

**SUPREME COURT OF KENTUCKY  
ORAL ARGUMENT CALENDAR**

**WEDNESDAY, FEBRUARY 16, 2022**

**10:00 a.m. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND  
FAMILY SERVICES EX REL. CHILD SUPPORT ENFORCEMENT V.  
B.N.T., ET AL.**

**(2021-SC-0287-DGE)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Civil Procedure. CR 60.02. Child Support and Paternity. Issues involve application of multiple sections of CR 60.02 to an attempt to modify an agreed judgment regarding lack of paternity.

Discretionary Review Granted: 10/20/2021

Clark Circuit Court, Special Judge Lisa Hart Morgan

Counsel for Appellant: William D. Elkins

Counsel for Appellee, B.N.T.: Anita Britton

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[WWW.KET.ORG/SUPREMECOURT](http://WWW.KET.ORG/SUPREMECOURT).**

**SUPREME COURT OF KENTUCKY  
ORAL ARGUMENT CALENDAR**

**WEDNESDAY, FEBRUARY 16, 2022**  
**(CONTINUED)**

**11:00 a.m. PRIMAL VANTAGE COMPANY, INC. V. KEVIN O'BRYAN, ET AL.  
(2020-SC-0247-DG)**

**AND**

**KEVIN O'BRYAN V. PRIMAL VANTAGE COMPANY, INC., ET AL.  
(2021-SC-0064-DG)**

**AND**

**SANTÉ O'BRYAN V. PRIMAL VANTAGE COMPANY, INC., ET AL.  
(2021-SC-0065-DG)**

**[APPELLANT BRIEF \(PRIMAL VANTAGE\)](#)**  
**[COMBINED APPELLEE/CROSS-APPELLANT BRIEF \(KEVIN O'BRYAN\)](#)**  
**[COMBINED APPELLEE/CROSS-APPELLANT BRIEF \(SANTÉ O'BRYAN\)](#)**  
**[APPELLEE/CROSS-APPELLEE BRIEF \(DENNIS MARTIN, ET AL.\)](#)**  
**[COMBINED RESPONSE/REPLY BRIEF \(PRIMAL VANTAGE\)](#)**  
**[COMBINED RESPONSE/REPLY BRIEF \(PRIMAL VANTAGE\)](#)**  
**[CROSS-APPELLANT REPLY BRIEF \(KEVIN O'BRYAN\)](#)**  
**[CROSS-APPELLANT REPLY BRIEF \(SANTÉ O'BRYAN\)](#)**

Tort Law. Products Liability. Apportionment of Fault. Immunity. Loss of Consortium. Issues include: (1) whether the instruction on apportionment of fault should have included the owner of the ladder stand that collapsed, who was immune from suit under KRS 150.645; and (2) whether the instructions for loss of consortium should have expressly prohibited the jury from awarding damages for the time period after the spouse and the injured party divorced.

Discretionary Review Granted: 2/09/21

Cross-Discretionary Review Granted: 4/20/21

Jefferson Circuit Court, Judge A.C. McKay Chauvin

Counsel for Appellant/Cross-Appellee, Primal Vantage Company, Inc.:

Casey Wood Hensley, Griffin Terry Sumner & Milton S. Karfis

Counsel for Appellee/Cross-Appellant, Kevin O'Bryan: Ann B. Oldfather & R. Sean Deskins

Counsel for Appellee-Cross-Appellant, Santé O'Bryan: Paul A. Casi, II & Jeff W. Adamson

Counsel for Appellee/Cross-Appellee, Dennis I. Martin and Margaret M. Martin: Diane M. Laughlin & Emily C. Lamb

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**SUPREME COURT OF KENTUCKY  
ORAL ARGUMENT CALENDAR**

**THURSDAY, FEBRUARY 17, 2022**

**10:00 a.m. FRED DEVON FRIEDMANN, INDIVIDUALLY AND AS A MEMBER OF  
THE TAX RECALL PETITION COMMITTEE, ET AL. V. JEFFERSON  
COUNTY BOARD OF EDUCATION, ET AL.  
(2020-SC-0569-T)**

**AND**

**BOBBIE HOLSCLOW, IN HER OFFICIAL CAPACITY AS JEFFERSON  
COUNTY CLERK V. JEFFERSON COUNTY BOARD OF EDUCATION, ET  
AL.**

**(2020-SC-0571-T)**

**[APPELLANT BRIEF \(TAX RECALL PETITION COMMITTEE\)](#)**

**[APPELLANT BRIEF \(BOBBIE HOLSCLOW\)](#)**

**[APPELLEE BRIEF \(JEFFERSON COUNTY TEACHERS ASSOCIATION\)](#)**

**[APPELLEE BRIEF \(JEFFERSON COUNTY BOARD OF EDUCATION\)](#)**

**[APPELLANT REPLY BRIEF\(BOBBIE HOLSCLOW\)](#)**

**[APPELLANT REPLY BRIEF \(TAX RECALL PETITION COMMITTEE\)](#)**

Consideration of whether the recall petition for Jefferson County School Board's property tax assessment increase was properly certified in accordance with Kentucky law.

Transfer Granted: 4/29/2021

Jefferson Circuit Court, Judge Brian C. Edwards

Counsel for Appellant, Tax Recall Petition Committee: Patrick F. Graney

Counsel for Appellant, Bobbie Holsclaw: Laurence J. Zielke & Janice M. Theriot

Counsel for Appellee, Jefferson County School Board: Virginia Hamilton Snell, Byron E. Lee, C. Tyson Gorman & Thomas E. Travis

Counsel for Appellee, Jefferson County Teachers Association: David Tachau, Katherine Lacy Crosby & Kristin E. McCall

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