

SUPREME COURT OF KENTUCKY
REMOTE ORAL ARGUMENT CALENDAR

WEDNESDAY, MARCH 17, 2021

9:30 a.m. LINDSEY WILSON V. COMMONWEALTH OF KENTUCKY

(2019-SC-0454-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Criminal Law. KRS 218 A.133 “Good Samaritan” Exemption. Issues involve whether the exemption applies when a 911 caller reports not specifically a “drug overdose” but rather an unknown running vehicle parked in her driveway with two nonresponsive occupants.

Discretionary Review granted: 12/13/2019

Fayette Circuit Court, Judge Pamela R. Goodwine

Attorney for Appellant: Steven Nathan Goens

Attorney for Appellee: Courtney J. Hightower

-AND-

CRAIG MILNER V. COMMONWEALTH OF KENTUCKY

(2019-SC-0660-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Criminal Law. KRS 218A.133. “Good Samaritan” Exemption. Issues involve whether the exemption applies when a 911 caller reports an unconscious individual slumped over the driver’s seat of a running vehicle with an open door in a retail parking lot.

Discretionary Review granted: 2/12/20

Fayette Circuit Court, Judge John E. Reynolds

Attorney for Appellant: Steven Nathan Goens

Attorney for Appellee: Courtney J. Hightower

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WWW.KET.ORG/SUPREMECOURT
SUPREME COURT OF KENTUCKY

REMOTE ORAL ARGUMENT CALENDAR

WEDNESDAY, MARCH 17, 2021 (CONTINUED)

11:30 a.m. CLARA SUSAN SHEETS, EXECUTRIX OF THE ESTATE OF STEVEN RAY SHEETS V. FORD MOTOR COMPANY (2019-SC-0208-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Torts. Workers' Compensation Act. Up-the-Ladder Immunity. Interlocutory Appeals. Issues include whether denial of a defendant's up-the-ladder immunity defense under the Worker's Compensation Act is appealable on an interlocutory basis.

Discretionary Review granted: 2/12/20

Jefferson Circuit Court, Judge Mary M. Shaw

Attorney for Appellant: Kevin Crosby Burke, James Garrett Cambron, Paul James Ivie, Paul Jason Kelley, James Eric Kiser, Jamie Kristin Neal, and Joseph Donald Satterley

Attorney for Appellee: Paul D. Hudson and Robert Thaddeus Keal

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SUPREME COURT OF KENTUCKY
REMOTE ORAL ARGUMENT CALENDAR

THURSDAY, MARCH 18, 2021

9:30 a.m.

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT WASTE MANAGEMENT DISTRICT, ET AL. V. JEFFERSON COUNTY LEAGUE OF CITIES, INC., ET AL. (2019-SC-0520-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[APPELLEE BRIEF](#)

[APPELLEE BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

[AMICUS CURIAE BRIEF \(KENTUCKY RESOURCES COUNCIL\)](#)

Special Legislation. KRS Chapter 109. Consolidated Local Governments. The issue is whether an amendment to KRS Chapter 109, which applies only to consolidated local governments constituted impermissible “special legislation” which was violative of the Kentucky Constitution. The amendment would allow any city in Jefferson County to control its own method of solid waste management.

Discretionary Review granted: 2/12/20

Franklin Circuit Court, Judge Phillip J. Shepherd

Attorneys for Appellants: Peter Frank Ervin

Attorneys for Appellees: Culver Vaughn Halliday, Terri Elaine Boroughs,

Chapin Elizabeth Scheumann, Richard Paul Schiller, Finn Robert Cato,

Schuyler John Olt, Daniel Clark Cleveland, Joseph Anthony Newberg, Barry

Lee Dunn, Victor Bruce Maddox, Robert Kenyon Meyer, Young-Eun Park, J.

Tanner Watkins, Kathryn Kirby Wood

Attorney for Amicus Curiae: Thomas Joseph FitzGerald

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SUPREME COURT OF KENTUCKY

REMOTE ORAL ARGUMENT CALENDAR

THURSDAY, MARCH 18, 2021(CONTINUED)

11:30 a.m. CHRIS MEINHART, ADMINISTRATOR OF THE ESTATE OF DEMETRA BOYD, ET AL. V. LOUISVILLE METRO GOVERNMENT, ET AL. (2019-SC-0237-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Tort Law. Qualified Official Immunity. Police Chase. Issues include whether a Louisville police officer is entitled to qualified official immunity when the victims injured in a high-speed chase allege that the officer's decision to give chase violated the police department's pursuit procedures, which: (1) prohibit pursuit of non-felons; and (2) require officers to consider a list of factors prior to commencing a pursuit.

Discretionary Review granted: 3/18/20

Jefferson Circuit Court, Judge Barry Willett

Attorney for Appellants: Chadwick Neal Gardner, Andrew John Horne, Timothy James Byland

Attorneys for Appellees: Michael J. O'Connell, Kristie Babbitt Walker, Jay Richard Langenbahn

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SUPREME COURT OF KENTUCKY

REMOTE ORAL ARGUMENT CALENDAR

FRIDAY, MARCH 19, 2021

- 9:30 a.m. LOUISVILLE SW HOTEL, LLC, ET AL. V. CHARLESTINE LINDSEY, ET AL. (2019-SC-0539-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
[AMICUS CURIAE BRIEF \(KENTUCKY DEFENSE COUNSEL, INC.\)](#)
Tort Law. Punitive Damages. Partial Retrial. Issues in this case, arising out of the death of a five-year-old by drowning in a hotel indoor swimming pool, involve the propriety and amount of punitive damages against the hotel found 35% responsible for the death as well as the propriety of the partial retrial of compensatory damages as the result of no award for loss of earning capacity, parental consortium and pain and suffering.
Discretionary Review granted: 3/18/20
Jefferson Circuit Court, Judge Angela McCormick Bisig
Attorney for Appellants: Diane Murphy Laughlin
Attorneys for Appellees: Garry Richard Adams, Jr. and Andrew Thomas Lay
Attorney for Amicus Curiae: Griffin Terry Sumner
- 11:00 a.m. UNIVERSITY MEDICAL CENTER, INC., D/B/A JAMES GRAHAM BROWN CANCER CENTER, ET AL. V. REAGAN BROOKE SHWAB, ET AL. (2019-SC-0641-DG)**
[APPELLANTS BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
[AMICUS CURIAE BRIEF \(KENTUCKY DEFENSE COUNSEL, INC.\)](#)
[AMICUS CURIAE BRIEF \(AMERICAN MEDICAL ASSOCIATION & KENTUCKY MEDICAL ASSOCIATION\)](#)
Medical Malpractice. Informed Consent. KRS 304.40-320. Issues involve the validity of an informed consent signed by a participant in a Phase I clinical trial.
Discretionary Review granted: 5/21/20
Jefferson Circuit Court, Judge Brian C. Edwards
Attorneys for Appellant: Allison Olczak Wildman and Joseph A. Wright
Attorneys for Appellees: David Brooks Gray, Whitney Faye Graham, Beth Hendrickson McMasters
Attorneys for Amicus Curiae: Patricia Colleen Le Meur, Bethany A. Breetz, Philip S. Goldberg, Sarah Cronan Spurlock

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