

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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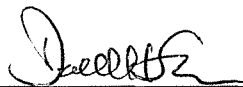
In the Matter of:

SOUTH KENTUCKY RURAL ELECTRIC)
COOPERATIVE CORPORATION)
_____) CASE NO. 2009-00015
)
ALLEGED FAILURE TO COMPLY WITH)
KRS 278.042)

MOTION TO REASSIGN PUBLIC HEARING

Comes South Kentucky Rural Electric Cooperative Corporation, by and through its undersigned attorney, and moves the Board to reschedule the public hearing as regards the above which is scheduled for August 18, 2009. The undersigned counsel for South Kentucky Rural Electric Cooperative Corporation has a conflict on that date as he represents a party in a trial which had previously been scheduled to commence on August 18, 2009 in the Whitley Circuit Court in Williamsburg, Kentucky. A copy of the November 21, 2008 order assigning the trial date is attached hereto.

The undersigned is a solo practitioner and cannot ask a partner or send an associate to one or the other.



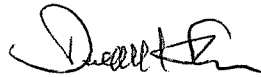
DARRELL L. SAUNDERS, P.S.C.
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700 MASTER STREET
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TELEPHONE: (606) 523-1370
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ATTORNEY FOR SOUTH KENTUCKY RURAL
ELECTRIC COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was this 27th day of May, 2009, deposited in the regular United States mail, all postage prepaid and addressed for delivery to Mr. Rick Bertelson, Public Service Commission, 211 Sower Blvd., P.O. Box 615, Frankfort, KY 40602-0615.

Original to: Mr. Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Blvd., P.O. Box 615, Frankfort, KY 40602-0615.



ATTORNEY FOR SOUTH KENTUCKY RURAL
ELECTRIC COOPERATIVE CORPORATION

COMMONWEALTH OF KENTUCKY
34TH JUDICIAL CIRCUIT
WHITLEY CIRCUIT COURT
CIVIL ACTION NO. 08-CI-287
DIVISION II

ENTERED
NOV 21 2008
WHITLEY CIRCUIT/DISTRICT COURTS
BY *[Signature]* D.C.

FAULKNER PAVING COMPANY, INC.
d/b/a WADE FAULKNER PAVING CO., INC., ✓ PLAINTIFF,

V. **TRIAL ORDER**

QUALITY RESTAURANT CONCEPTS, LLC and DEFENDANTS.
SIMS CONSTRUCTION, LLC

This matter came before the Court and the Court being sufficiently advised in the premises,

After discussion with counsel for the parties, and it appearing that this action is ready for trial, and the Court being sufficiently advised;

IT IS HEREBY ORDERED AS FOLLOWS:

1. This action is docketed for trial by jury on August 18, 2009, at 9:00 a.m.
2. With reference to expert witnesses, if proper request has been made therefor, there must be a literal compliance with the requirements of C.R. 26.02(4)(a)(i). A party must identify with each person whom the party expects to call on as an expert witness at trial, state the subject matter on which the expert is expected to testify, and state the substance of the fact and opinions to which the expert is expected to testify and a summary of the grounds of each opinion. **This information shall be provided by the Plaintiff no later than 60 days before trial, and by the Defendant no later than 45 days before trial.** Failure to comply with the letter and spirit of the aforesaid civil rule may result in the suppression of the expert's testimony.
3. Counsel for each party shall exchange a list of the names and addresses of all other

persons who will testify at the trial and file such list in the record on or before 30 days before trial.

4. Counsel for each party shall exchange a list of proposed documentary evidence and exhibits of any kind to be presented at trial at least 30 days before trial and make them available for inspection and copying thereafter.

5. The taking of depositions shall be completed on or before 14 days before trial.

6. Any proposed amendment of pleadings shall be filed on or before 7 days before trial.

Inclusion of additional parties may result in the trial being rescheduled.

7. Objections to portions of any depositions shall be in writing and filed with the Court on or before 7 days before trial. Such objections shall state with specificity the basis for the objection, and shall refer to specific authority with copies of such authorities attached.

8. All motions in limini shall be submitted no later than 7 days before trial.

9. Proposed written instructions shall be tendered to the Court 7 days before trial with leave to amend.

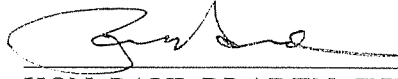
10. Pursuant to CR 98(c), at the time a chart or document larger than 8 ½ x 11 is introduced into evidence, a photocopy of photocopies that are 8 ½ x 11 or smaller shall be submitted. At the time a photograph larger than 8 ½ x 11 is introduced into evidence, a copy of that photograph that is 8 ½ x 11 or smaller shall be submitted. At the time a real object is introduced into evidence, a photograph or photographs of the object are to be submitted.

In each instance, the photocopies or photographs will be made a part of the record in lieu of the exhibit itself being retained by the Clerk as a part of the record.

11. Jurors are to be referred to by their juror number **only**. No party, attorney, or representative of any party or attorney shall contact, communicate with, or interview any juror

before, during or after trial, except as permitted by the Court.

DATED this 21st day of November, 2008.



HON. PAUL BRADEN, JUDGE
WHITLEY CIRCUIT COURT, DIV. II

DISTRIBUTION:

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gms/B 11-21-08
CLERK'S INITIALS DATE