

UPDATED: 9/14/2016

SEPTEMBER 2016
ORAL ARGUMENT
CALENDAR

Updated 09/14/2016

SEPTEMBER, 2016

THERE WILL BE NO COURT MEETING

SEPTEMBER 7, 2016

**1:00 PM (EASTERN TIME), MOTION PANEL,
JUDGE J. LAMBERT, PJ, JUDGE DIXON AND
JUDGE NICKELL, ASSOCIATE JUDGES.**

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

LOUISVILLE – Contact Danae Bransford – (502) 595-3440

FRANKFORT – Contact Patricia Brauer or Sam Givens - (502) 573-7920

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

DATE: Tuesday, September 20, 2016

01:00 PM PJ: COMBS, HON. SARA W. LAMBERT, HON. JAMES H. VANMETER, HON. LAURANCE B.

2015CA001128 FINANCE AND ADMINISTRATION CABINET, THE KENTUCKY DEPARTMENT v MARK F. SOMMER

Open records request to Revenue Cabinet. Issue of first impression: do taxpayers have a privacy interest in maintaining the confidentiality of their files involving appeals of their tax assessments? Revenue Cabinet seeks to maintain the privacy interest of taxpayers.

CIVIL FRANKLIN COUNTY HON PHILLIP J. SHEPHERD

Appellant Atty:

**DICKERSON, STEPHEN
FITZPATRICK, KATHERINE**

Appellant Name:

**FINANCE AND ADMINISTRATION CABINET, THE
KENTUCKY DEPARTMENT**

Appellee Atty:

**BARBER, JENNIFER
HITCHCOCK, CORNISH**

Appellee Name:

**SOMMER, MARK
TAX ANALYSTS**

**** NOTE:**

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET, LOUISVILLE,

DATE: Tuesday, September 27, 2016

12:30 PM PJ: STUMBO, HON. JANET L. LAMBERT, HON. DEBRA HEMBREE THOMPSON, HON. KELLY

2015CA000538 PATRICIA A. DEPALMO KERINS v ESTATE OF ELAINE MARIE BUKOWSKI, KENNETH H. BUCK, EXECUTOR

Appeal filed from default judgment entered in suit filed to settle estate.

CIVIL JEFFERSON COUNTY HON JAMES M SHAKE

Appellant Atty:

HUYCK, SARAH
KEY, JUSTIN

Appellant Name:

KERINS, PATRICIA

Appellee Atty:

GROOT, DONALD

BROWN, KELLI

Appellee Name:

ESTATE OF ELAINE MARIE BUKOWSKI,
KENNETH H. BUCK, EXECUTOR

WOJTYNA, MICHELE

**** NOTE:**

01:15 PM PJ: STUMBO, HON. JANET L. LAMBERT, HON. DEBRA HEMBREE THOMPSON, HON. KELLY

2015CA000452 KIBROM ZEWOLDI v TRANSIT AUTHORITY OF RIVER CITY

Appeal from jury verdict in personal injury case. Issues involve exclusion of expert testimony, failure to grant continuance and incomplete timely production of discovery.

CIVIL JEFFERSON COUNTY HON A. C. MCKAY CHAUVIN

Appellant Atty:

AGUIAR, SAM
GOODSPEED, TERRY
SMITH, ROBYN
TURNER, MICHELLE

Appellant Name:

ZEWOLDI, KIBROM

Appellee Atty:

BUTTON, R

Appellee Name:

TRANSIT AUTHORITY OF RIVER CITY

**** NOTE:**

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET, LOUISVILLE,

DATE: Tuesday, September 27, 2016

02:00 PM PJ: STUMBO, HON. JANET L. LAMBERT, HON. DEBRA HEMBREE THOMPSON, HON. KELLY
2015CA000121 CARROLL L. HAYS v NATIONSTAR MORTGAGE LLC

Appeal from foreclosure action. Does a judgment lien, properly recorded, have priority over a money purchase mortgage entered into later?

CIVIL JEFFERSON COUNTY HON BRIAN C. EDWARDS

Appellant Atty:

MCCROCKLIN, JAMES

Appellant Name:

HAYS, CARROLL

Appellee Atty:

EDWARDS, BERT

SCHARDEIN, JOHN

BINDER, MAURA

FLAGEL, TODD

HERSH, GAIL JR

RODRIGUEZ, BENJAMIN

WILEY, PHILIP

NOT REPRESENTED BY COUNSEL,

SPIES, L

Appellee Name:

BRIGHT, SHANNON

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT

NATIONSTAR MORTGAGE LLC

UNKNOWN SPOUSE (IF ANY) OF ALVIN LLOYD

VALUE FINANCE CORP.

**** NOTE:**

02:45 PM PJ: THOMPSON, HON. KELLY CLAYTON, HON. DENISE G. STUMBO, HON. JANET L.
2015CA001254 D.W. WILBURN, INC. v K. NORMAN BERRY ASSOCIATES, ARCHITECTS, PLLC

Appeal from trial court's ruling that the economic loss rule bars appellant's claim for negligent misrepresentation.

CIVIL OLDHAM COUNTY HON KAREN A. CONRAD

Appellant Atty:

EAVES, MICHAEL

EAVES, MORGAN

Appellant Name:

D.W. WILBURN, INC.

Appellee Atty:

BROOKS, ROBERT

Appellee Name:

K. NORMAN BERRY ASSOCIATES, ARCHITECTS, PLLC

**** NOTE:**