

January 2025

ORAL ARGUMENT
CALENDAR

Motion Panel

Judge Annette C. Karem, Presiding Judge

Judge Jacqueline M. Caldwell and
Judge Allison E. Jones,
Associate Judges

Kentucky Court of Appeals

Oral Argument Calendar

Tuesday, January 21, 2025

Location: SARA WALTER COMBS COURTROOM, KENTUCKY COURT OF APPEALS, 669 CHAMBERLIN AVE., SUITE B, FRANKFORT, KY

1:00PM (EST) ESTATE OF ALAN THOMPSON ET AL. v. DOOR DASH, INC.

[2024-CA-0123](#)

Presiding Judge: HON. LARRY E. THOMPSON

Associate Judges: HON. GLENN E. ACREE and HON. JACQUELINE M. CALDWELL

THIS APPEAL RISES FROM A FATAL ACCIDENT THAT OCCURRED ON OCTOBER 24, 2021 ON LOUISVILLE'S GREEN BELT HIGHWAY WHEN A DOORDASH DRIVER TURNED LEFT CUTTING OFF ALAN THOMPSON ("THE DECEDENT") KILLING HIM. THE DECEDENT LED A GROUP OF MOTORCYCLISTS WHEN THE DRIVER FAILED TO YIELD RIGHT OF WAY WHILE TURNING LEFT TO PICK UP A SONIC DOORDASH FOOD ORDER, CAUSING HIS DEATH.

THE ESTATE OF ALAN THOMPSON, BY HIS WIDOW DAWN THOMPSON, AND DAWN THOMPSON, INDIVIDUALLY, APPEAL THE OPINION AND ORDER GRANTING SUMMARY JUDGEMENT IN FAVOR OF DOORDASH ENTERED BY THE TRIAL COURT ON JANUARY 8, 2024. THE TRIAL COURT DISMISSED THEIR CLAIMS AGAINST DOORDASH UNDER KENTUCKY'S MARKETPLACE PLATFORM STATUTE, KRS 336.137.

JEFFERSON County, HON.SUSAN SCHULTZ GIBSON

Attorney for Appellants: Jeremy Bart McMahon

Attorneys for Appellee: Brian Frank Haara and Gregory Scott Gowen

Attorney for Amicus: Elizabeth Themins Hedges

1:45PM (EST) KELLIE E. DENTON, AS CO-ADMINISTRATOR OF THE ESTATE OF WILLIAM A. RAINES, III, ET AL. v. MARK NUNLEY, M.D., ET AL.

[2024-CA-0093](#)

Presiding Judge: HON. JACQUELINE M. CALDWELL

Associate Judges: HON. GLENN E. ACREE and HON. LARRY E. THOMPSON

Civil - Appeal to reverse denial of a JNOV motion made based on judicial admissions of defendant doctor and did judge commit reversible error in finding second expert testimony "cumulative" and disallowing.

JEFFERSON County, HON. ANNIE O'CONNELL

Attorney for Appellant: Zach Ray Berry, Brian Edward Clare, and Todd Patrick Greer

Attorney for Appellee: Scott Ellis Burroughs and Gerald R. Toner

Wednesday, January 22, 2025

Location: TRANSYLVANIA UNIVERSITY, CARRICK AUDITORIUM, MITCHELL FINE ART BUILDING, 300 N. BROADWAY, LEXINGTON, KY

1:00PM (EST) R. L. P. v. COMMONWEALTH OF KENTUCKY

[2023-CA-1254](#)

Presiding Judge: HON. ALLISON E. JONES

Associate Judges: HON. SUSANNE M. CETRULO and HON. SARA W. COMBS

THIS APPEAL CONCERNS THE CONSTITUTIONALITY OF KRS CHAPTER 202C, RELATING TO INVOLUNTARY COMMITMENT. IT ALSO CONCERNS THE ADMISSION OF HEARSAY TESTIMONY.

WARREN County, HON. JOHN R. GRISE

Attorney for Appellant: Timothy G. Arnold

Attorneys for Appellee: Matthew Franklin Kuhn and Sarah Nicole Christensen

1:45PM (EST) WYATT LEDFORD v. U OF L HEALTH-LOUISVILLE, INC., ET AL.

[2024-CA-0022](#)

Presiding Judge: HON. ALLISON E. JONES

Associate Judges: HON. SUSANNE M. CETRULO and HON. SARA W. COMBS

DOES THE HEALTH INSURANCE PORTABILITY ACCOUNTABILITY ACT OF 1996 (HIPPA) PREEMPT COMMON LAW CLAIMS OF NEGLIGENCE AND INVASION OF PRIVACY?

JEFFERSON County, HON. PATRICIA MORRIS

Attorney for Appellant: Paul Stewart Abney

Attorneys for Appellees: Aaron William Marcus, Brent Robert Baughman, and Chelsea Lyn Granville Reed

2:30PM (EST) COMMONWEALTH OF KENTUCKY, JUSTICE AND PUBLIC SAFETY CABINET, DEPARTMENT OF CORRECTIONS V. DAWN CRAWFORD

[2024-CA-0018](#)

Presiding Judge: HON. ALLISON E. JONES

Associate Judges: HON. SUSANNE M. CETRULO and HON. SARA W. COMBS

DID THE JUSTICE AND PUBLIC SAFETY DEPARTMENT PROPERLY WITHHOLD CERTAIN POLICIES AND PROCEDURES PURSUANT TO THE SECURITY AND CONTROL OF INMATES EXCEPTION TO THE OPEN RECORDS ACT?

FRANKLIN County, HON. THOMAS D. WINGATE

Attorney for Appellant: Jonathan Matthew Gifford

Attorney for Appellee: Jessica Katherine Winters

Wednesday, January 22, 2025

Location: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, LOUISVILLE, KY

1:30PM BRIANNA ROBINSON v. MONROE GUARANTY INSURANCE COMPANY, ET AL.
(EST)

[2023-CA-1376](#)

Presiding Judge: HON. AUDRA J. ECKERLE

Associate Judges: LISA P. JONES and HON. ANNETTE C. KAREM

Appeal from order granting summary judgment/declaratory judgment finding no insurance coverage. Whether sexual assault of child can constitute an occurrence under policy terms.

CALLOWAY County, HON. ANDREA L. MOORE

Attorney for Appellant: John Brandon Bruce, Kevin Crosby Burke, Jamie Kristin Neal, and Nathan Dale Williams

Attorney for Appellees: David Kelly Barnes, Robert Quincy Ward, Richard Lee Walter, and Robert Edwin Maclin, III