

UPDATED: 5/24/2017

MAY 2017

ORAL ARGUMENT

CALENDAR

Updated 05/24/2017

MAY, 2017

May 10, 2017

3:00 PM (ET)- MOTION PANEL, JUDGE JEFF TAYLOR, PRESIDING JUDGE, JUDGE ROBERT JOHNSON AND JUDGE IRV MAZE, ASSOCIATE JUDGES.

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

**LEXINGTON (FAYETTE CO.) – Contact Dana Carter – (859) 246-2132
FRANKFORT (FRANKLIN CO.) – Contact Patricia Brauer- (502) 573-7920
LOUISVILLE (JEFFERSON CO.) – Contact Danae Bransford- (502) 595-3440**

**LOCATION: FAYETTE COUNTY COURTHOUSE, COURTROOM I, 4TH FLOOR, 120
NORTH LIMESTONE STREET, LEXINGTON, KENTUCKY**

DATE: Tuesday, May 2, 2017

11:00 AM PJ: LAMBERT, HON. DEBRA HEMBREE JONES, HON. ALLISON E. THOMPSON, HON. KELLY
2013CA001084 FOX TROT CORPORATION v FORCHT BANK, NA

Whether the trial court properly granted summary judgment to Appellee, which had terminated a line of credit for the Appellant.

CIVIL	FAYETTE COUNTY	HON JAMES D ISHMAEL
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
COOK, DERISE		FOX TROT CORPORATION
SOSBE, JOHN		
<hr/>		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
ROBERTSON, WILLIAM III		FORCHT BANK, NA
<hr/>		

**** NOTE:**

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

DATE: Wednesday, May 10, 2017

01:30 PM

KRAMER, HON. JOY A.

MAZE, HON. IRV

STUMBO, HON. JANET L.

016CA000127

CARL REESOR v CITY OF AUDUBON PARK

Civil Case: Whether the circuit court erred in granting a motion to dismiss to Appellee City in regard to claims of fraudulent representation in the context of retirement benefits.

CIVIL

JEFFERSON COUNTY

HON CHARLES L. CUNNINGHAM

Appellant Atty:

Appellant Name:

CLAY, THOMAS

REESOR, CARL

LAY, ANDREW

Appellee Atty:

Appellee Name:

EMERY, STEPHEN

CITY OF AUDUBON PARK

LANGEN, JENNIFER

MANDO, JEFFREY

**** NOTE:**60 MINUTE ORAL TO BE HEARD AT THE SAME TIME AS CASE #15-CA-1185/1245 (REESOR V. CITY OF AUDUBON PARK) **PREVIOUSLY ON 5/9/2017 AT 11:00 AM.**

01:30 PM

PJ: KRAMER, HON. JOY A.

MAZE, HON. IRV

STUMBO, HON. JANET L.

2015CA001185

CARL REESOR v CITY OF AUDUBON PARK

2015CA001245

Civil case: Direct Appeal -- Whether the circuit court erred in granting summary judgments to Appellee City in the context of a termination of retirement benefits case and in regard to breach of contract, promissory estoppel and wage and hour claims. - Cross Appeal - Whether the circuit court erred in denying repayment of paid out of retirement benefits.

CIVIL

JEFFERSON COUNTY

HON AUDRA J. ECKERLE

Appellant Atty:

Appellant Name:

CLAY, THOMAS

REESOR, CARL

CLAY, ANDREW

Appellee Atty:

Appellee Name:

LANGEN, JENNIFER

CITY OF AUDUBON PARK

MANDO, JEFFREY

**** NOTE:**60 MINUTE ORAL TO BE HEARD AT THE SAME TIME AS CASE #16-CA-127 (REESOR V. CITY OF AUDUBON PARK) **PREVIOUSLY ON 5/9/2017 AT 11:00 AM.**

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

DATE: Wednesday, May 10, 2017

Report Updated On: 5/24/2017

02:30 PM PJ: ACREE, HON. GLENN E. JOHNSON, HON. ROBERT G. KRAMER, HON. JOY A.

2015CA001205 BARBARA HOUSE, ET AL. v JEWISH HOSPITAL-ST. MARY'S HEALTHCARE, INC.

2015CA001278 Civil; Medical negligence: Whether the circuit court issued erroneous legal and evidentiary rulings during the course of a jury trial.
BULLITT COUNTY HON. RODNEY BURRESS

Appellant Atty:

Appellant Name:

KLAUSING, STEPHEN JR
WILT, RONALD

HOUSE, BARBARA

Appellee Atty:

Appellee Name:

CASH, HEATHER
SIMPSON, WILLIAM

JEWISH HOSPITAL & ST. MARY'S
HEALTHCARE, INC.

NOTE:*PREVIOUSLY ON MARCH 30, 2017 @ 2:00 PM AND APRIL 6, 2017 @ 2:15 PM.

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

DATE: Wednesday, May 31, 2017

10:15 AM PJ: ACREE, HON. GLENN E. JOHNSON, HON. ROBERT G. TAYLOR, HON. JEFF S.

2016CA000371
2016CA000224 **CAROLYN MILES v DIANNE M. LYVERS**

Civil; Contract: Whether the circuit court erred by excluding certain evidence at trial and erred by failing to instruct the jury as to claims based upon equitable estoppel.

CIVIL	NELSON COUNTY	HON CHARLES C. SIMMS
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
COEN, MICHAEL		MILES, CAROLYN
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
MATTINGLY, JOSEPH III		LYVERS, DIANNE

NOTE:*PREVIOUSLY ON MAY 31, 2017 @ 9:00 AM AND 9:30 AM.

11:00 AM PJ: TAYLOR, HON. JEFF S. ACREE, HON. GLENN E. JOHNSON, HON. ROBERT G.

2016CA000516 **CODY BAKER v COMMONWEALTH OF KENTUCKY**

Whether circuit court erred by granting Commonwealth's CR59 motion to vacate the final judgment probating appellant's sentence of imprisonment.

CRIMINAL	ANDERSON COUNTY	HON CHARLES R. HICKMAN
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
COULSON, GREGORY		BAKER, CODY
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
MORROW, BRYAN		COMMONWEALTH OF KENTUCKY

**NOTE: PREVIOUSLY ON MAY 31, 2017 @10:30 AM.

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

WEDNESDAY, MAY 31, 2017

1:30 PM

PJ: TAYLOR, HON. JEFF S.

ACREE, HON. GLENN E.

JOHNSON, HON. ROBERT G.

2016CA000122 COLLEEN CLINES v SUSAN E. JANOCIK, M.D., PLLC

Whether circuit court properly rendered summary judgment dismissing appellant's medical malpractice claims.

CIVIL

JEFFERSON COUNTY

HON JAMES M. SHAKE

Appellant Atty:

JOYNER, J.

Appellee Atty:

**BROWN, DANIEL
GAZAK, DAVID**

**LE MEUR, PATRICIA
PARKER, JOHN JR.**

**BARGER, HOLLY
PREWITT, TRACY**

Appellant Name:

CLINES, COLLEEN

Appellee Name:

MURPHY, BRYAN

SUSAN E. JANOCIK, M.D., PLLC

WERNER, JOSEPH

****NOTE: PREVIOUSLY ON MAY 31, 2017 AT 11:15 AM.**

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

DATE: Wednesday, May 31, 2017

03:00 PM PJ: TAYLOR, HON. JEFF S.

LAMBERT, HON. JAMES H.

NICKELL, HON. C. SHEA

MARCHON HORSE FARM, LP v FIFTH THIRD BANK

2014CA001819

2014-CA-1819- Whether circuit court properly rendered summary judgment and whether lessees are required to produce signed copies of leases. 2014-CA-001835 - Whether the UCC bars the lessees' claims and whether the lessees properly demonstrated damages.

2014CA001835

CIVIL

FAYETTE COUNTY

HON THOMAS L CLARK

Appellant Atty:

Appellant Name:

**BROWN, DANIELLE
EZZELL, C
GETTY, RICHARD**

MARCHON HORSE FARM, LP

Appellee Atty:

Appellee Name:

**MEUSER, MICHAEL
MILLER, THOMAS**

FIFTH THIRD BANK

**** NOTE: **PREVIOUSLY ON MARCH 27, 2017 AND APRIL 11, 2017.**

PAGE LEFT BLANK INTENTIONALLY