

UPDATED 03/22/2007

MARCH 2007

ORAL ARGUMENT

CALENDAR

03/22/07

MARCH, 2007

March 5, 2007 2:00 P.M., MOTION PANEL, SR. JUDGE BUCKINGHAM, PRES.,
JUDGE KELLER, AND JUDGE THOMPSON, ASSOC.

March 6, 2007 9:15 - 9:45 A.M., ORAL ARGUMENT, #2006-CA-000105,
ANN MCGINNIS V. CHRISTOPHER THEUER, M.D., ET AL.
JUDGE TAYLOR, PRES., SR. JUDGE PAISLEY, AND
JUDGE WINE, ASSOC.

10:00 A.M., FULL COURT MEETING

1:00 - 1:30 P.M., ORAL ARGUMENT, #2005-CA-001163
MICHAEL COX V. SHANNON COX, JUDGE KELLER, PRES.,
JUDGE DIXON AND JUDGE LAMBERT, ASSOC.

1:45 - 2:15 PM, ORAL ARGUMENT, #2003-CA-001078,
ELMER MOORE V. COMMONWEALTH OF KENTUCKY,
JUDGE KELLER, PRES., JUDGE ACREE AND
JUDGE DIXON, ASSOC.

2:30 - 3:00 P.M., ORAL ARGUMENT, #2006-CA-000124 &
#2006-CA-000191, NORMAN JOHNSON, ET AL. V.
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT,
JUDGE KELLER, , PRES. , JUDGE ACREE, AND
JUDGE DIXON, ASSOC.

3:15 - 3:45 P.M., ORAL ARGUMENT, #2006-CA-000188,
COUNTY OF KENTON, KENTUCKY V. CLINTON BASTON,
JUDGE DIXON, PRES., JUDGE ACREE AND
JUDGE KELLER, ASSOC.

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

FRANKFORT - Contact Mary Zagale (502) 573-7920

LOUISVILLE - Contact Don Olson (502) 852-6092

LONDON - Contact Doris Callebs (606) 330-2095

RUSSELLVILLE - Nancy Matthews - (270) 726-2242

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

DATE: Tuesday, March 06, 2007

9:15 AM PJ: TAYLOR PAISLEY WINE
2006CA000105 ANN MCGINNIS VS CHRISTOPHER THEUER, M.D. ET AL.

WHETHER TRIAL COURT ERRED BY (1) GRANTING APPELLEE'S MOTION TO LIMIT COUNSEL'S CLOSING ARGUMENT; (2) FAILING TO INSTRUCT JURY ON APPELLANT'S INCREASED RISK OF FUTURE HARM; (3) REFUSING TO ANSWER QUESTIONS SUBMITTED BY THE JURY DURING DELIBERATIONS; AND (4) FAILING TO ADMIT APPELLANT'S CERTIFIED MEDICAL RECORD INTO EVIDENCE.

CIVIL SHELBY COUNTY ROBERT OVERSTREET

Appellant Atty:

Appellant Name:

.....
HAWKINS, MICHAEL L.

.....
ANN MCGINNIS

Appellee Atty:

Appellee Name:

.....
MCDONNER, MICHAEL RAY

.....
CHRISTOPHER J. THEUER, M.D.

TONER, GERALD R

SURGICAL ASSOCIATES, P.S.C.

CHRISTOPHER J. THEUER, M.D.

SURGICAL ASSOCIATES, P.S.C.

1:00 PM PJ: KELLER DIXON LAMBERT
2005CA001163 MICHAEL COX VS SHANNON COX

APPELLANT WANTS ORAL ARGUMENT. APPEAL IN DISSOLUTION ACTION,. HUSBAND RAISES ISSUES OF TIMESHARING, MAINTENANCE, DIVISION OF MARITAL ASSETS AND DEBTS, AND CHILD SUPPORT.

CIVIL FAYETTE COUNTY TIMOTHY NEIL PHILPOT

Appellant Atty:

Appellant Name:

.....
JONES, SUSAN B

.....
MICHAEL COX

Appellee Atty:

Appellee Name:

.....
DOSS, DEBRA ANN

.....
SHANNON GOINS COX

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

DATE: Tuesday, March 06, 2007

1:45 PM PJ: KELLER ACREE DIXON
2003CA001078 ELMER MOORE VS COMMONWEALTH OF KENTUCKY

DIRECT CRIMINAL APPEAL FROM JUDGMENT CONVICTING DEFENDANT OF FIRST-DEGREE SEXUAL ABUSE.
ISSUES INCLUDE DENIAL OF MOTION FOR MISTRIAL, HEARSAY, ADMISSION OF TESTIMONY, AND THE
CUMULATIVE EFFECT OF ERRORS.

CRIMINAL SCOTT COUNTY ROBERT B. OVERSTREET

Appellant Atty:

Appellant Name:

.....
BUSH SR, BING I

.....
ELMER MOORE

RADOMILE, MARCEL BUSH

ELMER MOORE

Appellee Atty:

Appellee Name:

.....
SEELIG, GEORGE G.

.....
COMMONWEALTH OF KENTUCKY

2:30 PM PJ: KELLER ACREE DIXON
2006CA000124 NORMAN JOHNSON ET AL. VS LEXINGTON-FAYETTE URBAN COUNTY
GOVERNMENT

2006CA000191 RETIRED FIREFIGHTERS CHALLENGE CONSTITUTIONALITY OF 2000 LFUCG ORDINANCE RELATING TO HEALTH
CARE COVERAGE ON EQUAL PROTECTION GROUNDS. CROSS-APPEAL BY LFUCG ADDRESSES PORTIONS OF
ORDERS GRANTING PLAN ELIGIBILITY AND BENEFITS TO THEM.

CIVIL FAYETTE COUNTY MARY C NOBLE

Appellant Atty:

Appellant Name:

.....
HOFFMAN, EVERETT C.

.....
CHARLES V. ROBINSON

JOHN L. GUMM

NORMAN W. JOHNSON

STEWART, JOHN FRITH

CHARLES V. ROBINSON

JOHN L. GUMM

NORMAN W. JOHNSON

Appellee Atty:

Appellee Name:

.....
CALDWELL, BRENT L.

.....
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

LOGSDON, DOUGLAS T.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

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

DATE: Tuesday, March 06, 2007

3:15 PM

PJ: DIXON

ACREE

KELLER

2006CA000188

COUNTY OF KENTON, KENTUCKY, EX. REL. ET AL. VS CLINTON BASTON ET
AL.

EMINENT DOMAIN.

CIVIL

BOONE COUNTY

ROBERT W. MCGINNIS

Appellant Atty:

Appellant Name:

.....
BAKER, JOSEPH L.

.....
COUNTY OF KENTON, KENTUCKY, EX. REL.

KENTON COUNTY AIRPORT BOARD

MARTIN, STEVEN C

COUNTY OF KENTON, KENTUCKY, EX. REL.

KENTON COUNTY AIRPORT BOARD

PLEATMAN, DEBRA S.

COUNTY OF KENTON, KENTUCKY, EX. REL.

KENTON COUNTY AIRPORT BOARD

Appellee Atty:

Appellee Name:

.....
CARRAN, ROBERT W.

.....
CLINTON BASTON

CORDELLA BASTON

DALLAS, STEPHEN K

CLINTON BASTON

CORDELLA BASTON

KEYS, ALICE GAILEY

CLINTON BASTON

CORDELLA BASTON

NEACE, ROBERT D

CLINTON BASTON

CORDELLA BASTON

TALIAFERRO III, PHILIP

CLINTON BASTON

CORDELLA BASTON

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

DATE: Wednesday, March 07, 2007

10:15 AM PJ: ACREE DIXON KELLER

2005CA002264 TED NOBLE ET AL. VS SANITATION DISTRICT NO. 1

2005CA002521 CIVIL; CONSOLIDATED APPEALS, CONDEMNEE CHALLENGES, CONDEMNATION ACTION.

CIVIL CAMPBELL COUNTY FRED A STINE V

Appellant Atty:

Appellant Name:

.....
BLAU, ROBERT E.

.....
BARBARA NOBLE
TED L. NOBLE

Appellee Atty:

Appellee Name:

.....
GUENTHER, SCOTT
LANGEN, JENNIFER H.

.....
SANITATION DISTRICT NO. 1
SANITATION DISTRICT NO. 1

11:00 AM PJ: ACREE DIXON KELLER

2006CA000296 KENTUCKY RETIREMENT SYSTEMS VS DILLARD BROWN ET AL.

CIVIL, DISABILITY, DIRECT APPEAL; REVIEW OF CIRCUIT COURT'S REVERSAL OF KRS'S DENIAL OF DISABILITY BENEFITS.

CIVIL FRANKLIN COUNTY WILLIAM L GRAHAM

Appellant Atty:

Appellant Name:

.....
RUPINEN, KATHERINE

.....
KENTUCKY RETIREMENT SYSTEMS

Appellee Atty:

Appellee Name:

.....
MATTINGLY III, JOSEPH H.

.....
DILLARD WAYNE BROWN
DILLARD WAYNE BROWN

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

DATE: Wednesday, March 07, 2007

1:00 PM

PJ: ACREE

DIXON

KELLER

2006CA000603

DAVID ALLEN ET AL. VS WOODFORD CO. BD. OF ADJ

CIVIL; CHALLENGE OF BOARD OF ADJUSTMENT GRANT OF A CONDITIONAL USE PERMIT ALLOWING OPERATION OF A "TOURIST HOME."

CIVIL

WOODFORD COUNTY

ROBERT G. JOHNSON

Appellant Atty:

Appellant Name:

.....
ALLEN, DAVID B

.....
ANNE KEOGH

DONNA J. ALLEN

JAMES KEOGH

Appellee Atty:

Appellee Name:

.....
BUTLER, TIMOTHY C.

.....
BILL GOODMAN

DAVID PRUITT

FRANK STARK

PATRICIA WILSON

SAM DOZIER

TIM TURNEY

WOODFORD CO. BD. OF ADJUST.

KINKEAD JR, SHELBY C.

THOMAS R. POST

1:45 PM

PJ: ACREE

DIXON

KELLER

2006CA000526

SANDRA BROOKS ET AL. VS LEXINGTON-FAYETTE URBAN COUNTY
HOUSING AUTHORITY

CIVIL; APPEAL FROM TRIAL COURT'S ORDER DELETING STATUTORY INTEREST FROM JUDGMENT WHICH HAD BEEN AFFIRMED ON APPEAL, ORIGINAL ACTION LEXINGTON-FAYETTE URBAN COUNTY HOUSING AUTHORITY FOR EMPLOYMENT DISCRIMINATION AND RETALIATION.

CIVIL

FAYETTE COUNTY

GARY D PAYNE

Appellant Atty:

Appellant Name:

.....
JACOBS, WILLIAM C.

.....
SANDRA C. BROOKS

WILLIAM C. JACOBS

Appellee Atty:

Appellee Name:

.....
BECKER, WINIFRED L

.....
LEXINGTON-FAYETTE URBAN COUNTY HOUSING AUTHORITY

ESCHELS, PHILIP C

LEXINGTON-FAYETTE URBAN COUNTY HOUSING AUTHORITY

JOHNSON, SARAH HARRINGTON

LEXINGTON-FAYETTE URBAN COUNTY HOUSING AUTHORITY

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

DATE: Tuesday, March 13, 2007

9:15 AM PJ: KNOFF THOMPSON WINE
2006CA000772 ROGER ALEXANDER VS COMMONWEALTH OF KENTUCKY

APPEAL FROM A JURY VERDICT CONVICTING ALEXANDER OF DIVERTING CHARITABLE GAMING FUNDS FOR FINANCIAL BENEFIT OVER \$300. HE ARGUES INAPPROPRIATE AGGREGATION OF OFFENSES, VIOLATION OF HIS RIGHT TO COMPULSORY PROCESS, AND VARIOUS OTHER TRIAL ERRORS.

CRIMINAL MADISON COUNTY WILLIAM T JENNINGS

Appellant Atty:

Appellant Name:

.....
BOWMAN, JOSEPH PATRICK
TRUE, J. GUTHRIE

.....
ROGER ALEXANDER
ROGER ALEXANDER

Appellee Atty:

Appellee Name:

.....
SEELIG, GEORGE G.

.....
COMMONWEALTH OF KENTUCKY

10:00 AM PJ: WINE KNOFF THOMPSON
2005CA002562 BENJAMIN FERRY VS COMMONWEALTH OF KENTUCKY

FERRY APPEALS A CONVICTION BECAUSE (1) THE TRIAL COURT FAILED TO ALLOW TESTIMONY FROM THE LEAD INVESTIGATOR INTO THE ARRESTING OFFICER'S ILLEGAL ACTIVITIES THAT WOULD TEND TO EXPLAIN WHY THE SUBSTANCE FERRY TESTIFIED WAS SOAP POWDER, ACTUALLY TESTED POSITIVE FOR METH; (2) HE WAS PREJUDICED WHEN UNQUALIFIED WITNESSES, WHO WERE NEVER DISCLOSED AS "EXPERTS" WERE ALLOWED TO TESTIFY THAT MULTIPLE PACKAGES OF METH FOUND ON FERRY INDICATED DEALER, NOT USER.

CRIMINAL BRECKINRIDGE COUNTY ROBERT A MILLER

Appellant Atty:

Appellant Name:

.....
HORSMAN, LINDA ROBERTS
JOHNSON, ANGELA
PRESTON, DAMON

.....
BENJAMIN C. FERRY
BENJAMIN C. FERRY
BENJAMIN C. FERRY

Appellee Atty:

Appellee Name:

.....
SHACKELFORD, JAMES C

.....
COMMONWEALTH OF KENTUCKY

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

DATE: Tuesday, March 13, 2007

10:45 AM

PJ: WINE

KNOPF

THOMPSON

2006CA000359

LIGGETT GROUP, INC. ET AL. VS COMMONWEALTH OF KENTUCKY ET AL.

APPELLANTS ALLEGE THE TRIAL COURT FAILED TO ENFORCE THE TERMS OF THE MASTER SETTLEMENT AGREEMENT BETWEEN KY (AND OTHER SETTLING STATES) AND APPELLANTS, TOBACCO COMPANIES THAT HAVE BEEN PARTICIPATING IN MSA IN THE PAST. THE SETTLING STATES PERMITTED A NEW COMPANY, GENERAL TOBACCO, TO JOIN THE MSA ON CONDITIONS THAT VIOLATED THE MSA'S REQUIREMENTS, INCLUDING AMONG OTHER THINGS, EXEMPTING GENERAL TOBACCO FROM HALF OF ITS REQUIRED FIRST YEAR'S PAYMENT OBLIGATION.

CIVIL

FRANKLIN COUNTY

ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

.....
BROOKHISER, ROBERT J.

.....
COMMONWEALTH BRANDS, INC.

KING MAKER MARKETING, INC.

SHERMAN'S 1400 BROADWAY N.Y.C., LTD.

HAYNES, KENNETH GREGORY

COMMONWEALTH BRANDS, INC.

KING MAKER MARKETING, INC.

SHERMAN'S 1400 BROADWAY N.Y.C., LTD.

JOHNSON, WILLIAM E.

LIGGETT GROUP, INC.

VECTOR TOBACCO, INC.

MCCALLUM, ELIZABETH B.

COMMONWEALTH BRANDS, INC.

KING MAKER MARKETING, INC.

SHERMAN'S 1400 BROADWAY N.Y.C., LTD.

SNELL, VIRGINIA HAMILTON

COMMONWEALTH BRANDS, INC.

KING MAKER MARKETING, INC.

SHERMAN'S 1400 BROADWAY N.Y.C., LTD.

TRUE, J. GUTHRIE

LIGGETT GROUP, INC.

VECTOR TOBACCO, INC.

Appellee Atty:

Appellee Name:

.....
BUSH, JOHN K

.....
VIBO CORPORATION

GRAY, ELISABETH S

VIBO CORPORATION

HERRICK, JAMES M

COMMONWEALTH OF KENTUCKY

LEVIN, PETER

COMMONWEALTH OF KENTUCKY

PLUMLEY, MICHAEL L

COMMONWEALTH OF KENTUCKY

REED, STEVEN S

VIBO CORPORATION

STUMBO, GREGORY D.

COMMONWEALTH OF KENTUCKY

WICKER, J KENT

VIBO CORPORATION

**NOTE:40 MINUTE ORAL

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

DATE: Tuesday, March 13, 2007

1:00 PM PJ: WINE KNOF THOMPSON
2006CA000697 BARBARA SAWYER VS MELBOURNE MILLS

SAWYER APPEALS A JNOV SETTING ASIDE A VERDICT FOR \$900,000 FROM HER EMPLOYER WHO STOPPED PAYING HER A PROMISED BONUS AS PART OF HER EMPLOYMENT. AT ISSUE IS WHETHER THE STATUTE OF FRAUDS APPLIES TO SAWYER'S CLAIM.

CIVIL FAYETTE COUNTY JAMES D ISHMAEL JR

Appellant Atty:

Appellant Name:

.....
COX, MICHAEL J
MILLER, THOMAS W.

.....
BARBARA LUCINDA SAWYER
BARBARA LUCINDA SAWYER

Appellee Atty:

Appellee Name:

.....
GUARNIERI, DAVID J.
JOHNSON, WILLIAM E.
WALLINGFORD II, JOSEPH W

.....
MELBOURNE MILLS Jr
MELBOURNE MILLS Jr
MELBOURNE MILLS Jr

1:45 PM PJ: THOMPSON KNOF WINE
2006CA000506 WILLIS SUTER ET AL. VS HENRI MAZYCK ET AL.

THE INITIAL ACTION WAS FOR WASTE AND MISAPPROPRIATION OF CORPORATE FUNDS. SUMMARY JUDGEMENT WAS GRANTED WITHOUT SPECIFIC FINDINGS OF FACT. A MOTION TO AMEND THE COMPLAINT TO STATE AN ACTION TO DISSOLVE THE CORPORATION WAS DENIED. ISSUES ARE WHETHER THE ACTION WAS PREMATURELY TERMINATED, UNCLEAN HANDS DOCTRINE, AND DENIAL OF THE MOTION TO AMEND.

CIVIL FAYETTE COUNTY PAMELA R GOODWINE

Appellant Atty:

Appellant Name:

.....
DERIFIELD, J. BRADFORD

HOFFMANN, WARREN J

.....
C. CARTER SUTER
WILLIS H. SUTER
C. CARTER SUTER
WILLIS H. SUTER

Appellee Atty:

Appellee Name:

.....
MILLER, THOMAS W.

WOODFORD, ELIZABETH C

.....
FRED F. ROSER III
HENRI C. MAZYCK
THOMAS C. ROSER
FRED F. ROSER III
HENRI C. MAZYCK
THOMAS C. ROSER

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

DATE: Tuesday, March 13, 2007

2:30 PM PJ: THOMPSON KNOFF WINE
2006CA000803 CAPITOL RESOURCES CORPORATION VS THE DEPARTMENT OF STATE
POLICE

ACTION BROUGHT PURSUANT TO OPEN RECORDS ACT TO COMPEL KSP TO SUPPLY ACCIDENT REPORT
INFORMATION. KSP DECIDED THAT THE REQUEST WAS NOT FOR NEWS PURPOSES AND NOT BY A NEWS
GATHERING ORGANIZATION.

CIVIL FRANKLIN COUNTY ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

MEYER, R. KENYON

CAPITOL RESOURCES CORPORATION

ROGERS, JEREMY STUART

CAPITOL RESOURCES CORPORATION

Appellee Atty:

Appellee Name:

DENNIS, EMILY

THE DEPARTMENT OF STATE POLICE

3:15 PM PJ: THOMPSON KNOFF WINE
2005CA001952 COMPETITIVE AUTO RAMP SERVICES, INC. VS KENTUCKY
UNEMPLOYMENT INSURANCE COMMISSION ET AL.

IMPOSITION OF UNEMPLOYMENT TAX ON A SUCCESSOR EMPLOYER. THE ISSUE IS WHETHER THERE IS
SUBSTANTIAL EVIDENCE TO SUPPORT THE COMMISSION'S CONCLUSION THAT THE TAX CAN BE IMPOSED
UNDER KRS 341.540.

CIVIL FRANKLIN COUNTY WILLIAM L GRAHAM

Appellant Atty:

Appellant Name:

HATFIELD, TIMOTHY G

COMPETITIVE AUTO RAMP SERVICES, INC.

Appellee Atty:

Appellee Name:

PEABODY, AMY O'NAN

KENTUCKY DIVISION OF UNEMPLOYMENT INSURANCE

KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION

LOCATION: LAUREL COUNTY JUDICIAL ANNEX NO. 2, CIRCUIT COURTROOM, 103 SOUTH BROAD STREET, LONDON, KENTUCKY

DATE: Wednesday, March 14, 2007

9:30 AM PJ: BUCKINGHAM LAMBERT STUMBO
2005CA002183 AMERICAN COMMERCE INSURANCE COMPANY VS GENELL HALL ET AL.
UNDERINSURANCE/BAD FAITH/DEFAULT JUDGMENT.

CIVIL FLOYD COUNTY DANNY P CAUDILL

Appellant Atty:

Appellant Name:

.....
BAIRD III, WILLIAM J
CARTER JR, SAM A

.....
AMERICAN COMMERCE INSURANCE COMPANY
AMERICAN COMMERCE INSURANCE COMPANY

Appellee Atty:

Appellee Name:

.....
WICKER, JERRY W.

.....
BETTY PATTON
BILLY PATTON
GENELL HALL
GENELL HALL

**NOTE: ORIGINALLY 3/13/07

10:15 AM PJ: BUCKINGHAM LAMBERT STUMBO
2006CA000136 LAKE CUMBERLAND, LLC VS SCOTTIE DISHMAN ET AL.
2006CA000192 HOSPITAL NEGLIGENCE.

CIVIL PULASKI COUNTY JEFFREY T BURDETTE

Appellant Atty:

Appellant Name:

.....
HUME, BRADLEY R
STEVENS, SALLIE J.
THOMPSON, B. TODD

.....
LAKE CUMBERLAND, LLC
LAKE CUMBERLAND, LLC
LAKE CUMBERLAND, LLC

Appellee Atty:

Appellee Name:

.....
CARROLL, THOMAS E.

.....
JOE DISHMAN
SCOTTIE DISHMAN

**NOTE:ORIGINALLY 3/13/2007

LOCATION: LAUREL COUNTY JUDICIAL ANNEX NO. 2, CIRCUIT COURTROOM, 103 SOUTH BROAD STREET, LONDON, KENTUCKY

DATE: Wednesday, March 14, 2007

11:00 AM PJ: BUCKINGHAM LAMBERT STUMBO
2006CA001019 BETTY TURNER VS PERRY COUNTY COAL CORPORATION ET AL.
ILLEGITIMATE HEIR INHERITANCE.

CIVIL PERRY COUNTY WILLIAM ENGLE III

Appellant Atty:

Appellant Name:

.....
COMBS, HUSTON BARROW
HARRIS, JAMES T.
KELLER, JAMES

.....
BETTY TURNER
BETTY TURNER
BETTY TURNER

Appellee Atty:

Appellee Name:

.....
ASHLEY, ERIC E
COMBS, JAMES A

.....
HOMER YOUNG
PERRY COUNTY COAL CORPORATION

**NOTE:ORIGINALLY 3/13/2007

1:00 PM PJ: STUMBO BUCKINGHAM LAMBERT
2005CA002213 VERNAL ADKINS ET AL. VS KENTUCKY NATIONAL INSURANCE COMPANY
ET AL.
SUMMARY JUDGMENT, STACKING OF UNINSURED COVERAGE.

CIVIL PIKE COUNTY STEVEN D. COMBS

Appellant Atty:

Appellant Name:

.....
GOFF, KRISTIE

.....
VERNAL ADKINS
VERNAL ADKINS
VERNAL ADKINS
VERNAL ADKINS
VERNAL ADKINS
VERNAL ADKINS

HAMMOND, GLENN M

WRIGHT, CHRISTIE LYNN

Appellee Atty:

Appellee Name:

.....
COLLIER, BAYARD V.
COMBS, STEVEN DANIEL

.....
KENTUCKY NATIONAL INSURANCE COMPANY
STEVEN D. COMBS

**NOTE:ORIGINALLY 3/13/2007

LOCATION: LAUREL COUNTY JUDICIAL ANNEX NO. 2, CIRCUIT COURTROOM, 103 SOUTH BROAD STREET, LONDON, KENTUCKY

DATE: Wednesday, March 14, 2007

1:45 PM PJ: STUMBO BUCKINGHAM LAMBERT
2005CA002236 GAYNELL DYER ET AL. VS PROVIDIAN AUTO & HOME INSURANCE, CO.
UNINSURED DRIVER; COLLATERAL SOURCE.

CIVIL KNOTT COUNTY KIM C. CHILDERS

Appellant Atty:	Appellant Name:
.....
WHITEHEAD, SAMUEL H.	GAYNELL DYER
	GAYNELL DYER
Appellee Atty:	Appellee Name:
.....
MCDONNER, MICHAEL RAY	PROVIDIAN AUTO & HOME INSURANCE, CO.
STRITE, DAVID S.	PROVIDIAN AUTO & HOME INSURANCE, CO.

**NOTE:ORIGINALLY 3/13/2007

2:30 PM PJ: STUMBO BUCKINGHAM LAMBERT
2006CA000720 CABINET FOR HEALTH & FAMILY SERVICES ET AL. VS E. S.
PATERNITY; DEFAULT JUDGE, SUFFICIENCY OF SERVICE.

CLAY COUNTY GENE CLARK

Appellant Atty:	Appellant Name:
.....
BISHOP JR, CLAY M	CABINET FOR HEALTH & FAMILY SERVICES
	T. S.
Appellee Atty:	Appellee Name:
.....
ROBERTS, ALLEN B	E. S S.

**NOTE:ORIGINALLY ON 3/13/2007 - TIME CHANGE ON 3/14/07 FROM 3:15 PM

LOCATION: ALLEN COURTROOM, BRANDEIS SCHOOL OF LAW, UNIVERSITY OF LOUISVILLE, 2301 SOUTH THIRD STREET, LOUISVILLE, KENTUCKY

DATE: Wednesday, March 21, 2007

9:30 AM

PJ: COMBS

HENRY

MOORE

2006CA000943

B. W. VS DOLLY BERRY ET AL.

CHILD CUSTODY DISPUTE. APPELLANT CHALLENGES AWARD OF CUSTODY OF HER CHILDREN TO HER SISTER AND BROTHER-IN-LAW AFTER A FINDING OF NEGLECT AND ABUSE BY CABINET FOR HEALTH AND FAMILY SERVICES.

JEFFERSON COUNTY

DOLLY W. BERRY

Appellant Atty:

Appellant Name:

.....
COTTON, CARRIE LYNN

.....
B. W.

Appellee Atty:

Appellee Name:

.....
BERRY, DOLLY JEAN W
HENDERSON, KRISTIN DAWSON

.....
DOLLY WISEMAN BERRY

B. M.

J. M.

T. M.

SAYLOR, ERIKA

COMMONWEALTH OF KENTUCKY

ZAINO, RUSSELL BRUCE

S. S.

T. S.

**NOTE:ORIGINALLY ON 3/22/2007 AT 9:30 AM IN LOUISVILLE

LOCATION: ALLEN COURTROOM, BRANDEIS SCHOOL OF LAW, UNIVERSITY OF LOUISVILLE, 2301 SOUTH THIRD STREET, LOUISVILLE, KENTUCKY

DATE: Wednesday, March 21, 2007

10:15 AM

PJ: HENRY

COMBS

MOORE

2006CA000518

ST. MATTHEWS FIRE PROTECTION DISTRICT VS JOHN AUBREY ET AL.

LIABILITY OF SHERIFF, CO. CLERK, PVA FOR FIRE PROTECTION DISTRICT TAXES NOT COLLECTED.

CIVIL

JEFFERSON COUNTY

JUDITH E MCDONALD-BUR

Appellant Atty:

Appellant Name:

EIFLER, TIMOTHY J
SALES, WALTER L

ST. MATTHEWS FIRE PROTECTION DISTRICT
ST. MATTHEWS FIRE PROTECTION DISTRICT

Appellee Atty:

Appellee Name:

BRUTON, O. GRANT
LILLY, N SCOTT

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

BREMER A. EHRLER
DENISE HARPER-ANGEL
JAMES D. GREEN

JAMES M. VAUGHN

JOHN E. AUBREY

OLD REPUBLIC INSURANCE COMPANY

PEERLESS INSURANCE COMPANY

WESTERN SURETY COMPANY

SCHARDEIN, JOHN M

BREMER A. EHRLER

DENISE HARPER-ANGEL

JAMES D. GREEN

JAMES M. VAUGHN

JOHN E. AUBREY

OLD REPUBLIC INSURANCE COMPANY

PEERLESS INSURANCE COMPANY

WESTERN SURETY COMPANY

THERIOT, JANICE M.

BARBARA A. HOLSCLAW

JAMES F. MALONE

OHIO CASUALTY INSURANCE COMPANY

REBECCA D. JACKSON

ZIELKE, LAURENCE

BARBARA A. HOLSCLAW

JAMES F. MALONE

OHIO CASUALTY INSURANCE COMPANY

REBECCA D. JACKSON

LOCATION: ALLEN COURTROOM, BRANDEIS SCHOOL OF LAW, UNIVERSITY OF LOUISVILLE, 2301 SOUTH THIRD STREET, LOUISVILLE, KENTUCKY

DATE: Wednesday, March 21, 2007

11:00 AM PJ: HENRY COMBS MOORE

2006CA000585 MELANIE PEARSON VS NORTON HOSPITAL, INC. ET AL.

MEDICAL MALPRACTICE - SUMMARY JUDGMENT.

CIVIL JEFFERSON COUNTY JUDITH E MCDONALD-BUR

Appellant Atty:

Appellant Name:

.....
RUBIN, ALAN S

.....
MELANIE PEARSON

Appellee Atty:

Appellee Name:

.....
CRONEN, LESLIE METCALF

.....
NORTON HOSPITAL, INC.

GROHMANN, JAMES P.

CHRISTOPHER JOHNSRUDE

MICHAEL RECTO

PEDIATRIC CARDIOLOGY ASSOCIATES, PSC

ROBERT SOLINGER

HUME, BRADLEY R

NORTON HOSPITAL, INC.

MCMASTERS, BETH H.

NORTON HOSPITAL, INC.

1:30 PM PJ: HENRY COMBS MOORE

2006CA000724 MICHAEL PERDUE VS CSX TRANSPORTATION INC.

BODILY INJURY - FEDERAL SAFETY APPLIANCE ACT/JURY INSTRUCTIONS.

CIVIL JEFFERSON COUNTY STEPHEN K MERSHON

Appellant Atty:

Appellant Name:

.....
BERMAN, SANFORD L.

.....
MICHAEL L. PERDUE

DORAN, MICHAEL H.

MICHAEL L. PERDUE

Appellee Atty:

Appellee Name:

.....
LEWIS, J. T. BLAINE

.....
CSX TRANSPORTATION INC.

MONOHAN, DAVID R

CSX TRANSPORTATION INC.

LOCATION: LOGAN COUNTY COURTHOUSE, CIRCUIT COURTROOM,
RUSSELLVILLE, KENTUCKY

DATE: Monday, March 26, 2007

10:30 AM PJ: TAYLOR NICKELL PAISLEY
2006CA000072 FLOYD EVANS VS COMMONWEALTH OF KENTUCKY

WHETHER CIRCUIT COURT PROPERLY REVOKED APPELLANT'S PROBATION.

CRIMINAL HARDIN COUNTY JANET P. COLEMAN

Appellant Atty:

Appellant Name:

.....
MOREHEAD, DONALD H
PRESTON, DAMON

.....
FLOYD V. EVANS
FLOYD V. EVANS

Appellee Atty:

Appellee Name:

.....
LOGAN, KRISTIN N.

.....
COMMONWEALTH OF KENTUCKY

11:15 AM PJ: TAYLOR NICKELL PAISLEY
2006CA000850 DENNIS PITTMAN VS COMMONWEALTH OF KENTUCKY

WHETHER CIRCUIT COURT PROPERLY DISMISSED CRIMINAL CHARGES AGAINST APPELLANT.

CRIMINAL TAYLOR COUNTY ALLAN RAY BERTRAM

Appellant Atty:

Appellant Name:

.....
POTTER, SAMUEL N
PRESTON, DAMON

.....
DENNIS GENE PITTMAN
DENNIS GENE PITTMAN

Appellee Atty:

Appellee Name:

.....
SHACKELFORD, JAMES C

.....
COMMONWEALTH OF KENTUCKY

1:30 PM PJ: TAYLOR NICKELL PAISLEY
2005CA002464 JIMMY SHELTON VS KEVIN PARRISH

WHETHER APPELLANT WAS BARRED BY DOCTRINE OF RES JUDICATA FROM SEEKING PROCEEDS FROM
WRONGFUL DEATH CLAIM.

CIVIL UNION COUNTY TIMOTHY C STARK

Appellant Atty:

Appellant Name:

.....
RICH, JOEL C

.....
JIMMY E. SHELTON

Appellee Atty:

Appellee Name:

.....
MOORE, CHARLES E

.....
KEVIN PARRISH

LOCATION: LOGAN COUNTY COURTHOUSE, CIRCUIT COURTROOM,
RUSSELLVILLE, KENTUCKY

DATE: Monday, March 26, 2007

2:15 PM PJ: PAISLEY NICKELL TAYLOR
2004CA001925 BESSIE RUNNER ET AL. VS BASIL CLARK POLLITT ET AL.

TRIAL COURT SET ASIDE JURY VERDICT. ABUSE OF DISCRETION.

CIVIL WARREN COUNTY JOHN R. GRISE

Appellant Atty:

Appellant Name:

.....
ROBERTS, NANCY OLIVER

.....
BESSIE RUNNER

Appellee Atty:

Appellee Name:

.....
GROGAN, PHILLIP

.....
RAY KEOWN

HOSKINS, WILLIAM KIRK

BASIL CLARK POLLITT

MEREDITH II, KENNETH A

RCA ENERGY, INC.

NOT REPRESENTED BY COUNSEL,

THE GAS GROUP

WILSON CARTER

3:00 PM PJ: PAISLEY NICKELL TAYLOR
2005CA002128 KENT KNIGHT VS BRENT SPURLIN ET AL.

COUNTY GOVERNMENT: SEPARATION OF POWER; ADOPTION OF ADMINISTRATIVE CODE.

CIVIL TODD COUNTY TYLER L GILL

Appellant Atty:

Appellant Name:

.....
FRAZER, ROBERT BARTLEY

.....
KENT KNIGHT

Appellee Atty:

Appellee Name:

.....
JOHNS, HAROLD M.

.....
BILLY BRYANT

BRENT SPURLIN

JIMMY TURNER

WADE CHESTER

LOCATION: LOGAN COUNTY COURTHOUSE, CIRCUIT COURTROOM,
RUSSELLVILLE, KENTUCKY

DATE: Tuesday, March 27, 2007

9:30 AM PJ: NICKELL PAISLEY TAYLOR

2006CA000841 ED ALLEN ET AL. VS DANNY DEVINE ET AL.

FOLLOWING REMAND FROM COA, WHETHER THE TRIAL COURT ABUSED ITS DISCRETION IN DETERMINING APPELLANTS WAIVED ANY RIGHT TO CUSTODY.

CIVIL LOGAN COUNTY TYLER L GILL

Appellant Atty:

Appellant Name:

.....
MORGAN, JOHN COREY

.....
ED ALLEN
JUDY ALLEN

Appellee Atty:

Appellee Name:

.....
BRATCHER, PAMELA C.

.....
DANNY DEVINE
LISA DEVINE
JASON VAN CLEAVE
KRYSTAL VAN CLEAVE
JACKIE SANDERS

NOT REPRESENTED BY COUNSEL,
VAN CLEAVE, KRYSTAL
WILSON, ELIZABETH D

10:15 AM PJ: NICKELL PAISLEY TAYLOR

2006CA001559 DEBRA RANKIN VS BRAD COFFMAN

(1) WHETHER TRIAL COURT ABUSED ITS DISCRETION IN THE EVALUATION OF THE EVIDENCE WHEN MODIFYING CHILD CUSTODY DECREE; AND (2) WHETHER FAILURE TO TENDER AFFIDAVIT AS REQUIRED BY KRS 403.350 DEPRIVED TRIAL COURT OF SUBJECT MATTER JURISDICTION.

FAMILY COURT HARDIN COUNTY PAMELA ADDINGTON

Appellant Atty:

Appellant Name:

.....
HOGE III, WILLIAM L.

.....
DEBRA RANKIN

Appellee Atty:

Appellee Name:

.....
BIRDWHISTELL, BARRY

.....
BRAD COFFMAN