

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**WEDNESDAY, JULY 1, 2020**

- 9:30 a.m. FRANK LASSITER V. WILLIAM M. LANDRUM III, SECRETARY OF THE FINANCE AND ADMINISTRATION CABINET (2018-SC-000657-DG)**  
**[APPELLANT BRIEF](#)**  
**[APPELLEE BRIEF](#)**  
**[REPLY BRIEF](#)**  
Contracts. Model Procurement Code. Subpoena Power. The issue is whether the Secretary of the Finance and Administration Cabinet has the authority to issue a subpoena to a former state employee, who later became an independent contractor/consultant for a contractor providing fraud detection service while investigating whether the renewal of the contracts for the services violate the Model Procurement Code.  
Discretionary Review Granted: 4/11/19  
Woodford Circuit Court, Judge Paul F. Isaacs  
Attorneys for Appellant: J. Guthrie True  
Attorneys for Appellee: Samuel Flynn, Hiren B. Desai, Brian C. Thomas  
**(Rescheduled from March 20, 2020)**
- 11:00 a.m. HAROLD MERRITT, ET AL. V. CATHOLIC HEALTH INITIATIVES, INC., ET AL. (2018-SC-000155-DG)**  
**[APPELLANT BRIEF](#)**  
**[APPELLEE BRIEF](#)**  
**[REPLY BRIEF](#)**  
Insurance. Captive Insurer. Unfair Claims Settlement Practices Act. Issues include whether a healthcare company's captive insurer is exempt from the Unfair Claims Settlement Practices Act.  
Discretionary Review Granted: 10/25/18  
Fayette Circuit Court, Judge Ernesto Scorsone  
Attorneys for Appellant: J. Dale Golden, Kellie Marie Collins, Mary Lauren Melton  
Attorneys for Appellee: Chad Owens Propst, Bryan Todd Thompson  
**(Rescheduled from February 12, 2020)**

**ALL ARGUMENTS WILL BE CONDUCTED REMOTELY AND STREAMED ONLINE AT**  
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SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

WEDNESDAY, JULY 1, 2020

1:00 p.m. A.H., THE MINOR CHILD OF JAMES HATCHER BY AND THROUGH HEIDI GALLO, ET AL. V. LOUISVILLE METRO GOVERNMENT, ET AL. (2018-SC-000359-DG) AND LOUISVILLE METRO GOVERNMENT, ET AL. V. A.H., THE MINOR CHILD OF JAMES HATCHER BY AND THROUGH HEIDI GALLO, ET AL. (2019-SC-000158-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

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

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

Jails. Statutory Duties. Consolidated Government. Immunity. Issues include whether the estate of a deceased inmate can recover from Metro Government or the director of Metro Corrections for violation of KRS 71.040, which requires jailers to treat inmates humanely.

Discretionary Review Granted: 3/6/19

Cross Motion for Discretionary Review Granted: 6/5/2019

Jefferson Circuit Court, Judge Brian C. Edwards

Attorneys for Appellants/Cross-Appellees: Andrew J. Horne

Attorneys for Appellees/Cross-Appellants: Ivan Joel Frockt, Michael J. O'Connell,  
David Sean Ragland

**(Rescheduled from March 19, 2020)**

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[WWW.KET.ORG/SUPREMECOURT](http://WWW.KET.ORG/SUPREMECOURT).

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**THURSDAY, JULY 2, 2020**

**10:00 a.m. COMMONWEALTH V. CROWE (2019-SC-000231-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Criminal Law. KRS 439.3401(5) Violent Offender Domestic Violence Exemption. Issues involve applicability of the domestic violence exemption from “violent offender” characterization of a husband who pled guilty to first-degree manslaughter of his verbally and physically abusive wife. Did the abuse occur “with regard to” the manslaughter?

Discretionary Review Granted: 9/18/19

Fayette Circuit Court, Judge James D. Ishmael, Jr.

Attorneys for Appellant: Daniel J. Cameron, Leilani K.M. Martin

Attorneys for Appellee: Kathleen Kallaher Schmidt

**NICKELL, J., NOT SITTING**

**1:00 p.m. COMMONWEALTH OF KENTUCKY EX REL. J. MICHAEL BROWN, SECRETARY OF THE GOVERNOR’S EXECUTIVE CABINET V. STARS INTERACTIVE HOLDINGS (IOM) LTD., F/K/A AMAYA GROUP (IOM) LTD, ET AL. (2019-SC-000058-DG) AND STARS INTERACTIVE HOLDINGS (IOM) LTD., F/K/A AMAYA GROUP HOLDINGS (IOM) LTD., ET AL V. COMMONWEALTH OF KENTUCKY EX REL. J. MICHAEL BROWN, SECRETARY OF THE GOVERNOR’S EXECUTIVE CABINET (2019-SC-000209)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

KRS 372.040. Loss Recovery Act. Standing. Issues involved include whether the Commonwealth is “any other person” who has standing to bring claims under the Loss Recovery Act and whether the complaint sufficiently stated a cause of action against the Appellees. On the cross-motion, issues involved are whether the internet gambling sites are “winners” under the Loss Recovery Act from which recovery may be obtained, whether the trial court accurately calculated the damages, and whether treble damages were warranted by the circumstances in this matter.

Discretionary Review Granted: 4/11/19

Cross Motion for Discretionary Review Granted: 6/5/19

Franklin Circuit Court, Judge Thomas D. Wingate

Attorneys for Appellant/Cross-Appellee: James L. Deckard, William C. Hurt, Jr., William H. May III

Attorneys for Appellees/Cross-Appellants: Sheryl G. Snyder; Theresa A. Canaday, Griffin Terry Sumner, Jason P. Renzelmann

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