

SUPREME COURT OF KENTUCKY

NOVEMBER 15, 2018 MINUTES

RELEASED: 10:00 A.M.

154. COMMONWEALTH OF KENTUCKY, [2017-SC-000614-TG](#) FRANKLIN  
CABINET FOR HEALTH AND [2017-SC-000615-TG](#)  
FAMILY SERVICES, EX REL. **TO BE PUBLISHED**

ADAM MEIER, IN HIS OFFICIAL  
CAPACITY AS SECRETARY OF THE  
CABINET FOR HEALTH AND FAMILY  
SERVICES **V.**

EZRA CLAYCOMB, A MINOR, BY AND  
THROUGH HIS NEXT FRIEND,  
NATURAL GUARDIAN AND PARENT,  
TONYA CLAYCOMB AND TONYA  
CLAYCOMB ON BEHALF OF ALL  
OTHERS SIMILARLY SITUATED

**OPINION OF THE COURT BY  
CHIEF JUSTICE MINTON-  
AFFIRMING**

ALL SITTING. HUGHES,  
VANMETER AND VENTERS, JJ.,  
CONCUR. CUNNINGHAM, J.,  
CONCURS IN RESULT ONLY BY  
SEPARATE OPINION. KELLER, J.,  
CONCURS IN RESULT ONLY BY  
SEPARATE OPINION IN WHICH  
CUNNINGHAM AND WRIGHT, JJ., JOIN.

**Questions Presented:**  
Constitutionality of Senate Bill 4-Kentucky's  
Medical Review Panel Statute.

**SUPREME COURT OF KENTUCKY**

**NOVEMBER 15, 2018 MINUTES**

**RELEASED: 10:00 A.M.**

155. FRED ZUCKERMAN, AS REPRESENTATIVE OF THE GENERAL DRIVERS, WAREHOUSEMEN AND HELPERS LOCAL UNION NO. 89 AND WILLIAM LONDRIGAN, AS REPRESENTATIVE OF THE KENTUCKY STATE AFL-CIO, ITS AFFILIATED UNIONS AND MEMBERS **V.** MATTHEW G. BEVIN, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE COMMONWEALTH OF KENTUCKY, DERRICK K. RAMSEY, IN HIS OFFICIAL CAPACITY AS SECRETARY OF THE KENTUCKY LABOR CABINET, BARRY BRIGHT, JACOB PURVIS AND WILLIAM PURVIS, ET AL.  
**OPINION OF THE COURT BY JUSTICE VANMETER-  
AFFIRMING**  
ALL SITTING. MINTON, C.J.; HUGHES AND VENTERS, JJ., CONCUR. MINTON, C.J.; CONCURS BY SEPARATE OPINION IN WHICH HUGHES AND VENTERS, JJ., JOIN. KELLER, J., DISSENTS BY SEPARATE OPINION IN WHICH CUNNINGHAM AND WRIGHT, JJ., JOIN. WRIGHT, J., DISSENTS BY SEPARATE OPINION IN WHICH CUNNINGHAM AND KELLER, JJ., JOIN.

[2018-SC-000097-TG](#)  
[2018-SC-000098-TG](#)  
**TO BE PUBLISHED**

FRANKLIN

<p><b>Questions Presented:</b> Constitutionality of House Bill 1-Kentucky's Right to Work Act.</p>
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SUPREME COURT OF KENTUCKY

NOVEMBER 15, 2018 MINUTES

RELEASED: 10:00 A.M.

156. DON HENSLEY V. [2017-SC-000189-DG](#) GARRARD  
KEITH A. GADD AND [2017-SC-000431-DG](#)  
JHT PROPERTIES, LLC. **TO BE PUBLISHED**
- OPINION OF THE COURT BY JUSTICE VANMETER-AFFIRMING IN PART/REVERSING AND REMANDING IN PART**  
ALL SITTING. MINTON, C.J.; CUNNINGHAM, HUGHES AND VENTERS, JJ., CONCUR. WRIGHT, J., CONCURS IN RESULT ONLY BY SEPARATE OPINION IN WHICH KELLER, J., JOINS.
- Questions Presented:**  
Property. Deed Restrictions. Whether deed restrictions permitted short term rentals of lake property. Manner of enforcement of deed restrictions.

**COURT ORDER GRANTING MOTION TO TRANSFER EXPEDITING BRIEFING, AND SETTING ORAL ARGUMENT – NOVEMBER 15, 2018**

- WHITNEY WESTERFIELD, [2018-SC-000583-TG](#) FRANKLIN  
IN HIS OFFICIAL CAPACITY  
AS SENATOR, ET AL. V.  
DAVID M. WARD, ET AL.  
AND
- DAVID M. WARD, ET AL. V. [2018-SC-000585-TG](#) FRANKLIN  
WHITNEY WESTERFIELD,  
IN HIS OFFICIAL CAPACITY  
AS SENATOR, ET AL.  
**ALL SITTING. ALL CONCUR.**  
ENTERED: NOVEMBER 15, 2018