

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**TO: Justices and Court Staff**

**FROM: Chief Justice John D. Minton, Jr.**

**DATE: October 10, 2011**

**WEDNESDAY, NOVEMBER 16, 2011**

- 9:00 a.m. TECO MECHANICAL CONTRACTOR, INC. V. COMMONWEALTH OF KENTUCKY, ENVIRONMENTAL AND PUBLIC PROTECTION CABINET, ET AL. (2009-SC-821-DG)**  
"Constitutional Law. Prevailing Wage Act. Issues include constitutional challenges to the prevailing wage laws, KRS 337.505-337.550."  
Discretionary Review granted 3/16/2011  
Franklin Circuit Court, Judge Roger Crittenden  
For Movant: Gerry L. Calvert, David J. Guarnieri and Woodson C. Hopkins  
For Respondents: Mark Francis Bizzell, Irwin H. Cutler, Jr., Everett Clay Hoffman and David A. Velandar
- 10:00 a.m. SINGLETON V. COMMONWEALTH OF KENTUCKY (2010-SC-078-DG)**  
"Criminal Law. Search and Seizure. Vehicle Checkpoint. Issues include the constitutionality of vehicle checkpoint established to check compliance with city ordinance that required all residents of the city and all those working in the city to display a sticker on their vehicles."  
Discretionary Review granted 12/8/2010  
Casey Circuit Court, Judge James G. Weddle  
For Movant: Theodore H. Lavit and Cameron Cole Griffith  
For Respondent: Christian Kenneth Ray Miller
- 11:00 a.m. WADE V. POMA GLASS & SPECIALTY WINDOWS, INC., ETC. (2010-SC-572-DG)**  
"Statute of Limitations. Judgments. Issues include how broadly to construe the word "execution" as used in KRS 413.090, the statute of limitations applicable to judgments."  
Discretionary Review granted 4/13/2011  
Jefferson Circuit Court, Judge Audra Jean Eckerle  
For Movant: Philip Clyde Kimball  
For Respondent: Gregory Watson

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**TO: Justices and Court Staff**

**FROM: Chief Justice John D. Minton, Jr.**

**DATE: October 10, 2011**

**THURSDAY, NOVEMBER 17, 2011**

- 9:00 a.m. KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION, ET AL. V. CECIL (2010-SC-349-DG)**  
"Unemployment Benefits. KRS 341.370(6). The issues are: 1. Whether the "willful and wanton" standard still applies to specific misconduct enumerated under KRS 341.370(6), and 2. Whether the Water Company's instruction to Cecil to sign a "last chance" employment agreement was reasonable."  
Discretionary Review granted 3/16/2011  
Jefferson Circuit Court, Judge Martin F. McDonald  
For Movants: James Chesnut Maxson, Donna King Perry and Loren Teller Prizant  
For Respondent: Callie Elizabeth Walton
- 10:00 a.m. K. R., ETC. V. COMMONWEALTH OF KENTUCKY (2010-SC-076-DG)**  
"Juvenile. Criminal Law. Issues include the propriety of granting a writ of mandamus to compel transfer of a juvenile to circuit court based upon KRS 635.020(4)."  
Discretionary Review granted 3/16/2011  
Jefferson Circuit Court, Judge Martin F. McDonald  
For Movant: Bruce P. Hackett, Elizabeth B. McMahan and Emily Nicole Farrar-Crockett  
For Respondent: Samuel Joseph Floyd, Jr. and Dorislee J. Gilbert
- 11:00 a.m. GIBSON, ETC. V. FUEL TRANSPORT, INC. (2010-SC-072-DG) AND (CROSS-MOTION) FUEL TRANSPORT, INC. V. GIBSON, ETC. (2010-SC-682-DG)**  
"Negligence. Personal Injury. Damages. This case involves a collision between a car and a coal truck. The issues include: 1. Whether punitive damages are available; 2. Whether the damages awarded by the jury were excessive; 3. Whether juror misconduct warrants a new trial; 4. Whether the trial court gave erroneous jury instructions and the objections to these instructions were not waived; 5. Whether the trial court erred by failing to change venue; 6. Whether a party has waived the right to challenge errors related to compensatory damages, and 7. Whether the trial court erred by awarding post-judgment interest at 12%."  
Discretionary Review granted 10/13/2010 and 12/9/2010  
Knott Circuit Court, Judge Kimberly Childers  
For Movant/Cross-Respondent: Adam Peter Collins and Nathaniel Leslie Collins  
For Respondent/Cross-Movant: Ronald L. Green, Virginia Hamilton Snell, Deborah H. Patterson, Sara Christine Veeneman and Carl William Walter

**FRIDAY, NOVEMBER 18, 2011**

**NO ORAL ARGUMENTS**