

UPDATED: 10/12/2018

**NOVEMBER 2018**

**ORAL ARGUMENT**

**CALENDAR**

10/12/2018

**NOVEMBER, 2018**

**November 14, 2018**

**1:00 PM (ET) MOTION PANEL,  
JUDGE KELLY THOMPSON, PJ, JUDGE JAMES  
LAMBERT AND JUDGE \*GENE SMALLWOOD, JR.**

\*Judge Gene Smallwood is substituting on Motion Panel in place  
of Judge Joy Kramer.

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

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

**LOUISVILLE - (Jefferson Judicial Center) - Contact Jacquelyn Sosa - (502) 595-3430**

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

**DATE: Wednesday, November 7, 2018**

**09:15 AM PJ: ACREE, HON. GLENN E. NICKELL, HON. C. SHEA SMALLWOOD, HON. GENE**

**2017CA001341 BLUE STALLION BREWING, LLC v ERIKA STRECKER**

**2017CA001411**

Whether the landlord (Appellee) failed to deliver to the tenant (Appellant) the parking lot promised in commercial lease. The landlord wants to recover all unpaid rent.

**CIVIL FAYETTE COUNTY HON PAMELA R GOODWINE**

Appellant Atty:

**HURLEY, MICHELLE  
REDFORD, CARROLL III**

Appellant Name:

**BLUE STALLION BREWING, LLC**

Appellee Atty:

**CAMENISCH, J JR  
ROSE, DAN**

Appellee Name:

**STRECKER, ERIKA**

**\*\* NOTE:**

**10:00 AM PJ: SMALLWOOD, HON. GENE ACREE, HON. GLENN E. NICKELL, HON. C. SHEA**

**2017CA000468 RIGGS GUNS, INC. v WINFIELD C. UNDERWOOD**

Appeal of bench trial finding that the corporate veil should not be pierced to collect on a Franklin Circuit Judgment of \$66,876.46 for nonpayment for assets purchased but later destroyed by fire.

**CIVIL FAYETTE COUNTY HON JAMES D ISHMAEL**

Appellant Atty:

**HOWARD, DOUGLAS**

Appellant Name:

**RIGGS GUNS, INC.**

Appellee Atty:

**COOLEY, EDWARD**

Appellee Name:

**UNDERWOOD, WINFIELD**

**\*\* NOTE:**

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

**DATE: Wednesday, November 7, 2018**

10:45 AM PJ: SMALLWOOD, HON. GENE

ACREE, HON. GLENN E.

NICKELL, HON. C. SHEA

2017CA000839 SUSAN GOODIN v ROBERT L GOODIN

2017CA001229

Appeal from summary judgment finding contract for sell of one-half interest in business was enforceable but did not include real property held in members individual names but otherwise treated as property of the company. Additional issue of standard of review regarding whether the trial court's order was summary judgment or final judgment on the merits.

CIVIL

MARION COUNTY

HON SAMUEL TODD SPALDING

Appellant Atty:

Appellant Name:

AVRITT, JAMES SR  
CHATFIELD, LLOYD II  
FOWLER, WILLIAM II

GOODIN, JOSEPH

Appellee Atty:

Appellee Name:

MATTINGLY, JOSEPH III

GOODIN, ROBERT

\*\* NOTE:

11:30 AM PJ: SMALLWOOD, HON. GENE

ACREE, HON. GLENN E.

NICKELL, HON. C. SHEA

2017CA001226 VINCENT DOOLEY v COMMONWEALTH OF KENTUCKY

Appeal of a jury verdict on manslaughter second degree; Appellant claims error in pretrial and at trial regarding self-defense, including instruction on self-defense and prosecutorial misconduct.

CRIMINAL

JEFFERSON COUNTY

HON JAMES M SHAKE

Appellant Atty:

Appellant Name:

LAMBERTUS, DAVID  
LISTER, TRICIA

DOOLEY, VINCENT

Appellee Atty:

Appellee Name:

BECKETT, JOSEPH

COMMONWEALTH OF KENTUCKY

\*\* NOTE:

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

**DATE: Wednesday, November 14, 2018**

**02:30 PM** PJ: **SMALLWOOD, HON. GENE** LAMBERT, HON. JAMES H. MAZE, HON. IRV  
**2017CA001431** CERTIFIED CONSTRUCTION CO. OF KENTUCKY LLC. v KEYSTOPS, LLC

Appeal of bench trial awarding Appellee judgment and pre-judgment interest for payment of taxes owing as a result of Revenue Cabinet audit not appealed by Appellee.

**CIVIL** MEADE COUNTY HON BRUCE T. BUTLER, JUDGE

Appellant Atty: MILLER, DOUGLAS Appellant Name: CERTIFIED CONSTRUCTION CO. OF KENTUCKY LLC.

Appellee Atty: HELLINE, DENISE Appellee Name: KEYSTOPS, LLC

**\*\* NOTE:\*\*PREVIOUSLY ON OCT. 11, 2018 AT 1:45 PM IN LOUISVILLE, KENTUCKY.**

**3:15 PM** PJ: **SMALLWOOD, HON. GENE** LAMBERT, HON. JAMES H. MAZE, HON. IRV  
**2017CA002004** CURTIS ANTHONY v SANDRA L. MCLAUGHLIN

Writ of Prohibition/Mandamus filed by church trustee alleging Jefferson District Judge acted outside of jurisdiction resulting in irreparable harm; circuit court denied the writ.

**CIVIL** JEFFERSON COUNTY HON OLU A. STEVENS

Appellant Atty: PRICE, KARL Appellant Name: ANTHONY, CURTIS

Appellee Atty: SCHMIDT, PATRICK Appellee Name: FRANKFORT AVENUE CHURCH OF CHRIST

MCLAUGHLIN, SANDRA MCLAUGHLIN, SANDRA

**\*\* NOTE:\*\*PREVIOUSLY ON OCT. 11, 2018 @ 1:00 PM IN LOUISVILLE, KY.**

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

**DATE: Tuesday, November 27, 2018**

**01:00 PM PJ: COMBS, HON. SARA W. LAMBERT, HON. JAMES H. THOMPSON, HON. KELLY**

**2018CA000054 WESLEY STOVER v LOUISVILLE METRO DEPARTMENT OF PUBLIC HEALTH AND WELLNESS**

Wrongful termination case involving alleged violation of the Whistleblower Act, KRS 61.101.

**CIVIL JEFFERSON COUNTY HON AUDRA J. ECKERLE**

Appellant Atty:

**BANASZYNSKI, THOMAS  
BARBER, OLIVER JR**

Appellant Name:

**STOVER, WESLEY**

Appellee Atty:

**FROCKT, I  
RENNEKER, ANNALE**

Appellee Name:

**LOUISVILLE METRO DEPARTMENT OF PUBLIC HEALTH AND WELLNESS**

**\*\* NOTE:\*\*PREVIOUSLY AT COURT OF APPEALS COURTROOM, FRANKFORT, KENTUCKY**

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

**DATE: Wednesday, November 28, 2018**

10:30 AM PJ: TAYLOR, HON. JEFF S.

JONES, HON. ALLISON E.

MAZE, HON. IRV

2018CA000364 JOHN YOUNG v SULLIVAN UNIVERSITY SYSTEM, INC.

Whether circuit court erred by determining appellants were not members of the class for purposes of class action suit against Sullivan University.

CIVIL JEFFERSON COUNTY

HON BARRY WILLETT

Appellant Atty:

Appellant Name:

ABELL, THOMAS

YOUNG, JOHN

ROSE, JOSHUA

Appellee Atty:

Appellee Name:

POTTS, GROVER JR

SULLIVAN UNIVERSITY SYSTEM, INC.

WILLIAMSON, SEAN

WYRICK, MICHELLE

\*\* NOTE:

01:30 PM PJ: JONES, HON. ALLISON E.

MAZE, HON. IRV

TAYLOR, HON. JEFF S.

2017CA000709 REGINA MEEHAN v E.G.B A MINOR CHILD

2017CA000710

2017CA000711

This is a combined appeal involving established precedents of official and qualified immunity set forth in Yanero v. Davis and its progeny, Haney v. Monsky and Turner v. Nelson. E.G.B., a minor child, was allegedly abused once in first grade, leading to lawsuits against school administrators.

CIVIL PERRY COUNTY

HON ALISON C. WELLS

Appellant Atty:

Appellant Name:

DEENER, ELIZABETH

MEEHAN, REGINA

MCNEILL, JOHN

Appellee Atty:

Appellee Name:

REYNOLDS, LORI

E.G.B A MINOR CHILD

\*\* NOTE:\*60 MINUTE ORAL