

UPDATED 06/01/2005

**JUNE 2005**

**ORAL ARGUMENT**

**CALENDAR**

05/13/2005

**JUNE 2005**

**COURT MEETING AND ORAL ARGUMENTS BEING HELD IN LOUISVILLE**

**June 7, 2005**

**10:00 AM, FULL COURT MEETING**

**1:30 - 2:00 PM, ORAL ARGUMENT IN LOUISVILLE, #2004-CA-0423, CENTURY SURETY COMPANY V. CONTINENTAL CASUALTY CO., JUDGE GUIDUGLI, PRES.; JUDGE TAYLOR AND SENIOR JUDGE EMBERTON, ASSOC.**

**3:00 - 3:30 PM, ORAL ARGUMENT IN LOUISVILLE, #2004-CA-1189, ZIAD ALI V. CITY OF LOUISVILLE, JUDGE GUIDUGLI, PRES., JUDGE EMBERTON AND MINTON, ASSOC.**

**June 13, 2005**

**1:00 PM, MOTION PANEL IN FRANKFORT, JUDGE TAYLOR, Pres., JUDGES MINTON AND SCHRODER, ASSOC.**

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

**FRANKFORT - Contact Sam Givens, 502-573-7920**

**BOWLING GREEN - Contact Jim Gildersleeve, 270-746-7411**

**LOUISVILLE - Contact Shelly Hawes, Judge Knopf's Secretary, 502-595-3440**

PANEL: WEST/SOUTHCENTRAL

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

DATE: Wednesday, June 15, 2005

9:30 AM PJ: SCHRODER BARBER HUDDLESTON  
 2003CA002648 MARTIN LAND DEVELOPMENT COMPANY, INC. ET AL. VS BOWLING GREEN AND WARREN COUNTY AIRPORT BOARD  
 2003CA002768 DISPUTE BETWEEN THE AIRPORT BOARD AND A TENANT AS TO THE LEASE AGREEMENT.

CIVIL WARREN COUNTY JOHN D. MINTON JR

Appellant Atty:

Appellant Name:

.....  
LAWLESS, PAUL T

.....  
CO-MAR AVIATION, INC.

MARTIN LAND DEVELOPMENT COMPANY, INC.

MAULDIN, TIMOTHY L

CO-MAR AVIATION, INC.

MARTIN LAND DEVELOPMENT COMPANY, INC.

Appellee Atty:

Appellee Name:

.....  
BRODERICK, DAVID F.

.....  
BOWLING GREEN AND WARREN COUNTY AIRPORT BOARD

10:15 AM PJ: SCHRODER BARBER HUDDLESTON  
 2004CA000689 RITCHIE BRACK VS NELDA BRACK  
 DIVORCE ACTION DISPUTING THE NONDIVISION OF A SETTLEMENT.

CIVIL BALLARD COUNTY WILLIAM LEWIS SHADOAN

Appellant Atty:

Appellant Name:

.....  
MEGIBOW, TOD D

.....  
RITCHIE BRACK

Appellee Atty:

Appellee Name:

.....  
LOOKOFSKY, BEN J.

.....  
NELDA BRACK

PANEL: LOUISVILLE METRO

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

DATE: Tuesday, June 07, 2005

3:00 PM

PJ: GUIDUGLI

EMBERTON

MINTON

2004CA001189

ZIAD ALI VS CITY OF LOUISVILLE

APPEAL FROM DIRECTED VERDIT - TRIAL COURT HELD SEXUAL ASSAULT IN LIBRARY COMPUTER LAB WAS NOT FORSEEABLE, SO THE CITY HAD NO DUTY AND COULD NOT BE HELD VICARIOUSLY LIABLE.

CIVIL

JEFFERSON COUNTY

THOMAS B. WINE

Appellant Atty:

Appellant Name:

.....  
LEVY, UDELL B.

.....  
ZIAD ALI

Appellee Atty:

Appellee Name:

.....  
GOWEN, GREGORY SCOTT

.....  
CITY OF LOUISVILLE

PANEL: RESCHEDULED AND MISC. CASES

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

DATE: Tuesday, June 07, 2005

1:30 PM

PJ: GUIDUGLI

EMBERTON

TAYLOR

2004CA000423

CENTURY SURETY COMPANY VS CONTINENTAL CASUALTY COMPANY

CENTURY ORDERED TO INDEMNIFY CONTINENTAL FOR INJURY CAUSED ON AMUSEMENT RIDE AT A MALL.  
LICENSE AGREEMENT ISSUE.

CIVIL

WARREN COUNTY

JOHN D. MINTON JR

Appellant Atty:

Appellant Name:

.....

PORTER, WALTER L.

.....

CENTURY SURETY COMPANY

Appellee Atty:

Appellee Name:

.....

KENNEDY, TODD P.

.....

CONTINENTAL CASUALTY COMPANY

PANEL: RESCHEDULED AND MISC. CASES

LOCATION: WARREN COUNTY JUDICIAL CENTER, 4TH FLOOR CIRCUIT COURT ROOM B, 1001  
CENTER STREET, BOWLING GREEN, KENTUCKY

DATE: Wednesday, June 15, 2005

11:00 AM PJ: MINTON HUDDLESTON HENRY  
2004CA000639 JOHN DOE #1-77 ET AL. VS GOLDEN & WALTERS, PLLC ET AL.

APPEAL FROM DISMISSAL OF LEGAL MALPRACTICE/NEGLIGENCE ACTION ARGUING ERROR IN FAILURE TO FIND ATTORNEY-CLIENT RELATIONSHIP OR FIDUCIARY RELATIONSHIP BETWEEN LAWYERS AND ABSENT MEMBERS OF PUTATIVE CLASS IN ABORTED FEDERAL CLASS ACTION.

CIVIL FAYETTE COUNTY PAMELA R GOODWINE

Appellant Atty:

Appellant Name:

.....  
MORRIS, JAMES MICHAEL

.....  
JANE DOE #1-19

JOHN DOE #1-77

MORRIS, SHARON K.

JANE DOE #1-19

JOHN DOE #1-77

Appellee Atty:

Appellee Name:

.....  
COLSON, GUY R.

.....  
GOLDEN & WALTERS, PLLC

J. DALE GOLDEN

FAMULARO, JOHN M.

DAVID A. FRIEDMAN

FERNANDEZ FRIEDMAN GROSSMAN & KOHN, PLLC

FULKERSON, CALVIN R.

EUGENE GOSS

MARK DAVID GOSS

KENNEDY, ELLEN ARVIN

GOLDEN & WALTERS, PLLC

J. DALE GOLDEN

MARRS, MELANIE S.

EUGENE GOSS

MARK DAVID GOSS

NOT REPRESENTED BY COUNSEL,

BARRY LYNN DEMUS JR

CHRISTOPHER ANDRE WILLIAMS

DAVID T. JONES

JOHN DOE # 1-16

OCTAVIUS GILLIS

RABE, GEORGE F.

REEVES & ASSOCIATES

ROBERT E. REEVES

SCUTCHFIELD, ALEX L

DAVID A. FRIEDMAN

FERNANDEZ FRIEDMAN GROSSMAN & KOHN, PLLC

SULLIVAN, LINDA B.

CRAIG JOHNSON

PANEL: FRANKFORT PANEL

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

DATE: Monday, June 06, 2005

---

1:30 PM PJ: TAYLOR KNOFF VANMETER  
2003CA002502 EMORY DAVIS ET AL. VS STOCKYARDS BANK & TRUST COMPANY

WHETHER CIRCUIT COURT PROPERLY GRANTED SUMMARY JUDGMENT DISMISSING APPELLANT'S CLAIMS OF BREACH OF FIDUCIARY DUTY AND CRIMINAL FACILITATION.

CIVIL JEFFERSON COUNTY LISABETH HUGHES ABRAM

Appellant Atty:

Appellant Name:

.....  
DEMOISEY, J FOX

.....  
CAROL DAVIS

EMORY M DAVIS

Appellee Atty:

Appellee Name:

.....  
GALLOWAY, EDWARD L

.....  
STOCKYARDS BANK & TRUST COMPANY

---

2:15 PM PJ: TAYLOR KNOFF VANMETER  
2004CA001516 BASIL POLLITT ET AL. VS PUBLIC SERVICE COMMISSION,  
COMMONWEALTH OF KENTUCKY,

WHETHER THE GAS GROUP IS A "UTILITY" UNDER KRS 278.040(2); WHETHER FINES OF \$25,750.00 ARE EXCESSIVE UNDER KRS 278.992?

CIVIL FRANKLIN COUNTY ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

.....  
HOSKINS, WILLIAM KIRK

.....  
BASIL C. POLLITT

THE GAS GROUP, INC.

Appellee Atty:

Appellee Name:

.....  
WRIGHT, DALE

.....  
PUBLIC SERVICE COMMISSION, COMMONWEALTH OF KENTUCKY,

PANEL: FRANKFORT PANEL

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

DATE: Monday, June 06, 2005

3:00 PM

PJ: KNOFF

TAYLOR

VANMETER

2004CA001277

ERIC MITCHELL ET AL. VS ALLSTATE INSURANCE COMPANY

THE MITCHELLS APPEAL FROM A SUMMARY JUDGMENT FINDING THAT THEIR AUTOMOBILE INSURANCE HAD NO OBLIGATION TO PROVIDE COVERAGE FOR DAMAGES ARISING OUT OF AN ACCIDENT INVOLVING AN UNAUTHORIZED DRIVER. THE MITCHELLS ARGUE THAT THERE WERE GENUINE ISSUES OF MATERIAL FACT WHETHER THE DRIVER HAD PERMISSION TO USE THE VEHICLE.

CIVIL

HARRISON COUNTY

ROBERT MCGINNIS

Appellant Atty:

Appellant Name:

.....  
SIEBERT, DANIEL E.

.....  
CANDACE SLADE  
ERIC MITCHELL

Appellee Atty:

Appellee Name:

.....  
BRYANT, CHARLES STEVEN  
CARRELL II, WILLIAM P  
EWEN, A. CAMPBELL

.....  
ALLSTATE INSURANCE COMPANY  
ALLSTATE INSURANCE COMPANY  
ALLSTATE INSURANCE COMPANY