

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**THURSDAY, OCTOBER 24, 2019**

**10:00 A.M. JEFFREY C. MAYBERRY, AS A MEMBER AND BENEFICIARY OF TRUST FUNDS ON BEHALF OF THE KENTUCKY RETIREMENT SYSTEMS, AND AS A TAXPAYER ON BEHALF OF THE COMMONWEALTH OF KENTUCKY, ET AL. V. HON. PHILLIP J. SHEPHERD, JUDGE, FRANKLIN CIRCUIT COURT, ET AL. (2019-SC-000232-MR)**  
**[APPELLANT BRIEF 2019-SC-0232-MR](#)**  
**[APPELLEE BRIEF 2019-SC-0232-MR](#)**  
**[APPELLEE BRIEF 2019-SC-0232-MR](#)**  
**[REPLY BRIEF 2019-SC-0232-MR](#)**

"Writ of prohibition. Standing of members of KERS to bring suit, both derivatively and as taxpayers."

Franklin Circuit Court, Judge Phillip J. Shepherd

Attorneys for Appellants Jeffrey C. Mayberry, etc., Brandy O. Brown, etc., Martha Ann Miller, etc., Steve Roberts, etc., Teresa Stewart, etc.: Michelle Ciccarelli Lerach, Jeffrey M. Walson, Jonathan W. Cuneo, Monica Miller, David Black, James Baskin, III, Francis A. Bottini, Jr. and Albert Y. Chang  
Attorneys for Appellants Jason Lainhart, etc., Don D. Coomer, etc., and Ben Wyman, etc.: Ann B. Oldfather, Michelle Ciccarelli Lerach, Vanessa B. Cantley, Patrick E. Markey, Jonathan W. Cuneo, Monica Miller, David Black, Casey Dobson, James Baskin, III, Stanley Kuczaj, Sameer Hashmi, David Shank, Paige Amstutz and Jane Webre

Attorneys for Appellees Prisma Capital Partners, LP, Pacific Alternative Asset Management Company, LLC, Girish Reddy and Jane Buchan: Barbara B. Edelman, Grahmn New Morgan, John Moose Spires, Peter E. Kazanoff, Paul C. Curnin, David Elbaum, Michael J. Garvey, Sara A. Ricciardi and Michael S. Carnevale

Attorneys for Appellees R.V. Kuhns & Associates, Inc., Rebecca A. Gratsinger and Jim Voytko: Philip Wallace Collier, Thad Montgomery Barnes and Jeffrey Moad

Attorneys for Appellees Cavanaugh Macdonald Consulting, LLC, Thomas Cavanaugh, Todd Green and Alisa Bennett: Charles E. English, Jr., Elizabeth Kenly Ames, Kristin Tucker, Robert G. Brazier and Steven G. Hall

Attorneys for Appellees KKR & Co., L.P., Henry Kravis and George Roberts: Barbara B. Edelman, Grahmn New Morgan, John Moose Spires, Barry Barnett, Abigail Noebels, Ryan Weiss and Steven Shepard

Attorneys for Appellees The Blackstone Group, L. P., Blackstone Alternative Asset Management, L.P., Stephen A. Schwarzman and J. Tomilson Hill:

Virginia Hamilton Snell, Donald Joseph Kelly, Deborah H. Patterson, Jordan White, Brad S. Karp, Lorin L. Reisner, Andrew J. Ehrlich and Brette Tannenbaum

11:00 A.M. **RANDY OVERSTREET, ET AL. V. JEFFREY C. MAYBERRY, AS A MEMBER AND BENEFICIARY OF TRUST FUNDS ON BEHALF OF THE KENTUCKY RETIREMENT SYSTEMS, AND AS A TAXPAYER ON BEHALF OF THE COMMONWEALTH OF KENTUCKY, ET AL. (2019-SC-000041-TG)**  
[APPELLANT BRIEF 2019-SC-0041-TG](#)  
[APPELLEE BRIEF 2019-SC-0041-TG](#)  
[APPELLEE BRIEF 2019-SC-0041-TG](#)  
[APPELLEE BRIEF 2019-SC-0041-TG](#)  
[APPELLEE BRIEF 2019-SC-0041-TG](#)  
[APPELLEE BRIEF 2019-SC-0041-TG](#)  
[REPLY BRIEF 2019-SC-0041-TG](#)

**AND**

**BRENT ALDRIDGE, ET AL. V. JEFFREY C. MAYBERRY, AS A MEMBER AND BENEFICIARY OF TRUST FUNDS ON BEHALF OF THE KENTUCKY RETIREMENT SYSTEMS, AND AS A TAXPAYER ON BEHALF OF THE COMMONWEALTH OF KENTUCKY, ET AL. (2019-SC-000042-TG)**

[APPELLANT BRIEF 2019-SC-0042-TG](#)  
[APPELLEE BRIEF 2019-SC-0042-TG](#)  
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[APPELLEE BRIEF 2019-SC-0042-TG](#)  
[APPELLEE BRIEF 2019-SC-0042-TG](#)  
[APPELLEE BRIEF 2019-SC-0042-TG](#)  
[REPLY BRIEF 2019-SC-0042-TG](#)

"Transfer Granted. Justiciability. Immunity."

Transfer Granted 4/18/2019

Franklin Circuit Court, Judge Phillip J. Shepherd

Attorneys for Randy Overstreet and Bobby D. Henson: Richard M. Guarnieri and Philip Coleman Lawson

Attorneys for William S. Cook: Glenn Alan Cohen and Lynn M. Watson

Attorneys for Timothy Longmeyer: Laurence John Zielke, John H. Dwyer, Jr., and Karen Campion Jaracz

Attorneys for Thomas Elliott: Mark David Guilfoyle, J. Kent Wicker, Patrick Raymond Hughes and Andrew Douglas Pellino

Attorneys for Jennifer Elliott: John Witt Phillips, Susan Daunhauer Phillips and David Sean Ragland

Attorneys for Vince Lang: Brent L. Caldwell and Noel Embry Caldwell

Attorney for Brent Aldridge: Michael L. Hawkins

Attorneys for T. J. Carlson: Albert F. Grasch, Jr., John Melvin Camenisch, Jr. and James Wesley Harned

Attorneys for David Peden: David J. Guarnieri, Jason Hollon and Kenton Knickmeyer

Attorneys for William A. Thielen: Stewart Christopher Burch and Kevin Patrick Fox

Attorneys for Appellees Jeffrey C. Mayberry, etc., Hon. Brandy O. Brown, etc., Martha Michelle Miller, etc., Steve Roberts, etc., Teresa Stewart, etc.: Michelle Ciccarelli Lerach, Jeffrey M. Walson, Jonathan W. Cuneo, Monica Miller, David Black, James Baskin, III, Francis A. Bottini, Jr. and Albert Y. Chang

Attorneys for Appellees Jason Lainhart, etc., Don D. Coomer, etc., and Ben Wyman, etc.: Ann B. Oldfather, Michelle Ciccarelli Lerach, Vanessa B. Cantley, Patrick E. Markey, Jonathan W. Cuneo, Monica Miller, David Black, Casey Dobson, James Baskin, III, Stanley Kuczaj, Sameer Hashmi, David Shank, Paige Amstutz and Jane Webre

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Attorneys for Appellee Ice Miller, LLP: Susan J. Pope and Cory Jay Skolnick

Attorneys for Appellees Cavanaugh Macdonald Consulting, LLC, Thomas J. Cavanaugh, Todd B. Green and Alisa Bennett: Charles E. English, Jr., Elizabeth Kenly Ames, Robert G. Brazier and Steven G. Hall

Attorneys for Appellee Government Finance Officers Association: Dustin Elizabeth Meek and Melissa Mahurin Whitehead

Attorneys for Appellee Kentucky Retirement Systems: Perry Mack Bentley, Paul C. Harnice, Sarah Jackson Bishop, Christopher E. Schaefer, Chadler Hardin, Connor Bailey Egan, Matthew Dawson Wingate and Andrew Thomas Hagerman