

UPDATED: 04/12/2011

APRIL 2011

ORAL ARGUMENT

CALENDAR

Report Updated On: 04/12/2011

04/12/2011

APRIL, 2011

APRIL 12, 2011

10:00 A.M. COURT MEETING

1:30 – 2:14 PM , ORAL ARGUMENT, #2010-CA-000666
AND #2010-CA-000699, BRENDA COWAN COALITION
FOR KENTUCKY, INC., ET AL. V. BLUEGRASS
DOMESTIC VIOLENCE PROGRAM, INC., ET AL. .
CHIEF JUDGE TAYLOR, PRES., JUDGE ACREE AND
JUDGE COMBS, ASSOC.

3:30 – 4:00 PM, ORAL ARGUMENT, #2010-CA-000262,
THE MEDICAL PROTECTIVE COMPANY V.
AURELIA WILES, JUDGE JAMES LAMBERT, PRES.,
JUDGE STUMBO AND SENIOR JUDGE SHAKE, ASSOC.

APRIL 19, 2011

10:00 A.M. MOTION PANEL, JUDGE VANMETER, PRES.,
JUDGE COMBS AND JUDGE KELLER, ASSOC.

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

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

LOUISVILLE – Contact Marti Dodd – (502) 595-3440

WILLIAMSTOWN – Contact John Money – (859) 824-2773

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

DATE: Tuesday, April 12, 2011

01:30 PM PJ: TAYLOR, HON. JEFF S.

ACREE, HON. GLENN E.

COMBS, HON. SARA W.

2010CA000666 **BRENDA D. COWAN COALITION FOR KENTUCKY, INC. v BLUEGRASS DOMESTIC
2010CA000699 VIOLENCE PROGRAM, INC.**

2010-CA-000666 - Whether circuit court erred by refusing to dismiss Bluegrass's complaint for failure to state a claim; Whether circuit court erred by concluding Bluegrass is successor to YMCA.
2010-CA-000699 - Whether circuit court erred by granting summary judgment determining that Bluegrass is the successor to YMCA.

CIVIL **FAYETTE COUNTY** **HON ERNESTO M. SCORSONE**

Appellant Atty:

MORRIS, JAMES

MORRIS, SHARON

Appellant Name:

BRENDA D. COWAN COALITION FOR KENTUCKY,
INC.

Appellee Atty:

JOHNSON, BRIAN

STINNETT, MATTHEW

ROHRER, GARY

CAVE, STANTON

Appellee Name:

BLUEGRASS DOMESTIC VIOLENCE
PROGRAM, INC.

ESTATE OF NORA L. HEINES

SOUTHERN ACRES CHRISTIAN CHURCH, OF
LEXINGTON, KY, INC.

** NOTE:44 MINUTE ORAL

03:30 PM PJ: LAMBERT, HON. JAMES H.

STUMBO, HON. JANET L.

SHAKE, HON. ANN O'MALLEY

2010CA000262 **THE MEDICAL PROTECTIVE COMPANY v AURELIA WILES**

Insurance company appeals from adverse judgment in third party bad faith case awarding Plaintiff's compensatory and punitive damages for violation of the Unfair Claims Settlement Practices Act.

CIVIL **KENTON COUNTY** **HON PATRICIA M SUMME**

Appellant Atty:

BENTON, FRANK IV

HUME, BRADLEY

Appellant Name:

THE MEDICAL PROTECTIVE COMPANY

Appellee Atty:

FAIRBANKS, PHILIP

GRISHAM, KATHIE

MEHR, M.

Appellee Name:

WILES, AURELIA

** NOTE:ORIGINALLY AT 4:15 PM

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

DATE: Wednesday, April 20, 2011

11:00 AM PJ: WINE, HON. THOMAS B.

TAYLOR, HON. JEFF S.

MOORE, HON. JOY A.

2010CA000896

JO ANN M. GRIMES v KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION

"Appeal" from Kentucky Unemployment Insurance Commission's refusal to take action on motion to reconsider. Question of whether an appeal can lie from refusal to take action.

CIVIL

JEFFERSON COUNTY

HON MARY M SHAW

Appellant Atty:

Appellant Name:

HENRY, KENNETH

GRIMES, JO ANN

Appellee Atty:

Appellee Name:

HOWARD, AMY

KENTUCKY UNEMPLOYMENT INSURANCE
COMMISSION

** NOTE:PREVIOUSLY ON 4/21/11 AT 10:00 AM

01:30 PM PJ: TAYLOR, HON. JEFF S.

MOORE, HON. JOY A.

WINE, HON. THOMAS B.

2009CA002364

PARKER W. EADS v MAUREEN FOLAN EADS

Whether circuit court erred by denying appellant's motion to modify maintenance.

JEFFERSON COUNTY

HON DONNA DELAHANTY

Appellant Atty:

Appellant Name:

LLOYD, J.

EADS, PARKER

Appellee Atty:

Appellee Name:

POWELL, SCOTT

EADS, MAUREEN

** NOTE:

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

DATE: Wednesday, April 20, 2011

02:15 PM PJ: TAYLOR, HON. JEFF S.

MOORE, HON. JOY A.

WINE, HON. THOMAS B.

2010CA000267 JP WHITE, LLC v POE COMPANIES, LLC

2010CA000299

2010-CA-000267 – Whether circuit court erred by granting directed verdict dismissing appellant’s claim for breach of contract, quantum meruit and unjust enrichment; 2010-CA-000299 - Whether circuit court erred by denying cross-appellant’s motion for attorney’s fees and costs.

CIVIL JEFFERSON COUNTY HON MITCHELL PERRY

Appellant Atty:

CITRYNELL, KYLE
LANDENWICH, LAURA
SEILLER, BILL

Appellant Name:

JP WHITE, LLC

Appellee Atty:

DYCHE, JOHN
HOVIOUS, R.

Appellee Name:

POE COMPANIES, LLC

** NOTE:

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

MOORE, HON. JOY A.

WINE, HON. THOMAS B.

2010CA000675 CARLOS GILESTRA v COMMONWEALTH OF KENTUCKY

Whether circuit court erred by denying appellant’s motion for directed verdict and by allowing the Commonwealth to introduce evidence of a prior conviction.

CRIMINAL BULLITT COUNTY HON RODNEY BURRESS

Appellant Atty:

WOOLDRIDGE, JOHN

Appellant Name:

GILESTRA, CARLOS

Appellee Atty:

VARO, JOHN

Appellee Name:

COMMONWEALTH OF KENTUCKY

** NOTE:

**LOCATION: GRANT COUNTY CIRCUIT COURTROOM, 2ND FLOOR, 124 SOUTH
MAIN STREET, WILLIAMSTOWN, KENTUCKY**

DATE: Tuesday, April 26, 2011

01:00 PM PJ: KELLER, HON. MICHELLE M. LAMBERT, HON. JAMES H. SHAKE, HON. ANN O'MALLEY

2009CA001738 GARY MARTIN v STEPHEN O'DANIEL

2009CA001739

2009CA001795

Kentucky State Police Officers, Martin, Motley, and Sapp, appeal from three orders entered by the Franklin Circuit Court denying their motions for summary judgment. Appellants argue that the trial court erred when it concluded that they were not entitled to qualified official immunity from the malicious prosecution claims brought against them by the Appellee.

CIVIL FRANKLIN COUNTY HON SHEILA R. ISAAC

Appellant Atty:

JOHNSON, WILLIAM

Appellant Name:

MARTIN, GARY

Appellee Atty:

CANON, DANIEL
CLAY, THOMAS
COOK, CYNTHIA

Appellee Name:

O'DANIEL, STEPHEN

** NOTE:

01:45 PM PJ: SHAKE, HON. ANN O'MALLEY KELLER, HON. MICHELLE M. LAMBERT, HON. JAMES H.

2010CA001072 THE CINCINNATI ENQUIRER, A DIVISION OF GANNETT v CITY OF FORT THOMAS,
KENTUCKY

This appeal questions the Campbell Circuit Court's application of Kentucky Open Record Act's investigation exemption.

CIVIL CAMPBELL COUNTY HON FRED A STINE

Appellant Atty:

ALLEY, PAUL

GREINER, JOHN

MATHEWS, LYNDA

Appellant Name:

THE CINCINNATI ENQUIRER, A DIVISION OF
GANNETT

Appellee Atty:

MANDO, JEFFREY

Appellee Name:

CITY OF FORT THOMAS, KENTUCKY

** NOTE: