

UPDATED: 4/15/2019

APRIL 2019

ORAL ARGUMENT

CALENDAR

4/15/2019

APRIL, 2019

April 16, 2019

2:00 P.M. (ET) - MOTION PANEL

April 12, 2019

11:00 A.M. (ET) – ORAL SHOW CAUSE HEARING-

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

2018-CA-001629 – NEDRA CHEATHAM VS. GREGORY WILSON

JUDGE GLENN ACREE, PRESIDING JUDGE; JUDGE ALLISON JONES AND
JUDGE JOY KRAMER, ASSOCIATES

April 12, 2019

11:00 A.M. (ET) – ORAL SHOW CAUSE HEARING-

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

2018-CA-001600 – BRIGID YOUNG VS. GLENDA NEWTON-WHITE

JUDGE GLENN ACREE, PRESIDING JUDGE; JUDGE ALLISON JONES AND
JUDGE JOY KRAMER, ASSOCIATES

April 12, 2019

11:00 A.M. (ET) – ORAL SHOW CAUSE HEARING-

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

2019-CA-000160 – BARBARA SMITH VS. MELLOW MUSHROOM PIZZA
#1, ET AL.

JUDGE GLENN ACREE, PRESIDING JUDGE; JUDGE ALLISON JONES AND
JUDGE JOY KRAMER, ASSOCIATES

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

FRANKFORT – Contact Patricia Brauer – (502) 573-7920

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

DATE: Tuesday, April 9, 2019

01:00 PM PJ: MAZE, HON. IRV

ACREE, HON. GLENN E.

COMBS, HON. SARA W.

2017CA001960

KIMBERLY STEWART v KENTUCKIANA MEDICAL CENTER, LLC

Stewart appeals the dismissal of her medical malpractice claim based on lack of subject matter jurisdiction. Primary question is whether the Indiana Medical Review Act imposes a substantive prerequisite to jurisdiction even for claims brought in Kentucky. Secondary question is whether Kentucky has personal or general jurisdiction over claims arising from conduct in Indiana.

CIVIL

JEFFERSON COUNTY

HON MARY M SHAW

Appellant Atty:

Appellant Name:

KELTY, SCARLETTE

STEWART, KIMBERLY

LAUGHLIN, KIRK

POPPE, HANS JR

Appellee Atty:

Appellee Name:

PREWITT, TRACY

CARDIOVASCULAR SPECIALISTS, P. S. C.

BROWN, DONALD JR

CARDIOVASCULAR SURGICAL CARE, PLLC

HAMMOND, MARK

STRATTON, RACHEL

CHALHOUB, ANIS

NAPIER, TIMOTHY

KENTUCKIANA MEDICAL CENTER, LLC

WOOD, RYAN

KRAMER, WHITNEY

RUMISEK, JOHN

** NOTE:

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

DATE: Tuesday, April 16, 2019

10:00 AM PJ: JONES, HON. ALLISON E.

KRAMER, HON. JOY A.

THOMPSON, HON. KELLY

2018CA000559

BULLITT UTILITIES, INC. v KENTUCKY PUBLIC SERVICE COMMISSION

CIVIL

FRANKLIN COUNTY

HON THOMAS D. WINGATE

Appellant Atty:

Appellant Name:

IRVING, JAMES
MCTYEIRE, HOLLAND

BULLITT UTILITIES, INC.

Appellee Atty:

Appellee Name:

CHANDLER, KENT
GOODMAN, REBECCA

ATTORNEY GENERAL

BAKER, TAMMY

CITY OF HILLVIEW, KENTUCKY

EDISON, MARK

CITY OF HUNTERS HOLLOW, KENTUCKY

BELLAMY, BENJAMIN
PINNEY, JOHN
RAFF, RICHARD

KENTUCKY PUBLIC SERVICE COMMISSION

** NOTE:

01:00 PM PJ: TAYLOR, HON. JEFF S.

THOMPSON, HON. KELLY

THOMPSON, HON. LARRY E

2018CA000249

LORRIE J. DAVIDSON v GREGORY DARRELL PENNINGTON

Whether circuit court erred in its interpretation of KRS 411.130. More particularly, whether KRS 397.1002 of the Kentucky Simultaneous Death Act should be applied to KRS 411.130, Kentucky's Wrongful Death Act.

CIVIL

CLAY COUNTY

HON OSCAR G HOUSE

Appellant Atty:

Appellant Name:

BOWLING, MATTHEW
JOHNSON, KEVIN

DAVIDSON, LORRIE

Appellee Atty:

Appellee Name:

COLLINS, ROY
HEPBURN, RACHEL

PENNINGTON, GREGORY

** NOTE:

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

DATE: Tuesday, April 16, 2019

01:45 PM PJ: TAYLOR, HON. JEFF S. THOMPSON, HON. KELLY THOMPSON, HON. LARRY E
2018CA000283 H & H PAINTING, LLC v D.W. WILBURN, INC.

Whether circuit court committed reversible error in admission or exclusion of certain evidence; whether circuit court complied with the mandate of a previous Court of Appeals Opinion; whether circuit court properly denied post-trial motions.

CIVIL FAYETTE COUNTY HON JAMES D ISHMAEL

Appellant Atty:

LACKEY, JOHN

Appellant Name:

H & H PAINTING, LLC

Appellee Atty:

EAVES, MICHAEL
EAVES, MORGAN

Appellee Name:

D.W. WILBURN, INC.

**** NOTE:**

02:15 PM PJ: KRAMER, HON. JOY A. JONES, HON. ALLISON E. MAZE, HON. IRV
2018CA001131 CABINET FOR ECONOMIC DEVELOPMENT v THE COURIER-JOURNAL, INC.

CIVIL FRANKLIN COUNTY HON PHILLIP J. SHEPHERD

Appellant Atty:

BURKE, JESSICA
GLASS, REID

Appellant Name:

CABINET FOR ECONOMIC DEVELOPMENT

Appellee Atty:

EIFLER, TIMOTHY
SHERMAN, STEPHEN

Appellee Name:

BRAIDY INDUSTRIES INC.

ABATE, MICHAEL
FLEISCHAKER, JON

THE COURIER-JOURNAL, INC.

**** NOTE:**

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

DATE: Tuesday, April 16, 2019

03:00 PM PJ: MAZE, HON. IRV

KRAMER, HON. JOY A.

JONES, HON. ALLISON E.

2018CA000610 AMERICAN NATIONAL UNIVERSITY OF KENTUCKY, INC. v COMMONWEALTH OF
KENTUCKY, EX REL. ANDY BESHEAR, ATTORNEY

CIVIL FAYETTE COUNTY

HON THOMAS L. TRAVIS

Appellant Atty:

Appellant Name:

GRASCH, ALBERT JR

AMERICAN NATIONAL UNIVERSITY OF KENTUCKY,
INC.

THOMERSON, JAMES

Appellee Atty:

Appellee Name:

BOGGS, LEAH

COMMONWEALTH OF KENTUCKY, EX REL.
ANDY BESHEAR, ATTORNEY

LEATHERMAN, TODD

** NOTE:

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

DATE: Wednesday, April 17, 2019

10:00 AM PJ: THOMPSON, HON. LARRY E TAYLOR, HON. JEFF S. THOMPSON, HON. KELLY
2017CA001652 LEXINGTON EAST MEDICAL INVESTORS, LLC v BARBARA SCHUBERT

CIVIL	FAYETTE COUNTY	HON KIMBERLY N BUNNELL
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
DZENITIS, PAUL		LEXINGTON EAST MEDICAL INVESTORS, LLC
NEWMAN, EMILY		
PIEKARSKI, CHRISTOPHER		

<u>Appellee Atty:</u>		<u>Appellee Name:</u>
FANNIN, COREY		SCHUBERT, BARBARA
SALYER, ROBERT		

**** NOTE:**

10:45 AM PJ: THOMPSON, HON. LARRY E TAYLOR, HON. JEFF S. THOMPSON, HON. KELLY
2018CA000178 LEXINGTON ALZHEIMER'S INVESTORS, LLC. v KATHERINE BROWN

CIVIL	FAYETTE COUNTY	HON KIMBERLY N BUNNELL
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
DZENITIS, PAUL		LEXINGTON ALZHEIMER'S INVESTORS, LLC.
NEWMAN, EMILY		
PIEKARSKI, CHRISTOPHER		

<u>Appellee Atty:</u>		<u>Appellee Name:</u>
CIRCEO, RICHARD		BROWN, KATHERINE
SALYER, ROBERT		
STEWART, TYLER		

**** NOTE:**

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

DATE: Wednesday, April 17, 2019

11:30 AM PJ: THOMPSON, HON. LARRY E

TAYLOR, HON. JEFF S.

THOMPSON, HON. KELLY

2018CA000695

JUDY ULRICH v CATHOLIC HEALTH INITIATIVES PHYSICIAN SERVICES

CIVIL

LAUREL COUNTY

HON GREGORY A. LAY

Appellant Atty:

Appellant Name:

PILLERSDORF, NED

ULRICH, JUDY

Appellee Atty:

Appellee Name:

BROWN, MARTHA

CATHOLIC HEALTH INITIATIVES PHYSICIAN
SERVICES

ENTIN, ROBERT

**** NOTE:**