on a flash drive on the morning of the hearing.

The two clips are less than 90 seconds each.



Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

STERLING DODSON

CLAIMANT

VS.

CLAIM NO. 250227

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

RESPONDENT’S WITNESS AND EXHIBIT LIST

Comes the respondent, Arkansas Department of Transportation, by and through his attorney, Ivan Martinez, and submits the following Witness and Exhibit List for the trial scheduled for November 7, 20224:

Witness List

- 1. Sterling Dodson
- 2. Theresa Dodson
- 3. Blake Dodson
- 4. Victoria Powell
- 5. Michael Kaczowski, Real Life Faces

Exhibit List

- 1. Photos of damages to Sterling Dodson’s Eye (Exhibit # 1a-f)
- 2. Victoria Powell Life Care Plan, *Curriculum Vitae*, and three (3) photos (Exhibit # 2)
- 3. Deposition of [REDACTED] with Exhibits (Exhibit # 3)
- 4. Medical Records of [REDACTED] with Exhibits (Exhibit # 4a-i)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 5. Medical Billing Summary of \$59,375.14 (Exhibit # 5)
- 6. Payroll Journal Summary from Crutchfield Auto Body Shop (Exhibit #6)
- 7. Income Taxes Returns of Sterling Dodson 2020 – 2023 (Exhibit # 7)
- 8. Photos of mowers working (Exhibit # 8a-d)
- 9. Statement of Fred Meeks (Exhibit # 9)
- 10. Video of prosthetic eye implantation (flash drive to be provided at hearing) (Exhibit # 10)

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) 569-21587

CERTIFICATE OF SERVICE

I, Iván Martínez, certify that I have served a true copy of the foregoing via electronic mail to the following this 18th day of December, 2024:

Mr. Jim R. Jackson
Jackson Law Firm
700 W Broadway St, Ste 200
North Little Rock, AR 72114-5528
(501) 823-3610
jim@jimjacksonatty.com
Attorney for Claimant

Ivan Martinez

Iván Martínez

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



From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Thursday, October 17, 2024 3:26:52 PM
To: ASCCPleadings <ASCCPleadings@arkansas.gov>; joe.woodward@ardot.gov
<joe.woodward@ardot.gov>; Kathryn.Irby <Kathryn.Irby@arkansas.gov>; Blakley, Sharon D.
<Sharon.Blakley@ardot.gov>
Cc: Martha Cox <mcox@jimjacksonatty.com>
Subject: Sterling Dodson and Teresa Dodson v. ARDot Arkansas Claims Commission #240185

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I just learned that Mr. Woodward is no longer with ARDot.
I am cc'ing Ms. Sharon Blakely of ARDot on this email transmission.
Thank you,

Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611

From: Jim Jackson

Sent: Thursday, October 17, 2024 3:20 PM

To: asccpleadings@arkansas.gov; joe.woodward@ardot.gov; kathryn.irby@arkansas.gov

Cc: Martha Cox <mcox@jimjacksonatty.com>

Subject: Sterling Dodson and Teresa Dodson v. ARDot Arkansas Claims Commission #240185

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The two clips are less than 90 seconds each.



Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



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

STERLING DODSON

CLAIMANT

VS.

CLAIM NO. 250227

ARKANSAS DEPARTMENT OF TRANSPORTATION

RESPONDENT

RESPONDENT’S WITNESS AND EXHIBIT LIST

Comes the respondent, Arkansas Department of Transportation, by and through his attorney, Ivan Martinez, and submits the following Witness and Exhibit List for the trial scheduled for November 7, 20224:

Witness List

- 1. Sterling Dodson
- 2. Theresa Dodson
- 3. Blake Dodson
- 4. Victoria Powell
- 5. Michael Kaczowski, Real Life Faces

Exhibit List

The Respondent intends to use any and all exhibits introduced by the Claimant.

Respectfully submitted,

ARKANSAS DEPARTMENT OF TRANSPORTATION

By: _____
Iván Martínez, Ark. Bar No. 2024003
Staff Attorney

Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
(501) 569-21587

CERTIFICATE OF SERVICE

I, Iván Martínez, certify that I have served a true copy of the foregoing via electronic mail to the following this 18th day of December, 2024:

Mr. Jim R. Jackson
Jackson Law Firm
700 W Broadway St, Ste 200
North Little Rock, AR 72114-5528
(501) 823-3610
jim@jimjacksonatty.com
Attorney for Claimant

Iván Martínez

From: [Martinez, Ivan](#)
To: [Jim Jackson](#); [Kathryn Irby](#)
Cc: [Martha Cox](#); [Blakley, Sharon D.](#)
Subject: RE: Sterling Dodson v. ARDot Arkansas Claims Commission #240185
Date: Wednesday, October 30, 2024 2:56:01 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[Release executed by Sterling Dodson, witnessed by TXM.pdf](#)

Kathryn and Jim,

I have added my signature to that release.

Please let me know if there is anything else I can assist with.

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



From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Wednesday, October 30, 2024 2:53 PM
To: Kathryn.Irby <Kathryn.Irby@arkansas.gov>; Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: RE: Sterling Dodson v. ARDot Arkansas Claims Commission #240185

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.

Kathryn and Ivan,
 Attached is the Release executed by Mr. Dodson and witnessed by me.
 I believe we only need to get Ivan’s signature on it and we will be finished with this portion of the paperwork.
 Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway
North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611

From: Jim Jackson
Sent: Tuesday, October 29, 2024 3:06 PM
To: 'kathryn.irby@arkansas.gov' <kathryn.irby@arkansas.gov>; Martinez, Ivan <Ivan.Martinez@ardot.gov>
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: Sterling Dodson v. ARDot Arkansas Claims Commission #240185

Kathryn,
The parties have reached a settlement in the matter #240185.
See the attached letter for additional information.
Will we need to present anything on November 7?
Thank you,
Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway
North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611

**In Re: Sterling Dodson
Claim No. 240185**

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 Nine Hundred Thousand and 00/100 Dollars (\$900,000.00), 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. 240185.

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 Nine Hundred Thousand and 00/100 Dollars (\$900,000.00), 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.

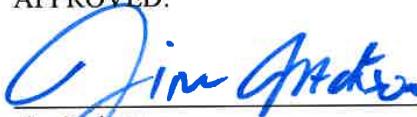
The undersigned, hereby declares the terms of this settlement have been completely read, are fully understood, and are voluntarily accepted for the purpose of making a full and final compromise, adjustment, and settlement of any and all claims, disputed or otherwise, for the express purpose of dismissing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

EXECUTED on this the 30th day of October, 2024.


BY CLAIMANT:


Sterling Dodson

APPROVED:


Jim Jackson
Attorney for Claimant
Jackson Law Firm
700 W. Broadway Street, Suite 200
North Little Rock, AR 72114-5528
Counsel for Claimant

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: [Jim Jackson](#)
To: [Martinez, Ivan](#); [Kathryn Irby](#)
Cc: [Martha Cox](#); [Blakley, Sharon D.](#)
Subject: RE: Sterling Dodson v. ARDot Arkansas Claims Commission #240185
Date: Wednesday, October 30, 2024 3:23:16 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

Sterling and Teresa Dodson are very relieved that they will not have to testify and that it settled.

Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
 North Little Rock, AR 72114
 P (501) 823-3610
 F (501) 823-3611

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, October 30, 2024 3:00 PM
To: Jim Jackson <jim@jimjacksonatty.com>; Kathryn.Irby <Kathryn.Irby@arkansas.gov>
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: RE: Sterling Dodson v. ARDot Arkansas Claims Commission #240185

It's my pleasure, Jim.

It was great working with you. I'm glad we were able to reach a settlement.

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



From: Jim Jackson <jim@jimjacksonatty.com>
Sent: Wednesday, October 30, 2024 2:58 PM
To: Martinez, Ivan <Ivan.Martinez@ardot.gov>; Kathryn.Irby <Kathryn.Irby@arkansas.gov>
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: RE: Sterling Dodson v. ARDot Arkansas Claims Commission #240185

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,
 Thank you for your prompt attention to this issue.
 Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
 North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611

From: Martinez, Ivan <Ivan.Martinez@ardot.gov>
Sent: Wednesday, October 30, 2024 2:56 PM
To: Jim Jackson <jim@jimjacksonatty.com>; Kathryn.Irby <Kathryn.Irby@arkansas.gov>
Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>
Subject: RE: Sterling Dodson v. ARDot Arkansas Claims Commission #240185

Kathryn and Jim,

I have added my signature to that release.

Please let me know if there is anything else I can assist with.

Kind Regards,
Iván Martínez

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



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 I believe we only need to get Ivan's signature on it and we will be finished with this portion of the paperwork.
 Thank you,

Jim



Jim Jackson

Jackson Law Firm
JimJacksonAtty.com

700 W. Broadway
 North Little Rock, AR 72114
P (501) 823-3610
F (501) 823-3611



From: Jim Jackson
Sent: Tuesday, October 29, 2024 3:06 PM
To: 'kathryn.irby@arkansas.gov' <kathryn.irby@arkansas.gov>; Martinez, Ivan <Ivan.Martinez@ardot.gov>

Cc: Martha Cox <mcox@jimjacksonatty.com>; Blakley, Sharon D. <Sharon.Blakley@ardot.gov>

Subject: Sterling Dodson v. ARDot Arkansas Claims Commission #240185

Kathryn,

The parties have reached a settlement in the matter #240185.

See the attached letter for additional information.

Will we need to present anything on November 7?

Thank you,

Jim



Jim Jackson

Jackson Law Firm

JimJacksonAtty.com

700 W. Broadway

North Little Rock, AR 72114

P (501) 823-3610

F (501) 823-3611



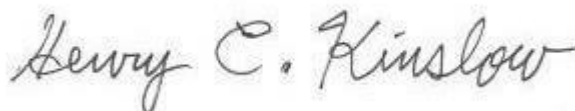
BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**STERLING DODSON****CLAIMANT****V.****CLAIM NO. 240185****ARKANSAS DEPARTMENT OF
TRANSPORTATION****RESPONDENT****ORDER**

Now before the Arkansas State Claims Commission (the “Commission”) is the Full and Complete Settlement and Release (the “Agreement”) signed by Sterling Dodson (the “Claimant”), Claimant’s counsel, and counsel for the Arkansas Department of Transportation (the “Respondent”). Based upon a review of the claim file and the Agreement, the Commission hereby APPROVES the Agreement and REFERS the total award of \$900,000.00 to the General Assembly for review and placement on an appropriations bill pursuant to Ark. Code Ann. § 19-10-215(b).

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Solomon Graves



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, Chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: November 7, 2024

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from transmission of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from transmission of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).

From: [Kathryn Irby](#)
To: [Jim Jackson](#); "[Martinez, Ivan](#)"
Cc: "[Blakley, Sharon](#)"
Bcc: [Mika Tucker](#)
Subject: ORDER: Dodson v. ArDOT, Claim No. 240185
Date: Thursday, November 7, 2024 10:29:00 AM
Attachments: [C8 - Dodson v. ArDOT, Claim No. 240185.pdf](#)

Jim and Ivan, please see attached order entered by the Commission. I am planning to transmit this claim to BLR later today. I will copy you both on my email.

Kathryn

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