

UPDATED 08/11/06

AUGUST 2006

ORAL ARGUMENT

CALENDAR

08/11/2006

AUGUST 2006

August 8, 2006

1:00 - 1:30 PM., ORAL ARGUMENT, #2005-CA-1105,
DARLA JO SUGG V. COMMONWEALTH OF KY,
CABINET FOR HEALTH AND FAMILY SERVICES,
SR. JUDGE BUCKINGHAM, PRES., JUDGE BARBER AND
JUDGE VANMETER, ASSOC.

1:45 - 2:15 PM, ORAL ARGUMENT, #2005-CA-1683, THE
ESTATE OF AUDREY WALTER V. BAPTIST HEALTHCARE
SYSTEM, INC., ET AL., JUDGE BARBER, PRES.,
SR. JUDGE BUCKINGHAM AND JUDGE VANMETER, ASSOC.

2:15 PM., MOTION PANEL, JUDGE VANMETER, PRES.,
JUDGE ABRAMSON, AND JUDGE TAYLOR, ASSOC.

August 15, 2006

9:00 AM - COURT MEETING

**PHONE NUMBERS WHERE PANEL MEMBERS CAN BE REACHED WHEN ORAL
ARGUMENTS SCHEDULED:**

FRANKFORT - Contact Mary Zagale , 502-573-7920

LOUISVILLE - Contact Connie McCay, 502-595-3440

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON, LOUISVILLE, KENTUCKY

DATE: Monday, August 07, 2006

9:30 AM PJ: COMBS GUIDUGLI HENRY

2005CA000226 DAVID BURTON VS CSX TRANSPORTATION, INC.

2005CA000455 CIVIL; APPEAL FROM TRIAL OF ACTION FILED UNDER FEDERAL EMPLOYER'S LIABILITY ACT TO RECOVER DAMAGES FOR INJURIES ALLEGEDLY SUSTAINED DUE TO EXPOSURE TO TOXIC CHEMICALS; APPELLANT ARGUES TRIAL COURT ERRED BY EXCLUDING TESTIMONY OF SIMILARLY INJURED WORKERS.

CIVIL JEFFERSON COUNTY A. C. MCKAY CHAUVIN

Appellant Atty:

Appellant Name:

KELLEY, PAUL JASON
SALES, KENNETH L.

DAVID RAY BURTON
DAVID RAY BURTON

Appellee Atty:

Appellee Name:

KLAPHEKE, DAVID T
SMITH, RAYMOND G
STOPHER, EDWARD H.

CSX TRANSPORTATION, INC.
CSX TRANSPORTATION, INC.
CSX TRANSPORTATION, INC.

**NOTE: 50 MINUTE ORAL

10:30 AM PJ: COMBS GUIDUGLI HENRY

2005CA001281 DIANA LOGSDON ET AL. VS SCIENTIFIC DESIGN COMPANY, INC.

CIVIL; SUMMARY JUDGMENT ON PRODUCTS LIABILITY CASE WHERE ASBESTOS-CONTAINING PRODUCTS ALLEGEDLY CAUSED CANCER DEATH.

CIVIL JEFFERSON COUNTY JUDITH E MCDONALD-BUR

Appellant Atty:

Appellant Name:

KANNADY, DONALD MATTHEW

DIANA S. LOGSDON

KELLEY, PAUL JASON

DIANA S. LOGSDON

SALES, KENNETH L.

DIANA S. LOGSDON

SATTERLEY, JOSEPH D.

DIANA S. LOGSDON

Appellee Atty:

Appellee Name:

OSBOURN, MARK A

SCIENTIFIC DESIGN COMPANY, INC.

**NOTE: 40 MINUTE ORAL

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON, LOUISVILLE, KENTUCKY

DATE: Monday, August 07, 2006

11:30 AM

PJ: COMBS

GUIDUGLI

HUDDLESTON

2005CA000686

KENTUCKY HIGHLANDS INVESTMENT CORPORATION VS BANK OF CORBIN, INC.

COMMERCIAL CASE INVOLVING DISPUTE OVER PRIORITY OF THE INTERESTS OF TWO CREDITORS IN THE PROCEEDS OF ACCOUNTS RECEIVABLE.

CIVIL

WHITLEY COUNTY

JERRY D WINCHESTER

Appellant Atty:

Appellant Name:

.....
COOK, DERISE DUANE

.....
KENTUCKY HIGHLANDS INVESTMENT CORPORATION

Appellee Atty:

Appellee Name:

.....
MCCLELLAND, DENISE H

.....
BANK OF CORBIN, INC.

SHAW, RANDY D

BANK OF CORBIN, INC.

LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY

DATE: Tuesday, August 08, 2006

1:00 PM PJ: BUCKINGHAM BARBER VANMETER
2005CA001105 D. S. VS COMMONWEALTH OF KY. CABINET FOR HEALTH & FAMILY
SERVICES ET AL.
TERMINATION OF PARENTAL RIGHTS.

ADOPTION HENDERSON COUNTY SHELIA NUNLEY-FARRIS

Appellant Atty:	Appellant Name:
.....
WESCH, JOEL LANDON	D. J. S.
Appellee Atty:	Appellee Name:
.....
CORINO, PATRICIA A	A.N.S., A CHILD
FULKERSON, KRISTINA ABEL	COMMONWEALTH OF KY. CABINET FOR HEALTH & FAMILY SERVICES
MILBURN, DILISSA G	COMMONWEALTH OF KY. CABINET FOR HEALTH & FAMILY SERVICES

1:45 PM PJ: BARBER BUCKINGHAM VANMETER
2005CA001683 THE ESTATE OF AUDREY WALTER VS BAPTIST HEALTHCARE SYSTEM,
INC. ET AL.
WRONGFUL DEATH ACTION; WHETHER TRIAL COURT ABUSED ITS DISCRETION IN DENYING MOTION TO AMEND;
CAPACITY OF OUT-OF-STATE PERSONAL REPRESENTATIVE TO BRING SUIT.

CIVIL MCCRACKEN COUNTY R JEFFREY HINES

Appellant Atty:	Appellant Name:
.....
HICKS, THOMAS LARRY	THE ESTATE OF AUDREY WALTER
Appellee Atty:	Appellee Name:
.....
COLTHARP JR, JAMES RICHARD	WESTERN KENTUCKY EMERGENCY MEDICINE, PLC
FREED, JONATHAN	BAPTIST HEALTHCARE SYSTEM, INC.
GRUMLEY, LOUIS MILLER	BAPTIST HEALTHCARE SYSTEM, INC.
GUILD JR, A COURTNEY	MICHAEL M. KEMPTON, M.D.
STRAUB JR., E. FREDERICK	WESTERN KENTUCKY EMERGENCY MEDICINE, PLC
TURNER, JAY PHILLIP	MICHAEL M. KEMPTON, M.D.

LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY

DATE: Monday, August 14, 2006

2:00 PM PJ: SCHRODER COMBS ROSENBLUM
2005CA000333 PAMELA BURKICH VS COM. OF KY. CABINET FOR HEALTH AND FAMILY
SERVICES ET AL.
MERIT SYSTEM EMPLOYEE CONTESTS HER TERMINATION, REASONABLE ACCOMMODATION.

CIVIL FRANKLIN COUNTY ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

.....
BENNETT, ELIZABETH R
GRADDY IV, W. HENRY

.....
PAMELA J. BURKICH
PAMELA J. BURKICH

Appellee Atty:

Appellee Name:

.....
BURCH, STEWART
HERKLOTZ, JOHANN F
MCCORMICK, NORA K.
REDMOND, SHEILA
ROBINSON, ANGELA CLARK

.....
COM. OF KY. CABINET FOR FINANCE AND ADMINISTRATION
COM. OF KY. CABINET FOR HEALTH AND FAMILY SERVICES
COM. OF KY. CABINET FOR HEALTH AND FAMILY SERVICES
COM. OF KY. CABINET FOR HEALTH AND FAMILY SERVICES
COM. OF KY. CABINET FOR FINANCE AND ADMINISTRATION

2:45 PM PJ: SCHRODER COMBS ROSENBLUM
2005CA001503 DONNA SOLLY VS COMMONWEALTH OF KENTUCKY ET AL.

A WOMAN INSTRUCTGOR FOR ONE OF THE STATE'S TECHNICAL SCHOOLS WAS TERMINATED. THE EMPLOYEE
MAINTAINS WITHOUT CAUSE.

CIVIL FRANKLIN COUNTY WILLIAM L GRAHAM

Appellant Atty:

Appellant Name:

.....
DUFF, DONALD

.....
DONNA P. SOLLY

Appellee Atty:

Appellee Name:

.....
BIGGS, TAMELA

.....
COMMONWEALTH OF KENTUCKY
DEPARTMENT FOR TECHNICAL EDUCATION
EDUCATIION CABINET
KENTUCKY TECHNICAL EDUCATION PERSONNEL BOARD
COMMONWEALTH OF KENTUCKY
DEPARTMENT FOR TECHNICAL EDUCATION
EDUCATIION CABINET
KENTUCKY TECHNICAL EDUCATION PERSONNEL BOARD

MOSLEY, EUGENE JEFFREY

LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY

DATE: Monday, August 14, 2006

3:30 PM

PJ: MILLER

COMBS

SCHRODER

2005CA001418

UNITED STATES AUTOMOBILE ASSOCIATION ET AL. VS ADT SECURITY SERVICES, INC. ET AL.

CIVIL; BREACH OF CONTRACT; SUMMARY JUDGMENT; ADT HAD INSTALLED SECURITY SYSTEM IN HOME OF INSURED; CONTRACT HAD \$250.00 LIABILITY LIMIT FOR FAILURE OF SYSTEM; SYSTEM FAILED IN FIRE CAUSING 800K DAMAGES; ISSUE - IS 250 LIMIT ENFORCEABLE?

CIVIL

FAYETTE COUNTY

SHEILA R. ISAAC

Appellant Atty:

Appellant Name:

.....
KELLER, J. WARREN

.....
BARBARA BENNETT

LESLIE BRANCH

UNITED STATES AUTOMOBILE ASSOCIATION

OSWALD, CLAYTON OTIS

BARBARA BENNETT

LESLIE BRANCH

UNITED STATES AUTOMOBILE ASSOCIATION

Appellee Atty:

Appellee Name:

.....
BOONE, MORDECAI D.

.....
ADT SECURITY SERVICES (SOUTH), INC.

ADT SECURITY SERVICES, INC.

EMBRY, STEPHEN E.

ADT SECURITY SERVICES (SOUTH), INC.

ADT SECURITY SERVICES, INC.

PAPALIA, BRIDGET H

ADT SECURITY SERVICES (SOUTH), INC.

ADT SECURITY SERVICES, INC.

REBEIN, PAUL W.

ADT SECURITY SERVICES (SOUTH), INC.

ADT SECURITY SERVICES, INC.

4:15 PM

PJ: COMBS

MILLER

SCHRODER

2006CA001637

NEIL DUNCLIFFE VS TREY GRAYSON ET AL.

65.07

FRANKLIN COUNTY

THOMAS WINGATE

Appellant Atty:

Appellant Name:

.....
COMBS, HUSTON BARROW

.....
NEIL E DUNCLIFFE

HUGHES, ELIZABETH S.

NEIL E DUNCLIFFE

KELLER, JAMES

NEIL E DUNCLIFFE

Appellee Atty:

Appellee Name:

.....
SNYDER, SHERYL G.

.....
KENTUCKY STATE BOARD OF ELECTIONS

TREY GRAYSON