

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

THURSDAY, APRIL 11, 2019

- 9:00 a.m. LARA PAIGE CONLEY V. COMMONWEALTH OF KENTUCKY (2017-SC-000291-MR)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
[APPELLANT SUPPLEMENTAL BRIEF](#)
[APPELLEE SUPPLEMENTAL BRIEF](#)
"The discretion of a trial court in requiring a defendant to obtain a mental health expert from KCPC; the confidentiality of a mental health defense expert report, specifically if provided by KCPC for defense; and the admissibility of any statements made by defendant in creating that report."
Kenton Circuit Court, Judge Kathy Lape
Attorney for Appellant: Emily Holt Rhorer
Attorney for Appellee: Thomas Allen Van De Rostyne
- 10:00 a.m. LUIS J. GONZALEZ, II, ADMINISTRATOR OF THE ESTATE OF LUIS J. GONZALEZ V. JEREMY JOHNSON, IN HIS OFFICIAL CAPACITY AS SCOTT COUNTY DEPUTY SHERIFF, ET AL. (2018-SC-000224-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Torts. Fatal Police Chase Liability. Issues involve reconsideration of the viability of "per se no proximate cause" precedent dating back to Chambers v. Ideal Pure Milk Co., 245 S.W.2d 589 (Ky. 1952)."
Discretionary Review granted 9/19/2018
Fayette Circuit Court, Judge Kimberly N. Bunnell
Attorneys for Appellant: William R. Garmer and Jerome Park Prather
Attorneys for Appellees: Daniel Barry Stilz, Robert Coleman Stilz, III, Lynn Sowards Zellen, and Jonathan Fannin
- 11:00 a.m. ANGELA MAGGARD, M.D. V. BRUCE KINNEY, M.D. (2018-SC-000153-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Torts. Immunity. Judicial Statements Privilege. Medical Licensure. Issues include whether the judicial statements privilege immunizes a complainant for allegedly defamatory statements made to the Kentucky Board of Medical Licensure in a written grievance or during grievance related proceedings."
Discretionary Review granted 9/19/2018
Floyd Circuit Court, Judge Johnny Ray Harris

3/11/2019

Attorneys for Appellant: Kevin Crosby Burke, Ray Stanley Jones, II, and Jamie
Kristin Neal

Attorneys for Appellee: Tamela White and Erik Legg

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

FRIDAY, APRIL 12, 2019

- 9:00 a.m. COMMONWEALTH OF KENTUCKY V. ALGER FERGUSON (2017-SC-000651-DG) AND ALGER FERGUSON V. COMMONWEALTH OF KENTUCKY (2018-SC-000151-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
[REPLY BRIEF](#)
"Criminal Law. RCr 11.42 Motion. Ineffective Assistance of Counsel. Pro Se Defendant. Whether the Defendant was entitled to a new trial when he and his trial counsel disagreed as to how to present his defense (suicide of the victim) to the charge of murder, resulting in the Movant seeking to represent himself at the close of the Commonwealth's case-in-chief. Whether the failure of trial counsel to conduct a reasonable investigation of the suicide defense and to retain an expert to support it denied the Movant his right to effective assistance of counsel."
Discretionary Review granted 3/14/2018 and 6/6/2018
Lawrence Circuit Court, Judge John David Preston
Attorney for Appellant/Cross-Appellee: Gregory C. Fuchs
Attorneys for Appellee/Cross-Appellant: Samuel N. Potter and Rachel Abigail Vinales
- 10:00 a.m. DEBRA MARSHALL V. MONTAPLAST OF NORTH AMERICA, INC. (2018-SC-000260-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Wrongful Termination. Public Policy. Issues involve the propriety of terminating a factory worker's employment for telling three co-workers that a supervisor is a registered sex offender."
Discretionary Review granted 9/19/2018
Franklin Circuit Court, Judge Phillip J. Shepherd
Attorney for Appellant: Joshua Stephen Harp
Attorney for Appellee: Oliver Barrett Rutherford
- 11:00 a.m. COMMONWEALTH OF KENTUCKY EX REL. ANDY BESHEAR, ATTORNEY GENERAL V. MATTHEW G. BEVIN, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF KENTUCKY, ET AL. (2017-SC-000647-TG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)

"Executive Order 2017-334 and 2017-364. KRS 12.028. Reorganization of Kentucky Education Boards."

Franklin Circuit Court, Judge Thomas D. Wingate

Attorneys for Appellant: Andy Beshear, La Tasha Arnae Buckner, Laura Tipton, Steven Travis Mayo, Taylor Allen Payne and Matthew James

Attorneys for Matthew G. Bevin, in his official capacity as Governor of

Kentucky: Mark Stephen Pitt, Stephen Chad Meredith and Matthew Kuhn

Attorneys for Hal Heiner, in his official capacity as secretary of the Kentucky

Education and Workforce Development Cabinet: Bridget H. Papalia, Mark

Stephen Pitt, Stephen Chad Meredith and Matthew Kuhn