

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

THURSDAY, FEBRUARY 9, 2017

- 9:00 a.m. UNIVERSITY OF KENTUCKY, ET AL. V. BOBBYE CARPENTER, ET AL. (2015-SC-000384-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Sex Discrimination. Retaliation. Kentucky Civil Rights Act. Kentucky Whistleblower Act. Issues include: (1) whether the circuit court properly ordered separate trials for each of the female police officers; (2) whether the female police officers presented sufficient evidence of discrimination and retaliation to survive summary judgment or a directed verdict; and (3) whether the female police officers' supervisors are subject to individual liability under the Kentucky Whistleblower Act."
Discretionary Review granted 4/27/2016
Fayette Circuit Court, Judge Pamela Goodwine
Attorneys for Appellants: Barbara Ann Kriz and William Thro
Attorney for Appellees: Robert Lee Abell
- 10:00 a.m. ANNE M. TALLEY V. DANIEL J. PAISLEY (2016-SC-000092-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Real Estate. Partition. Joint Tenancy with Right of Survivorship. Issues involve division of proceeds of sale of realty owned by unmarried cohabiting couple in joint tenancy with right of survivorship."
Discretionary Review granted 8/17/2016
Fayette Circuit Court, Judge Pamela Goodwine
Attorneys for Appellant: Anita Mae Britton and Amy Claire Johnson
Attorneys for Appellee: Thomas W. Miller, Elizabeth C. Woodford and Anna Leisa Dominick
- 11:00 a.m. TED H. JEFFERSON, D.O., ET AL. V. RONALD D. EGGEMEYER (2015-SC-000625-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Civil Procedure. Admonitions. Mistrial. Motion for New Trial. Sanctions for Mistrial. Whether the Court of Appeals erred in setting aside the trial court's denial of the motion for a new trial, claiming that the lower court abused its discretion due to a misunderstanding of the facts underlying the motion; Whether a party who requests and receives admonitions, but does not object to the form of the

admonition nor asks for a mistrial, has preserved for appeal a challenge to the events which brought about the admonition; and whether the trial court erred in levying sanctions against the defendant physician for conduct allegedly unrelated to the initial acts for which the trial court found him in contempt, arising out of the mistrial of the first trial."

Discretionary Review granted 3/9/2016

McCracken Circuit Court, Judge Craig Z. Clymer

Attorneys for Appellants: E. Frederick Straub, Jr. and James Richard Coltharp, Jr.

Attorneys for Appellee: Hans George Poppe, Jr. and Warner Thomas Wheat

(RESCHEDULED FROM OCTOBER 14, 2016)

FRIDAY, FEBRUARY 10, 2017

9:00 a.m. BOARD OF TRUSTEES OF THE KENTUCKY SCHOOL BOARDS INSURANCE TRUST V. JOSEPH N. POPE, JR., DEPUTY REHABILITATOR OF THE KENTUCKY SCHOOL BOARDS INSURANCE TRUST WORKERS' COMPENSATION SELF-INSURANCE FUND, ET AL. (2015-SC-000664-TG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

[AMICUS CURIAE BRIEF](#)

"Denial of Summary Judgment. Claim of Governmental Immunity of tort claims."

Transfer granted 2/18/2016

Franklin Circuit Court, Judge Thomas D. Wingate

Attorneys for Appellant: Douglas L. McSwain, William Craig Robertson, III, Sharon Leslie Gold and Courtney Ross Samford

Attorneys for Appellees: Perry Mack Bentley, Todd Smith Page, Paul C. Harnice, Justin Drew Clark, Sarah Jackson Bishop, Barry Lee Dunn and Emily Warf

10:00 a.m. UTILITY MANAGEMENT GROUP, LLC V. PIKE COUNTY FISCAL COURT (2015-SC-000680-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

"Open Records. KRS 61.870(1)(h) "Public Agency." Issues, including a constitutional challenge, involve whether a private for-profit entity contracting for operational and management services with a public entity is a "public agency" for purposes of the Kentucky Open Records Act."

Discretionary Review granted 6/8/2016

Pike Circuit Court, Judge John David Caudill

Attorneys for Appellant: Kevin Crosby Burke and Jamie Kristin Neal

Attorneys for Appellee: John Doug Hays, David Seth Kaplan and Casey Leigh Hinkle

11:00 a.m. SYCILLA COLLINS, ET AL V. COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS (2015-SC-000675-DG)

APPELLANT BRIEF
APPELLEE BRIEF
REPLY BRIEF

"Administrative Law. Board of Claims. Issues involve the scope of duty owed by the Transportation Cabinet Bureau of Highways in enforcing regulation regarding length and width of motor vehicles on a "non-designated" highway."

Discretionary Review granted 6/8/2016

Letcher Circuit Court, Judge Samuel T. Wright, III

Attorney for Appellants: Darrell Hall

Attorneys for Appellee: Bridget Leigh Dunaway and John Carter

(Wright, J., not sitting)