



Montana Department of Transportation

2701 Prospect
PO Box 201001
Helena MT 59620-1001

Greg Gianforte, Governor
Malcolm "Mack" Long, Director

December 22, 2021

Susie Lindsay
Lead Fiscal Analyst - Communications
Legislative Fiscal Division
PO Box 201706
Helena, MT 59620-1706

Subject: Montana Department of Transportation
Claims Report for the Period Ending December 2021

Dear Ms. Lindsay:

Attached please find the Montana Department of Transportation's (MDT's) list of claims for the reporting period of December 2021.

If you need further information, please contact me at 406 439-2110.

Sincerely,

Valerie D Wilson

Valerie Wilson
Chief Legal Counsel, MDT

copies: Malcolm Long, MDT Director
Julie Brown, MDT Deputy Director
Dwane Kailey, MDT Chief Operations Officer

Montana Department of Transportation

Report of Claims, During the Quarter Ending December 31, 2021

NAME	Forum	Date of Service / Notice / Loss	Filed Date	NOTES	Agency	
Section 1: Claims in Litigation						
1	Bjorn Johnson Construction v. MDT	1st Judicial District, Lewis & Clark County, CDV-2021-473	07/08/2021- Answered	4/23/2021	Prime contractor seeking judicial review of MDT's denial of certified claim on construction project. Damages may exceed \$10,000.	MDT
2	Bjorn Johnson Construction v. MDT	1st Judicial District, Lewis & Clark County, ADV-2021-1185	12/14/2021- Served	12/1/2021	Prime contractor seeking damages based upon equitable claims related to MDT project. Damages may exceed \$10,000 dollars.	MDT
3	Butler, Rodney & Potter, Jeffery	11th Judicial District, Flathead County,	12/14/2021-Answered	5/11/2021	Personal injury, motor vehicle accident, damages may exceed \$10,000 per RMTD	MDT
4	Davis, Brittany	2nd Judicial District, Silver Bow County, DV-21-106	7/6/2021- Answered	7/6/2021	Personal injury, motor vehicle accident, damages may exceed \$10,000.	MDT
5	DeFrias, Cindy	16th Judicial District, Powder River County, DV-38-2021		10/12/2021	Personal injury, motor vehicle accident, claim tendered to prime contractor.	MDT
6	Grose, Keni v. MDT	1st Judicial District, Lewis & Clark County, CDV-2021-338	5/25/2021- Motion to Dismiss	4/5/2021	Wrongful discharge claim, may exceed \$10,000.	MDT
7	Hamlin Construction v. State	1st Judicial District, Lewis & Clark County, ADV-2018-1429 / MT SCT DA 21-370	7/28/2021- Notice of Appeal	12/6/2018	Action related to an MDT Project was dismissed on summary judgment, and on appeal before MT Supreme Court. Plaintiff seeking damages exceeding \$10,000.	MDT
8	Hamlin Construction v. Lewis & Clark Co & State	1st Judicial District Court, Lewis & Clark County, DDV 2018-980	7/23/2021-Served	9/13/2018	Concurrent action to ADV 218-1429. Proceeding stayed pending resolution on appeal in Case # ADV 218-1429.	MDT
9	Keasler v. Knife River & MDT	4th Judicial District Court, Flathead County, DV-21-659		7/30/2021	Motorcycle accident in construction zone, MDT tendered defense to the prime contractor.	MDT
10	LeProwse Construction v. State	Mont 2nd Judicial District, Silver Bow County, DV-20-199	7/16/2020 - Answered	6/3/2020	Subcontractor claim alleging defamation & business loss related to MDT placing it on suspended status. Trial set for March 2022. Damages may exceed \$10,000	MDT
11	LeProwse Construction v. Beaudette & Terrio	U.S. District of Montana, CV-21-45	6/14/2021 - Served	6/9/2021	42 USC 1983 claim brought against MDT employees relating to above action of suspending LeProwse Construction, may exceed \$10,000.	MDT
12	Midtlying v. Campbell	2nd Judicial District, Silver Bow County, DV-15-406	11/27/2012 - Served	11/24/2015	Personal injury, auto accident claim, may exceed \$10,000.	MDT

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13	Ouellette, Mary & Gerry	Montana 20th Judicial Court, Lake County, DV-21-186		10/22/2021	Personal injury, motor vehicle accident, damages may exceed \$10,000.	MDT
14	Vancos v. State and Gallatin County	Mont 18th Judicial District, Gallatin County, DV-2019-84	7/29/2016 - Served	7/26/2019	Personal injury, pedestrian accident, may exceed \$10,000.	MDT
15	Wendale Properties v. State	6th Judicial District, Park County, DV-20-85	6/29/2021 - Served	6/1/2021	Damage claim, based upon maintenance facility salt contamination, may exceed \$10,000	MDT
16	Worley-Hood v. Dick Anderson Construction	4th Judicial District, Missoula County, DV-20-1006	9/15/2017 - Served	8/24/2020	Personal injury, bicycle accident, may exceed \$10,000.	MDT
17	In the Matter of Blackfoot Post Yard Facility	DEQ	12/17/2020 - MDT designated lead PLP		MDT designated lead PLP in a CECRA action. Clean-up costs will exceed \$10,000. All parties reached settlement on 11/22/21.	MDT
Section 2: Pre-Litigation Claims						
18	Bohlinger, Kirsten	RMTD	4/16/2021 - Notice		Personal injury, motor vehicle accident, damages may exceed \$10,000.	MDT
19	Boone, David	RMTD	12/17/21 - Notice		Malicious prosecution	MDT
20	Hartung, Naomi	RMTD	1/12/2021 - Notice		Personal injury, motor vehicle accident, damages may exceed \$10,000.	MDT
21	Door Dash/Voyager/ Mahilum/Schlosser	RMTD	5/28/2021 - Notice		Personal Injury, motor vehicle accident, damages may exceed \$10,000	MDT
22	Larson, Stacy	RMTD	7/12/2021 - Notice		Personal injury, trip & fall at 220 Main Street, Stevensville, MT, damages may exceed \$10,000.	MDT
23	Moe, Eric	RMTD	06/10/2021 - Notice		Personal injury, motor vehicle accident, damages may exceed \$10,000.	MDT
24	Stanger, Haylie	RMTD	10/8/2020 - Notice		Personal injury, motor vehicle accident, damages may exceed \$10,000	MDT
25	Tweddle, William "Trey"	RMTD	10/08/2020 - Notice		Personal injury, motor vehicle accident, damages may exceed \$10,000	MDT
Section 3: DAMAGE CLAIMS						
26	Adler, Barrett	RMTD	2-5-2020 - Notice		Property damage exceeding \$10,000. Claim remains opened, statute of limitations.	MDT
27	Hansen, David	RMTD	1/17/218 - Loss		Property, personal injury claim, damages may exceed \$10,000.	MDT
28	Kirkmeyer, Dana	RMTD	7/21/2021 - Loss		Personal injury, motor vehicle accident, damages may exceed \$10,000.	MDT
29	Mountain, Lisa	RMTD	04/22/2021 - Loss		Vehicle damage related to plow incident, damages may exceed \$10,000.	MDT
30	Parker, Julie (FedEx)	RMTD	8/2/2021 - Loss		Property damage, motor vehicle accident, damages may exceed \$10,000.	MDT

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31	Peterson, Linda	RMTD	2/9/2021 - Loss		Personal injury, motor vehicle accident, damages may exceed \$10,000	MDT
32	Shestag, Steve	RMTD	9/10/2021 - Loss		Property damage, damaged airplane, damages may exceed \$10,000.	MDT
33	Sysco Montana, Inc./Wollschlager, Lucus	RMTD	3/23/2021 - Loss		Property damages and personal injury, damages may exceed \$10,000.	MDT
34	Merrill Ditch Co.	MDT	3/24/2021 - Notified		Access claim related to MDT's removal of a bridge near Reed Point, MT.	MDT