

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

- |      |  |   |           |  |
|------|--|---|-----------|--|
| 204. | <b>SAMUEL STEVEN FIELDS V. COMMONWEALTH OF KENTUCKY<br/>OPINION OF THE COURT BY JUSTICE CUNNINGHAM –<br/><u>AFFIRMING</u><br/>SCOTT, J., NOT SITTING.</b>  | <a href="#">2004-SC-000091-MR</a><br><b>TO BE PUBLISHED</b> | FLOYD     | <b>Questions Presented:</b><br>Intentional Murder and First-degree burglary – Death Sentence.  |
| 205. | <b>DANNY LITTLE V. COMMONWEALTH OF KENTUCKY<br/>MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING</u></b>   | <a href="#">2005-SC-000578-MR</a><br><b>TO BE PUBLISHED</b> | PIKE      |  |
| 206. | <b>CHRISTOPHER M. PENNINGTON V. HEATHER M. MARCUM (F/K/A MILES)<br/>OPINION OF THE COURT BY JUSTICE NOBLE – <u>AFFIRMING</u><br/>CUNNINGHAM, J., DISSENTS BY SEPARATE OPINION IN WHICH VENTERS, J., JOINS. VENTERS, J., DISSENTS BY SEPARATE OPINION.<br/>MINTON, C.J., NOT SITTING.</b> | <a href="#">2006-SC-000642-DG</a><br><b>TO BE PUBLISHED</b> | BOYD      | <b>Questions Presented:</b><br>Child Custody. Issues relate to the denial of a motion to modify a custody agreement based upon the residential custodian's relocation out of state with the child.   |
| 207. | <b>DAVID RAY BURTON V. CSX TRANSPORTATION, INC.<br/>OPINION OF THE COURT BY CHIEF JUSTICE MINTON –<br/><u>AFFIRMING</u></b>  | <a href="#">2006-SC-000695-DG</a><br><b>TO BE PUBLISHED</b> | JEFFERSON | <b>Questions Presented:</b><br>Personal Injury. Exposure to Toxic Substances. Evidence. Issues include the propriety of (1) excluding some opinion evidence of a plaintiffs expert, (2) excluding a study of similar injuries experienced by others also exposed to the same type of substances, and (3) declaring a defense witness eligible to testify pursuant to <u>Daubert v. Merrell Dow Pharmaceuticals, Inc.</u> , 509 U.S. 579, 113 S.Ct. 2786, 125 L.Ed.2d 469 (1993). |

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

208. MARIA REGINA FRANCES V.  
BOBBY GENE FRANCES  
**OPINION OF THE COURT BY  
JUSTICE NOBLE – AFFIRMING**  
CUNNINGHAM, J., NOT SITTING.

[2007-SC-000076-DGE](#)  
**TO BE PUBLISHED**

TRIGG

**Questions Presented:**  
Child Custody. Issues in this marriage dissolution proceeding relate to the trial court's award of primary physical custody of the child to the father, and the effect of the mother's relocation out-of-state on the determination of the child's best interest.

209. JOHN HUNT, OFFICER;  
EDDIE SWORD, SGT.; AND  
PIKEVILLE POLICE DEPARTMENT V.  
JAMES D. LAWSON  
**OPINION OF THE COURT BY  
CHIEF JUSTICE MINTON –  
AFFIRMING**  
SCOTT, J., NOT SITTING.

[2007-SC-000438-DG](#)  
**TO BE PUBLISHED**

PIKE

210. HITACHI AUTOMOTIVE  
PRODUCTS USA, INC. V.  
CHESTER R. CRAIG, JR., ET AL.  
**OPINION OF THE COURT –  
AFFIRMING**  
ABRAMSON, J., NOT SITTING.

[2007-SC-000631-WC](#)  
**TO BE PUBLISHED**

FROM COURT  
OF APPEALS

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

211. ANTHONY DURHAM V. [2007-SC-000792-WC](#) FROM COURT  
PEABODY COAL COMPANY, ET AL. **TO BE PUBLISHED** OF APPEALS  
**AND**  
GLENN LUTZ V. [2007-SC-000793-WC](#) FROM COURT  
ENERGY CONVERSION **TO BE PUBLISHED** OF APPEALS  
CORPORATION, ET AL.  
**AND**  
GARY MIDDLETON V. [2007-SC-000794-WC](#) FROM COURT  
CENTENNIAL RESOURCES, **TO BE PUBLISHED** OF APPEALS  
INC., ET AL.  
**OPINION OF THE COURT –**  
**AFFIRMING**  
SCOTT, J., DISSENTS AS FOLLOWS:  
THE STATUTORY SCHEME OF  
KRS 342.316, TREATING WORKERS'  
COMPENSATION CLAIMS FOR  
PNEUMOCONIOSIS DIFFERENT  
THAN OTHER CLAIMS, VIOLATES  
THE EQUAL PROTECTION CLAUSE  
OF THE UNITED STATES AND  
KENTUCKY CONSTITUTIONS AND  
IS THEREFORE UNCONSTITUTIONAL.  
YOU SIMPLY CAN NOT, IN THESE  
CIRCUMSTANCES, FAIRLY IMPOSE  
A MORE STRINGENT, HIGHER  
STANDARD ON ONE AND NOT THE  
OTHER. THUS, I RESPECTFULLY  
DISSENT FROM THE MAJORITY  
OPINION.

SUPREME COURT OF KENTUCKY

MINUTES

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RELEASED: 2:00 P.M.

212. WILLIAM CLYDE COX, ET AL. V. [2008-SC-000376-MR](#) WHITLEY  
HONORABLE PAUL BRADEN, **TO BE PUBLISHED**  
CIRCUIT JUDGE;  
AND  
FREIDA JOAN LOVING  
(REAL PARTY IN INTEREST)  
**OPINION OF THE COURT BY**  
**JUSTICE NOBLE – AFFIRMING**  
MINTON, C.J., CONCURS IN  
RESULT ONLY.
213. ELMER C. MAGGARD (PHD) V. [2006-SC-000355-DG](#) FRANKLIN  
COMMONWEALTH OF KENTUCKY, **TO BE PUBLISHED**  
BOARD OF EXAMINERS OF  
PSYCHOLOGY  
**OPINION OF THE COURT BY**  
**JUSTICE SCOTT – AFFIRMING IN PART,**  
**REVERSING AND REMANDING IN PART**  
SCHRODER, J., NOT SITTING.
214. ERIC QUINTANA V. [2006-SC-000629-DG](#) NELSON  
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**  
**AND**  
BRIAN BOTTOM, ET AL. V. [2006-SC-000823-DG](#) RUSSELL  
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**  
**OPINION OF THE COURT BY**  
**JUSTICE NOBLE –**  
**REVERSING AND REMANDING IN**  
**THE CASE OF 2006-SC-000629-DG**  
**AND AFFIRMING IN THE CASE OF**  
**2006-SC-000823-DG**

**Questions Presented:**

Criminal Law. Search and Seizure.  
Were the appellant's rights violated  
when police went into his backyard  
in order to see if the home had a  
back door and to determine if the  
appellant was home?

SUPREME COURT OF KENTUCKY

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| 215.  | BEVERLY MCCLENDON V.<br>JERRY R. HODGES<br><b>OPINION OF THE COURT BY<br/>JUSTICE CUNNINGHAM –<br/><u>REVERSING AND REINSTATING</u><br/>ABRAMSON, J., NOT SITTING.</b> | <a href="#">2007-SC-000559-DGE</a><br><b>TO BE PUBLISHED</b>   | MONROE  |
| <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"><p><b>Questions Presented:</b><br/>Elections. Issues include the proper remedy for fraud found in "walk in" absentee voting for mayor in two of the six city precincts.</p></div> |  |  |         |
| 216.  | MARCUS BENJAMIN V.<br>COMMONWEALTH OF KENTUCKY<br><b>OPINION OF THE COURT BY<br/>JUSTICE SCOTT – <u>REVERSING</u><br/>CUNNINGHAM, J., CONCURS IN<br/>RESULT ONLY.</b>  | <a href="#">2006-SC-000620-MR</a><br><b>TO BE PUBLISHED</b>  | GRAVES  |
| 217.  | LOUIS LEE ANDERSON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>VACATING AND<br/>REMANDING</u></b>                                    | <a href="#">2007-SC-000904-MR</a><br><b>NOT TO BE PUBLISHED</b>                                      | MERCER  |
| 218.  | BRIAN D. BENTON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b>  | <a href="#">2006-SC-000372-MR</a><br><a href="#">2006-SC-000373-MR</a><br><b>NOT TO BE PUBLISHED</b> | JOHNSON |
| 219.  | DEVRON D. WADLINGTON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u><br/>CUNNINGHAM, J., NOT SITTING.</b>                  | <a href="#">2006-SC-000640-MR</a><br><b>NOT TO BE PUBLISHED</b>                                      | TRIGG   |
| 220.  | CHARLES H. SULLIVAN V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b>  | <a href="#">2006-SC-000930-TG</a><br><b>NOT TO BE PUBLISHED</b>                                      | MEADE   |

SUPREME COURT OF KENTUCKY

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| 221. | JACK LAKE, JR. V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b>                                       | <a href="#">2007-SC-000145-MR</a><br><b>NOT TO BE PUBLISHED</b> | KNOX      |
| 222. | KEVIN DARRYL MARTINDALE V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>VENTERS, J., NOT SITTING. | <a href="#">2007-SC-000322-TG</a><br><b>NOT TO BE PUBLISHED</b> | DAVISS    |
| 223. | ROSCOE TRUITT V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b>  | <a href="#">2007-SC-000376-MR</a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON |

SUPREME COURT OF KENTUCKY

MINUTES

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224. WILLIAM R. BURDINE V. [2007-SC-000580-MR](#) WHITLEY  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT – AFFIRMING**  
NOBLE AND VENTER, JJ., CONCUR  
IN RESULT ONLY BUT WOULD HOLD  
THAT THE WOMEN’S UNDERPANTS  
AND THE CAMERA WERE PROPERLY  
ADMITTED BECAUSE THEY WERE  
RELEVANT AND PROBATIVE OF A  
SIGNATURE CRIME OR MODUS  
OPERANDI; THUS A HARMLESS  
ERROR ANALYSIS WAS NOT  
NECESSARY BECAUSE THERE  
WAS NO ERROR. SCHRODER, J.,  
CONCURS IN RESULT ONLY AND  
WOULD HOLD THAT DR. ROBERTS’  
TESTIMONY THAT HE BELIEVED L.J.  
AND THAT SHE “APPEARED TO BE  
ONE OF THE TRUE INNOCENT  
VICTIMS” IMPROPERLY VOUCHERED  
FOR L.J.’S CREDIBILITY,  
STRINGER V. COMMONWEALTH,  
956 S.W.2D 883, 888 (KY 1997), AND  
IS NOT THE CHARACTER EVIDENCE  
PERMITTED BY KRE 608(A).  
HOWEVER, HE BELIEVES THE  
ERROR WAS HARMLESS.
225. LAWRENCE LESTER TORRENCE V. [2007-SC-000586-MR](#) DAVIESS  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT – AFFIRMING**
226. STEWART JOHNSON V. [2007-SC-000612-MR](#) POWELL  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT – AFFIRMING**

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

227. DANA CORPORATION V. MELINDA ADAMS, ET AL. [2007-SC-000615-WC](#) FROM COURT OF APPEALS  
**NOT TO BE PUBLISHED**
- MEMORANDUM OPINION OF THE COURT – AFFIRMING**  
ABRAMSON, J., NOT SITTING.
228. SOUTH AKERS MINING V. TAMMY CHARLES, INDIVIDUALLY AND/OR AS THE ADMINISTRATRIX OF THE ESTATE OF RONNIE CHARLES, ET AL. [2007-SC-000649-WC](#) FROM COURT OF APPEALS  
**NOT TO BE PUBLISHED**
- MEMORANDUM OPINION OF THE COURT – AFFIRMING**  
ABRAMSON, J., NOT SITTING.
229. RICHARD A. SUTTON, JR. V. NATIONAL ENVIRONMENTAL CONTRACTORS, ET AL. [2008-SC-000016-WC](#) FROM COURT OF APPEALS  
**NOT TO BE PUBLISHED**
- MEMORANDUM OPINION OF THE COURT – AFFIRMING**
230. UNIVERSITY OF KENTUCKY MEDICAL CENTER (A/K/A UKMC) V. HONORABLE SHEILA R. ISAAC, (JUDGE, FAYETTE CIRCUIT COURT); KAREN PAULY (REAL PARTY IN INTEREST-EXECUTRIX OF THE ESTATE OF DARYL PAULY); KAREN PAULY (REAL PARTY IN INTEREST-INDIVIDUALLY) AND JEAN KATHERINE PAULY (REAL PARTY IN INTEREST) [2008-SC-000181-MR](#) FAYETTE  
**NOT TO BE PUBLISHED**
- MEMORANDUM OPINION OF THE COURT – AFFIRMING**

SUPREME COURT OF KENTUCKY

MINUTES

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RELEASED: 2:00 P.M.

231. WILBERT HARP V. [2007-SC-000288-MR](#) JEFFERSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT – AFFIRMING IN PART**  
**AND REVERSING AND REMANDING**  
**IN PART**  
SCHRODER, J., CONCURS IN  
RESULT ONLY BY SEPARATE  
OPINION. SCOTT, J., CONCURS  
IN PART AND DISSENTS IN PART  
BY SEPARATE OPINION.
232. EARNIE VIRES V. [2006-SC-000072-MR](#) CAMPBELL  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT – REVERSING AND**  
**REMANDING**  
ABRAMSON, NOBLE, AND  
SCHRODER, JJ., CONCUR EXCEPT  
AS TO PART I, TO WHICH THEY  
CONCUR IN RESULT ONLY,  
BELIEVING THAT THE  
PROSECUTOR'S QUESTIONS  
ALSO VIOLATED CALLAHAN  
AND WOODALL.
233. BILLY R. CLARK, JR. V. [2006-SC-000379-MR](#) BUTLER  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT – REVERSING AND**  
**REMANDING**  
SCOTT, J., CONCURS IN PART  
AND DISSENTS IN PART BY  
SEPARATE OPINION IN WHICH  
CUNNINGHAM, J., JOINS.

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

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**OPINIONS AND ORDERS – OCTOBER 15, 2008**

THOMAS C. MINA V. 2007-SC-000771-DE JEFFERSON  
DENISE MARIE FOX  
**ORDER GRANTED MOTION FOR  
DISCRETIONARY REVIEW, VACATED COURT  
OF APPEALS' OPINION AND REMANDED  
TO THE COURT OF APPEALS.**

COPPERCARE, INC. V. 2008-SC-000395-D MADISON  
COMMONWEALTH OF KENTUCKY,  
CABINET FOR HEALTH AND  
FAMILY SERVICES  
**ORDER GRANTED MOTION FOR  
DISCRETIONARY REVIEW, VACATED COURT  
OF APPEALS' OPINION AND REMANDED  
TO THE MADISON CIRCUIT COURT.**

**OPINIONS AND ORDERS – OCTOBER 23, 2008**

STEVE P. ROBEY V. [2007-SC-000951-KB](#) IN SUPREME  
KENTUCKY BAR ASSOCIATION **TO BE PUBLISHED** COURT  
**ORDER GRANTED MOVANT'S MOTION  
TO RESIGN AS A MEMBER OF THE BAR  
UNDER TERMS OF PERMANENT  
DISBARMENT.**  
CUNNINGHAM, J., NOT SITTING.

ARTHUR P. HIPWELL V. 2008-SC-000267-KB IN SUPREME  
KENTUCKY BAR ASSOCIATION **NOT TO BE PUBLISHED** COURT  
**ORDER SUSPENDED MOVANT FROM  
THE PRACTICE OF LAW FOR A PERIOD  
OF 1 YEAR EFFECTIVE MAY 4, 2007.**  
ABRAMSON, J., NOT SITTING.

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

**OPINIONS AND ORDERS – OCTOBER 23, 2008**

DAVID M. COORSSSEN V.  
KENTUCKY BAR ASSOCIATION  
**ORDER SUSPENDED MOVANT FROM  
THE PRACTICE OF LAW FOR 1 YEAR,  
WITH 181 DAYS TO BE SERVED AND  
THE REMAINDER PROBATED FOR  
2 YEARS SUBJECT TO CONDITIONS.**  
ABRAMSON, J., NOT SITTING.

[2008-SC-000490-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

INQUIRY COMMISSION V.  
GLENN L. GREENE, JR.  
**ORDER TEMPORARILY SUSPENDED  
RESPONDENT FROM THE PRACTICE  
OF LAW PENDING FURTHER ORDERS  
FROM THIS COURT.**  
SCOTT, J., DISSENTS.

[2008-SC-000520-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

KENTUCKY BAR ASSOCIATION V.  
DAVID S. O'BRIEN  
**ORDER SUSPENDED RESPONDENT  
FROM THE PRACTICE OF LAW FOR  
30 DAYS.**

[2008-SC-000550-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

WILLIAM J. GALLION V.  
KENTUCKY BAR ASSOCIATION  
**ORDER GRANTED MOVANT'S MOTION  
TO RESIGN AS A MEMBER OF THE BAR  
UNDER TERMS OF PERMANENT  
DISBARMENT. MOVANT, THUSLY, MAY  
NEVER APPLY FOR REINSTATEMENT  
TO THE BAR UNDER THE CURRENT  
RULES**

[2008-SC-000629-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 23, 2008**

**RELEASED: 2:00 P.M.**

**OPINIONS AND ORDERS – OCTOBER 23, 2008**

SHIRLEY A. CUNNINGHAM, JR. V.  
KENTUCKY BAR ASSOCIATION  
**ORDER GRANTED MOVANT'S MOTION  
TO RESIGN AS A MEMBER OF THE BAR  
UNDER TERMS OF PERMANENT  
DISBARMENT. MOVANT, THUSLY, MAY  
NEVER APPLY FOR REINSTATEMENT  
TO THE BAR UNDER THE CURRENT  
RULES.**

[2008-SC-000630-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 15, 2008**

LABOR READY, INC., ET AL. V.  
WANDA SUE JOHNSTON

2007-SC-000419-DG

JEFFERSON

PATRICIA GREENE, ET AL. V.  
COMMONWEALTH OF KENTUCKY,  
ADMINISTRATIVE OFFICE OF THE  
COURTS, ET AL.

2007-SC-000511-DG

FRANKLIN

BRIAN K. FOWLER, ET AL. V.  
AT&T CORPORATION, ET AL.

2007-SC-000736-DG

FRANKLIN

TIMOTHY KIRBY V.  
COMMONWEALTH OF KENTUCKY

2007-SC-000833-DG

LAUREL

ORRIS SALISBURY, ET AL. V.  
EARL HALL, JR.

2007-SC-000886-DG

FLOYD

SAMUEL RAY PRATHER V.  
COMMONWEALTH OF KENTUCKY

2007-SC-000903-DG

MASON

LARRY THOMAS JONES, ET AL. V.  
COMMONWEALTH OF KENTUCKY

2007-SC-000922-DG

HICKMAN  
CALLOWAY

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 23, 2008**

**RELEASED: 2:00 P.M.**

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 15, 2008**

|  |                   |            |
|--|-------------------|------------|
| CHARLES BRENT BEARD V.<br>COMMONWEALTH OF KENTUCKY                             | 2008-SC-000079-DG | CRITTENDEN |
| ADOLPH PETZOLD; MARILYN PETZOLD,<br>HIS WIFE V.<br>KESSLER HOMES, INC.         | 2008-SC-000106-DG | FAYETTE    |
| ERIN HANEY V.<br>BIJANA MONSKEY, AS NEXT FRIEND<br>OF MAX ZAGER, A MINOR CHILD | 2008-SC-000337-DG | JEFFERSON  |

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 16, 2008**

|  |                   |          |
|--|-------------------|----------|
| DARRELL H. MOORE, ET AL. V.<br>ROY E. STILLS, ET AL.   | 2008-SC-000193-DG | HOPKINS  |
| PETITIONER F; PETITIONER G;<br>PETITIONER H; PETITIONER I;<br>PETITIONER J; PETITIONER K;<br>AND PETITIONER L V.<br>BRIDGET SKAGGS BROWN,<br>COMMISSIONER, DEPARTMENT OF<br>JUVENILE JUSTICE | 2008-SC-000213-DG | FRANKLIN |

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 15, 2008**

|   |                  |           |
|---|------------------|-----------|
| BEAR CREEK CAPITAL, LLC, ET AL. V.<br>TOEBBEN, LTD., ET AL.   | 2007-SC-000491-D | FRANKLIN  |
| <b>AND</b><br>COMMONWEALTH OF KENTUCKY,<br>FINANCE AND ADMINISTRATION CABINET,<br>KENTUCKY PRIVATE ACTIVITY BOND<br>ALLOCATION COMMITTEE V.<br>TOEBBEN, LTD., ET AL.  | 2007-SC-000501-D | FRANKLIN  |
| <b>COURT OF APPEALS' OPINION<br/>ORDERED NOT TO BE PUBLISHED.</b>   |                  |           |
| MILTON KENNEY V.<br>MARSHA ARNOLD   | 2007-SC-000271-D | LEE       |
| RONALD MANNING, ET AL. V.<br>HARVIE WILKINSON, ET AL.   | 2007-SC-000618-D | FAYETTE   |
| ALLAN B. KLEET V.<br>VICKI KLEET, NOW COOPER  | 2007-SC-000622-D | MCCRACKEN |
| LOUISVILLE/JEFFERSON COUNTY<br>METRO GOVERNMENT, ET AL. V.<br>COMMONWEALTH OF KENTUCKY,<br>LABOR CABINET (A/K/A<br>COMMONWEALTH OF KENTUCKY,<br>ENVIRONMENTAL AND PUBLIC<br>PROTECTION CABINET,<br>DEPARTMENT OF LABOR), ET AL. | 2007-SC-000624-D | JEFFERSON |
| MOORING TAX ASSET GROUP, LLC V.<br>AMERICAN TAX FUNDING, LLC, ET AL.  | 2007-SC-000702-D | FRANKLIN  |
| JITANDER SINGH DUDEE V.<br>CHARLENE THERESA DUDEE   | 2007-SC-000727-D | FAYETTE   |
| ALEXANDER RANKIN V.<br>COMMONWEALTH OF KENTUCKY   | 2007-SC-000737-D | JEFFERSON |

SUPREME COURT OF KENTUCKY

MINUTES

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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 15, 2008**

|  |                  |           |
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| BROWN SPRINKLER CORPORATION V.<br>PLUMBERS SUPPLY COMPANY  | 2007-SC-000764-D | JEFFERSON |
| JAMES MICHAEL HAMILTON V.<br>COMMONWEALTH OF KENTUCKY<br><b>COURT OF APPEALS' OPINION<br/>ORDERED NOT TO BE PUBLISHED.</b>   | 2007-SC-000777-D | PIKE      |
| GARY COURTNEY V.<br>COMMONWEALTH OF KENTUCKY   | 2007-SC-000828-D | KENTON    |
| SEAN MILLER V.<br>JOHN REES (COMMISSIONER OF<br>KENTUCKY DEPARTMENT OF<br>CORRECTIONS)   | 2007-SC-000844-D | FRANKLIN  |
| COMMONWEALTH OF KENTUCKY V.<br>BILLY JOE LITTLETON<br><b>COURT OF APPEALS' OPINION<br/>ORDERED NOT TO BE PUBLISHED.</b>  | 2007-SC-000845-D | MASON     |
| BRANDI HAYS (MOTHER AND NEXT FRIEND<br>OF ALYSSA SUMMERS, A MINOR) V.<br>NAJEH LATIF ALIA, ET AL.<br><b>COURT OF APPEALS' OPINION<br/>ORDERED NOT TO BE PUBLISHED.</b> | 2007-SC-000851-D | JEFFERSON |
| EDUARDO GOMEZ V.<br>CHERYL GOMEZ   | 2007-SC-000896-D | PULASKI   |
| JAMES W. VEST, SR. V.<br>AUDREY LEE SMITH  | 2007-SC-000926-D | SHELBY    |

SUPREME COURT OF KENTUCKY

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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 15, 2008**

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| GARY E. MICHAELS V.<br>COMMONWEALTH OF KENTUCKY  | 2007-SC-000930-D | FAYETTE   |
| STACY PARTIN V.<br>COMMONWEALTH OF KENTUCKY  | 2007-SC-000935-D | MCCRACKEN |
| JERRY INGRAM V.<br>COMMONWEALTH OF KENTUCKY  | 2007-SC-000937-D | JESSAMINE |
| BOARD OF TRUSTEES, KENTUCKY<br>RETIREMENT SYSTEMS V.<br>MICHAEL DOSSETT<br><b>COURT OF APPEALS' OPINION<br/>ORDERED NOT TO BE PUBLISHED.</b> | 2007-SC-000944-D | FRANKLIN  |
| TOMMIE LEE PATTERSON V.<br>TOMMY BLAIR, INC. D/B/A<br>COURTESY AUTOPLEX  | 2008-SC-000003-D | MCCRACKEN |
| CYNDI WHITE AND BRYAN WHITE V.<br>ALLSTATE INSURANCE COMPANY   | 2008-SC-000053-D | BULLITT   |
| STEPHEN KASEY V.<br>COMMONWEALTH OF KENTUCKY   | 2008-SC-000054-D | OLDHAM    |
| WILLIE HARRISON V.<br>COMMONWEALTH OF KENTUCKY   | 2008-SC-000059-D | MEADE     |
| SALLY MILLS V.<br>VICLEN, INC., D/B/A NR RESPIRATORY<br>AND HME; LENNIE G. HOUSE   | 2008-SC-000070-D | FAYETTE   |
| KENTUCKY RETIREMENT SYSTEMS V.<br>MICHELLE WILSON  | 2008-SC-000071-D | FRANKLIN  |

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 15, 2008**

|   |                  |           |
|---|------------------|-----------|
| TINA CONNER V.<br>PAUL PATTON, INDIVIDUALLY<br><b>COURT OF APPEALS' OPINION<br/>ORDERED NOT TO BE PUBLISHED.</b>              | 2008-SC-000077-D | FRANKLIN  |
| BILLY LINDSEY V.<br>COMMONWEALTH OF KENTUCKY  | 2008-SC-000080-D | EDMONSON  |
| PAUL D. WYATT V.<br>COMMONWEALTH OF KENTUCKY  | 2008-SC-000186-D | CASEY     |
| GREG HOPPE V.<br>MELISSA TALLENT, F/K/A<br>MELISSA HOPPE<br><b>COURT OF APPEALS' OPINION<br/>ORDERED NOT TO BE PUBLISHED.</b> | 2008-SC-000243-D | CLINTON   |
| KAREN OWENS, ET AL. V.<br>OHIO CASUALTY GROUP, ET AL.   | 2008-SC-000247-D | JEFFERSON |
| YAQOB TAFAN THOMAS V.<br>COMMONWEALTH OF KENTUCKY   | 2008-SC-000269-D | FAYETTE   |
| PAUL WILLIAM LEWIS V.<br>POLLY ASBURY, ET AL.   | 2008-SC-000278-D | HARLAN    |
| LEILANI CHRISTY HALE CAREY V.<br>DONALD JAYNES, ADMINISTRATOR<br>OF THE ESTATE OF<br>RUSSELL FLETCHER HALE, ET AL.            | 2008-SC-000292-D | MADISON   |
| WILLIAM CHAD WHITLOW V.<br>COMMONWEALTH OF KENTUCKY   | 2008-SC-000296-D | BARREN    |
| PATRICK MOODY V.<br>COMMONWEALTH OF KENTUCKY  | 2008-SC-000300-D | CHRISTIAN |

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 15, 2008**

|   |                  |            |
|---|------------------|------------|
| VICKIE ROLAND V.<br>KENTUCKY RETIREMENT SYSTEMS, ET AL.   | 2008-SC-000310-D | FRANKLIN   |
| ROBERT HAMMONS V.<br>COMMONWEALTH OF KENTUCKY   | 2008-SC-000349-D | BOONE      |
| RICKY STOTTS V.<br>BROOKIE SKIPWORTH  | 2008-SC-000366-D | CUMBERLAND |
| JAMIE ADAMS V.<br>COMMONWEALTH OF KENTUCKY  | 2008-SC-000367-D | ROWAN      |
| JOHN WESLEY SNOW V.<br>COMMONWEALTH OF KENTUCKY   | 2008-SC-000379-D | BOONE      |
| GRANT COUNTY FAIR, INC. V.<br>SUSAN A. DAVIS, INDIVIDUALLY AND AS<br>ADMINISTRATRIX OF THE ESTATE OF<br>CHARLES A. DAVIS, DECEASED, ET AL.  | 2008-SC-000389-D | GRANT      |
| <b>AND</b><br>3 BAR F RODEO, ET AL. V.<br>SUSAN A. DAVIS, INDIVIDUALLY AND AS<br>ADMINISTRATRIX OF THE ESTATE OF<br>CHARLES A. DAVIS, DECEASED, ET AL.<br><b>COURT OF APPEALS' OPINION<br/>ORDERED NOT TO BE PUBLISHED.</b> | 2008-SC-000400-D | GRANT      |
| MARCUS S. MINIX, SR. V.<br>SHERRY MINIX, NOW WOLF   | 2008-SC-000409-D | JOHNSON    |
| DEVERY ANTONIO RUSSELL V.<br>COMMONWEALTH OF KENTUCKY   | 2008-SC-000426-D | JEFFERSON  |
| STACY LAUREN MCQUEARY V.<br>COMMONWEALTH OF KENTUCKY  | 2008-SC-000431-D | MADISON    |

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 23, 2008**

**RELEASED: 2:00 P.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 15, 2008**

|  |                   |           |
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| BRUCE SWETNAM AND<br>PATRICIA SWETNAM <b>V.</b><br>PAUL THOMPSON AND<br>CARLA THOMPSON   | 2008-SC-000440-D  | SHELBY    |
| LUVELL WEST <b>V.</b><br>COMMONWEALTH OF KENTUCKY  | 2008-SC-000458-D  | MCCRACKEN |
| J.I. <b>V.</b><br>J.B.   | 2008-SC-000472-DE | JEFFERSON |
| BERNARDO SANDOVAL <b>V.</b><br>CABINET FOR HEALTH AND FAMILY<br>SERVICES, COMMONWEALTH OF<br>KENTUCKY, AND K.B.H.S., AN INFANT | 2008-SC-000564-DE | FAYETTE   |

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 16, 2008**

|   |                  |        |
|---|------------------|--------|
| PRIMARY CARE ASSOCIATES OF<br>SOUTHERN KENTUCKY, PLLC, D/B/A<br>GLASGOW PRIMARY CARE, ET AL. <b>V.</b><br>CHARLES D. WILLIAMS,<br>ADMINISTRATOR FOR THE ESTATE<br>OF LESLIE CAITLIN DUNAGAN, ET AL. | 2008-SC-000226-D | BARREN |
|---|------------------|--------|

**COURT ORDERS GRANTING MOTION TO TRANSFER – OCTOBER 23, 2008**

|  |                   |         |
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| RUSSELL WINSTEAD <b>V.</b><br>COMMONWEALTH OF KENTUCKY | 2008-SC-000446-TG | HOPKINS |
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**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 23, 2008**

**RELEASED: 2:00 P.M.**

**COURT ORDERS DENYING PETITION FOR REHEARING – OCTOBER 23, 2008**

|  |                                   |                          |
|--|-----------------------------------|--------------------------|
| CARLTON EVAN MCINTOSH V.<br>COMMONWEALTH OF KENTUCKY<br><b>ORDER MODIFIED THE MEMORANDUM<br/>OPINION OF THE COURT RENDERED<br/>MAY 22, 2008, BY SUBSTITUTION OF<br/>NEW OPINION.</b> | <a href="#">2006-SC-000421-MR</a> | WARREN                   |
| J.N.R., ET AL. V.<br>HONORABLE JOSEPH O'REILLY, JUDGE,<br>JEFFERSON FAMILY COURT, ET AL.   | 2007-SC-000175-MR                 | JEFFERSON                |
| GEORGE HUMFLEET MOBILE HOMES V.<br>DENNIS CHRISTMAN, ET AL.  | 2007-SC-000454-WC                 | FROM COURT<br>OF APPEALS |
| KENTUCKY CONTAINER SERVICE, INC. V.<br>KENNETH ASHBROOK, ET AL.  | 2007-SC-000533-WC                 | FROM COURT<br>OF APPEALS |

**COURT ORDERS DISMISSING – OCTOBER 21, 2008**

|  |  |           |
|--|--|-----------|
| FINANCE AND ADMINISTRATION CABINET,<br>DEPARTMENT OF REVENUE,<br>COMMONWEALTH OF KENTUCKY V.<br>HON. STEVEN D. COMBS, JUDGE,<br>PIKE CIRCUIT COURT, DIVISION II,<br>35 <sup>TH</sup> CIRCUIT, ET AL. | 2007-SC-000763-MR<br>2007-SC-000790-MR | PIKE      |
| ABBOTT LABORATORIES V.<br>HON. FREDERIC COWAN, JUDGE,<br>JEFFERSON CIRCUIT COURT,<br>DIV. 13, ET AL.   | 2008-SC-000104-MR                      | JEFFERSON |

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

COURT ORDERS

|  |   |                          |
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| MARCO ALLEN CHAPMAN V.<br>COMMONWEALTH OF KENTUCKY<br><b>ORDER DENIED MOTION TO RECONSIDER.</b><br>ENTERED: OCTOBER 23, 2008   | 2005-SC-000070-MR   | BOONE                    |
| COMMONWEALTH OF KENTUCKY V.<br>JAMES OSCAR MERRIMAN<br><b>AND</b><br>COMMONWEALTH OF KENTUCKY V.<br>LEQUA MARTEZ HICKMAN<br><b>ORDER MODIFIED THE OPINION OF THE<br/>COURT BY JUSTICE NOBLE RENDERED<br/>SEPTEMBER 18, 2008, BY SUBSTITUTION<br/>OF PAGES 1 AND 3.</b><br>ENTERED: OCTOBER 2, 2008 | <a href="#">2006-SC-000330-DG</a><br><a href="#">2006-SC-000690-DG</a><br><br><a href="#">2006-SC-000332-DG</a> | FAYETTE<br><br>JEFFERSON |
| WILLIAM RYAN DIXON V.<br>COMMONWEALTH OF KENTUCKY<br><b>ORDER CORRECTED THE OPINION OF THE<br/>COURT BY JUSTICE MINTON RENDERED<br/>MAY 22, 2008, BY SUBSTITUTION OF<br/>PAGES 1 AND 8.</b><br>ENTERED: OCTOBER 6, 2008  | <a href="#">2006-SC-000682-MR</a>   | GREENUP                  |
| ROBERT LAMONT PENNINGTON V.<br>COMMONWEALTH OF KENTUCKY<br><b>ORDER DENIED MOTION FOR<br/>RECONSIDERATION.</b><br>ENTERED: OCTOBER 23, 2008  | 2006-SC-000861-DG   | MCCRACKEN                |
| DARIUS FRYE V.<br>COMMONWEALTH OF KENTUCKY<br><b>ORDER CORRECTED THE MEMORANDUM<br/>OPINION OF THE COURT RENDERED<br/>MARCH 20, 2008, AND MODIFIED<br/>JUNE 19, 2008, BY SUBSTITUTION OF<br/>NEW OPINION.</b><br>ENTERED: SEPTEMBER 24, 2008   | <a href="#">2007-SC-000061-MR</a>   | FAYETTE                  |

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 23, 2008

RELEASED: 2:00 P.M.

**COURT ORDERS**

BRYAN LEE REINHARDT V. 2007-SC-000201-DG MARION  
CAROLINE MUDD, WARDEN, ET AL.  
**THE PREVIOUSLY GRANTED  
DISCRETIONARY REVIEW OF THE  
COURT OF APPEALS DECISION IS  
VACATED AS IMPROVIDENTLY  
GRANTED.**  
ENTERED: OCTOBER 15, 2008

MAMMOTH MEDICAL, INC. V. [2008-SC-000048-MR](#) FAYETTE  
HON. KIMBERLY BUNNELL (JUDGE,  
FAYETTE CIRCUIT COURT), ET AL.  
**ORDER MODIFIED THE MEMORANDUM  
OPINION OF THE COURT RENDERED  
SEPTEMBER 18, 2008, BY SUBSTITUTION  
OF PAGE 1. THE CONCURRING OPINION  
RENDERED SEPTEMBER 18, 2008, IS  
MODIFIED BY SUBSTITUTION OF PAGE 1.**  
ENTERED: SEPTEMBER 26, 2008

KENTUCKY BAR ASSOCIATION V. [2008-SC-000316-KB](#) IN SUPREME  
RICHARD KIP CAMERON COURT  
**ORDER CORRECTED THE OPINION AND  
ORDER ENTERED SEPTEMBER 18, 2008,  
BY SUBSTITUTION OF PAGES 1 AND 4.**  
ENTERED: SEPTEMBER 24, 2008

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE  
KENTUCKY BAR ASSOCIATION –**

ANN SCHOLL LONG V. 2008-SC-000674-KB IN SUPREME  
KENTUCKY BAR ASSOCIATION COURT  
**ENTERED: SEPTEMBER 18, 2008**

ROSS TERRY CORTEZ CARTER V. 2008-SC-000675-KB IN SUPREME  
KENTUCKY BAR ASSOCIATION COURT  
**ENTERED: SEPTEMBER 18, 2008**

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 23, 2008**

**RELEASED: 2:00 P.M.**

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE  
KENTUCKY BAR ASSOCIATION –**

|   |                          |                             |
|---|--------------------------|-----------------------------|
| <b>BERNARD F. THIEMANN V.<br/>KENTUCKY BAR ASSOCIATION<br/>ENTERED: SEPTEMBER 18, 2008</b>      | <b>2008-SC-000676-KB</b> | <b>IN SUPREME<br/>COURT</b> |
| <b>CHARLES MICHAEL MILLER V.<br/>KENTUCKY BAR ASSOCIATION<br/>ENTERED: SEPTEMBER 22, 2008</b>   | <b>2008-SC-000679-KB</b> | <b>IN SUPREME<br/>COURT</b> |
| <b>HOPE ALECIA SMITH V.<br/>KENTUCKY BAR ASSOCIATION<br/>ENTERED: SEPTEMBER 22, 2008</b>        | <b>2008-SC-000680-KB</b> | <b>IN SUPREME<br/>COURT</b> |
| <b>DIANNA LYNN SCHROER V.<br/>KENTUCKY BAR ASSOCIATION<br/>ENTERED: SEPTEMBER 23, 2008</b>      | <b>2008-SC-000686-KB</b> | <b>IN SUPREME<br/>COURT</b> |
| <b>WOLFGANG E. NEUDORFER V.<br/>KENTUCKY BAR ASSOCIATION<br/>ENTERED: SEPTEMBER 23, 2008</b>    | <b>2008-SC-000687-KB</b> | <b>IN SUPREME<br/>COURT</b> |
| <b>ALLYSON LESLEY KESSINGER V.<br/>KENTUCKY BAR ASSOCIATION<br/>ENTERED: SEPTEMBER 23, 2008</b> | <b>2008-SC-000688-KB</b> | <b>IN SUPREME<br/>COURT</b> |
| <b>SUSAN ZELLER DUNN V.<br/>KENTUCKY BAR ASSOCIATION<br/>ENTERED: SEPTEMBER 23, 2008</b>        | <b>2008-SC-000689-KB</b> | <b>IN SUPREME<br/>COURT</b> |

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE  
KENTUCKY BAR ASSOCIATION – SEPTEMBER 30, 2008**

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| <b>ALLAN H. FINE V.<br/>KENTUCKY BAR ASSOCIATION</b>       | <b>2008-SC-000700-KB</b> | <b>IN SUPREME<br/>COURT</b> |
| <b>TOBEY ARVEL TOLBERT V.<br/>KENTUCKY BAR ASSOCIATION</b> | <b>2008-SC-000701-KB</b> | <b>IN SUPREME</b>           |

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 23, 2008**

**RELEASED: 2:00 P.M.**

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE  
KENTUCKY BAR ASSOCIATION – SEPTEMBER 30, 2008**

|   |                   |                     |
|---|-------------------|---------------------|
| JOHN DAVID DRESSMAN V.<br>KENTUCKY BAR ASSOCIATION  | 2008-SC-000702-KB | IN SUPREME          |
| MICHAEL DANIEL KOLODZI V.<br>KENTUCKY BAR ASSOCIATION                                     | 2008-SC-000703-KB | IN SUPREME          |
| RONALD CRAIG ZELLER V.<br>KENTUCKY BAR ASSOCIATION  | 2008-SC-000704-KB | IN SUPREME          |
| BARTON H. FREEDMAN V.<br>KENTUCKY BAR ASSOCIATION   | 2008-SC-000705-KB | IN SUPREME          |
| KRISTI PLANT HAMILTON V.<br>KENTUCKY BAR ASSOCIATION                                      | 2008-SC-000706-KB | IN SUPREME          |
| CHANDRA S. BOWLING V.<br>KENTUCKY BAR ASSOCIATION   | 2008-SC-000707-KB | IN SUPREME          |
| MARGARET E. MCCANN V.<br>KENTUCKY BAR ASSOCIATION   | 2008-SC-000708-KB | IN SUPREME          |
| CATHERINE COLE FRANCKE V.<br>KENTUCKY BAR ASSOCIATION                                     | 2008-SC-000709-KB | IN SUPREME          |
| SUSAN JEAN COPLIN V.<br>KENTUCKY BAR ASSOCIATION  | 2008-SC-000710-KB | IN SUPREME          |
| THERESA CHRISTINE PEREZ V.<br>KENTUCKY BAR ASSOCIATION                                    | 2008-SC-000711-KB | IN SUPREME          |
| AUDREY RENEE BIGGAR V.<br>KENTUCKY BAR ASSOCIATION<br><b>ENTERED: SEPTEMBER 30, 2008</b>  | 2008-SC-000719-KB | IN SUPREME<br>COURT |
| GLENN DONALD PARRISH V.<br>KENTUCKY BAR ASSOCIATION<br><b>ENTERED: SEPTEMBER 30, 2008</b> | 2008-SC-000724-KB | IN SUPREME<br>COURT |

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 23, 2008**

**RELEASED: 2:00 P.M.**

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE KENTUCKY BAR ASSOCIATION –**

|   |                   |                     |
|---|-------------------|---------------------|
| JOHN R. SOMMER V.<br>KENTUCKY BAR ASSOCIATION<br>ENTERED: OCTOBER 9, 2008 | 2008-SC-000720-KB | IN SUPREME<br>COURT |
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**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE KENTUCKY BAR ASSOCIATION – OCTOBER 15, 2008**

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| IZAK JOHANNES TRENGOVE V.<br>KENTUCKY BAR ASSOCIATION | 2008-SC-000756-KB | IN SUPREME<br>COURT |
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| LYNDA LOUISE COLE V.<br>KENTUCKY BAR ASSOCIATION | 2008-SC-000757-KB | IN SUPREME<br>COURT |
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| DANE ALLEN BARTLETT V.<br>KENTUCKY BAR ASSOCIATION | 2008-SC-000758-KB | IN SUPREME<br>COURT |
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| JANET K. MARTIN V.<br>KENTUCKY BAR ASSOCIATION | 2008-SC-000759-KB | IN SUPREME<br>COURT |
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| JAMES RICHARD BERENDSEN V.<br>KENTUCKY BAR ASSOCIATION | 2008-SC-000760-KB | IN SUPREME<br>COURT |
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| DANIEL EDWIN WEISS JR. V.<br>KENTUCKY BAR ASSOCIATION | 2008-SC-000761-KB | IN SUPREME<br>COURT |
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| LANCE STUART BELL V.<br>KENTUCKY BAR ASSOCIATION | 2008-SC-000762-KB | IN SUPREME<br>COURT |
|--|-------------------|---------------------|