

UPDATED 2/12/2008

FEBRUARY 2008

ORAL ARGUMENT

CALENDAR

02/12/2008

FEBRUARY, 2008

February 4, 2008

**2:00 P.M. MOTION PANEL, JUDGE DIXON, PRES.,
JUDGE CLAYTON, AND JUDGE WINE, ASSOC.**

February 5, 2008

**8:30 – 9:30 A.M.. ORAL ARGUMENT,
#2005-CA-002148, MONUMENTAL LIFE INSURANCE
COMPANY V. DEPT. OF REVENUE, ET AL.
JUDGE THOMPSON, PRES., SR. JUDGE BUCKINGHAM
AND SR. JUDGE HENRY, ASSOC.**

10:00 A.M., FULL COURT MEETING

**1:00 – 1:30 P.M., ORAL ARGUMENT,
#2007-CA-000884, APRIL JOHNSON V.
TERRY PATTERSON, SR. JUDGE BUCKINGHAM,
PRES., JUDGE ACREE AND JUDGE NICKELL, ASSOC.**

**1:45 – 2:15 P.M. ORAL ARGUMENT,
#2007-CA-00489, BROOKE NELSON V.
DIANE TURNER, CHIEF JUDGE COMBS, PRES.,
JUDGE CLAYTON, AND JUDGE MOORE, ASSOC.**

**2:30 – 3:00 P.M., ORAL ARGUMENT,
#2006-CA-002450, PETITIONER F, ET AL. V.
BRIDGET SKAGGS BROWN, JUDGE VANMETER, PRES.,
CHIEF JUDGE COMBS AND JUDGE MOORE, ASSOC.**

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

FRANKFORT – Contact Mary Zagale (502) 573-7920

LOUISVILLE – Contact Linda Fox (502) 595-3430

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

DATE: Tuesday, February 05, 2008

8:30 AM PJ: THOMPSON BUCKINGHAM HENRY
2005CA002148 MONUMENTAL LIFE INSURANCE COMPANY VS THE DEPARTMENT OF
REVENUE ET AL.

Monumental Life Insurance Company successor in interest to Commonwealth Life Insurance Company complains of a wrongful assessment of ad valorem property taxes imposed by the Department of Revenue pursuant to KRS 136.320, and from the Department of Revenue's denial of multiple refund claims claimed due by Monumental Life.

CIVIL FRANKLIN COUNTY ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

.....
CHITTENDEN, WILLIAM A.
SOMMER, MARK F

.....
MONUMENTAL LIFE INSURANCE COMPANY
MONUMENTAL LIFE INSURANCE COMPANY

Appellee Atty:

Appellee Name:

.....
DICKERSON, STEPHEN G
FERGUSON, LAURA M
NOT REPRESENTED BY COUNSEL,
SCHARDEIN, JOHN M
SIEMENS, GARY E

.....
THE DEPARTMENT OF REVENUE
THE DEPARTMENT OF REVENUE
KENTUCKY BOARD OF TAX APPEALS
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT

**NOTE:60 MINUTE ORAL

1:00 PM PJ: BUCKINGHAM ACREE NICKELL
2007CA000884 APRIL JOHNSON VS TERRY PATTERSON

Personal injury/directed verdict.

CIVIL OWEN COUNTY STEPHEN L BATES

Appellant Atty:

Appellant Name:

.....
BLANK, DAVID M.

.....
APRIL JOHNSON

Appellee Atty:

Appellee Name:

.....
BAXTER, RUTH H.

.....
TERRY PATTERSON

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

DATE: Tuesday, February 05, 2008

1:45 PM

PJ: COMBS

CLAYTON

MOORE

2007CA000489

BROOKE NELSON ET AL. VS DIANE TURNER ET AL.

Appellant challenges finding of qualified immunity for a teacher sued for negligent supervision of students involving sexual assault perpetrated by one student on another. Also at issue is alleged violation of the Unfair Claims Settlement Act on the part of the self-insurance entity insuring the Fayette County Board of Education.

CIVIL

FAYETTE COUNTY

SHEILA R. ISAAC

Appellant Atty:

Appellant Name:

.....
DAVIS, MICHAEL T

.....
BROOKE NELSON

BROOKE NELSON

GOLDEN, J. DALE

BROOKE NELSON

BROOKE NELSON

Appellee Atty:

Appellee Name:

.....
COLLINS, DANA L.

.....
DIANE TURNER

FAYETTE COUNTY BOARD OF EDUCATION

FAYETTE COUNTY PUBLIC SCHOOLS

COLSON, GUY R.

KENTUCKY SCHOOL BOARDS INSURANCE TRUST

FENZEL, MARK S.

DIANE TURNER

FAYETTE COUNTY BOARD OF EDUCATION

FAYETTE COUNTY PUBLIC SCHOOLS

MILLER, BARRY M

KENTUCKY SCHOOL BOARDS INSURANCE TRUST

VESSELS, CHRISTINA L

KENTUCKY SCHOOL BOARDS INSURANCE TRUST

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

DATE: Tuesday, February 05, 2008

2:30 PM

PJ: VANMETER

COMBS

MOORE

2006CA002450

PETITIONER F ET AL. VS BRIDGET BROWN

CIVIL

FRANKLIN COUNTY

SAM G. MCNAMARA

Appellant Atty:

Appellant Name:

.....
ARNOLD, TIMOTHY G.

.....
PETITIONER F

PETITIONER G

PETITIONER H

PETITIONER I

PETITIONER J

PETITIONER K

PETITIONER L

OLINGER, JOSLYN H.

PETITIONER F

ROBINSON, GAIL

PETITIONER F

PETITIONER G

PETITIONER H

PETITIONER I

PETITIONER J

PETITIONER K

PETITIONER L

SCHMIDT, KATHLEEN K.

PETITIONER F

PETITIONER G

PETITIONER H

PETITIONER I

PETITIONER J

PETITIONER K

PETITIONER L

Appellee Atty:

Appellee Name:

.....
DUDGEON, LAURIE K.

.....
BRIDGET SKAGGS BROWN

HARRIS, HOLLY

BRIDGET SKAGGS BROWN

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

DATE: Thursday, February 07, 2008

9:30 AM PJ: KNOFF LAMBERT VANMETER

2007CA000824 TERRA MATHIS ET AL. VS ALTON LOHDEN ET AL.

Appeal from a summary judgment in a wrongful death case.

CIVIL SPENCER COUNTY CHARLES R. HICKMAN

Appellant Atty:

Appellant Name:

.....
DUERR, KEITH D

.....
TERRA E. MATHIS
TERRA E. MATHIS

Appellee Atty:

Appellee Name:

.....
WELLS, WILLIAM B.

.....
ALTON E. LOHDEN
ANDY LOHDEN
ANGIE LOHDEN

10:15 AM PJ: LAMBERT VANMETER KNOFF

2007CA000685 FINANCE AND ADMINISTRATION CABINET VS DUPONT PERFORMANCE ELASTOMERS, L.L.C.

Sales and use tax case.

CIVIL JEFFERSON COUNTY SEAN R. DELAHANTY

Appellant Atty:

Appellant Name:

.....
SAUNDERS, LESLIE M

.....
FINANCE AND ADMINISTRATION CABINET

Appellee Atty:

Appellee Name:

.....
ARDERY, JOSEPH L
CUMMINS, PETER MATTHEW

.....
DUPONT PERFORMANCE ELASTOMERS, L.L.C.
DUPONT PERFORMANCE ELASTOMERS, L.L.C.

LOCATION: WARREN COUNTY JUDICIAL CENTER, CIRCUIT COURTROOM C, 4TH FLOOR, 1001 CENTER STREET, BOWLING GREEN, KENTUCKY

DATE: Friday, February 15, 2008

9:30 AM PJ: STUMBO DIXON THOMPSON

2006CA000919 KIMBERLY LIKINS VS MARY KINSER ET AL.

Appeal from grant of partial summary judgment on disability discrimination and retaliatory discharge claim.

CIVIL OLDHAM COUNTY KAREN A. CONRAD

Appellant Atty:

Appellant Name:

.....
ADAMS JR, GARRY RICHARD

.....
KIMBERLY LIKINS

Appellee Atty:

Appellee Name:

.....
BOWLES, DAVID P

.....
MARY ELLEN KINSER
OLDHAM COUNTY FISCAL COURT

10:15 AM PJ: GRAVES CLAYTON DIXON

2006CA000918 GARLOCK SEALING TECHNOLOGIES, LLC VS AVA DEXTER ET AL.

2006CA000962;
2006CA000988;
2006CA001025

06-CA-962: Civil, Asbestos exposure; issues: Did trial ct. err in granting retrial for jury's failure to allocate damages to parties other than Garlock and Certaineed?06-CA-918/1025: Did trial ct. err by failing to award directed verdict on all claims?

CIVIL MARSHALL COUNTY PAUL W. ROSENBLUM

Appellant Atty:

Appellant Name:

.....
GORDINIER, JOHN K
LAWSON, JAMES HAYS
TSAI, BERLIN
WHETZEL JR., STANLEY W.

.....
GARLOCK SEALING TECHNOLOGIES, LLC
GARLOCK SEALING TECHNOLOGIES, LLC
GARLOCK SEALING TECHNOLOGIES, LLC
GARLOCK SEALING TECHNOLOGIES, LLC

Appellee Atty:

Appellee Name:

.....
GEISE, ELIZABETH R
JOHNSON, RICK

LUDWIG, ERIC ALLEN
MARSHALL, DAVID C.
SATTERLEY, JOSEPH D.

SHELTON, JOHN R

.....
CERTAIN TEED CORPORATION
AVA NELL DEXTER
JAMES M. DEXTER
CERTAIN TEED CORPORATION
CERTAIN TEED CORPORATION
AVA NELL DEXTER
JAMES M. DEXTER
AVA NELL DEXTER
JAMES M. DEXTER

**NOTE:40 MINUTE ORAL