

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

WEDNESDAY, AUGUST 8, 2018

10:00 a.m. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, EX REL. ADAM MEIER, IN HIS OFFICIAL CAPACITY AS SECRETARY OF THE CABINET FOR HEALTH AND FAMILY SERVICES V. EZRA CLAYCOMB, A MINOR, BY AND THROUGH HIS NEXT FRIEND, NATURAL GUARDIAN AND PARENT, ET AL. (2017-SC-0614-TG) AND COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, EX REL. ADAM MEIER, IN HIS OFFICIAL CAPACITY AS SECRETARY OF THE CABINET FOR HEALTH AND FAMILY SERVICES V. EZRA CLAYCOMB, A MINOR, BY AND THROUGH HIS NEXT FRIEND, NATURAL GUARDIAN AND PARENT, ET AL. (2017-SC-0615-TG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

[AMICUS CURIAE BRIEF](#)

"Constitutionality of Senate Bill 4 – Kentucky’s Medical Review Panel Statute."

Franklin Circuit Court, Judge Phillip J. Shepherd

Attorneys for Appellant: Mark Stephen Pitt, Johann Frederick Herklotz,

Catherine Elaine York, Stephen Chad Meredith, Matthew Kleinert and Matthew Kuhn

Attorneys for Appellees: J. Guthrie True, Paul A. Casi, II, and Jeffrey Wayne Adamson

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

THURSDAY, AUGUST 9, 2018

- 9:00 a.m. **THE TRAVELERS INDEMNITY COMPANY V. CHARLES ARMSTRONG, ADMINISTRATOR OF THE ESTATE OF CRAIG ARMSTRONG (2017-SC-0041-DG) AND MARTIN CADILLAC, INC., D/B/A MARTIN DODGE JEEP CHRYSLER V. CHARLES ARMSTRONG, ADMINISTRATOR OF THE ESTATE OF CRAIG ARMSTRONG (2017-SC-0042-DG)**
[APPELLANT BRIEF 2017-SC-0041](#)
[APPELLEE BRIEF 2017-SC-0041](#)
[REPLY BRIEF 2017-SC-0041](#)
[APPELLANT BRIEF 2017-SC-0042](#)
[APPELLEE BRIEF 2017-SC-0042](#)
[REPLY BRIEF 2017-SC-0042](#)
[AMICUS CURIAE BRIEF](#)
[AMICUS CURIAE BRIEF](#)
"KRS 186.010(7)(c) and KRS 186A.220. Requirements to Transfer an Automobile. Whether a car dealer complied with the statutory transfer requirement of obtaining proof of insurance prior to actual transfer of the vehicle, so as not to be deemed the owner of the vehicle at the time of a subsequent accident. Additional issues include: (1) whether there is a bona fide sale where the dealer has not received a valid title to transfer the vehicle; (2) whether the dealer complied with the statute requiring transfer paperwork be promptly completed, so as to be protected from liability for a subsequent accident, and (3) whether compliance by a subsequent dealer with the statutory requirement regarding proof of insurance absolves from liability prior dealer who failed to promptly comply with the statute."
Discretionary Review granted 09/21/2017
Warren Circuit Court, Judge John Grise
Attorneys for Travelers Indemnity Company: Michael Shea Maloney and Stephen Connor Keller
Attorneys for Martin Cadillac, Inc., D/B/A Martin Dodge Jeep Chrysler: Guy Edward Hughes and Robert Sean Quigley
Attorney for Charles Armstrong, Administrator of the Estate of Craig Armstrong: Matthew James Baker
(Hughes and VanMeter, JJ., not sitting)
Special Justices Justin D. Clark and David Royle, sitting
- 10:00 a.m. **NICOLE PETERSON, ADMINISTRATRIX OF THE ESTATE OF PEGGY MCWHORTER (DECEASED), ET AL. V. BETHANY FOLEY, ET AL. (2017-SC-0028-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)

"Torts. Qualified Official Immunity. Issues involve allegations of negligent performance of ministerial duties of intake and supervision by deputies at a county jail, in which a prisoner died in her detox cell after a hydrocodone overdose."

Discretionary Review granted 6/8/2017

Russell Circuit Court, Judge Vernon Miniard, Jr.

Attorneys for Appellants: Corey Ann Finn and Stuart Wade Hampton Yeoman

Attorneys for Appellees: Stacey Blankenship and Kristen Nicole Worak

(VanMeter, J., not sitting.)

11:00 a.m. SAMEENA AZMAT, AS MOTHER AND NEXT FRIEND OF NAUSHER AZMAT V. GEORGE W. BAUER, M.D., III, ET AL. (2016-SC-0560-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

"Infants. Personal Injury. Pro Se Practice. Issues include whether an injured child's non-attorney parent may appear pro se on the child's behalf."

Discretionary Review granted 9/20/2017

Hardin Circuit Court, Judge Ken Howard

Attorney for Appellant: Dina L. Abby

Attorneys for Appellees: Daniel Garland Brown, David Bryan Gazak, James Eric Smith and Scott Randall Redding

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

FRIDAY, AUGUST 10, 2018

- 9:00 a.m. KENTUCKY STATE BOARD OF ELECTIONS, ET AL. V. KAREN E. FAULKNER, ET AL. (2018-SC-000351-TG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[APPELLEE BRIEF](#)
"Certification of the nominations of candidates for the office of district court judge when a candidate has died following the primary election."
Franklin Circuit Court, Judge Phillip J. Shepherd
Attorney for State Board of Elections: Daniel Luke Morgan
Attorneys for Alison Lundergan Grimes, in her official capacity as Secretary of State: Katherine Lacy Crosby, Jonathan Todd Salomon and Kristin Ellen McCall
Attorneys for Karen E. Faulkner: David Seth Kaplan and Michael P. Abate
Attorneys for Tanisha Ann Hickerson: Donald Lee Miller, II and Paul Jay Painter
Attorney for Andre L. Bergeron: Andre Leon Bergeron
Attorneys for Jefferson County Board of Elections: Eric J. Graninger and Annale Elizabeth Renneker
- 10:00 a.m. FRED ZUCKERMAN, AS REPRESENTATIVE OF THE GENERAL DRIVERS, WAREHOUSEMEN AND HELPERS LOCAL UNION NO. 89, ET AL. V. MATTHEW G. BEVIN, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE COMMONWEALTH OF KENTUCKY, ET AL. (2018-SC-000097-TG) AND FRED ZUCKERMAN, AS REPRESENTATIVE OF THE GENERAL DRIVERS, WAREHOUSEMEN AND HELPERS LOCAL UNION NO. 89, ET AL. V. MATTHEW G. BEVIN, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE COMMONWEALTH OF KENTUCKY, ET AL. (2018-SC-000098-TG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF - BARRY BRIGHT, JACOB PURVIS AND WILLIAM PURVIS](#)
[APPELLEE BRIEF - COMMONWEALTH OF KENTUCKY, OFFICE OF THE GOVERNOR AND COMMONWEALTH OF KENTUCKY, LABOR CABINET](#)
[REPLY BRIEF](#)
[AMICUS CURIAE BRIEF](#)
[AMICUS CURIAE BRIEF](#)
"Constitutionality of House Bill 1 – Kentucky Right to Work Act."
Franklin Circuit Court, Judge Thomas D. Wingate
Attorneys for Appellant: Irwin H. Cutler, Jr., William E. Johnson, Robert Matthew Colone, David O'Brien Suetholz, Matthew P. Lynch, Benjamin S. Basil and Devon Nora Ros Oser

Attorneys for Matthew G. Bevin, in his official capacity as Governor of the Commonwealth of Kentucky: Mark Stephen Pitt, Stephen Chad Meredith and Matthew Kuhn

Attorney for Derrick K. Ramsey, in his official capacity as Secretary of the Kentucky Labor Cabinet: Michael Gary Swansburg, Jr.

Attorney for Barry Bright, Jacob Purvis and William Purvis: Richard Lynn Masters