

# **February 2022**

## **Oral Argument Calendar**

# **February 2022 Motion Panel**

**Judge Sara Combs, Presiding Judge**

**Judge Pamela Goodwine and  
Judge J. Christopher McNeill,  
Associates Judges**

Contact person for Oral Arguments

Natasha Coates – (502) 573-7920

## Kentucky Court of Appeals

### Oral Argument Calendar

Wednesday, February 02, 2022

Location: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,  
FRANKFORT, KY

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**11:00 AM (EST) GLOBAL SPECTRUM LP D/B/A SPECTRA VENUE MANAGEMENT V. CITY OF OWENSBORO ET. AL.**

[2020-CA-1483](#)

Presiding Judge: HON. IRV MAZE

Associate Judges: HON. GLENN E. ACREE and HON. SARA W. COMBS

**DAVIESS County, HON. JAY A. WETHINGTON**

Attorney for Appellant: David T Klapheke

Attorneys for AARON CREAGER, OFFICER (Appellee): Patrick D Pace, Stephen Christopher Pace, Gregory Dean Simms and John Patrick Ward, JR.

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**12:00 PM (EST) LOUISVILLE AND JEFFERSON COUNTY RIVERPORT AUTHORITY V. NEW ALBANY MAIN STREET PROPERTIES, LLC D/B/A PORT OF LOUISVILLE**

[2020-CA-1426](#)

Presiding Judge: HON. GLENN E. ACREE

Associate Judges: HON. SARA W. COMBS and HON. IRV MAZE

Civil; Arbitration: Whether an arbitration award regarding a lease agreement between the parties should be set aside as violative of section 164 of the Kentucky Constitution.

**JEFFERSON County, HON. MITCHELL PERRY**

Attorneys for Appellant: Donald L Cox and Matthew Payton Cox

Attorneys for Appellee: Kenneth Allen Bohnert and Edward F Busch

**Wednesday, February 09, 2022**

Location: HARDIN COUNTY JUSTICE CENTER, 120 EAST DIXIE AVE.,  
ELIZABETHTOWN, KY

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**1:00PM (EST) BRANDIS BRADLEY, INDIVIDUALLY ET. AL. V. COMMONWEALTH OF KENTUCKY, EX REL, DANIEL CAMERON, ATTORNEY GENERAL**

[2021-CA-0280](#)

**Presiding Judge: HON. IRV MAZE**

**Associate Judges: HON. SARA W. COMBS and HON. DONNA L. DIXON**

**FRANKLIN County, HON. THOMAS D. WINGATE**

Attorneys for Appellants: Janet Lynn Stumbo, Ned Barry Pillersdorf and Ryan Douglas Mosley

Attorneys for Appellees: Aaron John Silletto, Brett Robert Nolan, Carmine Gennaro Iaccarino, Courtney Elizabeth Albini, Heather Lynn Becker, Jennifer Schwartz Scutchfield and Michael Rollin Wilson

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**2:00PM (EST) KEVIN RAY BURDINE VS COMMONWEALTH OF KENTUCKY**

[2019-CA-1740](#)

**Presiding Judge: HON. IRV MAZE**

**Associate Judges: HON. SARA W. COMBS and HON. DONNA L. DIXON**

**FAYETTE County, HON. JOHN E. REYNOLDS**

Attorneys for Appellant: Jerry Lee Wright and Noel Embry Caldwell

Attorneys for Appellee: Courtney J Hightower, LOU ANNA REDCORN and DANIEL J. CAMERON

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**Thursday, February 17, 2022**

Location: HARDIN COUNTY JUSTICE CENTER, 120 EAST DIXIE AVE.,  
ELIZABETHTOWN, KY

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**12:00 PM FLORENCE BAKER, ET AL. V. RACHEL KUFFNER, ET AL.  
(EST)**

[2020-CA-1247](#)

**Presiding Judge: HON. KELLY THOMPSON**

**Associate Judges: HON. GLENN E. ACREE and HON. ALLISON E. JONES**

**JEFFERSON County, HON. ANGELA JOHNSON**

Attorneys for Appellants: Katie Marie Brophy and Nolia Gayle Batey

Attorney for Appellees: Sandra Barr Hammond

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**Thursday, February 24, 2022**

Location: METCALFE COUNTY COURTHOUSE, 201 E. STOCKTON ST.,  
EDMONTON, KY

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**11:30 AM (CST) DAVID CIOCHETTY ET. AL. V. FOUNTAIN TRACE HOMEOWNERS' ASSOCIATION, INC.**

[2021-CA-0171](#)

**Presiding Judge: HON. PAMELA R. GOODWINE**

**Associate Judges: HON. JACQUELINE M. CALDWELL and HON. JAMES H. LAMBERT**

Civil - Whether trial court erred in granting summary judgment in favor of Appellee (Commercial Lessor).

**WARREN County, HON. JOHN GRISE**

Attorney for Appellants: Matthew James Baker

Attorney for Appellees: David F Broderick, Ian Loos and Tad Travis Pardue

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**1:00 PM (CST) DONNA POWERS V. KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY**

[2020-CA-1011](#)

**Presiding Judge: HON. JACQUELINE M. CALDWELL**

**Associate Judges: HON. PAMELA R. GOODWINE and HON. JAMES H. LAMBERT**

Civil - Appellant was injured in a car crash where she was struck by a drunk driver; unknown to Appellant the driver died prior to the filing of her lawsuit. Appellant appeals from alleged errors of the trial court. 1) the trial court erred in finding the Appellant failed to timely add or substitute the estate of the driver, and 2) the trial court erred in granting summary judgment to Appellant's insured, KY Farm Bureau, that a timely filed under-insured claim could not proceed in the absence of a viable lawsuit against the driver's estate.

**MCCRACKEN County, HON. TIMOTHY KALTENBACH**

Attorneys for Appellant: Jamie Kristin Neal and Daryl Thomas Dixon

Attorney for Appellee: Michael Darin Moore