

UPDATED 09/12/06

SEPTEMBER 2006

ORAL ARGUMENT

CALENDAR

09/12/2006

SEPTEMBER 2006

September 11, 2006 10:00 AM, MOTION PANEL, JUDGE JOHNSON, PRES.,
JUDGE ACREE, AND JUDGE BARBER, ASSOC.

12:45 - 1:15 AM, ORAL ARGUMENT, #2005-CA-2215,
JAMES HENRY JOHNSON V. COMMONWEALTH OF KY,
JUDGE JOHNSON, PRES., CHIEF JUDGE COMBS AND
JUDGE GUIDUGLI, ASSOC.

1:30 - 2:00 PM, ORAL ARGUMENT, #2005-CA-1511,
KENNETH CLAWSON, ET AL. V. CONGLETON LANE, ET AL.,
CHIEF JUDGE COMBS, PRES., JUDGE GUIDUGLI AND
JUDGE JOHNSON, ASSOC.

2:15 - 2:45 PM, ORAL ARGUMENT, #2005-CA-1775,
THOMAS WHITE V. W. BRUCE LUNSFORD, ET AL. ,
CHIEF JUDGE COMBS, PRES., JUDGE GUIDUGLI AND
JUDGE JOHNSON, ASSOC.

3:00 - 3:30 PM, ORAL ARGUMENT, #2005-CA-1980,
VYACHESLAVA VOLKOVITSKAYA, ET AL. V. CABINET FOR
HEALTH AND FAMILY SERVICES, CHIEF JUDGE COMBS,
PRES., JUDGE GUIDUGLI AND JUDGE JOHNSON, ASSOC.

September 12, 2006 9:15 - 9:45 AM, ORAL ARGUMENT, #2003-CA-2709,
WILLIAM MAYNARD V. COMMONWEALTH OF KENTUCKY,
JUDGE JOHNSON, PRES., CHIEF JUDGE COMBS AND
JUDGE GUIDUGLI, ASSOC.

10:00 AM - COURT MEETING

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

FRANKFORT - Contact Mary Zagale , 502-573-7920

LOUISVILLE - Contact Connie McCay, 502-595-3440

ELIZABETHTOWN - Contact Sue in Judge Easton's Office, 270-766-5259

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

DATE: Monday, September 11, 2006

12:45 PM

PJ: JOHNSON

COMBS

GUIDUGLI

2005CA002215

JAMES JOHNSON VS COMMONWEALTH OF KENTUCKY

WHETHER TRIAL COURT ERRED BY DENYING APPELLANT'S MOTION FOR DIRECTED VERDICT OF ACQUITTAL AND BY IMPROPERLY INSTRUCTING THE JURY.

CRIMINAL

MASON COUNTY

JOHN W. MCNEILL III

Appellant Atty:

Appellant Name:

.....
JOHNSON, ANGELA
PRESTON, DAMON

.....
JAMES HENRY JOHNSON
JAMES HENRY JOHNSON

Appellee Atty:

Appellee Name:

.....
LONG JR, WILLIAM ROBERT

.....
COMMONWEALTH OF KENTUCKY

1:30 PM

PJ: COMBS

GUIDUGLI

JOHNSON

2005CA001511

KENNETH CLAWSON ET AL. VS CONGLETON LANE, LLC ET AL.

ZONING CASE IN WHICH CITY OF RICHMOND GRANTED A ZONING CHANGE FROM AGRICULTURAL TO DESIGNATION OF MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL. APPELLANTS ALLEGE INSUFFICIENCY OF EVIDENCE AND ARBITRARINESS.

CIVIL

MADISON COUNTY

JULIA HYLTON ADAMS

Appellant Atty:

Appellant Name:

.....
BOHANNON, DAVID L

.....
ALISON HESTER
BOBBIE CLAWSON
CONNIE ADAMS
DON HANEY
JUDY ISAACS
KENNETH NELSON
KENNETH W. CLAWSON
LEE HESTER
LUCIE NELSON
MARTY BAKER
PATTI BAKER
ROBERT ADAMS
RON ISAACS
TERESA MCGLONE
VERN MCGLONE

Appellee Atty:

Appellee Name:

.....
FOWLES, GARRETT T.
OLIVER, ROGER M.

.....
THE RICHMOND CITY COMMISSION
CONGLETON LANE, LLC

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

DATE: Monday, September 11, 2006

2:15 PM

PJ: COMBS

GUIDUGLI

JOHNSON

2005CA001775

THOMAS WHITE ET AL. VS W. LUNSFORD ET AL.

SHAREHOLDERS' DERIVATIVE ACTION AGAINST OFFICERS AND DIRECTORS OF VENCOR, INC., ALLEGING
VIOLATION OF FIDUCIARY DUTIES RESULTING IN CORPORATE WASTE AND OTHER CORPORATE GRIEVANCES.

CIVIL

JEFFERSON COUNTY

JUDITH E MCDONALD-BUR

Appellant Atty:

Appellant Name:

.....
GORDINIER, P STEPHEN

.....
THOMAS G. WHITE

KNUTSON, L MARK

THOMAS G. WHITE

THOMAS G. WHITE

KRINSK, R JEFFERY

THOMAS G. WHITE

THOMAS G. WHITE

THOMAS G. WHITE

Appellee Atty:

Appellee Name:

.....
DYCHE, JOHN DAVID

.....
DONNA R. ECTON Jr

E EARL REED III

ELAINE L. CHAO Jr

GREG D. HUDSON Jr

JAMES H. GILLENWARTER Jr

JILL L. FORCE III

MICHAEL R. BARR III

R. GENE SMITH Jr

THOMAS T. LADT III

ULYSSES L BRIDGEMAN Jr

W. BRUCE LUNSFORD

WALTER F. BERAN Jr

WILLIAM H. LOMICA Jr

TACHAU, DAVID B.

DONNA R. ECTON Jr

E EARL REED III

ELAINE L. CHAO Jr

GREG D. HUDSON Jr

JAMES H. GILLENWARTER Jr

JILL L. FORCE III

MICHAEL R. BARR III

R. GENE SMITH Jr

THOMAS T. LADT III

ULYSSES L BRIDGEMAN Jr

W. BRUCE LUNSFORD

WALTER F. BERAN Jr

WILLIAM H. LOMICA Jr

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

DATE: Monday, September 11, 2006

3:00 PM

PJ: COMBS

GUIDUGLI

JOHNSON

2005CA001980

VYACHESLAVA VOLKOVITSKAYA ET AL. VS COMMONWEALTH OF
KENTUCKY

APPELLANTS ALLEGE DENIAL OF MEANINGFUL OPPORTUNITY FOR APPEAL OF CABINET'S FINDING OF CHILD
ABUSE. THEY CHARGE IMPROPER DISMISSAL OF APPEAL BY CIRCUIT COURT.

CIVIL

JEFFERSON COUNTY

JAMES M SHAKE

Appellant Atty:

Appellant Name:

.....
PENCE, RUTH ANN COX

.....
LYUDMILA "MILA" VOLKOVITSKAYA

WHETZEL JR., STANLEY W.

VYACHESLAVA "SLAVA" VOLKOVITSKAYA

LYUDMILA "MILA" VOLKOVITSKAYA

VYACHESLAVA "SLAVA" VOLKOVITSKAYA

Appellee Atty:

Appellee Name:

.....
KLEIN, JON ROBERT

.....
COMMONWEALTH OF KENTUCKY

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

DATE: Monday, September 11, 2006

2:45 PM

PJ: BARBER

VANMETER

WINE

2005CA001515

COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET ET AL. VS WILSON FURNITURE INC.

APPEAL OF A GRANT OF MOTION FOR NEW TRIAL.

CIVIL

PULASKI COUNTY

JEFFREY T BURDETTE

Appellant Atty:

Appellant Name:

.....
BEAUMAN, BRYAN H.
STEPHENS, ANDREW MARTIN

.....
HINKLE CONTRACTING CORPORATION
COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET

Appellee Atty:

Appellee Name:

.....
STANZIANO, MARK J

.....
WILSON FURNITURE INC.

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

DATE: Tuesday, September 12, 2006

9:15 AM

PJ: JOHNSON

COMBS

GUIDUGLI

2003CA002709

WILLIAM MAYNARD VS COMMONWEALTH OF KENTUCKY

APPELLANT, AN INDIVIDUAL NOW DECEASED, CLAIMS THE CIRCUIT COURT ERRED BY GRANTING SUMMARY JUDGMENT ON THE CABINET'S CLAIM THAT HE FAILED TO COMPLETE REMEDIAL MEASURES ON WASTE DISPOSAL SITES, AND THAT IN ANY EVENT, THE CABINET'S CLAIM WAS EXTINGUISHED BY HIS DEATH.

CIVIL

FRANKLIN COUNTY

ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

.....
DUFF, DONALD

.....
WILLIAM MAYNARD

Appellee Atty:

Appellee Name:

.....
STEPHENS, MARY A.

.....
COMMONWEALTH OF KENTUCKY

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

DATE: Wednesday, September 13, 2006

10:30 AM PJ: TAYLOR COMBS MILLER

2005CA001307 TAMRA LEWIS VS GORDON LEWIS

WHETHER CIRCUIT COURT PROPERLY AWARDED MAINTENANCE.

CIVIL CALLOWAY COUNTY DENNIS R. FOUST

Appellant Atty:

Appellant Name:

.....
SANDERS, STEPHEN C

.....
TAMRA BALINDA LEWIS

Appellee Atty:

Appellee Name:

.....
LAMKIN, RICKY A.

.....
GORDON NATHAN LEWIS

11:15 AM PJ: TAYLOR BUCKINGHAM MILLER

2005CA001823 KATIE BENNETT VS BETHANE DITTO ET AL.

WHETHER CIRCUIT COURT PROPERLY INVALIDATED HOLOGRAPHIC WILL FOR FAILURE TO CONFORM WITH KRS
394.040.

CIVIL MEADE COUNTY SAM H. MONARCH

Appellant Atty:

Appellant Name:

.....
SCHOEN, J. KEY

.....
KATIE BETH BENNETT

Appellee Atty:

Appellee Name:

.....
CREBESSA, STEVEN R

.....
BETHANE DITTO
RUTH WARMSER

1:00 PM PJ: TAYLOR BUCKINGHAM COMBS

2005CA001776 PATRIOT HOMES INC. ET AL. VS MICHAEL WISE ET AL.

WHETHER CIRCUIT COURT ERRED BY DETERMINING HOME OWNER'S WERE ENTITLED TO RECOVER UNDER THE
MOBILE HOME SALES ACT; WHETHER CIRCUIT COURT ERRED IN PERMITTING RECOVERY OF ATTORNEY FEES.

CIVIL OHIO COUNTY RONNIE C DORTCH

Appellant Atty:

Appellant Name:

.....
SUMNER, GRIFFIN TERRY

.....
HERITAGE AMERICAN HOMES
PATRIOT HOMES INC.

Appellee Atty:

Appellee Name:

.....
HELMERS, JOHN H.

.....
MICHAEL WISE
PAMELA WISE

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

DATE: Wednesday, September 20, 2006

1:00 PM

PJ: HENRY

HUDDLESTON

KNOPF

2005CA000175

SHELBY COUNTY PROPERTY OWNERS ASSOCIATION, INC. VS ICON PROPERTIES, LLC ET AL.

2005CA000197;
2005CA000201;
2005CA000202;
2005CA000294;
2005CA000449;
2005CA000462;
2005CA000463;
2005CA000464;
2005CA000465

APPEAL FROM DECISION OF THE SHELBY CIRCUIT COURT AFFIRMING APPROVAL OF ZONE MAP AMENDMENTS BY THE CITY OF SIMPSONVILLE AND THE SHELBY COUNTY FISCAL COURT AS RECOMMENDED BY THE TRIPLE S PLANNING COMMISSION.

CIVIL

SHELBY COUNTY

WILLIAM F STEWART

Appellant Atty:

Appellant Name:

.....
HENRY, KENNETH JAMES
OLT, SCHUYLER J
ZIELKE, LAURENCE

.....
SHELBY COUNTY PROPERTY OWNERS ASSOCIATION, INC.
SHELBY COUNTY PROPERTY OWNERS ASSOCIATION, INC.
SHELBY COUNTY PROPERTY OWNERS ASSOCIATION, INC.

Appellee Atty:

Appellee Name:

.....
CARROLL, JOHN G

DYCHE, JOHN DAVID

GOFF, LEA PAULEY
HALLIDAY, CULVER V.
HAYS, JAMES H

.....
ICON PROPERTIES, LLC
WHISTLESTOP DEVELOPERS, LLC
ICON PROPERTIES, LLC
WHISTLESTOP DEVELOPERS, LLC
GOLDEN CREEK FARMS, INC.
GOLDEN CREEK FARMS, INC.
CARY VOWELS
DOTTIE SHELBURNE
SCOTT MCDOWELL
SIMPSONVILLE CITY COMMISSION
STEVEN EDEN
VICKY WISE
GOLDEN CREEK FARMS, INC.
ICON PROPERTIES, LLC
WHISTLESTOP DEVELOPERS, LLC
ICON PROPERTIES, LLC
WHISTLESTOP DEVELOPERS, LLC
ALLEN RUBLE
BETTY CURTSINGER
CORDY ARMSTRONG
HUBERT POLLETT
JIM ROBERTSON

HINKLE IV, SAMUEL D
HOVIOUS, R. GREGG

JONES II, LAWRENCE L

MEGIBBEN, HART T

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

DATE: Wednesday, September 20, 2006

MICHAEL RIGGS
ROB ROTHENBURGER
SHELBY COUNTY FISCAL COURT
TONY CARRISS
SADDLEBRED FARMS OF SHELBY COUNTY, LLC
WESTERN SHELBY COUNTY ORGANIZED FOR PRESERVATION, INC.

MYLES, JOHN DAVID

****NOTE: 60 MINUTE ORAL**

2:15 PM PJ: HUDDLESTON HENRY KNOPF
2005CA001235 LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT VS CITY OF PROSPECT, KENTUCKY
2005CA001305 CHALLENGE TO ANNEXATION BY PROSPECT OF 50.3 ACRES; CONSTITUTIONALITY OF KRS 81A.005(3).

CIVIL JEFFERSON COUNTY BARRY WILLETT

Appellant Atty:

Appellant Name:

.....
DOBBINS, MARK W
KEENE, SANDRA F.

.....
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT

Appellee Atty:

Appellee Name:

.....
POTTS JR, GROVER C

.....
CITY OF PROSPECT, KENTUCKY