

SUPREME COURT OF KENTUCKY
ORAL ARGUMENT CALENDAR

WEDNESDAY, SEPTEMBER 10, 2025

NEWLIN HALL, NORTON CENTER FOR THE ARTS,
CENTRE COLLEGE

**10:00 a.m. KENTUCKY DEPARTMENT OF FISH AND WILDLIFE RESOURCES
COMMISSION V. KENTUCKY OPEN GOVERNMENT COALITION, INC.
(2023-SC-0524-DG)**

AND

**KENTUCKY OPEN GOVERNMENT COALITION, INC. V. KENTUCKY
DEPARTMENT OF FISH AND WILDLIFE RESOURCES COMMISSION
(2024-SC-0275-DG)**

[APPELLANT BRIEF \(KY DEPT. OF FISH AND WILDLIFE\)](#)
[APPELLEE/CROSS-APPELLANT BRIEF \(KY OPEN GOV. COALITION\)](#)
[REPLY/CROSS-APPELLEE BRIEF \(KY DEPT OF FISH AND WILDLIFE\)](#)
[CROSS-APPELLANT REPLY BRIEF \(KY OPEN GOV. COALITION\)](#)

[AMICUS BRIEF \(UNIVERSITY OF KENTUCKY\)](#)
[AMICUS BRIEF \(ATTORNEY GENERAL RUSSELL COLEMAN, ET AL.\)](#)

Open Records Act. Public Records. Private Accounts. Private Devices. Issues presented include: (1) whether records concerning public business sent or received by public officials and employees are exempt from disclosure under the Open Records Act when they were sent, received, or stored on a nongovernmental email account or electronic device, such as a personal cell phone; (2) whether there is any distinction between emails and text messages concerning public business sent from, received by, or stored on nongovernmental systems; (3) whether, on remand, the Commission should have another chance to meet its burden concerning the unreasonableness of requiring government employees to search their private cell phones for text messages related to public work; and, (4) whether the Fish and Wildlife Commission willfully violated the Open Records Act.

Discretionary Review Granted: June 5, 2024

Cross-Motion for Discretionary
Review Granted: August 14, 2024

ALL ARGUMENTS WILL BE STREAMED ONLINE AT

WWW.KET.ORG/SUPREMECOURT.

WEDNESDAY, SEPTEMBER 10, 2025
(CONTINUED)

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| Trial Court(s): | Franklin Circuit Court |
| Presiding Judge(s): | Hon. Thomas Wingate |
| Counsel for Appellant / Cross-Appellee, <i>Kentucky Department of Fish and Wildlife Resources Commission:</i> | Jan M. West Anthony R. Johnson <i>Goldberg Simpson, LLC</i> |
| Counsel for Appellee / Cross-Appellant, <i>Kentucky Open Government Coalition, Inc.:</i> | Michael P. Abate Jon L. Fleischaker <i>Kaplan Johnson Abate & Bird LLP</i> |

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WEDNESDAY, SEPTEMBER 10, 2025
NEWLIN HALL, NORTON CENTER FOR THE ARTS,
CENTRE COLLEGE

1:30 p.m. JEREL COLEMON, AS ADMINISTRATOR AND PERSONAL REPRESENTATIVE OF THE ESTATE OF WILLIAM VIRGIL V. WESTPORT INSURANCE COMPANY, AS SUCCESSOR TO COREGIS INSURANCE COMPANY
(2023-SC-0497-DG)

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

[AMICUS BRIEF \(KENTUCKY DEFENSE COUNCIL, INC\)](#)
[AMICUS BRIEF \(KY ASSOC. OF COUNTIES ALL LINES FUND\)](#)
[AMICUS BRIEF \(CITY OF NEWPORT, KENTUCKY\)](#)

Local Governments. Contracts. Insurance. Injury Policy. Wrongful Incarceration. Issues presented include whether the injury resulting from wrongful conviction occurs solely at the time of conviction or is ongoing throughout the individual's wrongful incarceration.

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| Discretionary Review Granted: | April 12, 2024 |
| Trial Court(s): | Campbell Circuit Court |
| Presiding Judge(s): | Hon. Julie Reinhardt Ward |

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WEDNESDAY, SEPTEMBER 10, 2025
(CONTINUED)

Counsel for Appellant,
Jerel Coleman, as
Administrator and Personal
Representative of the
Estate of William Virgil:

Amy Staples
Elliot Slosar
Loevy & Loevy

Alexander T. Brown
Lathrop GPM LLP

Counsel for Appellee,
Westport Insurance
Company, as Successor
To Coregis Insurance
Company:

Adam H. Fleischer
Kevin F. Harris
BatesCarey LLP

William Orberson, Jr.
Ryan D. Nafziger
Phillips Parker
Orberson & Arnett,
PLC

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THURSDAY, SEPTEMBER 11, 2025
NEWLIN HALL, NORTON CENTER FOR THE ARTS,
CENTRE COLLEGE

10:00 a.m. COMMONWEALTH OF KENTUCKY, EX REL. ATTORNEY GENERAL
RUSSELL COLEMAN V. COUNCIL FOR BETTER EDUCATION, INC., ET
AL.
(2024-SC-0022-TG)

AND

GUS LAFONTAINE V. COUNCIL FOR BETTER EDUCATION, INC.
(2024-SC-0024-TG)

2024-SC-0022

APPELLANT BRIEF (COMMONWEALTH OF KENTUCKY)
APPELLEE BRIEF (COUNCIL FOR BETTER EDUCATION, ET AL.)
APPELLEE BRIEF (KENTUCKY BOARD OF EDUCATION, ET AL.)
REPLY BRIEF (COMMONWEALTH OF KENTUCKY)

AMICUS BRIEF (REVEREND WALTER JONES III)
AMICUS BRIEF (KENTUCKY CENTER FOR ECONOMIC POLICY)
AMICUS BRIEF (BLUEGRASS INST. FOR PUBLIC POLICY
SOLUTIONS)

2024-SC-0024

APPELLANT BRIEF (GUS LAFONTAINE)
APPELLEE BRIEF (COUNCIL FOR BETTER EDUCATION, ET AL.)
APPELLEE BRIEF (KENTUCKY BOARD OF EDUCATION, ET AL.)
REPLY BRIEF (GUS LAFONTAINE)

AMICUS BRIEF (KENTUCKY CENTER FOR ECONOMIC POLICY)
AMICUS BRIEF (REVEREND WALTER JONES III)
AMICUS BRIEF (BLUEGRASS INST. FOR PUBLIC POLICY
SOLUTIONS)

2022 House Bill 9. Public Education. Charter Schools. Issues presented include whether HB 9, which provides for a public charter school project, violates the Kentucky Constitution.

Transfer Granted: April 18, 2024

ALL ARGUMENTS WILL BE STREAMED ONLINE AT

WWW.KET.ORG/SUPREMECOURT

Trial Court(s):

Franklin Circuit Court

Presiding Judge(s):

Hon. Phillip Shepherd

2024-SC-0022

Counsel for Appellant,
*Commonwealth of
Kentucky, Ex Rel.
Attorney General
Russell Coleman:*

Matthew F. Kuhn
John H. Heyburn
Sarah N. Christensen
*Office of the Kentucky
Attorney General*

Counsel for Appellee,
*Council for Better
Education, et al.:*

Byron E. Leet
Sean G. Williamson
Mitzi D. Wyrick
*Wyatt, Tarrant & Combs,
LLP*

Counsel for Appellee,
*Kentucky Board of
Education, et al.:*

Todd G. Allen
Corey M. Nichols
*Kentucky Department of
Education*

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THURSDAY, SEPTEMBER 11, 2025
(CONTINUED)

2024-SC-0024

Counsel for Appellant,
Gus LaFontaine:

Paul Salamanca

Counsel for Appellee,
*Council for Better
Education, et al.:*

Byron E. Leet
Sean G. Williamson
Mitzi D. Wyrick
*Wyatt, Tarrant & Combs,
LLP*

Counsel for Appellee,
*Kentucky Board of
Education, et al.:*

Todd G. Allen
Corey M. Nichols
*Kentucky Department of
Education*

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THURSDAY, SEPTEMBER 11, 2025
(CONTINUED)
NEWLIN HALL, NORTON CENTER FOR THE ARTS,
CENTRE COLLEGE

1:30 p.m. **ROBERT BRAUN V. BEARMAN INDUSTRIES, LLC, ET AL.**
(2024-SC-0277-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Civil Procedure. Constitutional Law. Personal Jurisdiction. Due Process. Minimum Contacts. Issues presented include whether Kentucky has personal jurisdiction over a Utah gun manufacturer when: (1) a gun made by the manufacturer injured a Kentucky resident by firing with the safety engaged; (2) the manufacturer sells its guns to distributors in Texas, Louisiana, Alabama, Florida, and Tennessee, who sell the guns to Kentucky gun dealers; and (3) the manufacturer does not advertise in Kentucky or provide regular advice or assistance to Kentucky consumers.

Discretionary Review Granted: December 12, 2024

Trial Court(s): Fayette Circuit Court

Presiding Judge(s): Hon. Diane Minnifield

Counsel for Appellant,
Robert Braun:

Perry L. Greer, III
Kennedy D. Slusher
John W. Walters
Golden Law Office, PLLC

Counsel for Appellee,
Bearman
Industries, LLC, et al.:

Bradly E. Moore
R. Tracy Starnes
Moore, Davis, Starnes &
Bliss, PLLC

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