

UPDATED: 9/27/2017

**OCTOBER 2017**  
**ORAL ARGUMENT**  
**CALENDAR**

Updated: 9/27/2017

**OCTOBER, 2017**

**OCTOBER 12, 2017**

**1:00 PM (EASTERN TIME) – MOTION PANEL:**  
**JUDGE STUMBO, PRESIDING JUDGE, CHIEF JUDGE**  
**KRAMER AND JUDGE CLAYTON**

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

**FRANKFORT – Contact Patricia Brauer or Sam Givens - (502) 573-7920**

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

**DATE: Wednesday, October 4, 2017**

**11:00 AM PJ: COMBS, HON. SARA W.**

**LAMBERT, HON. DEBRA HEMBREE**

**NICKELL, HON. C. SHEA**

**2016CA001081 THE MOSTERT GROUP, LLC v PAUL MOSTERT**

Purchase of software assets; Appellant seeks the source code in order to access and utilize the assets that it purchased.

**CIVIL FAYETTE COUNTY**

**HON THOMAS L CLARK**

Appellant Atty:

Appellant Name:

**BROWN, DANIELLE  
GETTY, RICHARD**

**THE MOSTERT GROUP, LLC**

Appellee Atty:

Appellee Name:

**BECKER, FRANK**

**MOSTERT, PAUL**

**\*\* NOTE:\*\*PREVIOUSLY ON AUGUST 22, 2017 AT 2:00 PM, JEFFERSON COUNTY, KENTUCKY.**

**02:00 PM PJ: JOHNSON, HON. ROBERT G.**

**COMBS, HON. SARA W.**

**LAMBERT, HON. JAMES H.**

**2016CA000788 ALGER FERGUSON v COMMONWEALTH OF KENTUCKY**

Alleged ineffective counsel criminal trial.

**LAWRENCE COUNTY**

**HON JOHN DAVID PRESTON**

Appellant Atty:

Appellant Name:

**GARRISON, ROBERT  
IVIE, MARGARET**

**FERGUSON, ALGER**

Appellee Atty:

Appellee Name:

**FUCHS, GREGORY**

**COMMONWEALTH OF KENTUCKY**

**\*\* NOTE:**

**LOCATION: ELKHORN CROSSING SCHOOL, LAW & JUSTICE VILLAGE, 2001  
FRANKFORT PIKE, GEORGETOWN, KENTUCKY**

**DATE: Wednesday, October 18, 2017**

**10:15 AM** PJ: **JOHNSON, HON. ROBERT G.** **COMBS, HON. SARA W.** **LAMBERT, HON. DEBRA HEMBREE**  
**2016CA001571** **KAREN DIXON v CHARLES DIXON**

Whether doctrine of laches bars child support obligation in this case.

**JESSAMINE COUNTY**

**HON JEFF MOSS**

Appellant Atty:

Appellant Name:

**CHANEY, M**

**DIXON, KAREN**

Appellee Atty:

Appellee Name:

**REYNOLDS, JOHN**

**DIXON, CHARLES**

**\*\* NOTE:**

**11:00 AM** PJ: **LAMBERT, HON. DEBRA HEMBREE** **COMBS, HON. SARA W.** **JOHNSON, HON. ROBERT G.**  
**2016CA001512** **CHEROKEE TRIANGLE ASSOCIATION, INC. v LOUISVILLE METRO PLANNING &  
ZONING COMMISSION**

Whether the trial courts properly dismissed two consolidated land use cases on summary judgment and whether it properly granted the Appellees' motion for a protective order.

**CIVIL**

**JEFFERSON COUNTY**

**HON OLU A. STEVENS**

Appellant Atty:

Appellant Name:

**SEILLER, BILL  
WOLFE, ED**

**CHEROKEE TRIANGLE ASSOCIATION, INC.**

Appellee Atty:

Appellee Name:

**BAKER, JONATHAN  
CARROLL, JOHN**

**LOUISVILLE METRO PLANNING & ZONING  
COMMISSION**

**MILLER, WINSTON  
SNYDER, SHERYL  
STURGEON, A III**

**WILLOW GRANDE, LLC**

**\*\* NOTE:**

**LOCATION: ELKHORN CROSSING SCHOOL, LAW & JUSTICE VILLAGE, 2001  
FRANKFORT PIKE, GEORGETOWN, KENTUCKY**

**DATE: Wednesday, October 18, 2017**

**01:20 PM PJ: JOHNSON, HON. ROBERT G. COMBS, HON. SARA W. LAMBERT, HON. DEBRA HEMBREE**  
**2016CA001270 BELINDA PRIEST v KURT PRIEST**

Whether the trial court properly divided a military pension in this divorce case.

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

Appellant Atty:

ACKERSON, LORI  
ARROWOOD, VICKIE  
MEERS, CHARLES

Appellant Name:

PRIEST, BELINDA

Appellee Atty:

MILLER, DOUGLAS

Appellee Name:

PRIEST, KURT

**\*\* NOTE:\*PREVIOUSLY ON OCTOBER 18, 2017 AT 2:05 PM.**

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

**DATE: Thursday, October 26, 2017**

**10:00 AM PJ: TAYLOR, HON. JEFF S. CLAYTON, HON. DENISE G. KRAMER, HON. JOY A.**  
**2016CA001695 ABIGAIL BALL v CYNTHIA DUFF**

Whether family court erred by granting grandparent visitation after the children were adopted.

<b>CIVIL</b>	<b>JEFFERSON COUNTY</b>	<b>HON ANGELA J. JOHNSON</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>BANKS, THOMAS II</b>		<b>BALL, JEREMY</b>
<b>BOWMAN, JASON</b>		
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<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>CHARNEY, MITCHELL</b>		<b>DUFF, CYNTHIA</b>
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**\*\* NOTE:**

**10:45 AM PJ: TAYLOR, HON. JEFF S. CLAYTON, HON. DENISE G. KRAMER, HON. JOY A.**  
**2016CA000819 DONNA VANOVER MAXWELL v THE ESTATE OF DARRELL RAY VANOVER**

Whether circuit court erred in its application of the doctrine of laches.

<b>CIVIL</b>	<b>MCCREARY COUNTY</b>	<b>HON DANIEL BALLOU</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>BRIDGEMAN, DAVID</b>		<b>MAXWELL, DONNA</b>
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<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>LAVENDER, TIMOTHY</b>		<b>THE ESTATE OF DARRELL RAY VANOVER</b>
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**\*\* NOTE:**

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

**DATE: Thursday, October 26, 2017**

**11:30 AM PJ: CLAYTON, HON. DENISE G.**

**KRAMER, HON. JOY A.**

**TAYLOR, HON. JEFF S.**

**2016CA001470**

**HAROLD MERRITT v CATHOLIC HEALTH INITIATIVES, INC.**

Appeal of denial of Motion for Declaratory Judgment and the granting of a Motion for Summary Judgment. The issue is whether self-insurers are subject to Kentucky's Unfair Claims Practices Act.

**CIVIL**

**FAYETTE COUNTY**

**HON ERNESTO M. SCORSONE**

Appellant Atty:

Appellant Name:

**GOLDEN, J.  
MELTON, MARY  
PETERSON, JUSTIN**

**MERRITT, HAROLD**

Appellee Atty:

Appellee Name:

**PROPST, CHAD  
THOMPSON, B.**

**CATHOLIC HEALTH INITIATIVES, INC.**

**\*\* NOTE:**