

SUPREME COURT OF KENTUCKY  
ORAL ARGUMENT CALENDAR

**WEDNESDAY, FEBRUARY 8, 2023**

10:00 a.m. MGG INVESTMENT GROUP LP V. BEMAK N.V., LTD., ET AL.  
(2021-SC-0561-DG)

**APPELLANT'S BRIEF**

**APPELLEE BRIEF (MULL ENTERS. LTD. D/B/A YEOMANSTOWN STUD)**

**APPELLEE BRIEF (HILL 'N' DALE EQUINE HOLDINGS, INC.)**

**JOINT APPELLEE BRIEF (LNJ FOXWOODS, LLC, ET AL.)**

**APPELLANT'S REPLY BRIEF**

**AMICUS BRIEF (KENTUCKY BANKERS ASSOCIATION)**

Breach of Contract. Fraud. Collateral. Racehorses. Breeding Rights. Security Interest. Federal Food Security Act of 1985. Farm Products. Agricultural Commodities. Statute of Limitations. This case concerns issues including (1) whether Kentucky's rule that buyers of thoroughbred racehorses take subject to a security interest is preempted by federal law; (2) whether racehorse breeding rights are "farm products" and/or "commodities"; and (3) whether claims are barred by the statute of limitations in KRS 413.242.

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Oral Argument Granted:

April 27, 2022

Trial Court(s):

Fayette Circuit Court

Presiding Judge(s):

Hon. Kimberly Bunnell

Counsel for Appellant

*MGG Investment Group:*

W. Craig Robertson, III

Daniel E. Hitchcock

Thomas E. Travis

*Wyatt Tarrant & Combs LLP*

Kannon K. Shanmugam

Brian M. Lipshutz

*Paul, Weiss, Rifkind,*

*Wharton & Garrison, LLP*

ALL ARGUMENTS WILL BE STREAMED ONLINE AT

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

Counsel for Appellee,  
*Hill 'N' Dale Equine  
Holdings, Inc.:*

John C. Roach  
David T. Royse  
*Ransdell Roach & Royse,  
PLLC*

Counsel for Appellee,  
*McMahon of Saratoga  
Thoroughbreds, LLC:*

Gregory P. Parsons  
Marshall Hixson  
*Stites & Harbison*

Counsel for Appellees,  
*Bemak, N.V. Ltd. Co.  
d/b/a Ashford Stud and  
Opendale Unlimited Co.:*

Barry D. Hunter  
Medrith Lee Norman  
*Frost Brown Todd, LLC*

Counsel for Appellees,  
*Flintshire Farm, LLC and  
Thomas B. Sears a/k/a  
Brad Sears:*

J. Mel Camenisch  
Megan R. Holt  
*Rose Grascam Camenisch  
Mains, PLLC*

Counsel for Appellees,  
*Mull Enterprises Limited  
d/b/a Yeomanstown Stud:*

Thomas D. Bullock  
Rachele T. Yohe  
*Bullock & Coffman, LLP*

Counsel for Appellee,  
*LNJ Foxwoods, LLC:*

W. Chapman Hopkins  
Lilian Williams  
*Stoll Keenon Ogden PLLC*

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**WEDNESDAY, FEBRUARY 8, 2023**  
**(CONTINUED)**

11:00 a.m.    **CITY OF PIKEVILLE, KENTUCKY, ET AL. V. KENTUCKY CONCEALED CARRY  
COALITION, INC.**  
**(2022-SC-0053-DG)**

**APPELLANTS' BRIEF**  
**APPELLEE BRIEF**

Firearms Regulations. Issues involve the interplay between the KRS 65.870 preemption of local government firearms regulation, KRS 237.110 concerning carrying concealed deadly weapons and the Federal Gun Free School Zone Act of 1990 provisions in 18 U.S.C. §§ 921-922.

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Oral Argument Granted:	June 8, 2022
Trial Court(s):	Pike Circuit Court
Presiding Judge(s):	Hon. Eddy Coleman
Counsel for Appellants:	Russell H. Davis <i>Baird and Baird, PSC</i>
Counsel for Appellee:	Steven D. Jaeger <i>The Jaeger Firm, PLLC</i>

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**THURSDAY, FEBRUARY 9, 2023**

10:00 a.m. **CHARLES F. MAHL V. LOUANNE MAHL  
(2021-SC-0481-DG)**

**[APPELLANT BRIEF](#)**  
**[APPELLEE BRIEF](#)**  
**[REPLY BRIEF](#)**

**AND**

**LOUANNE MAHL V. CHARLES F. MAHL  
(2021-SC-0487-DG)**

**[APPELLANT BRIEF](#)**  
**[APPELLEE BRIEF](#)**  
**[REPLY BRIEF](#)**

Indispensable Party. Strict Compliance. Maintenance. Unconscionability. Issues include: (1) whether the failure to name an attorney awarded fees by the trial court must result in the dismissal of the entire appeal; and (2) whether the trial court abused its discretion in determining that changes in the parties' circumstances rendered the terms of the original maintenance award unconscionable.

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Oral Argument Granted:  
Trial Court(s):  
Presiding Judge(s):

September 9, 2022  
Jefferson Family Court  
Hon. Gina K. Calvert

Counsel for Appellant/Appellee  
*Charles F. Mahl:*

Allison S. Russell  
*Simms Russell Law, PLLC*

Counsel for Appellee/Appellant  
*Louanne Mahl:*

J. Fox DeMoisey  
*DeMoisey Law Office, PLLC*

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**THURSDAY, FEBRUARY 9, 2023**  
**(CONTINUED)**

11:00 a.m.     **UNIVERSITY OF KENTUCKY V. PETER REGARD, ET AL.**  
**(2022-SC-0129-DG)**

**[APPELLANT BRIEF](#)**  
**[APPELLEES' BRIEF](#)**  
**[REPLY BRIEF](#)**  
**[AMICUS BRIEF \(EASTERN KENTUCKY UNIVERSITY, ET AL.\)](#)**

Contracts. Tuition and fees. University facilities. Incorporation of other documents. Issues include whether the Student Financial Obligation University Kentucky students agreed to online in order to register for classes and/or other documents created a promise that on-campus students would have access to certain facilities and services.

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Oral Argument Granted:	June 8, 2022
Trial Court(s):	Franklin Circuit Court
Presiding Judge(s):	Hon. Phillip J. Shepherd

Counsel for Appellant, <i>University of Kentucky.</i>	Joshua M. Salsburey Donald C. Morgan <i>Sturgill, Turner, Barker &amp; Moloney, PLLC</i>
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William E. Thro  
Shannan B. Stamper  
*University of Kentucky  
Office of Legal Counsel*

Counsel for Appellees, <i>Peter REGARD, et al.:</i>	Andre F. REGARD Ivey L. Workman <i>REGARD Law Group, PLLC</i>
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