

UPDATED: 1/9/2014

JANUARY 2014

ORAL ARGUMENT

CALENDAR

Report Updated On: 1/9/2014

01/09/2014

JANUARY, 2014

COURT MEETING WILL NOT BE HELD

January 15, 2014

**12:45 P.M., (FRANKFORT TIME) MOTION PANEL,
JUDGE THOMPSON, PRESIDING, JUDGE CAPERTON
AND JUDGE JONES, ASSOCIATES.**

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

FRANKFORT – Contact Patricia Brauer – (502) 573-7920, Ext. 52020

LAGRANGE – Contact Jodi Johnson – (502) 222-1692

SHELBYVILLE – Contact Patti Mowery – (502) 647-5234

**LOCATION: OLDHAM COUNTY COURTHOUSE, 100 WEST MAIN STREET,
SECOND FLOOR, LAGRANGE, KENTUCKY.**

DATE: Wednesday, January 8, 2014

01:30 PM PJ: MOORE, HON. JOY A.

ACREE, HON. GLENN E.

JONES, HON. ALLISON E.

2012CA001185

WILLIAM TID GRIFFIN v R. DEAN LINDEN

Civil Case: Whether the trial court erred in staying arbitration; Appellant argues that the trial court lacked jurisdiction over the matter and that the arbitration agreement must be enforced.

<p>CIVIL</p> <p style="text-align: center;">JEFFERSON COUNTY</p> <p>Appellant Atty:</p> <p>SCHULTZ, JENNIFER WICKER, J</p> <hr/> <p>Appellee Atty:</p> <p>COX, DONALD COX, JOHN DESKINS, ROBERT OLDFATHER, ANN</p>	<p>HON CHARLES L. CUNNINGHAM</p> <p>Appellant Name:</p> <p>GRIFFIN, WILLIAM</p> <hr/> <p>Appellee Name:</p> <p>LINDEN, R.</p>
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** NOTE: PREVIOUSLY ON 12/12/13 @ 1:30 PM

02:15 PM PJ: JONES, HON. ALLISON E.

ACREE, HON. GLENN E.

MOORE, HON. JOY A.

2012CA001633

COMMONWEALTH OF KENTUCKY v JAMES R. BUNCH

Civil; Appeal from order finding Transportation Cabinet liable for creating an unreasonable danger to motorists in a pothole repair - whether the Board of Claims ignored precedent, failed to properly evaluate negligence, misconstrued facts regarding pothole patch, and ignored substantial evidence.

<p>CIVIL</p> <p style="text-align: center;">JEFFERSON COUNTY</p> <p>Appellant Atty:</p> <p>HARDY, JONATHAN JONES, MARLIN</p> <hr/> <p>Appellee Atty:</p> <p>HEAVRIN, DONALD SEILLER, BILL</p> <hr/> <p>MATTINGLY, GEORGE</p>	<p>HON MITCHELL PERRY</p> <p>Appellant Name:</p> <p>COMMONWEALTH OF KENTUCKY</p> <hr/> <p>Appellee Name:</p> <p>BUNCH, JAMES</p> <hr/> <p>COMMONWEALTH OF KENTUCKY</p>
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** NOTE: PREVIOUSLY ON 12/12/2013 @ 2:15 PM

**LOCATION: OLDHAM COUNTY COURTHOUSE, 100 WEST MAIN STREET,
SECOND FLOOR, LAGRANGE, KENTUCKY.**

DATE: Wednesday, January 8, 2014

03:00 PM PJ: JONES, HON. ALLISON E.

ACREE, HON. GLENN E.

MOORE, HON. JOY A.

2013CA000006

**AMBEREE N. HENSLEY v STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY**

Civil; Direct Appeal; summary judgement whether the circuit court erred when it granted summary judgement in favor of the Appellee's finding the contractual time limitation of Appellant's claims for uninsured/underinsured motorist benefits had passed.

CIVIL

JEFFERSON COUNTY

HON AUDRA J. ECKERLE

Appellant Atty:

Appellant Name:

CLARE, BRIAN

HENSLEY, AMBEREE

Appellee Atty:

Appellee Name:

MYERS, DEBORAH

**STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY**

**** NOTE: PREVIOUSLY ON 12/12/2013 @ 3:00 PM**

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

DATE: Wednesday, January 15, 2014

09:45 AM PJ: CAPERTON, HON. MICHAEL O.

LAMBERT, HON. JAMES H.

MOORE, HON. JOY A.

2012CA002210

LYDIA ADDISON v KEVIN ADDISON

Issues of custody, restrictions on visitation, jurisdiction of the court, findings of fact, restrictions on witness, duration of hearing, denial of medical exam, and denial of permitting supplemental record.

HARDIN COUNTY

HON PAMELA ADDINGTON

Appellant Atty:

Appellant Name:

ALDRIDGE, CAREY

ADDISON, LYDIA

DODD, ALLEN

Appellee Atty:

Appellee Name:

ALDRIDGE, JEREMY

ADDISON, KEVIN

**** NOTE:**

10:30 AM PJ: CAPERTON, HON. MICHAEL O.

LAMBERT, HON. JAMES H.

MOORE, HON. JOY A.

2012CA000370

J & B ENERGY, INC. v PAUL M. CALDWELL

2012CA001776

Motion to strike pending. Appeal from summary judgment-issues of legal malpractice and breach of fiduciary duty.

CIVIL

MUHLENBERG COUNTY

HON BRIAN WIGGINS

Appellant Atty:

Appellant Name:

ENGLISH, CHARLES JR.

J & B ENERGY, INC.

Appellee Atty:

Appellee Name:

JONES, BRIAN

CALDWELL & PAYNE, P. A.

SWAFFORD, MATTHEW

STAINBACK, FRANK

CALDWELL, PAUL

**** NOTE:**

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

DATE: Wednesday, January 15, 2014

11:15 AM PJ: CAPERTON, HON. MICHAEL O.

LAMBERT, HON. JAMES H.

THOMPSON, HON. KELLY

2012CA002157

GEORGE DAY v THE CITY OF HENDERSON

Summary judgment. Issues of sovereign immunity, qualified official immunity, and Claims Against Local Governments Act. Allegation that police dog attacked citizen.

CIVIL

HENDERSON COUNTY

HON KAREN LYNN WILSON

Appellant Atty:

Appellant Name:

WOMACK, ZACK

DAY, GEORGE

Appellee Atty:

Appellee Name:

MANDO, JEFFREY

THE CITY OF HENDERSON

** NOTE:

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

DATE: Wednesday, January 22, 2014

11:00 AM PJ: TAYLOR, HON. JEFF S.

STUMBO, HON. JANET L.

THOMPSON, HON. KELLY

2012CA001107

BONITA COBB v JOSEPH KAMER

Whether circuit court erred by granting summary judgment in favor of appellees upon a determination that the hazard was open and obvious.

CIVIL

FAYETTE COUNTY

HON KIMBERLY N BUNNELL

Appellant Atty:

Appellant Name:

CHILDERS, JOE JR

COBB, BONITA

GETTY, RICHARD

PARKER, JENNIFER

Appellee Atty:

Appellee Name:

ROBERTSON, WILLIAM III

KAMER, JOSEPH

SAMFORD, COURTNEY

** NOTE:

11:45 AM PJ: TAYLOR, HON. JEFF S.

STUMBO, HON. JANET L.

THOMPSON, HON. KELLY

2013CA000648

TRISHA ANN WILLIAMS v RANDY CLINE

Whether circuit court erred by granting appellees' motions to dismiss based upon sovereign immunity.

CIVIL

ROWAN COUNTY

HON WILLIAM EVANS LANE

Appellant Atty:

Appellant Name:

GOLDEN, J.

WILLIAMS, TRISHA

HICKS, JOSHUA

RYAN, LANGDON

Appellee Atty:

Appellee Name:

MOORE, JAMES III

CLINE, RANDY

FENZEL, MARK

MCCORMICK, KEITH

HOBACK, WILLIAM

** NOTE:

**LOCATION: SHELBY COUNTY COURTHOUSE, 501 MAIN STREET, SHELBYVILLE,
KENTUCKY**

DATE: Monday, January 27, 2014

12:30 PM PJ: JONES, HON. ALLISON E.

ACREE, HON. GLENN E.

MAZE, HON. IRV

2011CA001859

INTERACTIVE GAMING COUNCIL v COMMONWEALTH OF KENTUCKY, EX REL., J.

2012CA001366

MICHAEL BROWN

2012-CA-1366 Civil; whether trial court erred by refusing to allow Appellant to file a belated appearance/pleadings contesting the forfeiture of Appellant's property. 2011-CA-1859 Civil; whether trial court erred when it ruled Appellant could not invoke associational standing in a civil proceeding.

CIVIL

FRANKLIN COUNTY

HON THOMAS D. WINGATE

Appellant Atty:

Appellant Name:

BREETZ, BETHANY

INTERACTIVE GAMING COUNCIL

RAMSEY, IAN

TATE, JOHN

Appellee Atty:

Appellee Name:

LYCAN, DAVID

COMMONWEALTH OF KENTUCKY, EX REL., J.

MAY, WILLIAM III

MICHAEL BROWN

REEDY, AARON

** NOTE: 60 MINUTE ORAL. PREVIOUSLY ON 1/27/2014 AT 1:00 PM

01:45 PM PJ: JONES, HON. ALLISON E.

ACREE, HON. GLENN E.

MAZE, HON. IRV

2012CA002048

MIKE KISKADEN v RACHAEL CODY

Civil; whether trial court erred by denying Appellant's motion for summary judgment on the basis of qualified official immunity.

CIVIL

HARRISON COUNTY

HON JAY DELANEY

Appellant Atty:

Appellant Name:

NOE, SPENCER

KISKADEN, MIKE

WAKEFIELD, DONALD

Appellee Atty:

Appellee Name:

UNDERWOOD, BRYAN

CODY, RACHAEL

HERKLOTZ, JOHANN

GAINEY, M.

SMITH, KENNETH

BOWERS, BARBARA

HARRISON MEMORIAL HOSPITAL, INC.

** NOTE:

**LOCATION: SHELBY COUNTY COURTHOUSE, 501 MAIN STREET, SHELBYVILLE,
KENTUCKY**

DATE: Monday, January 27, 2014

2:30 PM PJ: MAZE, HON. IRV

ACREE, HON. GLENN E.

JONES, HON. ALLISON E.

2012CA002165

CABINET FOR HEALTH & FAMILY SERVICES v PERRY PUCKETT

Appeal from trial court's grant of leave to amend the complaint after the final decision of the personnel board to reflect lack of authority for Plaintiff's termination from CHFS. Whether the doctrine of sovereign immunity barred the court from permitting such a claim to be alleged. Whether Plaintiff was required to raise issue of lack of authority prior to administrative decision and in his original complaint in circuit court. Appellant requests oral argument.

CIVIL

FRANKLIN COUNTY

HON THOMAS D. WINGATE

Appellant Atty:

Appellant Name:

TANSEY, MARY

CABINET FOR HEALTH & FAMILY SERVICES

Appellee Atty:

Appellee Name:

CROCKER, BOYCE

KENTUCKY PERSONNEL BOARD

LEIGHTTY, DAVID

PUCKETT, PERRY

**** NOTE:**