



## Supreme Court of Kentucky

Chambers, State Capitol  
Frankfort, Kentucky 40601  
502-564-4162

**John D. Minton, Jr.**  
Chief Justice of Kentucky

[www.courts.ky.gov](http://www.courts.ky.gov)

Contact: Susan Stokley Clary, Supreme Court Clerk  
502-564-5444, [susanc@kycourts.net](mailto:susanc@kycourts.net)

*For Immediate Release*

### Supreme Court of Kentucky to hear arguments Sept. 20-21 in Frankfort **Proceedings are open to the public**

FRANKFORT, Ky., Sept. 7, 2017 – The [Supreme Court of Kentucky](#) will hear oral arguments Aug. 17-19 in Frankfort. Proceedings are open to the public and will take place in the Supreme Court Courtroom on the second floor of the state Capitol at 700 Capitol Ave. in Frankfort.

The public may also observe oral arguments via the [Supreme Court live stream](#) on the Kentucky Court of Justice website. Oral arguments are available online as they occur in real time and are not available as archives.

The Supreme Court is the state court of last resort and the final interpreter of Kentucky law. [Seven justices](#) sit on the Supreme Court and all seven justices rule on appeals that come before the court. The justices are elected from seven appellate districts and serve eight-year terms. A chief justice, chosen for a four-year term by fellow justices, is the administrative head of the state's court system and is responsible for its operation. The Supreme Court may order a ruling or opinion to be published, which means that the ruling becomes the case law governing all similar cases in the future in Kentucky.

WEDNESDAY, SEPT. 20, 2017

**9 AM**

2016-SC-0220-DG

**UNIVERSITY OF LOUISVILLE V. MARK ROTHSTEIN**

[View Case Briefs](#)

“Sovereign Immunity. Government Contracts. Employment. KRS 45A.245. Whether the University is immune from a former employee’s claim for breach of his written employment contract.”

Discretionary Review granted 2/9/2017  
Franklin Circuit Court, Judge Thomas D. Wingate

Attorneys for Appellant: Craig Christman Dilger and Emily Mattingly  
Attorneys for Appellee: Robert W. Bishop, John Saoirse Friend and Tyler Zachary Korus

**NOTE:** Justice Hughes not sitting.

**10 AM**

2016-SC-0136-DG

**ANGELA FORD, ET AL. V. FAISAL SHAH, ET AL.**

[View Case Briefs](#)

“Tort Law. Conversion. Uniform Commercial Code. Whether the defendants committed the tort of conversion when a signatory on the plaintiff’s bank accounts used his apparent authority over the accounts to transfer funds for the benefit of the defendants.”

Discretionary Review granted 12/8/2016

Fayette Circuit Court, Judge Thomas L. Clark

Attorneys for Appellants: Angela Margaret Ford, Mindy Barfield and Brett Nolan

Attorneys for Appellee, Faisal Shah: Stephen M. O’Brien, III and David Coomer

Attorneys for Harold Baerg, Jr. and Kathleen M. Baerg: John F. Williams, John Nathaniel Billings, Christopher L. Thacker and Stephen Wilson

**11 AM**

2016-SC-000572-DG

**LATASHA MAUPIN V. ROLAND TANKERSLEY**

[View Case Briefs](#)

“Torts. Dog Bite Law. Issues involve application of KRS 258.235(4) as well as strict liability and negligence principles in a case involving unconfined dogs in a rural setting.”

Discretionary Review granted 3/15/2017

Jackson Circuit Court, Judge Oscar G. House

Attorneys for Appellant: Marshall F. Kaufman, III and Kerstin Schumann

Attorneys for Appellee: Daniel Allen Simons and Amanda Kash

THURSDAY, SEPT. 21, 2017

**9 AM**

2016-SC-0591-DG

**SALLY CAROL GRASCH V. ALBERT FRANKLIN GRASCH, JR.**

[View Case Briefs](#)

“KRS 403.190. Marital Property. Contingent Fee Cases. The only issue to be addressed in this matter is whether contingent fee cases of an attorney spouse should be treated as marital property under KRS 403.190.”

Discretionary Review granted 2/9/2017

Fayette Circuit Court, Judge Jo Ann Wise

Attorneys for Appellant: Suzanne Marie Baumgardner and Valerie S. Kershaw  
Attorneys for Appellee: Kara Read Marino and Meredith Fannin

**NOTE:** Justice VanMeter not sitting.

**10 AM**

2016-SC-000457-DG

**RICHARD STORM V. LOUIS MARTIN**

[View Case Briefs](#)

“Torts. Public Employee Personal Liability. Whether the use of the word “shall” in KRS 179.070(1) imposes mandatory liability upon a county engineer for tree removal from a public right-of-way creating a traffic hazard.”

Discretionary Review granted 2/9/2017  
Jefferson Circuit Court, Judge Mary M. Shaw

Attorneys for Appellant: Paul Guagliardo, Michael J. O’Connell, and Gregory Scott Gowen  
Attorneys for Appellee: Lawrence Lee Jones, II, Alexander Davis, and Ashton Smith

**11 AM**

2016-SC-000248-DG

**NORFOLK SOUTHERN RAILWAY COMPANY V. SHARON JOHNSON**

[View Case Briefs](#)

“Torts. Property Owner Liability. Firefighter’s Rule. Issues include whether a police officer is barred from suing a property owner for injuries incurred when she fell down a hill while pursuing a suspect.”

Discretionary Review granted 3/15/2017  
Boyle Circuit Court, Judge Darren Peckler

Attorneys for Appellant: Robert Barry Cetrulo, Casey Leigh Hinkle, and Michael P. Abate  
Attorneys for Appellee: Kelly P. Spencer and Lyman Darby

###