

UPDATED: 05/26/2011

MAY 2011

ORAL ARGUMENT

CALENDAR

Report Updated On: 05/26/2011

05/26/2011

MAY, 2011

THERE WILL BE NO COURT MEETING.

May 13, 2011

**10:00 A.M., (FRANKFORT TIME) MOTION PANEL,
JUDGE CLAYTON, PRES., CHIEF JUDGE TAYLOR,
AND JUDGE CAPERTON, ASSOC.**

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

FRANKFORT – Contact Mary Zagale - (502) 573-7920

LOUISVILLE – Contact Marti Dodd – (502) 595-3440

CADIZ – Contact Elizabeth Clinard – (270) 522-6270

**LOCATION: TRIGG COUNTY JUSTICE CENTER, 41 MAIN STREET, CADIZ,
KENTUCKY**

DATE: Monday, May 9, 2011

11:00 AM PJ: SHAKE, HON. ANN O'MALLEY DIXON, HON. DONNA L. NICKELL, HON. C. SHEA
2009CA001209 BEVERLY CARDWELL BOWLES v HOPKINS COUNTY COAL, LLC.

Bowles appeals from a Hopkins Circuit Court order which denied vitality to a restrictive covenant and who holds the right to capture and produce coal bed methane.

CIVIL	HOPKINS COUNTY	HON JAMES C. BRANTLEY
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
HUMPHRIES, KENNETH		BOWLES, BEVERLY
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
WOODS, JEFF		AMCA COAL LEASING, INC.
SHELTON, BILLY		HOPKINS COUNTY COAL, LLC.
THOMASON, DAVID		
WILLIAMS, KENNETH II		
.....		
REYNOLDS, BRYAN		KENTUCKY OIL & GAS ASSOCIATION INC.(
		KOGA)
.....		
GORDON, J		SNARR, KENNETH
GORDON, JULIA		
.....		

**** NOTE:50 MINUTE ORAL**

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

DATE: Thursday, May 12, 2011

11:45 AM PJ: LAMBERT, HON. JOSEPH E.

ACREE, HON. GLENN E.

STUMBO, HON. JANET L.

2009CA002198

LI AN CHOU v WILLIAM W. CHILTON III.

2009CA002284

Appeal from an order dismissing "without prejudice" Appellant/Cross-Appellee's claims against Appellees/Cross-Appellants. At issue is whether Appellant/Cross-Appellee, a managing member and majority owner of a Kentucky LLC, had standing in his individual capacity to sue the other members of the LLC for damages arising from their operation of the LLC. Other issues include whether the dismissal should have been "with prejudice."

CIVIL

JEFFERSON COUNTY

HON MITCHELL PERRY

Appellant Atty:

MEYER, R.
ZAHN, EMILY

Appellant Name:

CHOU, LI

Appellee Atty:

BROOKER, CHRISTOPHER
KELLY, DONALD

Appellee Name:

CHILTON, RICHARD

** NOTE:

01:30 PM PJ: ACREE, HON. GLENN E.

COMBS, HON. SARA W.

TAYLOR, HON. JEFF S.

2010CA001016

ROBERT LAWRENCE BENNETT JR. v THERESA RENEE BENNETT

Civil; Family, Child Support: Whether the appellant could unilaterally reduce his child support obligation upon the emancipation of each of his children.

SCOTT COUNTY

HON TAMRA GORMLEY

Appellant Atty:

TINGLEY, WILLIAM

Appellant Name:

BENNETT, ROBERT

Appellee Atty:

WILLIAMS, GLENN

Appellee Name:

BENNETT, THERESA

** NOTE: ORIGINALLY 4/12/11 IN FRANKFORT, KY

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

DATE: Tuesday, May 24, 2011

01:00 PM PJ: WINE, HON. THOMAS B.

TAYLOR, HON. JEFF S.

CAPERTON, HON. MICHAEL O.

2010CA001235

LACY NICOLE BURDEN v MARK HAMPTON

Appeal from SJ dismissing claims against police officers. Actionable claims for fraud, forgery, malicious prosecution, defamation, intentional infliction of emotional distress, false imprisonment, unreasonable search and seizure, and fabrication of evidence.

CIVIL

KENTON COUNTY

HON PATRICIA M SUMME

Appellant Atty:

Appellant Name:

DETERS, ERIC

BURDEN, LACY

Appellee Atty:

Appellee Name:

MANDO, JEFFREY
TALIAFERRO, PHILIP III

HAMPTON, MARK

** NOTE:

01:45 PM PJ: CAPERTON, HON. MICHAEL O.

TAYLOR, HON. JEFF S.

WINE, HON. THOMAS B.

2010CA000693

KENTUCKY STATE BOARD OF LICENSURE v JOSEPH B. CURD JR.

2010CA000730

Court declared statutes governing land surveying unconstitutionally vague as applied.

CIVIL

FRANKLIN COUNTY

HON THOMAS D. WINGATE

Appellant Atty:

Appellant Name:

BUCKLEY, JONATHAN

KENTUCKY STATE BOARD OF LICENSURE

Appellee Atty:

Appellee Name:

BULLOCK, ROBERT
ROGERS, EARL III

CURD, JOSEPH

** NOTE:

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

DATE: Tuesday, May 24, 2011

02:30 PM PJ: CAPERTON, HON. MICHAEL O.

TAYLOR, HON. JEFF S.

WINE, HON. THOMAS B.

2010CA000717

SANDRA DENISE MESSERLY v NISSAN NORTH AMERICA, INC.

Products liability wrongful death case – Plaintiffs appeal summary judgment in D’s favor.

CIVIL BOONE COUNTY HON ROBERT W. MCGINNIS

Appellant Atty:

**NAKAJIMA, WESLEY
SANDERS, JUSTIN
SANDERS, ROBERT
VON WIEGEN, ERIC**

Appellant Name:

MESSERLY, SANDRA

Appellee Atty:

BURKE, KEVIN

**GUILLORY, ANNE
SCHAEFER, DAVID**

Appellee Name:

KENTUCKY JUSTICE ASSOCIATION

NISSAN NORTH AMERICA, INC.

**** NOTE:**

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

DATE: Wednesday, May 25, 2011

10:15 AM PJ: TAYLOR, HON. JEFF S.

CAPERTON, HON. MICHAEL O.

WINE, HON. THOMAS B.

2010CA000734

DARRELL WAYNE SALLEE v JANE CAROL SALLEE

Whether circuit court erred by denying appellant maintenance and by awarding certain marital property to appellee.

CIVIL

MARION COUNTY

HON DAN KELLY

Appellant Atty:

Appellant Name:

GEORGE, ELMER

SALLEE, DARRELL

Appellee Atty:

Appellee Name:

MCCAIN, SUSAN

SALLEE, JANE

** NOTE:ORIGINALLY AT 9:30 AM

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

CAPERTON, HON. MICHAEL O.

WINE, HON. THOMAS B.

2010CA001579

DANNY LEE OUSLEY v COMMONWEALTH OF KENTUCKY

Whether circuit court erred by denying appellant's motion to suppress evidence.

CRIMINAL

FAYETTE COUNTY

HON JAMES D ISHMAEL

Appellant Atty:

Appellant Name:

ROM, LOUIS

OUSLEY, DANNY

Appellee Atty:

Appellee Name:

BARR, DAVID

COMMONWEALTH OF KENTUCKY

** NOTE: