

**UPDATED: 7/2/2014**

**JULY 2014**

**ORAL ARGUMENT**

**CALENDAR**

Report Updated On: 7/2/2014

**07/02/2014**

**JULY, 2014**

**July 8, 2014**

**11:00 AM, FRANKFORT TIME, MOTION PANEL,  
JUDGE COMBS, PRESIDING JUDGE AND  
JUDGE CLAYTON AND JUDGE VANMETER, ASSOC.**

**COURT MEETING WILL NOT BE HELD**

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

**LOUISVILLE – Contact Danae Bransford – (502) 595-3440  
SHEPHERDSVILLE – Contact Paulita Keith – (502) 543-7104**

**LOCATION: BULLITT COUNTY JUDICIAL CENTER, 250 FRANK E. SIMON AVENUE,  
COURTROOM 301, THIRD FLOOR, SHEPHERDSVILLE, KENTUCKY**

**DATE: Tuesday, July 22, 2014**

**11:00 AM PJ: THOMPSON, HON. KELLY ACREE, HON. GLENN E. MAZE, HON. IRV**  
**2013CA000987 DEPARTMENT OF REVENUE v ARMSTRONG UTILITIES, INC.**

Department of Revenue appeals a judgment awarding a cable television company refunds on property and ad valorem taxes alleging the taxes were based upon public service corporation assessments made by the Department.

<b>CIVIL</b>	<b>FRANKLIN COUNTY</b>	<b>HON PHILLIP J. SHEPHERD</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>DOWELL, DOUGLAS</b>		<b>DEPARTMENT OF REVENUE</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>LUBER, THOMAS WYRICK, MITZI</b>		<b>ARMSTRONG UTILITIES, INC.</b>
.....		

**\*\* NOTE:**

**11:45 AM PJ: MAZE, HON. IRV ACREE, HON. GLENN E. THOMPSON, HON. KELLY**  
**2013CA000612 UNITED INSURANCE COMPANY OF AMERICA v COMMONWEALTH OF KENTUCKY**

Appeal from order upholding constitutionality of Unclaimed Life Ins. Benefits Act. Whether retroactive application of Act imposes additional obligations on insurers and impairs the obligations of existing contracts.

<b>CIVIL</b>	<b>FRANKLIN COUNTY</b>	<b>HON PHILLIP J. SHEPHERD</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>ARDERY, JOSEPH HEYMAN, SCOTT HOPSON, MARK MORRISSEY, BRIAN RENZELMANN, JASON SNYDER, SHERYL THOMPSON, CAROL</b>		<b>UNITED INSURANCE COMPANY OF AMERICA</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>CONWAY, JACK ERVIN, PETER WEST, TIMOTHY</b>		<b>COMMONWEALTH OF KENTUCKY</b>
.....		
<b>SNELL, VIRGINIA</b>		<b>THE LIFE INSURERS COUNCIL</b>
.....		
<b>OVERSTREET, MARK</b>		<b>THE NATIONAL ALLIANCE OF LIFE COMPANIES</b>
.....		

**\*\* NOTE: 40 MINUTE ORAL**

**LOCATION: BULLITT COUNTY JUDICIAL CENTER, 250 FRANK E. SIMON AVENUE,  
COURTROOM 301, THIRD FLOOR, SHEPHERDSVILLE, KENTUCKY**

**DATE: Tuesday, July 22, 2014**

12:45 PM PJ: MAZE, HON. IRV

ACREE, HON. GLENN E.

THOMPSON, HON. KELLY

2013CA001226

**COMMONWEALTH OF KENTUCKY v RIVERVALLEY BEHAVIORAL HEALTH**

CHFS appeals from circuit court order reversing Secretary's final order on claim involving Medicaid Reimbursement rates. Whether Cabinet's method of calculating reimbursement methodology was consistent with statutes and regulations. Existence and enforcement of an implied settlement agreement.

CIVIL

FRANKLIN COUNTY

HON PHILLIP J. SHEPHERD

Appellant Atty:

Appellant Name:

HUNSAKER, ANN

COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

CHRISTIAN, CAROLE  
PRICE, STEPHEN SR.  
WOODARD, JOHN JR

RIVERVALLEY BEHAVIORAL HEALTH

**\*\* NOTE: 40 MINUTE ORAL. \*\*PREVIOUSLY ON 7/22/14 AT 1:45 PM.**

**LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET, LOUISVILLE, KY**

**DATE: Tuesday, July 29, 2014**

11:30 AM PJ: DIXON, HON. DONNA L. CLAYTON, HON. DENISE G. JONES, HON. ALLISON E.  
 2013CA001400 WALTER M. BUTT AND KAREN L. PETIGO v INDEPENDENCE CLUB VENTURE, LTD

Appeal of summary judgment and denial of motion to set aside an interlocutory agreed order where there was an intervening change in the law.

<b>CIVIL</b>	<b>JEFFERSON COUNTY</b>	<b>HON MARY M SHAW</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
LONGMEYER, JOHN		WALTER M. BUTT AND KAREN L. PETIGO
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
TRAVIS, DAVID		INDEPENDENCE CLUB VENTURE, LTD
.....		

\*\* NOTE: PREVIOUSLY ON 7/29/14 @ 10:45 AM (ET).

01:00 PM PJ: JONES, HON. ALLISON E. CLAYTON, HON. DENISE G. DIXON, HON. DONNA L.  
 2013CA001124 KASHMIRE COX v COMMONWEALTH OF KENTUCKY

Criminal; Issue of first impression regarding District Court's order finding defendant incompetent to stand trial, which the Circuit Court reversed. Before Court of Appeals on discretionary review.

	<b>JEFFERSON COUNTY</b>	<b>HON MARY M SHAW</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
GOYETTE, DANIEL HACKETT, BRUCE SCHEIB, JONATHAN		COX, KASHMIRE
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
CONWAY, JACK MACCASKEY, MOLLY SEXTON, DAVID		COMMONWEALTH OF KENTUCKY
.....		

\*\* NOTE:

**LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET, LOUISVILLE, KY**

**DATE: Tuesday, July 29, 2014**

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01:45 PM PJ: JONES, HON. ALLISON E. CLAYTON, HON. DENISE G. DIXON, HON. DONNA L.  
2013CA001486 EIFLER TOWER CRANE CO., LLC v ARDIS E. GREENAMYER II

Civil; Whether Circuit Court committed reversible error when it permitted Appellee to collaterally attack a foreign judgment on issues raised and appealed in a sister state.

<b>CIVIL</b>	<b>JEFFERSON COUNTY</b>	<b>HON MARY M SHAW</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
STINNETT, WILLIAM TAYLOR, GREGORY		EIFLER TOWER CRANE CO., LLC
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<u>Appellee Atty:</u>		<u>Appellee Name:</u>
ADAMS, GARRY JR		GREENAMYER, ARDIS
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**\*\* NOTE:**