Report Updated On: 04/22/2003

PANEL: WEST/SOUTHCENTRAL

LOCATION: HARDIN COUNTY JUSTICE CENTER, 120 EAST DIXIE AVENUE,

ELIZABETHTOWN, KENTUCKY

DATE: April 24, 2003

10:15 AM PJ: DYCHE JOHNSON SCHRODER

2001CA000414 WAL-MART STORES INC. VS LINDA WILLIAMS

2001CA000454; JUDGMENT FOR UNI ENTITLEMENT TO NE OF EMOTIONAL DIST

JUDGMENT FOR UNLAWFUL TERMINATION DUE TO AGE; SUFFICIENCY OF EVIDENCE; PUNITIVE DAMAGES; ENTITLEMENT TO NEW TRIAL; CROSS-APPEAL: SUMMARY JUDGMENT ON CLAIM FOR INTENTIONAL INFLICTION

OF EMOTIONAL DISTRESS; AWARD OF ATTORNEY FEES

CIVIL BARREN COUNTY BENJAMIN L DICKINSON

Appellant Atty: Appellant Name:

MENDEL, ELIZABETH ULLMER WAL-MART STORES INC.

QUESENBERRY, KATHRYN A WAL-MART STORES INC.

ROARK, ERIN M WAL-MART STORES INC.

Appellee Atty: Appellee Name:

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HUDDLESTON, LEE LINDA H. WILLIAMS

**NOTE:20 MINUTES PER SIDE

11:15 AM PJ: SCHRODER DYCHE JOHNSON
2002CA000124 COMMONWEALTH ALUMINUM CORPORATION VS LEWIS KRAHWINKEL
2002CA000103 APPEAL AND CROSS-APPEAL IN A PERSONAL INJURY CASE WHEREIN AN EMPLOYEE OF AN INDEPENDENT

2002CA000193 APPEAL AND CROSS-APPEAL CONTRACTOR WAS INJURED.

CIVIL HANCOCK COUNTY RONNIE C DORTCH

Appellant Atty: Appellant Name:

NUNLEY, MARVIN P. COMMONWEALTH ALUMINUM CORPORATION

Appellee Atty: Appellee Name:

MILLER, JEANIE OWEN LEWIS F. KRAHWINKEL JR.

PANEL: WEST/SOUTHCENTRAL

LOCATION: HARDIN COUNTY JUSTICE CENTER, 120 EAST DIXIE AVENUE,

ELIZABETHTOWN, KENTUCKY

DATE: April 24, 2003

1:30 PM

PJ: JOHNSON

DYCHE

SCHRODER

2002CA001103

THOMAS, DANIEL N.

MT. PLEASANT HISTORIC DISTRICT HOMEOWNERS ASSOCIATION ET AL. VS ALPHA ALTERNATIVE CRISIS PREGNANCY CARE CENTER, INC. ET AL.

WHETHER THE CIRCUIT COURT ERRED BY AFFIRMING THE BOARD OF ZONING ADJUSTMENT'S DETERMINATION THAT THE ALPHA ALTERNATIVE CRISIS PREGNANCY CARE CTR AS A CHURCH/CHURCH-RELATED PROPERTY

WAS ENTITLED TO A CONDITIONAL USE PERMIT IN AN AREA ZONED FOR RESIDENTIAL USE

CIVIL CHRISTIAN COUNTY

JOHN L. ATKINS

Appellant Atty: Appellant Name:

.....

MARY LEE NORFLEET

ALICE STARLING

MT. PLEASANT HISTORIC DISTRICT HOMEOWNERS ASSOCIATION

......

Appellee Atty: Appellee Name:

ASKEW, LOGAN B. HOPKINSVILLE BOARD OF ZONING AND ADJUSTMENT AND APPEALS

SELF, ANDREW C ALPHA ALTERNATIVE CRISIS PREGNANCY CARE CENTER, INC.

2:15 PM

PJ: JOHNSON

DYCHE

SCHRODER

2002CA001147 PEOPLES BANK OF BULLITT COUNTY VS STOUT'S FEED STORE, INC ET

AL.

WHETHER THE TRIAL COURT ERRED BY AWARDING THE APPELLEE/CREDITOR'S LIEN PRIORITY OVER THE LIEN

OF THE APPELLANT/BANK IN A FORECLOSURE ACTION.

CIVIL BULLITT COUNTY

ROBERT A MILLER

Appellant Atty: Appellant Name:

WOOLDRIDGE, JOHN W PEOPLES BANK OF BULLITT COUNTY

Edited by Williams

Appellee Atty: Appellee Name:

ASKEW, LOGAN B.

BULLITT COUNTY, KENTUCKY

CARROLL, JOHN F

STOUT'S FEED STORE, INC

CHANDLER III, A. B.

COMMONWEALTH OF KENTUCKY

EDISON, MARK E. FARM CREDIT SERVICES OF MID-AMERICA, ACA

SHOLAR, WALTER A. JEFFREY A. PHILPOT

WANTLAND, JOSEPH J. STOUT'S FEED STORE, INC

PANEL: WEST/SOUTHCENTRAL

LOCATION: HARDIN COUNTY JUSTICE CENTER, 120 EAST DIXIE AVENUE,

ELIZABETHTOWN, KENTUCKY

DATE: April 24, 2003

3:00 PM PJ: SCHRODER DYCHE JOHNSON

2001CA001320 ROBERT DYE VS WESTERN KENTUCKY UNIVERSITY

2001CA001389 ALLEGATION OF WRONGFUL DISCHARGE BASED ON RACE AND DISABILITY.

CIVIL WARREN COUNTY THOMAS R. LEWIS

Appellant Atty: Appellant Name:

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ROBERTS, NANCY OLIVER ROBERT DYE

Appellee Atty: Appellee Name:

LAUFENBERG, SCOTT D. WESTERN KENTUCKY UNIVERSITY STIVERS, GREGORY N WESTERN KENTUCKY UNIVERSITY

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE

COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: April 16, 2003

9:30 AM PJ: KNOPF COMBS TACKETT

2002CA000517 ALLIANT HOSPITALS INC. VS KEVIN BENHAM ET AL.

WAS MALPRACTICE JUDGMENT AGAINST ALLIANT TAINTED BY (1) THE COURT'S REFUSAL TO ADMIT INTO EVIDENCE A LETTER BY PLAINTIFF'S COUNSEL DISCUSSING HIS EXPERT'S OPINIONS OR BY (2) INSUFFICIENT EVIDENCE OF PAIN AND SUFFERING? SHOULD THE COURT HAVE VACATED ITS AWARD OF DAMAGES FOR FUTURE MEDICAL CARE WHEN, BEFORE OTHER ASPECTS OF THE CASE WERE FINAL, THE INJURED PLAINTIFF DIED? JUDGMENT AWARDING, AMONG OTHER THINGS, 1.9 MILLION DOLLARS FOR FUTURE MEDICAL EXPENSES

& 520 THOUSAND DOLLARS FOR PAIN AND SUFFERING.

CIVIL JEFFERSON COUNTY F KENNETH CONLIFFE

Appellant Atty: Appellant Name:

KEITH, KAREN L.ALLIANT HOSPITALS INC.ROSE, C ALEXALLIANT HOSPITALS INC.SAUNDERS, RUSSELL H.ALLIANT HOSPITALS INC.

Appellee Atty: Appellee Name:

CONWAY, F THOMAS KEVIN BENHAM DARBY, DONALD W. KEVIN BENHAM

10:15 AM PJ: COMBS KNOPF TACKETT

2001CA002360 ALLIE GARDNER VS LAMONT GARDNER

CHALLENGE TO SEVERAL ASPECTS OF PROPERTY SETTLEMENT FINDINGS AND ORDERS IN A DIVORCE CASE.

FAMILY COURT JEFFERSON COUNTY KEVIN L. GARVEY

Appellant Atty: Appellant Name:

TILLMAN, STEPHEN J ALLIE JEANETTE GARDNER

Appellee Atty: Appellee Name:

LLOYD, J. RUSSELL

MOBLEY, JOSEPH V

LAMONT GARDNER

RUTHERFORD, OLIVER BARRETT

LAMONT GARDNER

GARDNER

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE

COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: April 16, 2003

11:00 AM PJ: TACKETT COMBS KNOPF

2002CA000771 DARRYL OWENS VS IRV MAZE ET AL.

PUBLIC OFFICIALS; WHETHER KENTUCKY CONSTITUTION PERMITS A PUBLIC OFFICIAL?S SALARY TO BE

REDUCED DURING TERM OF OFFICE

CIVIL JEFFERSON COUNTY JAMES M SHAKE

Appellant Atty: Appellant Name:

BURKE, FRANK W DARRYL T. OWENS
CHUPPE, FRANK F. DARRYL T. OWENS
NORTHERN, RICHARD DARRYL T. OWENS

Appellee Atty: Appellee Name:

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KAPLAN, DAVID S. BRADLEY R. HUME

MATTHEW WHITE
PATRICK SPRADLING
RONALD CRIMM
WILLIAM STONE

LILLY, N SCOTT IRV MAZE

SNYDER, SHERYL G. BRADLEY R. HUME

MATTHEW WHITE
PATRICK SPRADLING
RONALD CRIMM
WILLIAM STONE

PANEL: EAST/SOUTHEAST

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: April 01, 2003

1:30 PM PJ: BUCKINGHAM GUIDUGLI MCANULTY

2002CA000340 DANNY HARRIS VS COMMONWEALTH OF KENTUCKY

CRIMINAL/SEARCH WARRANT

CRIMINAL FLOYD COUNTY JOHN DAVID CAUDILL

Appellant Atty: Appellant Name:

MONAHAN, EDWARD C DANNY R. HARRIS
STUTSMAN, DENNIS DANNY R. HARRIS

Appellee Atty: Appellee Name:

RONCARTI, N. SUSAN COMMONWEALTH OF KENTUCKY

2:15 PM PJ: MCANULTY BUCKINGHAM GUIDUGLI 2001CA002578 DERWIN NICKLEBERRY VS COMMONWEALTH OF KENTUCKY

DIRECT APPEAL OF ASSAULT 4TH CONVICTION: NUMEROUS HEARSAY ISSUES.

CRIMINAL HARDIN COUNTY KELLY MARK EASTON

Appellant Atty: Appellant Name:

BOWMAN-DENTON, NANCY

EUCKER, DAVID T

STUTSMAN, DENNIS

DERWIN I. NICKLEBERRY

DERWIN I. NICKLEBERRY

Appellee Atty: Appellee Name:

RONCARTI, N. SUSAN COMMONWEALTH OF KENTUCKY

LOCATION: FAYETTE COUNTY COURTHOUSE, 120 NORTH LIMESTONE, LEXINGTON,

KENTUCKY

DATE: April 22, 2003

9:30 AM PJ: HUDDLESTON BAKER EMBERTON

2002CA000433 MICHAEL KENNEDY VS COMMONWEALTH OF KENTUCKY

RCR 11.42. INEFFECTIVE ASSISTANCE OF COUNSEL; FAILURE TO CHALLENGE CONFESSION.

POST-CONVICTION FRANKLIN COUNTY DARREN W. PECKLER

Appellant Atty: Appellant Name:

MCNALLY, KEVIN M MICHAEL T. KENNEDY
O'DONNELL, MARGARET MICHAEL T. KENNEDY

Appellee Atty: Appellee Name:

CHANDLER III, A. B. COMMONWEALTH OF KENTUCKY FUCHS, GREGORY C. COMMONWEALTH OF KENTUCKY

LOCATION: FAYETTE COUNTY COURTHOUSE, 120 NORTH LIMESTONE, LEXINGTON,

KENTUCKY

DATE: April 22, 2003

10:15 AM PJ: HUDDLESTON BAKER EMBERTON
2002CA000947 ALICE HUME ET AL. VS FRANKLIN COUNTY FISCAL COURT ET AL.

APPEAL FROM ZONING CHANGE; INTERPRETATION OF PREVIOUS COA OPINION.

CIVIL FRANKLIN COUNTY ROGER L. CRITTENDEN

Appellant Atty: Appellant Name:

GRADDY, W. HENRY ALICE SOUTH HUME

PIN OAK STUD, LLC

MURPHY, RICHARD V ALICE SOUTH HUME

PIN OAK STUD, LLC

Appellee Atty: Appellee Name:

BOYD, JAMES E. FRANKLIN COUNTY FISCAL COURT

HOWARD R DAWSON
HUSTON WELLS
IRA W FANNIN
J.W. LUTTRELL
JILL E ROBINSON
PHILLIP W KRING

TERESA A BARTON

JOHNSON, SCOTT ALAN FRANKLIN COUNTY FISCAL COURT

HOWARD R DAWSON
HUSTON WELLS
IRA W FANNIN
J.W. LUTTRELL
JILL E ROBINSON
PHILLIP W KRING
TERESA A BARTON

JOHNSON, WILLIAM E. BIZZACK LEWIS

GARY BIZZACK
JOHN W BIZZACK

SULLIVAN, RICHARD M FRANKLIN COUNTY FISCAL COURT

HOWARD R DAWSON
HUSTON WELLS
IRA W FANNIN
J.W. LUTTRELL
JILL E ROBINSON
PHILLIP W KRING
TERESA A BARTON

LOCATION: FAYETTE COUNTY COURTHOUSE, 120 NORTH LIMESTONE, LEXINGTON,

KENTUCKY

DATE: April 22, 2003

11:00 AM PJ: HUDDLESTON BAKER EMBERTON

2002CA001261 JOSEPH POLSGROVE VS GERALD LUNDERGAN ET AL.

DISPUTE OVER WIDTH OF EASEMENT AND USE THEREOF. 1 BOX

CIVIL FAYETTE COUNTY GARY D PAYNE

Appellant Atty: Appellant Name:

VAN HORN, LEE RUSSELL JOSEPH POLSGROVE

Appellee Atty: Appellee Name:

KILPATRICK, MELANIE J. CHARLOTTE LUNDERGAN

GERALD LUNDERGAN

LUNDY'S CATERING COMPANY

KINSER, HENRY E. CHARLOTTE LUNDERGAN

GERALD LUNDERGAN

LUNDY'S CATERING COMPANY

1:30 PM PJ: HUDDLESTON BAKER EMBERTON

2002CA001398 TERRY JONES VS COMMONWEALTH OF KENTUCKY

CRIMINAL. FAILURE TO SUPPRESS EVIDENCE ALLEGEDLY PROCURED IN VIOLATION OF FOURTH AMENDMENT.

CRIMINAL FAYETTE COUNTY THOMAS L CLARK

Appellant Atty: Appellant Name:

BOYD, MATTHEW W. TERRY LAMONT JONES

Appellee Atty: Appellee Name:

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BALE, J GARY COMMONWEALTH OF KENTUCKY

LOCATION: FAYETTE COUNTY COURTHOUSE, 120 NORTH LIMESTONE, LEXINGTON,

KENTUCKY

DATE: April 22, 2003

2:15 PM PJ: EMBERTON BAKER HUDDLESTON

JESSAMINE COUNTY FISCAL COURT ET AL. VS JOE STERNBERG ET AL. 2002CA000286

REVERSAL OF ZONE CHANGE DENIAL; ARBITRARINESS; ADOPTION OF AMENDMENT TO COMPREHENSIVE PLAN 2002CA000315 BY PLANNING COMMISSION; KRS 100.182; PRESERVATION OF ISSUE FOR REVIEW BY CIRCUIT COURT;

AUTHORITY OF COURT TO ORDER COMMISSION TO SUPPLEMENT RECORD WITH ADDITIONAL EVIDENCE AND

CONDUCT A DE NOVO HEARING; CROSS-APPEAL - TRIAL COURT ERRED IN NOT ORDERING THE ZONE CHANGE

CIVIL JESSAMINE COUNTY C. HUNTER DAUGHERTY

> Appellant Atty: Appellant Name:

ARVIN, WILLIAM MILES ALEX BOWER

> CHARLES PAPP JOHN BUNTON KAREN GERSTEL KAREN PAPP

KATHRYN STUTLAND

KAY STROHL LINDA BUNTON MICHAEL STUTLAND PATRICK GERSTEL PATRICK PEPPER RHONDA BOWER SHARMAN PEPPER TIM STROHL

TOM BOWER

NORRIS, RANDALL EDWARD BOBBY DAY WILSON (IN HIS OFFICIAL)

> GEORGE DEAN (IN HIS OFFICIAL) JESSAMINE COUNTY FISCAL COURT JIMMY WELLS (IN HIS OFFICIAL) JOHN NICKELL (IN HIS OFFICIAL) STEVE GAYHEART (IN HIS OFFICIAL) TERY MECKSTROTH (IN HIS OFFICIAL)

WILLIAM NEAL CASSITY

SMITH Jr, BRUCE E CHARLES KESTAL (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE) Jr

SMITH, BRUCE E C. V. ELLIOTT (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE)

> CHARLES FULLER (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE) JESSAMINE COUNTY-CITY OF WILMORE JOINT PLANNING COMMISSION JOHN BLACKFORD (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE)

JOHN FITCH (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE)

JOSEPH L. POAGE (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE)

KEN HOUP (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE)

RICHARD L. HARDIN (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE) WAYNE MCCRAY (IN HIS OFFICIAL CAPACITY AS A MEMBER OF THE) WILLIAM NEAL BEATY (IN HIS OFFICIAL CAPACITY AS A MEMBER OF

THE)

LOCATION: FAYETTE COUNTY COURTHOUSE, 120 NORTH LIMESTONE, LEXINGTON,

KENTUCKY

DATE: April 22, 2003

Appellee Atty:	Appellee Name:
GULLETTE JR., ROBERT L.	CECILE STERNBERG
	JOE STERNBERG
	JOHN HORNE
	LESLIE STERNBERG
	PORTIA HORNE
	SAM STERNBERG
LEAR JR, WILLIAM M	CECILE STERNBERG
	JOE STERNBERG
	JOHN HORNE
	LESLIE STERNBERG
	PORTIA HORNE
	SAM STERNBERG
LOY, JEFFREY TODD	CECILE STERNBERG
	JOE STERNBERG
	JOHN HORNE
	LESLIE STERNBERG
	PORTIA HORNE
	SAM STERNBERG
LOY, STEVEN B	CECILE STERNBERG
	JOHN HORNE
	LESLIE STERNBERG
	PORTIA HORNE

SAM STERNBERG

LOCATION: FAYETTE COUNTY COURTHOUSE, 120 NORTH LIMESTONE, LEXINGTON,

KENTUCKY

DATE: April 22, 2003

3:00 PM PJ: EMBERTON BAKER HUDDLESTON

2002CA000389 VIRGIL GRIFFITH ET AL. VS MIKE FLYNN ET AL.

2002CA000666 SUMMARY JUDGMENT; SOVEREIGN IMMUNITY; LIABILITY OF CITY, COUNTY AND EMPLOYERS FOR INSPECTION

OF HOME FOR COMPLIANCE WITH BUILDING AND ELECTRICAL INSPECTION

CIVIL SCOTT COUNTY ROBERT OVERSTREET

Appellant Atty: Appellant Name:

KEYSER, GREGORY A. TAMMY GRIFFITH

VIRGIL GRIFFITH

Appellee Atty: Appellee Name:

CALDWELL, BRENT L. SCOTT COUNTY

HEINEMAN, STACY LYNN CITY OF GEORGETOWN

MIKE FLYNN

KINKEAD JR, SHELBY C. DON HAWKINS

PERKINS, CHARLES CITY OF GEORGETOWN

MIKE FLYNN

STILZ, DANIEL BARRY DON HAWKINS

THORNSBERRY, RONALD E. CITY OF GEORGETOWN

MIKE FLYNN

THORNTON, GREGG E CITY OF GEORGETOWN

MIKE FLYNN

WOODALL, JON A SCOTT COUNTY

LOCATION: FAYETTE COUNTY COURTHOUSE, 120 NORTH LIMESTONE, LEXINGTON,

KENTUCKY

DATE: April 23, 2003

9:30 AM PJ: EMBERTON BAKER HUDDLESTON
2002CA000909 GARY AFTERKIRK VS BOARD OF EDUCATION OF GRANT COUNTY

SUMMARY JUDGMENT; AGE AND DISABILITY DISCRIMINATION RETALIATION

CIVIL GRANT COUNTY STEPHEN L BATES

Appellant Atty: Appellant Name:

KOEBEL, LADONNA GARY AFTERKIRK WALTHER, JEFFREY S. GARY AFTERKIRK

Appellee Atty: Appellee Name:

CASSIDY, MARY SUZANNE BOARD OF EDUCATION OF GRANT COUNTY

10:15 AM PJ: BAKER EMBERTON HUDDLESTON

2002CA000304 K. M. VS FAYETTE COUNTY PUBLIC SCHOOL ET AL.

WHETHER CIRCUIT COURT ERRONEOUSLY DISMISSED UNDER CR 12.02 WITHOUT DISCOVERY; WHETHER FAYETTE COUNTY PUBLIC SCHOOLS IS A PUBLIC ACCOMODATION UNDER KRS 344.130; WHETHER SCHOOL

BOARD ACTED ARBITRARILY AND CAPRICIOUSLY.

CIVIL FAYETTE COUNTY SHEILA R. ISAAC

Appellant Atty: Appellant Name:

DOVE, EDWARD E. K. M.

Appellee Atty: Appellee Name:

CHENOWETH, ROBERT L. ANGIE TEDDER

CATHY LOUSIGNOTT

FAYETTE COUNTY PUBLIC SCHOOL

HARVIE WILKERSON LARRY MOORE

ROBIN FRANKHAUSER

FOGLE III, JOHN C. ANGIE TEDDER

CATHY LOUSIGNOTT

FAYETTE COUNTY PUBLIC SCHOOL

HARVIE WILKERSON LARRY MOORE

ROBIN FRANKHAUSER

PANEL: RESCHEDULED CASES AND MISC OR

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: April 01, 2003

11:00 AM PJ: PAISLEY MILLER TACKETT

2001CA001703 ROY ROGERS ET AL. VS DOUG MILLER ET AL. 2001CA001785 REAL ESTATE - NEGLIGENCE OF AGENT IN PREPARING CONTRACT.

CIVIL MADISON COUNTY JULIA HYLTON ADAMS

Appellant Atty: Appellant Name:

.....

LACKEY, JOHN F INA RAY ROGERS

ROY VERNON ROGERS

Appellee Atty: Appellee Name:

EIDEN, VINCENT J. DAVID F. SNYDER
LAWSON, VIRGINIA L. DAVID F. SNYDER
MILLER, DOUG DOUG MILLER

DOUG MILLER & ASSOCIATES REALTY & AUCTION

**NOTE:CONTINUED FROM MARCH