

July 2021

Oral Argument Calendar

July 2021 Motion Panel

Chief Judge Denise Clayton, Presiding Judge

**Judges Sara Combs and Allison Jones,
Associates Judges**

Contact person for Oral Arguments

Natasha Coates – (502) 573-7920

Kentucky Court of Appeals

Oral Argument Calendar

Monday, July 12, 2021

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

11:00 AM (EST) KIMBERLY JOHNSON V. MEDICAL PROTECTIVE COMPANY

[2020-CA-0962](#)

PRESIDING JUDGE: HON. PAMELA R GOODWINE

ASSOCIATE JUDGES: HON. ALLISON E. JONES and HON. JOY A. KRAMER

Civil - Whether the Trial Court erred in dismissing Appellant's fraud/bad faith claims seeking damages after Appellant refused to repay \$1.5 million-dollar settlement.

FLEMING County HON. STOCKTON B. WOOD

Attorneys for Appellant: J Dale Golden and Kellie Marie Collins

Attorney for Appellees: Mindy Barfield

11:45 AM (EST) BRENDA COOK INDIVIDUALLY, ET AL VS LAWANDA IRVIN, ET AL

[2020-CA-0501](#)

PRESIDING JUDGE: HON. IRV MAZE

ASSOCIATE JUDGES: HON. PAMELA R GOODWINE and HON. JOY A. KRAMER

JEFFERSON County HON. AUDRA J. ECKERLE

Attorney for Appellants: Peter James Jannace

Attorneys for Appellees: Dana Lucas Collins, Daniel Woodard Redding, Katherine Trigg Reisz and Mark Squires Fenzel

Tuesday, July 13, 2021

Location: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, LOUISVILLE, KY

11:45 AM (EST) TRESHAWN LEVAR JONES VS COMMONWEALTH OF KENTUCKY

[2020-CA-0139](#)

PRESIDING JUDGE: HON. IRV MAZE

ASSOCIATE JUDGES: HON. DENISE G. CLAYTON and HON. DONNA L. DIXON

Appeal from denial of RCr 11.42 motion. Ineffective assistance of counsel in advising defendant to accept guilty plea; jurisdiction of circuit court to accept plea due to lack of valid juvenile transfer hearing; whether prior unappealed holding of this Court is law of the case following subsequent Supreme Court holding in *Commonwealth v. B.H.*, 548 S.W.3d.238 (Ky.2018).

FAYETTE County HON. LUCY VANMETER

Attorneys for Appellant: Kara Anita Stinson and Samuel N Potter

Attorney for Appellee: Matthew Robert Krygiel

12:30 PM (EST) LINCOLN TRAIL GRAIN GROWERS ASSOCIATION ET. AL. V. MEADE COUNTY FISCAL COURT

[2020-CA-0892](#)

PRESIDING JUDGE: HON. IRV MAZE

ASSOCIATE JUDGES: HON. DENISE G. CLAYTON and HON. DONNA L. DIXON

Appeal from order dismissing declaratory judgment action. Appellants' statutory and constitutional standing to assert claims for alleged violation of the Open Meetings Act and illegality of action by Fiscal Court.

MEADE County, HON. BRUCE T. BUTLER

Attorneys for Appellants: Charity Suzanne Bird and Michael Charles Merrick

Attorneys Appellee: Anthony George Raluy, Douglas Cain Ballatien, Lindey Lee Howard, Timothy Joseph Eifler and Robert Keith Bond

Tuesday, July 13, 2021

Location: VIA VIDEO CONFERENCE

11:00 AM (EST) KENTUCKY RETIREMENT SYSTEMS BY AND THROUGH THE BOARD OF TRUSTEES OF THE, ET AL VS WESTERN KENTUCKY UNIVERSITY

[2020-CA-0793](#)

PRESIDING JUDGE: HON. DENISE G. CLAYTON

ASSOCIATE JUDGES: HON. DONNA L. DIXON and HON. IRV MAZE

Appeal of Summary Judgment on a Delaratory Judgment Complaint in which Western Kentucky University contests its participation in the Kentucky Retirement System of the employees who work in custodial service which was outsourced.

FRANKLIN County, PHILLIP J. SHEPHERD

Attorney for Appellants: Robert William Kellerman

Attorneys for Appellee: Laura Marie Hagan, Richard Alexander Thomason and Thomas Neal Kerrick
