

COMMONWEALTH OF KENTUCKY
KENTON CIRCUIT COURT
FIRST DIVISION
CASE NO. 09-CI-00165

ENTERED
KENTON CIRCUIT/DISTRICT COURT
JUL 19 2011
JOHN C. MIDDLETON
BY *[Signature]* D.C.

BARBARA KISSEL

vs.

SCHWARTZ & MAINES & RUBY CO., LPA, et al.

DEFENDANTS

ORDER

The herein matter having been scheduled for a trial by jury commencing July 13, 2011, and numerous pre-trial motions having yet to be decided and remaining under submission;

And the parties having informed the Court that the herein matter has been settled amicably¹ and that there is no need for a Court ruling on the remaining motions and also that there is no need for a trial;

And such news of an amicable settlement having made this Court happier than a tick on a fat dog because it is otherwise busier than a one legged cat in a sand box and, quite frankly, would have rather jumped naked off of a twelve foot step ladder into a five gallon bucket of porcupines than have presided over a two week trial of the herein dispute, a trial which, no doubt, would have made the jury more confused than a hungry baby in a topless bar and made the parties and their attorneys madder than mosquitoes in a mannequin factory;

IT IS THEREFORE ORDERED AND ADJUDGED by the court as follows:

1. The jury trial scheduled herein for July 13, 2011 is hereby CANCELED.

¹ The Court uses the word "amicably" loosely.


[Handwritten mark]

2. Any and all pending motions will remain under submission pending the filing of an Agreed Judgment, Agreed Entry of Dismissal, or other pleadings consistent with the parties' settlement.

3. The copies of various correspondence submitted for in camera review by the Defendant, SMRS, shall be sealed by the Clerk until further orders of the Court.

4. The Clerk shall engage the services of a structural engineer to ascertain if the return of this file to the Clerk's office will exceed the maximum structural load of the floors of said office.

Dated this 19 day of July, 2011.



MARTIN J. SHEEHAN
Kenton Circuit Judge

- Distribution:
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