

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**THURSDAY, FEBRUARY 7, 2019**

- 9:00 a.m. KEITH RANDALL SPARKMAN, D/B/A IN-DEPTH SANITARY SERVICE GROUP V. CONSOL ENERGY, INC., ET AL. (2017-SC-000541-DG)**  
[APPELLANT BRIEF](#)  
[APPELLEE BRIEF](#)  
[REPLY BRIEF](#)  
“Tortious Interference with Contract by a Parent Corporation of a Wholly Owned Subsidiary. The issue of first impression in this case is whether claims for a tortious interference with a contract are barred under any circumstances against a parent corporation which prematurely terminates contracts entered into by its wholly-owned subsidiary, or whether and under what circumstances, such claims may be permitted against the parent corporation, and if so, whether the evidence in this case warranted submission of that claim to the jury for consideration.”  
Discretionary Review granted 2/8/2018  
Knott Circuit Court, Judge Kimberley Childers  
Attorneys for Appellant: Adam Peter Collins and Nicholas C. A. Vaughn  
Attorneys for Appellees: Virginia Hamilton Snell and Thomas Travis
- 10:00 a.m. RODERICKA BRYANT V. LOUISVILLE METRO HOUSING AUTHORITY, ET AL. (2017-SC-000367-DG)**  
[APPELLANT BRIEF](#)  
[APPELLEE BRIEF](#)  
[REPLY BRIEF](#)  
"Governmental Immunity. Torts. Negligence. Issues include whether Louisville Metro Housing Authority is entitled to governmental immunity from the plaintiff's claims related to her child's shooting death at a housing authority apartment."  
Discretionary Review granted 4/18/2018  
Jefferson Circuit Court, Judge Angela McCormick Bisig  
Attorneys for Appellant: Robert Martin Guarnieri, David J. Guarnieri and Jason Hollon  
Attorneys for Appellees: John F. Parker, Jr., Patricia Colleen Le Meur, Richard H. Nash, III, and Nicholas Hart
- 11:00 a.m. JOSHUA MCALPIN V. COMMONWEALTH OF KENTUCKY (2018-SC-000087-DG)**  
[APPELLANT BRIEF](#)  
[APPELLEE BRIEF](#)  
[REPLY BRIEF](#)

"Criminal Law. Constructive Possession of a Controlled Substance. Unanimity of a Verdict. The issue is whether language of a jury instruction violated the unanimity requirement, when the evidence gathered in the search of an apartment was allegedly only constructively possessed by the defendant."

Discretionary Review granted 4/18/2018

Jefferson Circuit Court, Judge James M. Shake

Attorney for Appellant: Franklin Todd Lewis

Attorney for Appellee: James Coleman Shackelford

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**FRIDAY, FEBRUARY 8, 2019**

**9:00 a.m. WHITNEY WESTERFIELD, IN HIS OFFICIAL CAPACITY AS SENATOR, ET AL. V. DAVID WARD, ET AL. (2018-000583-TG) AND DAVID M. WARD, ET AL.V. WHITNEY WESTERFIELD, IN HIS OFFICIAL CAPACITY AS SENATOR, ET AL. (2018-SC-000585-TG)**

**[APPELLANT BRIEF](#)**  
**[APPELLEE BRIEF](#)**  
**[APPELLEE BRIEF](#)**  
**[REPLY BRIEF](#)**

"Sufficiency of the ballot question presented to the electorate concerning Senate Bill 3 – a new section of the Constitution of Kentucky relating to Marsy’s Law."

Franklin Circuit Court, Judge Thomas D. Wingate  
Attorney for Whitney Westerfield, in his official capacity as Senator, Whitney Westerfield, Joseph Fischer, in his official capacity as Representative, and Joseph Fischer: David E. Fleenor  
Attorneys for Marsy’s Law for Kentucky, LLC and Marsy’s Law for Kentucky, a Political Issues Committee: Sheryl G. Snyder, Jason Patrick Renzelmann and Samuel William Wardle  
Attorney for David M. Ward: James David Niehaus  
Attorney for Kentucky Association of Criminal Defense Lawyers, Inc.: Robert Kenyon Meyer  
Attorneys for Allison Lundergan Grimes, in her official capacity as Secretary of State: Katherine Lacy Crosby and Jonathan Todd Salomon  
Attorneys for The Kentucky State Board of Elections, ex rel., Allison Lundergan Grimes, in her official capacity as chairman and Chief Election Official for the Commonwealth: Daniel Luke Morgan and Elizabeth Chesnut Barrera