

# **April 2021**

## **Oral Argument Calendar**

# **April 2021 Motion Panel**

**Judge Larry Thompson, Presiding Judge**

**Judges Sara Combs and Jeff Taylor,  
Associates Judges**

Contact person for Oral Argument

Natasha Coates – (502) 573-7920

## Kentucky Court of Appeals

### Oral Argument Calendar

Wednesday, April 07, 2021

Location: VIA VIDEO CONFERENCE

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**2:00 PM (EST) DECEMBER FARM INTERNATIONAL, LLC VS DECEMBER ESTATE, LLC**

[2019-CA-0983](#)

**Presiding Judge: HON. ALLISON E. JONES**

**Associate Judges: HON. IRV MAZE and HON. JEFF S. TAYLOR**

This appeal arises from a dispute over the express terms over an easement agreement. The agreement concerned a road for horse trailers and other similar vehicles and allowed the appellee and owner of the servient state, December Estate, to relocate the road. December Estate sought reimbursement from December Farm, and December Farm argues pursuant to the agreement, December Estate must pay for the cost of relocation. The trial court granted summary judgment to December Estate.

**SCOTT County: HON. BRIAN PRIVETT**

Attorney for Appellant: Michael David Meuser and Elizabeth Catesby Woodford

Attorney for Appellee: Matthew Warren English, Charles Thomas Ezzell and Richard Alan Getty

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Tuesday, April 20, 2021

Location: JEFFERSON COUNTY JUDICIAL CENTER, 10<sup>TH</sup> FLOOR

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**11:00 AM (EST)      LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT VS JILL HUME**

[2019-CA-1906](#)

**Presiding Judge: HON. IRV MAZE**

**Associate Judges: HON. PAMELA R GOODWINE and HON. J. CHRISTOPHER MCNEILL**

Appeal from jury verdict in sexual harassment/hostile work environment case. Denial of directed verdict; sufficiency of the evidence; improper "send a message" comment at closing argument.

**JEFFERSON County: HON. ANN BAILEY SMITH**

Attorneys for Appellant: Annale Renneker Taylor, Michael J O'Connell and Peter Frank Ervin

Attorney for Appellee: Thomas E Clay

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Thursday, April 22, 2021

Location: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,  
FRANKFORT, KY

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**1:00 PM  
(EST)**

**KENNETH ALVIN O'NEIL, ET AL VS DALE RAE HUTCHENS PERSONALLY, ET AL**

[2019-CA-1675](#)

**Presiding Judge: HON. JEFF S. TAYLOR**

**Associate Judges: HON. GLENN E. ACREE and HON. DENISE G. CLAYTON**

2019-CA-1675 - Whether circuit court erred by denying appellant's motion for compel arbitration.

2019-CA-1683 - Whether circuit court erred by determining the arbitration agreement was unenforceable pursuant to KRS 417.050(2); whether circuit court erred by determining that KRS 304.14-120(1) renders the arbitration agreement void.

**JEFFERSON County: HON. ANN BAILEY SMITH**

Attorneys for Appellants: Andrew Carson Pettijohn, Andrew James Dorman and Danielle Jarvis Lewis

Attorneys for Appellees: Andrew Michael Grabhorn, Michael Douglas Grabhorn, Jeremy Stuart Rogers, Jill Fran Ednicott and Marisa Elizabeth Main

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**1:45 PM  
(EST)**

**BRIAN WARD VS COMMONWEALTH OF KENTUCKY**

[2019-CA-1254](#)

**Presiding Judge: HON. JEFF S. TAYLOR**

**Associate Judges: HON. GLENN E. ACREE and HON. DENISE G. CLAYTON**

Whether circuit court erred by affirming decision of district court to deny appellant's motion to suppress results of blood test where officer violated the mandates of KRS 189A.105.

**JESSAMINE County: HON. C. HUNTER DAUGHERTY**

Attorney for Appellant: Michael Ryan Robey

Attorneys for Appellee: Brian Thomas Goettl, Clinton Andy Sims and Heather Warren

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Wednesday, April 28, 2021

Location: VIA VIDEO CONFERENCE

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11:00 AM  
(EST)

**LEGISLATIVE RESEARCH COMMISSION VS DAVID LEIGHTTY**

[2020-CA-0629](#)

**Presiding Judge: HON. LARRY E THOMPSON**

**Associated Judges: HON. JACQUELINE M. CALDWELL and HON. SARA W. COMBS**

This case involves David Leightty's request for records of communication sby private individuals to Representative Jason Nemes, a duly elected number of th Commonwealth of Kentucky's House of Representatives, and the authority of that member, the House of Representatives, and the legislative branch of government to determine how the records of communication to General Assembly members are maintained. The questions presented are whether legislative immunity applies to the requested records and whether the General Assembly's policy on nondisclosure of the records consitutes a nonjusticiable political question.

**FRANKLIN County: PHILLIP J. SHEPHERD**

Attorney for Appellant: Gregory Allen Woosley

Attorney for Appellee: Benjamin Sequoyah Basil

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