

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

WEDNESDAY, SEPTEMBER 20, 2017

- 9:00 a.m. UNIVERSITY OF LOUISVILLE V. MARK ROTHSTEIN (2016-SC-0220-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Sovereign Immunity. Government Contracts. Employment. KRS 45A.245. Whether the University is immune from a former employee's claim for breach of his written employment contract."
Discretionary Review granted 2/9/2017
Franklin Circuit Court, Judge Thomas D. Wingate
Attorneys for Appellant: Craig Christman Dilger and Emily Mattingly
Attorneys for Appellee: Robert W. Bishop, John Saoirse Friend and Tyler Zachary Korus
Hughes, J., not sitting.
- 10:00 a.m. ANGELA FORD, ET AL. V. FAISAL SHAH, ET AL. (2016-SC-0136-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Tort Law. Conversion. Uniform Commercial Code. Whether the defendants committed the tort of conversion when a signatory on the plaintiff's bank accounts used his apparent authority over the accounts to transfer funds for the benefit of the defendants."
Discretionary Review granted 12/8/2016
Fayette Circuit Court, Judge Thomas L. Clark
Attorneys for Appellants: Angela Margaret Ford, Mindy Barfield and Brett Nolan
Attorneys for Appellee, Faisal Shah: Stephen M. O'Brien, III and David Coomer
Attorneys for Harold Baerg, Jr. and Kathleen M. Baerg: John F. Williams, John Nathaniel Billings, Christopher L. Thacker and Stephen Wilson
- 11:00 a.m. LATASHA MAUPIN V. ROLAND TANKERSLEY (2016-SC-000572-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Torts. Dog Bite Law. Issues involve application of KRS 258.235(4) as well as strict liability and negligence principles in a case involving unconfined dogs in a rural setting."
Discretionary Review granted 3/15/2017
Jackson Circuit Court, Judge Oscar G. House
Attorneys for Appellant: Marshall F. Kaufman, III and Kerstin Schumann
Attorneys for Appellee: Daniel Allen Simons and Amanda Kash

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

THURSDAY, SEPTEMBER 21, 2017

- 9:00 a.m. SALLY CAROL GRASCH V. ALBERT FRANKLIN GRASCH, JR. (2016-SC-0591-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"KRS 403.190. Marital Property. Contingent Fee Cases. The only issue to be addressed in this matter is whether contingent fee cases of an attorney spouse should be treated as marital property under KRS 403.190."
Discretionary Review granted 2/9/2017
Fayette Circuit Court, Judge Jo Ann Wise
Attorneys for Appellant: Suzanne Marie Baumgardner and Valerie S. Kershaw
Attorneys for Appellee: Kara Read Marino and Meredith Fannin
VanMeter, J., not sitting.
- 10:00 a.m. RICHARD STORM V. LOUIS MARTIN (2016-SC-000457-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Torts. Public Employee Personal Liability. Whether the use of the word "shall" in KRS 179.070(1) imposes mandatory liability upon a county engineer for tree removal from a public right-of-way creating a traffic hazard."
Discretionary Review granted 2/9/2017
Jefferson Circuit Court, Judge Mary M. Shaw
Attorneys for Appellant: Paul Guagliardo, Michael J. O'Connell, and Gregory Scott Gowen
Attorneys for Appellee: Lawrence Lee Jones, II, Alexander Davis, and Ashton Smith
- 11:00 a.m. NORFOLK SOUTHERN RAILWAY COMPANY V. SHARON JOHNSON (2016-SC-000248-DG)**
[APPELLANT BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)
"Torts. Property Owner Liability. Firefighter's Rule. Issues include whether a police officer is barred from suing a property owner for injuries incurred when she fell down a hill while pursuing a suspect."
Discretionary Review granted 3/15/2017
Boyle Circuit Court, Judge Darren Peckler
Attorneys for Appellant: Robert Barry Cetrulo, Casey Leigh Hinkle, and Michael P. Abate

Attorneys for Appellee: Kelly P. Spencer and Lyman Darby