

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**WEDNESDAY, AUGUST 12, 2020**

**9:30 a.m. KIMBERLY HOWARD, EXECUTRIX OF THE ESTATE OF EMMA JEAN HALL, DECEASED V. BIG SANDY AREA DEVELOPMENT DISTRICT, INC. (2018-SC-0601-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Governmental Immunity. *Comair* Analysis. Integral State Government Function. Issues include whether BSADD performs an integral state government function, entitling it to governmental immunity under *Comair*.

Discretionary Review granted: 8/21/19

Magoffin Circuit Court, Judge Kimberly Childers

Attorneys for Appellant: Richard Eric Circeo, Robert Earl Salyer

Attorneys for Appellee: Jonathan C. Shaw

**11:00 a.m. NORTHERN KENTUCKY AREA DEVELOPMENT DISTRICT V. MARY WILSON (2018-SC-0665-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Kentucky Whistleblower Act. Employer. Gray-Area Entities. *Comair* Analysis. Issues include whether NKADD is an employer under the Whistleblower Act.

Discretionary Review granted: 8/21/19

Boone Circuit Court, Judge Richard Brueggemann

Attorneys for Appellant: Jeffrey C. Mando, Jennifer H. Langen

Attorneys for Appellee: Shane C. Sidebottom

**NICKELL, J., NOT SITTING.**

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**THURSDAY, AUGUST 13, 2020**

**9:30 a.m. LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT  
V. MARK D. HILL, ET AL. (2018-SC-0491-DG AND 2019-SC-0523-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[APPELLANT-CROSS APPELLEE REPLY/RESPONSE BRIEF](#)**

**[CROSS-APPELLANT REPLY/RESPONSE BRIEF](#)**

Kentucky Whistleblower Act. Employer. Gray-Area Entities. *Comair* Analysis.  
Issues include whether Louisville MSD is an employer under the Whistleblower  
Act.

Discretionary Review granted: 8/21/19

Cross-Discretionary Review granted: 10/24/19

Jefferson Circuit Court, Judge Angela McCormick Bisig

Attorneys for Appellant: Edward L. Lasley, Bradley Robert Palmer

Attorneys for Appellee: Garry Richard Adams, Jr.

**LAMBERT, J., NOT SITTING.**

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**FRIDAY, AUGUST 14, 2020**

**10:00 a.m. FAMILY TRUST FOUNDATION OF KENTUCKY, INC. D/B/A THE FAMILY FOUNDATION V. THE KENTUCKY HORSE RACING COMMISSION, ET AL. (2018-SC-0630-TG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Administrative Law. Declaration of Rights. Wagering on historical horse races. Issues include whether Exakta System gaming is pari-mutuel wagering consistent with KRS Chapter 230 and the requirements of 810 KAR 1:001, Section 1 (48).

Transfer from Court of Appeals granted: 6/13/2019

Franklin Circuit Court, Judge Thomas D. Wingate

Attorneys for Appellant, Family Trust Foundation: Stanton L. Cave

Attorneys for Appellee, Kentucky Horse Racing Commission: Benjamin Adam Long, Jacob Clark Walbourn, Jennifer Marie Wolsing

Attorney for Appellee, Kentucky Department of Revenue: Richard W. Bertelson III

Attorneys for Appellees, Keeneland Association Inc., Turfway Park, LLC, Players Bluegrass Downs, Inc, and Appalachian Racing, LLC: Brad Keeton, Samuel D. Hinkle IV, William M. Lear Jr., Shannon Bishop Arvin

Attorneys for Appellees, Kentucky Downs, LLC, Ellis Park Race Course, Inc., and Lexington Trots Breeders Association, LLC: Christopher Flynn Hoskins, William A. Hoskins III, Jay Edward Ingle

Attorneys for Appellee, Churchill Downs Incorporated: Sheryl G. Snyder and Jason Patrick Renzelmann