

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

WEDNESDAY, AUGUST 12, 2015

- 9:00 a.m. RICKY BARRETT, JR. V. COMMONWEALTH OF KENTUCKY
(2014-SC-000048-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Conditional Guilty Plea. Search and Seizure. Suppression of Evidence.
Warrantless entry into residence by police."
Discretionary Review granted 8/14/2014
Kenton Circuit Court, Judge Martin J. Sheehan
Attorney for Appellant: Roy Alyette Durham II
Attorney for Appellee: David Bryan Abner
(Rescheduled from June 5, 2015)
- 10:00 a.m. JANET OWEN V. UNIVERSITY OF KENTUCKY
(2014-SC-000137-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Kentucky Civil Rights Act. KRS 344.270. Election of Remedies. Whether
an employee who receives an order of dismissal from the Kentucky
Commission on Human Rights and does not appeal from that order may
subsequently file a lawsuit in circuit court based on the same claim."
Discretionary Review granted 12/10/2014
Fayette Circuit Court, Judge Kimberly N. Bunnell
Attorney for Appellant: Edward E. Dove
Attorneys for Appellee: Stephen L. Barker, William Thro, Katherine
Coleman, Jamie Wilhite Dittert, and Martha Lewis Alexander
- 11:00 a.m. JOHN WESLEY BAYS V. KRISTIE D. KIPHART, INDIVIDUALLY AND
AS TRUSTEE OF THE DEMAND RIGHT IRREVOCABLE TRUST FOR
BRYCE A. BAYS (2014-SC-000324-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Wills. Renunciation. Fraud on Curtesy Rights. May life insurance be
"surplus property" under KRS 392.020?"
Discretionary Review granted 2/11/2015
Knox Circuit Court, Judge Robert McGinnis
Attorney for Appellant: W. Patrick Hauser
Attorney for Appellee: Travis Alan Rossman

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

THURSDAY, AUGUST 13, 2015

- 9:00 a.m. RONNIE HALE V. CDR OPERATIONS, INC., ET AL (2014-SC-000062-WC)
AND
CDR OPERATIONS, INC. V. RONNIE HALE, ET AL (2014-SC-000066-WC)**
[APPELLANT BRIEF](#)
[APPELLEE/CROSS-APPELLANT BRIEF](#)
[AMICUS CURIAE BRIEF](#)
[APPELLANT/CROSS-APPELLEE REPLY BRIEF](#)
"Workers' Compensation. Cumulative Trauma Injury. Employer's liability for permanent total disability."
Attorney for Hale: McKinnley Morgan
Attorneys for CDR Operations, Inc.: Guillermo Alfredo Carlos and James Burke Cooper
Attorney for Workers' Compensation Board: Dwight Taylor Lovan
- 10:00 a.m. LARRY PENIX V. BARBARA DELONG
(2014-SC-000083-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
"Trespass. Damages. KRS 364.130. Whether treble damages may be imposed for trespass upon a neighbor's timber by an independent contractor logging for the allegedly trespassing neighbor."
Discretionary Review granted 12/10/2014
Martin Circuit Court, Judge John David Preston
Attorney for Appellant: Kyle Ray Salyer
Attorney for Appellee: Ronald Eric Mills
- 11:00 a.m. COUNTRYWAY INSURANCE V. UNITED FINANCIAL CASUALTY
INSURANCE COMPANY, ET AL (2014-SC-000265-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Insurance Law. Automobile Accidents. Uninsured Motorist Coverage. Where an injured party is covered by more than one uninsured motorist policy, but both contracts contain excess clauses, should the damages be apportioned between the companies or should a per se rule deeming primary the injured party's uninsured motorist policy apply?"
Discretionary Review granted 2/11/2015
Warren Circuit Court, Judge John Grise
Attorney for Appellant: Brian Keith Pack
Attorney for United Financial Casualty Insurance: Tracey C. Smith
Attorney for Sharon Bartley: Brian M. P. Driver

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

FRIDAY, AUGUST 14, 2015

NO ORAL ARGUMENTS