

October 2023

ORAL ARGUMENT CALENDAR

Motion Panel

Judge Glenn E. Acree, Presiding Judge

Judge Christopher McNeill and
Chief Judge Larry Thompson,
Associate Judges

Kentucky Court of Appeals

Oral Argument Calendar

Tuesday, October 10, 2023

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

**10:00AM
(EST)** **COLIN MULHALL, AS EXECUTRIX OF THE ESTATE OF CAROL MULHALL V. SUNRISE SENIOR LIVING MANAGEMENT, INC. ET. AL.**

[2022-CA-0669](#)

Presiding Judge: HON. KELLY MARK EASTON

Associate Judges: HON. ANNETTE C. KAREM and HON. LARRY E. THOMPSON

Civil: Appeal from circuit court granting summary judgment to personal care home. Allegations of medical negligence and violations of the Kentucky Residents' Rights Statute of resident with dementia. Court excluded expert witness as not qualified to testify regarding standard of care or medical causation.

JEFFERSON County, HON. AUDRA J. ECKERLE

Attorneys for Appellant: Corey Ann Finn and Stuart Wade Hampton Yeoman

Attorneys for Appellee: Jessica Drake Burton, Kevin Michael Murphy and Michael Franklin Sutton

Tuesday, October 17, 2023

Location: GRAYSON COUNTY JUDICIAL CENTER, 500 CARROLL GIBSON BLVD., LEITCHFIELD, KY

**1:00PM
(EST)** **MONNICA T. WILLIAMS, PHD V. COMMONWEALTH OF KENTUCKY, PUBLIC PROTECTION CABINET, DEPARTMENT OF PROFESSIONAL LICENSING, BOARD OF EXAMINERS OF PSYCHOLOGY ET. AL.**

[2022-CA-1298](#)

Presiding Judge: HON. GLENN E. ACREE

Associate Judges: HON. DONNA L. DIXON and HON. J. CHRISTOPHER McNEILL

Civil; Administrative Law: Whether Kentucky Board of Examiners of Psychology had jurisdiction to discipline a psychologist neither licensed not credentialed in Kentucky at the time the board initiated disciplinary action.

FRANKLIN County, HON. THOMAS D. WINGATE

Attorneys for Appellant: Emily Heeb Lineweaver and Jennifer Lynn Wintergerst

Attorneys for Appellees: Zachary Taylor Mowen, Clayton Bradley Patrick and Daniel Gregory Leffel

Monday, October 30, 2023

Location: GRAYSON COUNTY JUDICIAL CENTER, 500 CARROLL GIBSON
BLVD., LEITCHFIELD, KY

1:00PM(CST)/ **BETTY BALDWIN V. KENTUCKY NATIONAL INSURANCE COMPANY**
2:00PM(EST)

[2022-CA-0840](#)

Presiding Judge: HON. JEFF S. TAYLOR

Associate Judges: HON. JACQUELINE M. CALDWELL and HON. ALLISON E. JONES

Whether circuit court erred by determining the insurance policy was void due to misrepresentation in the application; whether circuit court erred by granting summary judgment in favor of KY National Insurance Co. under a good faith denial of insurance application; whether circuit court erred by granting summary judgment in favor of Haverstock as agent for KY National Insurance Co.; and whether circuit court erred in its award of attorney's fees.

CALLOWAY County, HON. JAMES T. JAMESON

Attorney for Appellant: Robert Langston Prince

Attorney for Appellee: Benjamin S Fletcher, III and Ben Elliott Stewart