

October 2022

Oral Argument Calendar

Motion Panel

**Judge J. Christopher McNeill,
Presiding Judge**

**Judge Larry Thompson and
Judge Jacqueline Caldwell,
Associate Judges**

Contact Natasha Coates for Oral Arguments – (502) 573-7920

Thursday, October 20, 2022

Location: VAN METER AUDITORIUM IN VAN METER HALL, WESTERN KENTUCKY UNIVERSITY, BOWLING GREEN, KY

10:15AM (CST) PROSPECT R&R, LLC ET. AL. V. LOUISVILLE/JEFFERSON COUNTY METRO PLANNING COMMISSION ET. AL.

[2021-CA-0956](#)

Presiding Judge: HON. JEFF S. TAYLOR

Associate Judges: HON. KELLY THOMPSON and HON. LARRY E. THOMPSON

Whether circuit court erred by entering an "Order of Dismissal"; whether circuit court erred by not determining the 1972 resolution was temporary and expired and whether circuit court erred by failing to require LDG Holdings to dedicate a 60 foot right-of-way.

JEFFERSON County, HON. ERIC JOSEPH HANER

Attorneys for Appellants: Donald L Cox, Clark Cunningham Johnson and William Richard Adams, II

Attorneys for Appellees: Clifford Hobson Ashburner, Joshua Tanner Watkins, Philip Edward Cecil, Young-Eun Park, Anne Pauline Scholtz, Laura Marie Ferguson and Travis James Fiechter

11:00AM (CST) HOPE MCSWIGAN V. G1 PROPERTIES, LLC

[2021-CA-1287](#)

Presiding Judge: HON. JEFF S. TAYLOR

Associate Judges: HON. KELLY THOMPSON and HON. LARRY E. THOMPSON

Whether circuit court erred by determining that 5 feet of a shared boundary line between appellant and appellee belonged to appellee by adverse possession.

KENTON County, HON. KATHLEEN LAPE

Attorney for Appellant: Daniel Aaron Hunt

Attorney for Appellee: Richard Hanses Deters

1:15PM (CT) DIANNA LYNN DAVENPORT, IN HER CAPACITY AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PENNY ANN SIMMONS V. KINDRED HOSPITALS LIMITED PARTNERSHIP D/B/A KINDRED HOSPITAL - LOUISVILLE ET. AL.

[2021-CA-0974](#)

Presiding Judge: HON. KELLY THOMPSON

Associate Judges: HON. JEFF S. TAYLOR and HON. LARRY E. THOMPSON

Circuit Court dismissed the action of an administratrix of an estate ruling that an appointment of the administratrix was effective when the order of appointment was signed by the Judge rather than when the order was entered by the Clerk.

JEFFERSON County, HON. ANNIE O'CONNELL

Attorney for Appellant: Harry Bernard O'Donnell, IV

Attorneys for Appellees: Brett Robert Nolan, Carmine Gennaro Iaccarino, Matthew Franklin Kuhn, Michael Robert Wajda Emily Weaver Newman, Megan Patricia Keane and Paul Alan Dzenitis