

UPDATED 12/06/2005

JANUARY 2006

ORAL ARGUMENT

CALENDAR

12/06/05

JANUARY, 2006

Jan. 10, 2006

**9:30 - 9:45 AM, ORAL SHOW CAUSE HEARING,
#2004-CA-002680, GERRY BOSTON VS. KATHY BOSTON,
JUDGE TACKETT, PRES., JUDGES DYCHE AND HENRY,
ASSOC.**

10:00 AM, FULL COURT MEETING

**11:30 - 11:45 AM, ORAL SHOW CAUSE HEARING,
#2004-CA-002583, CHARLES OPPENHEIMER VS.
ANDREA OPPENHEIMER, JUDGE TACKETT, PRES.,
JUDGES DYCHE AND HENRY, ASSOC.**

**1:00 PM, MOTION PANEL, JUDGE TACKETT, PRESIDING,
JUDGES JOHNSON AND SCHRODER, ASSOC.**

**1:00 - 1:30 PM, ORAL ARGUMENT, #2004-CA-001508,
#2004-CA-001563 & 2005-CA-000440 (WEST/SOUTH CENTRAL
PANEL), CONSOLIDATED INFRASTRUCTURE MANAGEMENT
AUTHORITY, INC. VS. THOMAS ALLEN, JUDGE MCANULTY,
PRES., JUDGES GUIDUGLI AND KNOPF, ASSOC.**

**PHONE NUMBERS WHERE PANEL MEMBERS CAN BE REACHED WHEN ORAL
ARGUMENTS SCHEDULED:**

FRANKFORT - Contact Mary Zagale, 502-573-7920

LOUISVILLE - Contact Shelly Hawes, 502-595-3440

**LEXINGTON - Contact Harold Weinberg, (859) 257-1729; Michele Tarry, (859) 257-1678;
Allison Connelly, (859) 257-4692**

LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY

DATE: Tuesday, January 10, 2006

9:30 AM PJ: TACKETT DYCHE HENRY
2004CA002680 GERRY BOSTON VS KATHY BOSTON

FAMILY COURT JEFFERSON COUNTY KEVIN L. GARVEY

Appellant Atty:

Appellant Name:

.....
MCADAM, THOMAS A

.....
GERRY RAY BOSTON

Appellee Atty:

Appellee Name:

.....
STRAW-BOONE, MELANIE

.....
KATHY ANN BOSTON

11:30 AM PJ: TACKETT DYCHE HENRY
2004CA002583 CHARLES OPPENHEIMER VS ANDREA OPPENHEIMER

FAMILY COURT CARTER COUNTY KRISTI HOGG GOSSETT

Appellant Atty:

Appellant Name:

.....
HAMMOND, MAXWELL L

.....
CHARLES MICHAEL OPPENHEIMER

Appellee Atty:

Appellee Name:

.....
ROWSEY, SHARON E

.....
ANDREA JO OPPENHEIMER

.....
WEBB, ROBIN L.

.....
ANDREA JO OPPENHEIMER

**NOTE: ORAL SHOW CAUSE HEARING

1:00 PM PJ: MCANULTY GUIDUGLI KNOFF
2004CA001508 CONSOLIDATED INFRASTRUCTURE MANAGEMENT AUTHORITY, INC. VS
THOMAS ALLEN

2004CA001563; CIVIL: WHISTLEBLOWER ACTION CHALLENGED AS NOT TIMELY FILED. KRS 61.101 - 61.103
2005CA000440

CIVIL LOGAN COUNTY TYLER L GILL

Appellant Atty:

Appellant Name:

.....
LAUFENBERG, SCOTT D.

.....
CONSOLIDATED INFRASTRUCTURE MANAGEMENT AUTHORITY, INC.

.....
STIVERS, GREGORY N

.....
CONSOLIDATED INFRASTRUCTURE MANAGEMENT AUTHORITY, INC.

Appellee Atty:

Appellee Name:

.....
BRATCHER, MICHAEL C.

.....
THOMAS EVERETTE ALLEN

.....
BRATCHER, PAMELA C.

.....
THOMAS EVERETTE ALLEN

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON, LOUISVILLE, KENTUCKY

DATE: Wednesday, January 11, 2006

10:15 AM PJ: COMBS HENRY SCHRODER
2004CA001768 ALI SHAMAEIZADEH VS KENTUCKY BOARD OF MEDICAL LICENSURE

APPEALABILITY OF DENIAL OF PETITIONS TO OBTAIN A MEDICAL LICENSE BY A PHYSICIAN WHOSE LICENSE HAD BEEN REVOKED.

CIVIL JEFFERSON COUNTY BARRY WILLETT

Appellant Atty:

Appellant Name:

.....
BREITENSTEIN, JONATHAN E

.....
ALI SHAMAEIZADEH

DEMOISEY, J FOX

ALI SHAMAEIZADEH

Appellee Atty:

Appellee Name:

.....
VEST II, C LLOYD

.....
KENTUCKY BOARD OF MEDICAL LICENSURE

**NOTE: ORIGINALLY AT 9:30 AM.

11:00 AM PJ: COMBS HENRY SCHRODER
2005CA000716 ANGELA UNDERWOOD ET AL. VS COMMONWEALTH OF KENTUCKY

PARENTAL RIGHTS OF APPELLANTS WERE TERMINATED. THEY CHARGE THAT THE TRIAL JUDGE MISAPPLIED PERTINENT STATUTORY CRITERIA.

ADOPTION JEFFERSON COUNTY DOLLY W. BERRY

Appellant Atty:

Appellant Name:

.....
ALIREZAY, JACKIE

.....
ANGELA UNDERWOOD

MALLON, VINCENT F

SERGIO MEJIA

ZAINO, RUSSELL BRUCE

ANGELA UNDERWOOD

SERGIO MEJIA

Appellee Atty:

Appellee Name:

.....
CUSHMAN, DEANA

.....
COMMONWEALTH OF KENTUCKY

1:30 PM PJ: SCHRODER COMBS HENRY
2004CA002651 BARRISTER FARM, LLC VS UPSON DOWNS FARM, INC.

BARRISTER FARM LOST THREE HORSES TO A FIRE IN ANOTHER'S BARN. THE TRIAL COURT FOUND NO NEGLIGENCE AND BARRISTER APPEALS.

CIVIL OLDHAM COUNTY KAREN A. CONRAD

Appellant Atty:

Appellant Name:

.....
VAUGHN, JASON C

.....
BARRISTER FARM, LLC

Appellee Atty:

Appellee Name:

.....
AUGUSTUS, MICHAEL

.....
UPSON DOWNS FARM, INC.

HOWLAND, BIXLER W.

UPSON DOWNS FARM, INC.

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON, LOUISVILLE, KENTUCKY

DATE: Wednesday, January 11, 2006

~~2:15 PM~~

PJ: SCHRODER

COMBS

HENRY

~~2005CA000700~~

HELEN MOOREHEAD VS J. MANNING ET AL.

A PARTY TO A CONTRACT APPEALS THE DENIAL OF ATTORNEY FEES PURSUANT TO THE CONTRACT.

CIVIL

JEFFERSON COUNTY

DENISE CLAYTON

Appellant Atty:

Appellant Name:

.....
DWYER, JOHN H.

.....
HELEN H. MOOREHEAD

ZIELKE, LAURENCE

HELEN H. MOOREHEAD

Appellee Atty:

Appellee Name:

.....
KISER, W. DAVID

.....
HAZEL MANNING

J. WILLIAM MANNING

CANCELED

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON, LOUISVILLE, KENTUCKY

DATE: Wednesday, January 11, 2006

3:00 PM

PJ: HENRY

COMBS

SCHRODER

2004CA001568

DANVILLE-BOYLE COUNTY PLANNING COMMISSION ET AL. VS CENTRE ESTATES ET AL.

2004CA001569;
2004CA001682;
2004CA001685

PLANNING AND ZONING CASE; WHETHER ADMINISTRATION RES JUDICATA APPLIES; PROPRIETY OF REMAND FOR NEW ZONING DECISION.

CIVIL

BOYLE COUNTY

DARREN W. PECKLER

Appellant Atty:

Appellant Name:

.....
SMITH, BRUCE E

.....
ANDY PARKER
CLYDE JACKSON
DANVILLE-BOYLE COUNTY PLANNING COMMISSION
ERNEST HATFIELD
GARY CHIDESTER
GEORGE JOHNSON
HUGH MAHON
JACK JONES
JOHN FORSYTH
PETE COYLE
TOM BROACH
TOM WRIGHT

Appellee Atty:

Appellee Name:

.....
HAYS, EDWARD D.

.....
CHESTER KAVANAUGH
CITY OF DANVILLE
DANVILLE BOARD OF COMMISSIONERS
JAMEY GAY
JOHN W.D. BOWLING
RYAN OWENS
TERRY CROWLEY
JIM DAVIS
NANCY DAVIS
CHESTER KAVANAUGH
CITY OF DANVILLE
DANVILLE BOARD OF COMMISSIONERS
JAMEY GAY
JOHN W.D. BOWLING
RYAN OWENS
TERRY CROWLEY
CHESTER KAVANAUGH
CITY OF DANVILLE

MURPHY, RICHARD V

NICKELS, ELIZABETH

PENNINGTON, HENRY VINCENT

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE
COURTROOM, 700 WEST JEFFERSON, LOUISVILLE, KENTUCKY

DATE: Wednesday, January 11, 2006

DANVILLE BOARD OF COMMISSIONERS

JAMEY GAY

JOHN W.D. BOWLING

RYAN OWENS

TERRY CROWLEY

CENTRE ESTATES

WISEMAN, RENA

LOCATION: UNIVERSITY OF KENTUCKY COLLEGE OF LAW, COURTROOM, LAW BUILDING, LIMESTONE STREET, LEXINGTON, KENTUCKY

DATE: Wednesday, January 11, 2006

9:30 AM PJ: JOHNSON BUCKINGHAM TACKETT
2004CA001876 CAROLYN WHOBREY VS KENTUCKY RETIREMENT SYSTEMS

WHETHER THE KRS'S DENIAL OF DISABILITY BENEFITS WHICH FAILED TO GIVE WEIGHT TO THE CLAIMANT'S WC DISABILITY WAS ARBITRARY.

CIVIL FRANKLIN COUNTY ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

MEADE, DON C

CAROLYN WHOBREY

Appellee Atty:

Appellee Name:

RUPINEN, KATHERINE

KENTUCKY RETIREMENT SYSTEMS

10:15 AM PJ: JOHNSON BUCKINGHAM TACKETT
2004CA002339 ELDEN GINN TOBACCO WAREHOUSES, INC. VS EAST KENTUCKY POWER COOPERATIVE, INC.

2004CA002340 WHETHER THE TRIAL COURT ERRED IN A CONDEMNATION CASE BECAUSE THERE WAS NO PUBLIC USE OR NEED ESTABLISHED, THERE WAS A DENIAL OF DUE PROCESS, THE PROPER PARTY DID NOT INITIATE THE ACTION, AND THE APPELLEE ACTED IN BAD FAITH.

CIVIL MASON COUNTY JOHN W. MCNEILL III

Appellant Atty:

Appellant Name:

REDFORD, CARROLL M.

ELDEN GINN TOBACCO WAREHOUSES, INC.

Appellee Atty:

Appellee Name:

COWDEN, ROGER R

EAST KENTUCKY POWER COOPERATIVE, INC.

GOODPASTER, SHERMAN

EAST KENTUCKY POWER COOPERATIVE, INC.

HENLEY, DALE W

EAST KENTUCKY POWER COOPERATIVE, INC.

LOCATION: UNIVERSITY OF KENTUCKY COLLEGE OF LAW, COURTROOM, LAW BUILDING, LIMESTONE STREET, LEXINGTON, KENTUCKY

DATE: Wednesday, January 11, 2006

11:00 AM PJ: JOHNSON BUCKINGHAM TACKETT

2005CA000133 ERIC GARDNER VS WALTER "WALLY" SKIBA ET AL.

WHETHER THE TRIAL COURT ERRED BY DISMISSING THE APPELLANT'S CAUSE OF ACTION SEEKING DAMAGES FROM HIS BEING DENIED AN EMPLOYMENT PROMOTION ON THE BASIS OF RES JUDICATA.

CIVIL FAYETTE COUNTY PAMELA R GOODWINE

Appellant Atty:

Appellant Name:

.....
JACOBS, WILLIAM C.

.....
ERIC GARDNER

Appellee Atty:

Appellee Name:

.....
BOWMAN, LESLYE M

.....
PAM MILLER
TERESA ISAAC
WALTER "WALLY" SKIBA

SELLARS, TERRY

PAM MILLER
TERESA ISAAC
WALTER "WALLY" SKIBA

1:30 PM PJ: BUCKINGHAM JOHNSON TACKETT

2005CA000131 MELINDA WHEATLEY ET AL. VS CABINET FOR HEALTH & FAMILY SERVICES ET AL.

TERMINATION OF PARENTAL RIGHTS

FAMILY COURT BOONE COUNTY LINDA R. BRAMLAGE

Appellant Atty:

Appellant Name:

.....
ARNETT, JOHN GREENE

.....
MELINDA SUE GLENN WHEATLEY
ROY EDWARD WHEATLEY

Appellee Atty:

Appellee Name:

.....
KLOEKER, CYNTHIA
WILLENBORG, THOMAS R

.....
CABINET FOR HEALTH & FAMILY SERVICES
T.L.W.

**NOTE: ORIGINALLY AT 2:30 PM