

JANUARY 2017

ORAL ARGUMENT

CALENDAR

1/19/2017

JANUARY, 2017

COURT MEETING WILL NOT BE HELD

January 11, 2017

**1:00 P.M., (FRANKFORT TIME) MOTION PANEL,
JUDGE CLAYTON, PRESIDING JUDGE,
JUDGE J. LAMBERT AND JUDGE TAYLOR,
ASSOCIATES.**

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

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

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

DATE: Thursday, January 26, 2017

10:00 AM PJ: CLAYTON, HON. DENISE G. MAZE, HON. IRV STUMBO, HON. JANET L.

2015CA001948 KEITH A. GADD v DON HENSLEY

2016CA000164

1. Property restrictions on rental property-did the trial court err by finding the weekly and nightly rentals of property violated the applicable property restrictions. 2. Permanent injunction entered. 3. Did circuit court improperly dismiss harassment claim.

CIVIL GARRARD COUNTY HON C. HUNTER DAUGHERTY

Appellant Atty:

**CHUN, SUSAN
REDFORD, CARROLL III**

Appellant Name:

GADD, KEITH

Appellee Atty:

SHORT, FREDERICK

Appellee Name:

HENSLEY, DON

NOTE:

10:45 AM PJ: STUMBO, HON. JANET L. CLAYTON, HON. DENISE G. MAZE, HON. IRV

2015CA001621 STANLEY M. CHESLEY v MILDRED ABBOTT

Appeal from grant of summary judgment. Did the court err in holding that Appellant's former law firm was his alter-ego and that Appellant remained in control of the entity?

CIVIL BOONE COUNTY HON JAMES R. SCHRAND

Appellant Atty:

BENTON, FRANK IV

Appellant Name:

CHESLEY, STANLEY

Appellee Atty:

FORD, ANGELA

Appellee Name:

ABBOTT, MILDRED

NOTE:

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

DATE: Thursday, January 26, 2017

11:30 AM PJ: STUMBO, HON. JANET L.

CLAYTON, HON. DENISE G.

MAZE, HON. IRV

2015CA001591

**KENTUCKY STATE BOARD OF LICENSURE FOR PROFESSIONAL v JOSEPH B. CURD
Jr**

Appeal from Circuit Court order reversing BOL's penalty as issued by the BOL. Issue is whether BOL erred failing to grant a hearing and arguments as directed by Supreme Court in remanding the matter on its first appeal.

CIVIL

FRANKLIN COUNTY

HON THOMAS D. WINGATE

Appellant Atty:

BUCKLEY, JONATHAN

Appellant Name:

**KENTUCKY STATE BOARD OF LICENSURE FOR
PROFESSIONAL**

Appellee Atty:

BULLOCK, ROBERT

Appellee Name:

CURD, JOSEPH

NOTE:

01:30 PM PJ: JONES, HON. ALLISON E.

STUMBO, HON. JANET L.

TAYLOR, HON. JEFF S.

2015CA001688

CINDY DEAL v FIRST AND FARMERS NATIONAL BANK, INC.

Whether the trial court erred when it granted summary judgment in favor of Appellees and dismissed Appellant's claim that tAppellees violated the garnishment order served each of them.

CIVIL

PULASKI COUNTY

HON JEFFREY T BURDETTE

Appellant Atty:

HOSTETTLER, R.

Appellant Name:

DEAL, CINDY

Appellee Atty:

GILLUM, JOHN

Appellee Name:

FIRST AND FARMERS NATIONAL BANK, INC.

NOTE:

LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY
DATE: Thursday, January 26, 2017

03:00 PM PJ: LAMBERT, HON. DEBRA HEMBREE JONES, HON. ALLISON E. TAYLOR, HON. JEFF S.
2015CA001802 JW RESOURCES, INC. v KEVIN CALDWELL

Whether the trial court properly overruled the Appellant's motion for summary judgment based on the "up the Ladder" immunity which the Appellant claims.

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| CIVIL | BELL COUNTY | HON ROBERT COSTANZO |
| Appellant Atty: | | Appellant Name: |
| PARTIN, WILLIAM JR | | JW RESOURCES, INC. |
| Appellee Atty: | | Appellee Name: |
| BIGGERSTAFF, RYAN JOHNSON, GARY | | CALDWELL, KEVIN |
| LEWIS, W. | | KENTUCKY EMPLOYERS' MUTUAL INSURANCE |

NOTE:

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LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY
DATE: Friday, January 27, 2017

09:30 AM PJ: TAYLOR, HON. JEFF S. JONES, HON. ALLISON E. LAMBERT, HON. DEBRA HEMBREE

2015CA000873 DANNY POTTER v BLUE FLAME ENERGY CORPORATION

2015CA000874

Whether circuit court properly rendered summary judgment interpreting a reservation in a deed as including oil and gas mineral rights.

CIVIL PIKE COUNTY HON EDDY COLEMAN

Appellant Atty:

DE BOURBON, PIERRE
SMITH, DONALD JR

Appellant Name:

POTTER, DANNY

Appellee Atty:

BAIRD, CHARLES

SCHMITT, MICHAEL
SHAW, JONATHAN

Appellee Name:

BLUE FLAME ENERGY CORPORATION

EQT PRODUCTION COMPANY

VANOVER, JIM

JOHNSON, JAMES

NOTE:

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10:15 AM PJ: TAYLOR, HON. JEFF S. JONES, HON. ALLISON E. LAMBERT, HON. DEBRA HEMBREE

2015CA001253 WAYNE ROMANS v KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY

Whether circuit court erred by dismissing appellant's claim as time-barred.

CIVIL BOYD COUNTY HON C DAVID HAGERMAN

Appellant Atty:

SALYER, KYLE

Appellant Name:

ROMANS, WAYNE

Appellee Atty:

BANKS, DARRIN

MCDERMOTT, RALPH

Appellee Name:

KENTUCKY FARM BUREAU MUTUAL
INSURANCE COMPANY

NOTE:

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LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY
DATE: Friday, January 27, 2017

11:00 AM PJ: TAYLOR, HON. JEFF S. JONES, HON. ALLISON E. LAMBERT, HON. DEBRA HEMBREE
2016CA000109 LUTHER E. CHAFFIN v LOUISA HOME CARE SERVICES, LLC

Whether circuit court properly dismissed appellant's medical malpractice claim as time-barred.

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| CIVIL | LAWRENCE COUNTY | HON JOHN DAVID PRESTON |
| Appellant Atty: | | Appellant Name: |
| DERIFIELD, JERRY | | CHAFFIN, LUTHER |
| MAY, JAMES | | |
| Appellee Atty: | | Appellee Name: |
| HART, NICHOLAS | | LOUISA HOME CARE SERVICES, LLC |
| RAGLAND, DAVID | | |

NOTE:

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