

COMMONWEALTH OF KENTUCKY
BOONE COUNTY CIRCUIT COURT
54th JUDICIAL DISTRICT
CASE NO. 05-CI-00436

ENTERED
BOONE CIRCUIT/DISTRICT COURT
MAR 27 2007
DIANNE MURRAY, CLERK
BY *[Signature]* DC

MILDRED ABBOT, et al
Plaintiffs

-vs-

STANLEY M. CHESLEY, et al
Defendants

ORDER

CASE NO. 05-CI-00356

KENTUCKY FUND FOR HEALTHY
LIVING, INC.
Plaintiff

-vs-

MILDRED ABBOTT, et al
Defendants

This matter came on before the Court for hearing on March 26, 2007 on motion of the Defendants, Shirley Cunningham and William Gallion, to stay all discovery, or, in the alternative, precluding their continued depositions on March 30, 2007. Counsel for Defendant Melbourne Mills orally joined in this motion. The Court having heard argument of counsel, having now read the authority submitted, and being otherwise sufficiently advised, ORDERS as follows:

1. The motion to stay all discovery is **OVERRULED**.
2. The alternative motion for an Order precluding the taking of the continued depositions of Mr. Cunningham and Mr. Gallion on March 30 is **SUSTAINED**.
3. Counsel for Plaintiff was advised to attempt to utilize the scheduled date and time for other depositions which need to be concluded as well as to use that opportunity to compare schedules with all counsel for purposes of scheduling this matter for mediation with Retired Justice James Keller.

Dated this 26 day of March, 2007.



JUDGE WILLIAM J. WEHR

cc: Hon. Angela M. Ford
Hon. William T. Ramsey
Hon. Luther C. Conner, Jr.
Hon. Frank B. Benton, IV
Hon. Elizabeth R. Seif
Kentucky Fund for Healthy Living
Hon. James E. Shuffett
Hon. Mary E. Meade-McKenzie
Hon. Calvin Fulkerson/Hon. Gilbert L. Busby
Hon. C. Alex Rose
Hon. Richard Clay
Hon. Gary Sargent
Hon. Michael O'Hara
Hon. Theodore Cowen
Hon. Byron E. Leet
Hon. Michael L. Gay
Hon. Robert J. Hollingsworth
Hon. David Barth
Hon. Jeffrey Harmon
Hon. William J. Wehr, Special Judge