

UPDATED: 02/18/2010

**MARCH 2010**

**ORAL ARGUMENT**

**CALENDAR**

02/18/2010

**MARCH, 2010**

**March 2, 2010**

**10:00 A.M. FRANKFORT TIME, MOTION PANEL,  
JUDGE VANMETER, PRES., JUDGE DIXON, AND  
JUDGE TAYLOR , ASSOC.**

**March 23, 2010**

**9:15 A.M., SHOW CAUSE HEARING, #2008-CA-001073,  
ABRAM CONWAY V. SHARON DAVIS, JUDGE ACREE,  
PRES., JUDGE CAPERTON AND JUDGE THOMPSON,  
ASSOC.**

**10:00 A.M., FULL COURT MEETING**

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

**ELIZABETHTOWN – Contact Sue Tipton – (270) 766-5259**

**FRANKFORT – Contact Mary Zagale (502) 573-7920**

**LOUISVILLE – Contact for Jefferson Co. Judicial Center - Marti Dodd (502) 595-3440**

**LOUISVILLE – Contact for University of Louisville – Becky Wenning – (502) 852-1230**

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

**DATE: Friday, March 19, 2010**

**10:00 AM PJ: CLAYTON, HON. DENISE G. NICKELL, HON. C. SHEA KNOFF, HON. WILLIAM L.**  
**2009CA000465 BARBARA A ABEL v J. BRENT AUSTIN**

An appeal of the grant of a summary judgment motion in a Fen-Phen case.

**CIVIL FAYETTE COUNTY HON PAMELA R GOODWINE**

Appellant Atty:

FORD, ANGELA  
RAMBICURE, WILLIAM  
WELLS, TREVOR

Appellant Name:

ABNEY, ELIZABETH

Appellee Atty:

BENTLEY, PERRY  
FRAZIER, CARL  
PETT, LUCY  
SUBIT, MELISSA

Appellee Name:

AUSTIN, J.

TRIMBLE, DAVID

BEASLEY, ALLEN, CROW, METHVIN, PORTIS &  
MILES, P.C.

BREWER, STEPHEN  
STALF, DALE

LANGSTON, SWEET AND FREESE, P.A.

**\*\* NOTE:**

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

**DATE: Tuesday, March 23, 2010**

**01:30 PM PJ: STUMBO, HON. JANET L. TAYLOR, HON. JEFF S. VANMETER, HON. LAURANCE B.**  
**2008CA001987 SAMUEL T. BARRETT v JANET MULLIGAN**

MOR appeal from jury verdict in personal injury case. Issues include whether award of 3,000,000 in pain and suffering was excessive and whether failure of jury to apportion fault to injured party was inconsistent with evidence or based on speculation.

<b>CIVIL</b>	<b>JEFFERSON COUNTY</b>	<b>HON MARTIN F MCDONALD</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>MARTIN, JOHN JR</b>		<b>BARRETT, SAMUEL</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>GROSSMAN, H MOORE, JENNIFER</b>		<b>MULLIGAN, JANET</b>
.....		

**\*\* NOTE:**

**02:15 PM PJ: STUMBO, HON. JANET L. TAYLOR, HON. JEFF S. VANMETER, HON. LAURANCE B.**  
**2009CA000457 JERRY COCHRAN v PREMIER CONCRETE PUMPING, INC.**

MOR appeal from summary judgment in personal injury action. Issues include whether the trial court erred in granting motion to amend answer to include affirmative defense sixteen months after original answer filed, whether concrete truck engaged in pouring concrete is in use as a motor vehicle so that MVRA applies and application of proper statute of limitations.

<b>CIVIL</b>	<b>JEFFERSON COUNTY</b>	<b>HON ANN O'MALLEY SHAKE</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>HIESTAND, SHEILA</b>		<b>COCHRAN, JERRY</b>
<b>APPLE, LAURA</b>		<b>KENTUCKY ASSOCIATED GENERAL CONTRACTORS SELF-INSURANCE FUND</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>COLLIS, ERIC HUMMEL, JOSEPH</b>		<b>PREMIER CONCRETE PUMPING, INC.</b>
.....		

**\*\* NOTE:**

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

**DATE: Tuesday, March 23, 2010**

**09:15 AM PJ: ACREE, HON. GLENN E.**

**CAPERTON, HON. MICHAEL O.**

**THOMPSON, HON. KELLY**

**2008CA001073**

**ABRAM V. CONWAY v SHARON DAVIS**

Civil; Domestic: Whether trial court abused its discretion by granting Appellee the right to contact Appellant regarding children?

**CIVIL**

**WHITLEY COUNTY**

**HON PAUL E. BRADEN**

Appellant Atty:

**SMITH, MARCIA**

Appellant Name:

**CONWAY, ABRAM**

Appellee Atty:

**SHEPHERD, C**

Appellee Name:

**DAVIS, SHARON**

**\*\* NOTE:SHOW CAUSE HEARING**

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

**DATE: Wednesday, March 24, 2010**

**10:15 AM PJ: TAYLOR, HON. JEFF S. STUMBO, HON. JANET L. VANMETER, HON. LAURANCE B.**  
**2009CA000903 VERONICA CANTRELL-MAY v BRENDEN M. WETHERTON**

Whether circuit court erred by admitting into evidence the deposition of expert witness.

<b>CIVIL</b>	<b>SHELBY COUNTY</b>	<b>HON CHARLES R. HICKMAN</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>CLARE, BRIAN</b>		<b>CANTRELL-MAY, VERONICA</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>OTT, ROBERT</b> <b>WHONSETLER, SCOTT</b>		<b>WETHERTON, BRENDEN</b>
.....		

**\*\* NOTE:**

**11:00 AM PJ: TAYLOR, HON. JEFF S. STUMBO, HON. JANET L. VANMETER, HON. LAURANCE B.**  
**2009CA000074 STEVEN E. HINTON v COMMONWEALTH OF KENTUCKY**

Whether circuit court erred by denying appellant's motion to withdraw guilty plea.

<b>CRIMINAL</b>	<b>JEFFERSON COUNTY</b>	<b>HON A. C. MCKAY CHAUVIN</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>O'CONNELL, ANNIE</b>		<b>HINTON, STEVEN</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>MOORE, JASON</b>		<b>COMMONWEALTH OF KENTUCKY</b>
.....		

**\*\* NOTE:**

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

**DATE: Wednesday, March 24, 2010**

**01:30 PM PJ: COMBS, HON. SARA W.**

**CLAYTON, HON. DENISE G.**

**STUMBO, HON. JANET L.**

**2009CA000634 RAYMOND KEITH CHAPPELL v BRENDA MARIE CHAPPELL**

Custody matter. Father challenges designation of ex-wife as primary residential custodian of their children, alleging serious incidents of negligence on her part.

**ALLEN COUNTY**

**HON MARTHA BLAIR HARRISON**

Appellant Atty:

Appellant Name:

**SPARKS, DAVID**

**CHAPPELL, RAYMOND**

Appellee Atty:

Appellee Name:

**DOWNEY, J**

**CHAPPELL, BRENDA**

**\*\* NOTE:PREVIOUSLY ON 2/2/10 AT 1:30 PM IN FRANKFORT, KY**

**LOCATION: HARDIN COUNTY JUSTICE CENTER, 120 EAST DIXIE AVENUE,  
ELIZABETHTOWN, KENTUCKY**

**DATE: Wednesday, March 24, 2010**

01:45 PM PJ: BUCKINGHAM, HON. DAVID C.

ACREE, HON. GLENN E.

MOORE, HON. JOY A.

2008CA001565 JAMES L. JENT v KENTUCKY UTILITIES COMPANY

2008CA001566

2008CA001567 Electrical transmission lines/condemnation.

CIVIL HARDIN COUNTY

HON JANET P. COLEMAN

Appellant Atty:

Appellant Name:

GRADDY, W. IV

JENT, JAMES

Appellee Atty:

Appellee Name:

RENZELMANN, JASON  
ROYSE, DAVID  
SNYDER, SHERYL  
SUMNER, GRIFFIN  
WATT, ROBERT III  
ZELLEN, LYNN

KENTUCKY UTILITIES COMPANY

\*\* NOTE: