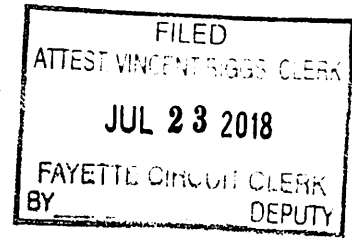


COMMONWEALTH OF KENTUCKY
FAYETTE CIRCUIT COURT
THIRD DIVISION
CIVIL ACTION NO. 17-CI-3489



LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

PLAINTIFF/APPELLANT

VS.

NOTICE OF APPEAL

MICHAEL MAHARREY

DEFENDANT/APPELLEE

NOTICE IS GIVEN that Plaintiff/Appellant Lexington-Fayette Urban County Government ("LFUCG"), pursuant to CR 73.01 – 73.03, hereby appeals to the Kentucky Court of Appeals from the order granting summary judgment to Defendant/Appellee Michael Maharrey ("Maharrey") entered in this action on June 19, 2018, and from the order entered on July 20, 2018, which denied LFUCG's motion Pursuant to CR 59.05 to alter, amend or vacate the order/judgment entered on June 19, 2018, for an evidentiary hearing, and *in camera* review.

DESIGNATION OF PARTIES TO APPEAL:

- Plaintiffs/Appellant Lexington-Fayette Urban County Government is hereby designated as the sole Appellant to this appeal.
- Defendant/Appellee Michael Maharrey is designated as the sole Appellee to this appeal.

Notice of this appeal is being served on the Attorney General due to the fact that this action arose from a decision of the Attorney General issued pursuant to KRS 61.880.



Michael R. Sanner, KBA#87375
Roger G. Wright, KBA #84791
J. Todd Henning, KBA#87191
LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT
Department of Law
200 East Main Street, 11th Floor
Lexington, Kentucky 40507
Telephone (859) 258-3500
Counsel for LFUCG

CERTIFICATE OF SERVICE

I hereby certify that a true and copy of the foregoing was served via U.S. mail, first class, postage prepaid, on the 23rd day of July 2018, upon the following:

Clay A. Barkley [Courtesy copy emailed to cbarkley@strobobarkley.com]
Strobo Barkley PLLC
239 South Fifth Street, Suite 917
Louisville, Kentucky 40202
Co-Counsel for Defendant

Heather L. Gatnarek [Courtesy copy emailed to Heather@aclu-ky.org]
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315 Guthrie Street, Suite 300
Louisville, Kentucky 40202
Co-Counsel for Defendant

Notice Only Copy To:

Hon. Andy Beshear
Office of the Attorney General
700 Capitol Avenue, Suite 118
Frankfort, Kentucky 40601-3449



Co-Counsel for LFUCG

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, VS. MAHARREY,

Case# 17-CI-03489

County FAYETTE

Court CIRCUIT Court

Opening Judge HON. JAMES D. ISHMAEL, JR.

Current Judge HON. JOHN E. REYNOLDS

Closing Judge HON. JOHN E. REYNOLDS

Page #

Date	Description	Amount	Page #
09/29/2017	Monetary Event Monetary Event Civil Filing Fee	\$ 115.00	
09/29/2017	Monetary Event Monetary Event ATJ Fee	\$ 20.00	
09/29/2017	Monetary Event Monetary Event Collected For Others (Court Technology)	\$ 10.00	
09/29/2017	Monetary Event Monetary Event Collected For Others (Att Tax Fee)	\$ 5.00	
09/29/2017	Monetary Event Monetary Event Court Facilities Fee	\$ 25.00	
09/29/2017	Monetary Event Monetary Event Library Fee	\$ 1.00	
09/29/2017	Case Filed CONTRACT		
09/29/2017	Document Filed COMPLAINT / PETITION AP /APPEAL		
09/29/2017	Document Filed RECEIPT		
09/29/2017	Summons Filed - MAHARREY, MICHAEL RETURNED TO ATTORNEY/PETITIONER	@00000775478	
10/02/2017	Summons Served/Recalled - MAHARREY, MICHAEL RETURNED TO ATTORNEY/PETITIONER	@00000775478	
10/23/2017	Document Filed ANSWER AD		
10/24/2017	Document Filed ENTRY OF APPEARANCE AD		
11/15/2017	Document Filed ENTRY OF APPEARANCE AP J. TODD HENNING		
01/26/2018	Motion Filed MOTION FOR SUMMARY JUDGMENT ATTORNEY FOR PLAINTIFF		
02/08/2018	Document Filed RE-NOTICE OF HEARING AP		



**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, VS. MAHARREY,
Case# 17-CI-03489**

County FAYETTE
 Court CIRCUIT Court
 Opening Judge HON. JAMES D. ISHMAEL, JR.
 Current Judge HON. JOHN E. REYNOLDS
 Closing Judge HON. JOHN E. REYNOLDS

Page #

03/20/2018	Motion Filed MOTION FOR SUMMARY JUDGMENT ATTORNEY FOR PLAINTIFF	
03/21/2018	Motion Filed MOTION FOR SUMMARY JUDGMENT ATTORNEY FOR PLAINTIFF	
03/21/2018	Document Filed RE-NOTICE OF HEARING AP <i>FOR SUMMARY JUDGMENT SET FOR 03/30 /18</i>	
03/30/2018	Scheduled Event MOTION HOUR HON. JOHN E. REYNOLDS <i>RENOTICE: FOR SUMMARY JUDGMENT</i>	Mar 30 2018 at 1:00 PM
04/10/2018	Document Filed RESPONSE <i>to plaintiffs motion and cross mot ion for summary judgment</i>	
04/10/2018	Motion Filed MOTION FOR SUMMARY JUDGMENT ATTORNEY FOR DEFENDANT	
04/11/2018	NOE to All Counsel of Record and Parties Not Represented by Counsel. RESPONSE <i>to plaintiffs motion and cross mot ion for summary judgment</i>	
04/17/2018	Document Filed RESPONSE AP	
04/20/2018	Scheduled Event MOTION HOUR HON. JOHN E. REYNOLDS <i>RENOTICED FROM 3/30/18</i>	Apr 20 2018 at 1:01 PM
04/20/2018	Document Filed VIDEO LOG <i>22-3-18-CD-52 1:17:31 PM - 1:28:4 4 PM</i>	
06/19/2018	Case Disposed SUMMARY JUDGMENT	263 Days
06/19/2018	Document Filed ORDER - OTHER <i>GRANTING APELLEE'S MOTION FOR SUMM ARY JUDGMENT, ATT COPIES MAILED TO PARTIES</i>	
06/19/2018	NOE to All Counsel of Record and Parties Not Represented by Counsel. ORDER - OTHER FIRST CLASS MAIL <i>GRANTING APELLEE'S MOTION FOR SUMM ARY JUDGMENT, ATT COPIES MAILED TO PARTIES</i>	
06/29/2018	Motion Filed MOTION - OTHER ATTORNEY FOR PLAINTIFF <i>ALTER AMEND OR VACATE JUDGMENT</i>	



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, VS. MAHARREY,

Case# 17-CI-03489

County FAYETTE
Court CIRCUIT Court
Opening Judge HON. JAMES D. ISHMAEL, JR.
Current Judge HON. JOHN E. REYNOLDS
Closing Judge HON. JOHN E. REYNOLDS

Page #

06/29/2018	Document Filed ENTRY OF APPEARANCE COCO <i>CO COUNSEL FOR LFUCG</i>	
07/05/2018	Document Filed RESPONSE AD <i>Michael Maharrey</i>	
07/05/2018	Document Filed NOTICE - OTHER AD	
07/05/2018	Motion Filed MOTION - OTHER ATTORNEY FOR DEFENDANT <i>REQUIRE LFUCG PROVIDE REIMBURSEMENT FOR ALL FEES/COSTS INCURRED IN CONNECTION W/ HIS DEFENSE OF LAWSUIT, MEMO WAS FILED TO MOTION TO ALTER, AMEND OR VACATE JUDGMENT</i>	
07/06/2018	Scheduled Event MOTION HOUR HON. JOHN E. REYNOLDS	Jul 6 2018 at 1:00 PM
07/06/2018	Document Filed VIDEO LOG <i>22-3-18-CD-94</i> <i>1:02:50 PM - 1:21:41 PM</i>	
07/12/2018	Document Filed TENDERED DOCUMENT AD <i>overruling</i>	
07/18/2018	Document Filed RESPONSE AP	
07/19/2018	Document Filed RE-NOTICE OF HEARING AD	
07/20/2018	Scheduled Event MOTION HOUR HON. JOHN E. REYNOLDS	Jul 20 2018 at 1:00 PM
07/20/2018	Document Filed ORDER OVERRULING JUD <i>LFUCG'S MOTION BE & IS OVERRULED IN ITS ENTIRETY FOR THE REASONS STATED BY THE COURT FROM THE BENCH AS REFLECTED UPON 7/6/18 MH DOCKET.</i> <i>3 ATTESTED COPIES MAILED</i>	
07/20/2018	NOE to All Counsel of Record and Parties Not Represented by Counsel. ORDER OVERRULING FIRST CLASS MAIL <i>LFUCG'S MOTION BE & IS OVERRULED IN ITS ENTIRETY FOR THE REASONS STATED BY THE COURT FROM THE BENCH AS REFLECTED UPON 7/6/18 MH DOCKET.</i> <i>3 ATTESTED COPIES MAILED</i>	



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, VS. MAHARREY,

Case# 17-CI-03489

County FAYETTE
 Court CIRCUIT Court
 Opening Judge HON. JAMES D. ISHMAEL, JR.
 Current Judge HON. JOHN E. REYNOLDS
 Closing Judge HON. JOHN E. REYNOLDS

Page #

07/20/2018	Document Filed ORDER - OTHER JUD <i>NOE ES : BARKLEY, CLAY A, GATNARE K, HEATHER</i>		
07/20/2018	NOE to All Counsel of Record and Parties Not Represented by Counsel. ORDER - OTHER <i>NOE ES : BARKLEY, CLAY A, GATNARE K, HEATHER</i>		
07/23/2018	Monetary Event Monetary Event Civil Filing Fee	\$ 150.00	
07/23/2018	Monetary Event Monetary Event Court Facilities Fee	\$ 25.00	
07/23/2018	Document Filed NOTICE OF APPEAL AP		
07/27/2018	Scheduled Event MOTION HOUR HON. JOHN E. REYNOLDS <i>REQUIRE LFUCG PROVIDE REIMBURSEMENT FOR ALL FEES/COSTS INCURRED IN CONNECTION W/ HIS DEFENSE OF LAWSUIT, MEMO WAS FILED TO MOTION TO ALTER, AMEND OR VACATE JUDGMENT filed by ap</i>	Jul 27 2018 at 1:00 PM	