

# **July 2021**

## **Oral Argument Calendar**

# **July 2021 Motion Panel**

**Chief Judge Denise Clayton, Presiding Judge**

**Judges Sara Combs and Allison Jones,  
Associates Judges**

Contact person for Oral Arguments

Natasha Coates – (502) 573-7920

**Kentucky Court of Appeals**

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## Oral Argument Calendar

Monday, July 12, 2021

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

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**11:00 AM (EST) KIMBERLY JOHNSON V. MEDICAL PROTECTIVE COMPANY**

[2020-CA-0962](#)

**PRESIDING JUDGE: HON. PAMELA R GOODWINE**

**ASSOCIATE JUDGES: HON. ALLISON E. JONES and HON. JOY A. KRAMER**

Civil - Whether the Trial Court erred in dismissing Appellant's fraud/bad faith claims seeking damages after Appellant refused to repay \$1.5 million-dollar settlement.

**FLEMING County HON. STOCKTON B. WOOD**

Attorneys for Appellant: J Dale Golden and Kellie Marie Collins

Attorney for Appellees: Mindy Barfield

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**1:30 PM (EST) BRENDA COOK INDIVIDUALLY, ET AL VS LAWANDA IRVIN, ET AL**

[2020-CA-0501](#)

**PRESIDING JUDGE: HON. IRV MAZE**

**ASSOCIATE JUDGES: HON. PAMELA R GOODWINE and HON. JOY A. KRAMER**

**JEFFERSON County HON. AUDRA J. ECKERLE**

Attorney for Appellants: Peter James Jannace

Attorneys for Appellees: Dana Lucas Collins, Daniel Woodard Redding, Katherine Trigg Reisz and Mark Squires Fenzel

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**Tuesday, July 13, 2021**

Location: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, LOUISVILLE, KY

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**11:45 AM (EST) TRESHAWN LEVAR JONES VS COMMONWEALTH OF KENTUCKY**

[2020-CA-0139](#)

**PRESIDING JUDGE: HON. IRV MAZE**

**ASSOCIATE JUDGES: HON. DENISE G. CLAYTON and HON. DONNA L. DIXON**

Appeal from denial of RCr 11.42 motion. Ineffective assistance of counsel in advising defendant to accept guilty plea; jurisdiction of circuit court to accept plea due to lack of valid juvenile transfer hearing; whether prior unappealed holding of this Court is law of the case following subsequent Supreme Court holding in *Commonwealth v. B.H.*, 548 S.W.3d.238 (Ky.2018).

**FAYETTE County HON. LUCY VANMETER**

Attorneys for Appellant: Kara Anita Stinson and Samuel N Potter

Attorney for Appellee: Matthew Robert Krygiel

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**12:30 PM (EST) LINCOLN TRAIL GRAIN GROWERS ASSOCIATION ET. AL. V. MEADE COUNTY FISCAL COURT**

[2020-CA-0892](#)

**PRESIDING JUDGE: HON. IRV MAZE**

**ASSOCIATE JUDGES: HON. DENISE G. CLAYTON and HON. DONNA L. DIXON**

Appeal from order dismissing declaratory judgment action. Appellants' statutory and constitutional standing to assert claims for alleged violation of the Open Meetings Act and illegality of action by Fiscal Court.

**MEADE County, HON. BRUCE T. BUTLER**

Attorneys for Appellants: Charity Suzanne Bird and Michael Charles Merrick

Attorneys Appellee: Anthony George Raluy, Douglas Cain Ballatien, Lindsey Lee Howard, Timothy Joseph Eifler and Robert Keith Bond

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**Tuesday, July 27, 2021**

Location: VIA VIDEO CONFERENCE

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**11:00 AM (EST) KENTUCKY RETIREMENT SYSTEMS BY AND THROUGH THE BOARD OF TRUSTEES OF THE, ET AL VS WESTERN KENTUCKY UNIVERSITY**

**[2020-CA-0793](#)**

**PRESIDING JUDGE: HON. DENISE G. CLAYTON**

**ASSOCIATE JUDGES: HON. DONNA L. DIXON and HON. IRV MAZE**

Appeal of Summary Judgment on a Delaratory Judgment Complaint in which Western Kentucky University contests its participation in the Kentucky Retirement System of the employees who work in custodial service which was outsourced.

**FRANKLIN County, PHILLIP J. SHEPHERD**

Attorney for Appellants: Robert William Kellerman

Attorneys for Appellee: Laura Marie Hagan, Richard Alexander Thomason and Thomas Neal Kerrick

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