

UPDATED: 11/4/2019

**NOVEMBER 2019**  
**ORAL ARGUMENT**  
**CALENDAR**

November 2019

November 12, 2019 10:00 AM (EST)

Motion Panel – Judge Irv Maze, Presiding, Judge Glenn Acree,  
Judge James Lambert, Associate Judges

Contact numbers for Oral Argument locations

Frankfort – Natasha Coates – (502) 573-7920

Elizabethtown – Belinda Peace – (270) 766-5259

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

**DATE: Wednesday, November 6, 2019**

**11:00 AM PJ: THOMPSON, HON. LARRY E.**

**KRAMER, HON. JOY A.**

**MAZE, HON. IRV**

**2018CA001857**

**BECKY HARILSON v LEXINGTON H-L SERVICES, INC.**

This case involves the Lexington Herald-Leader's request for records of an alleged investigation of one of the House of Commonwealth of Kentucky's General Assembly, into the conduct of one of it's member, and the authority of that member, the house of Representatives and the legislative branch of the government to determine how the records of the investigation are handled. The question presented is whether legislative immunity applies to the requested records.

**CIVIL FRANKLIN COUNTY**

**HON PHILLIP J. SHEPHERD**

Appellant Atty:

**WOOSLEY, GREGORY**

Appellant Name:

**BYERMAN, DAVID**

Appellee Atty:

**MILLER, THOMAS  
WOODFORD, ELIZABETH**

Appellee Name:

**LEXINGTON H-L SERVICES, INC.**

**\*\* NOTE:**

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

**DATE: Thursday, November 7, 2019**

02:00 PM PJ: KRAMER, HON. JOY A.

DIXON, HON. DONNA L.

TAYLOR, HON. JEFF S.

2016CA000372 DARWIN SELECT INSURANCE COMPANY v ASHLAND HOSPITAL CORPORATION

2016CA000396  
2017CA001167  
2017CA001168  
2017CA001756

CIVIL BOYD COUNTY

HON C DAVID HAGERMAN

Appellant Atty:

Appellant Name:

COHEN, JEFFREY  
DITTERT, JAMIE  
HACKER, JONATHAN  
JONES, ERNEST II

DARWIN SELECT INSURANCE COMPANY

Appellee Atty:

Appellee Name:

BENTLEY, PERRY  
FAMULARO, JOHN  
ORR, KRISTEN  
PAGE, TODD  
WARD, ASHLEY

ASHLAND HOSPITAL CORPORATION

HALL, WILLIAM JR

DEREN, JOHN

LATHEROW, DAVID  
WILLIAMS, KENNETH JR

PAULUS, RICHARD

RAGER, TONYA

SHOTWELL, MATTHEW

HENDRICKS, DEVIN  
ROBINSON, CLAYTON  
SYMONS, JULIETTE

VELURY, SRIHARSHA

\*\* NOTE:

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

**DATE: Tuesday, November 12, 2019**

02:00 PM PJ: MAZE, HON. IRV

ACREE, HON. GLENN E.

TAYLOR, HON. JEFF S.

2019CA001546 MARK METCALF v Hon PHILLIP SHEPHERD

FRANKLIN COUNTY

HON PHILLIP J. SHEPHERD

Appellant Atty:

Appellant Name:

ADKINS, SARAH  
BUCKNER, LA  
PAYNE, TAYLOR

METCALF, MARK

Appellee Atty:

Appellee Name:

MEYER, R.  
O'GARA, DANIEL  
WICKER, J

GRIMES, ALISON

SHEPHERD, PHILLIP

SHEPHERD, PHILLIP

\*\* NOTE:

**LOCATION: HARDIN COUNTY JUSTICE CENTER, 120 EAST DIXIE AVENUE,  
ELIZABETHTOWN, KENTUCKY**

**DATE: Wednesday, November 13, 2019**

**01:00 PM PJ: JONES, HON. ALLISON E.**

**ACREE, HON. GLENN E.**

**DIXON, HON. DONNA L.**

**2018CA001762**

**KARIN J. STIENS v BAUSCH & LOMB INCORPORATED**

Whether the court erred in granting summary judgment on the basis that appellant's injury was not foreseeable as a matter of law when the drug causing injury was marketed for off-label purposes and without any prior testing for such purposes.

**CIVIL FAYETTE COUNTY**

**HON PAMELA R GOODWINE**

Appellant Atty:

Appellant Name:

**HERREN, THOMAS**

**STIENS, KARIN**

Appellee Atty:

Appellee Name:

**MCGUFFIN, ROBIN  
TATE, JOHN**

**BAUSCH & LOMB INCORPORATED**

**\*\* NOTE:**