

**COMMONWEALTH OF KENTUCKY
48TH JUDICIAL CIRCUIT
FRANKLIN CIRCUIT COURT
DIVISION I
CIVIL ACTION NO. 21-CI-00645**

TIA TAYLOR, et al.,

PLAINTIFF

v.

ORDER

KKR & CO., L.P., et al.

DEFENDANT

This matter is before the Court on remand from Chief Justice John Minton, who has asked this Court to review and rule on an Affidavit for Designation of Special Judge under KRS 26A.020. The Court has reviewed the Affidavit, and considered the surrounding circumstances, and concluded that the interests of justice would best be served by voluntary recusal in this action. This is a highly contentious lawsuit, which has been characterized by an extraordinary degree of conflict and disputes among counsel from its inception. The Court has done its best to be an impartial decision maker, and to base its decisions on the facts and the law. It is now apparent that the Court's own role in this litigation will be yet another such area of conflict, which will detract from the ability of the judicial system to render justice to the litigants and the public. The Kentucky Supreme Court has recently announced a new standard governing judicial recusal in *Abbott, Inc. v. Guiguis*, 626 S.W.3d 475, 484-85 (Ky. 2021), which counsels that recusal is the best course when such questions arise. While the Court believes many of the allegations of the Affidavit are incorrect or taken out of context, the Court is convinced that the best course under the *Abbott* case is to recuse, so that the complete focus of the lawsuit will remain on the merits of the claims and defenses of the parties. Accordingly, this Court recuses from further action in this case, and this matter shall be transferred to Judge Thomas D. Wingate

of Division II of this Court for all further proceedings pursuant to Local Rule 5.04 of the Franklin Circuit Court. IT IS SO ORDERED.



PHILLIP J. SHEPHERD, JUDGE
Franklin Circuit Court, Division I

DISTRIBUTION:

Hon. Michele Lerach
Hon. James Baskin
Bottini & Bottini, Inc.
7817 Ivanhoe Avenue, Suite 102
La Jolla, CA 92037

Hon. Jeffrey Walson
Walson Law-Consultancy-Mediation
P.O. Box 311
Winchester, KY 40392-0311

Hon. Donald Kelly
Hon. Virginia Snell
Hon. Jordan White
Wyatt, Tarrant & Combs, LLP
400 West Market Street, Suite 2000
Louisville, KY 40202-2898

Hon. Brad Karp
Hon. Lorin Reisner
Hon. Andrew Ehrlich
Hon. Brette Tannenbaum
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, New York 10019-6064

Hon. Barbara Edelman
Hon. Grahmn Morgan
Hon. John Spires
Dinsmore & Shohl LLP
100 W. Main Street, Suite 900
Lexington, KY 40507

Hon. Paul Curnin
Hon. Peter Kazanoff
Hon. Michael Garvey
Hon. David Elbaum

Hon. Sara Ricciardi
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017

Hon. Barry Barnett
Hon. Abigail Noebels
Hon. Ryan Weiss
Susman Godfrey LLP
1000 Louisiana Street, Suite 5100
Houston, TX 77002

Hon. Steven Shepard
Susman Godfrey LLP
1301 Avenue of the Americas
New York, New York 10019

Hon. Susan Pope
Hon. Cory Skolnick
Frost Brown Todd LLC
250 West Main Street, Suite 2800
Lexington, KY 40507-1749

Hon. Margaret Keeley
Hon. Ana Reyes
Hon. Alexander Zolan
Williams & Connolly LLP
725 Twelfth Street, N.W.
Washington D.C. 20005

Hon. Charles English
Hon. E. Kenly Ames
English, Lucas, Priest & Owsley LLP
1101 College Street; P.O. Box 770
Bowling Green, KY 42101

Hon. Robert Brazier
Hon. Steven Hall
Hon. Sarah-Nell Walsh
Hon. Kristin Tucker
Baker Donelson Bearman
Caldwell & Berkowitz PC
Suite 1600, Monarch Plaza
3414 Peachtree Road, N.E.
Atlanta, GA 30326

Hon. Philip Collier
Hon. Thad Barnes
Hon. Jeffrey Moad
Stites & Harbison PLLC
400 West Market Street, Suite 1800
Louisville, KY 40202

Hon. Robin McGuffin
Stites & Harbison PLLC
250 West Main Street, Suite 2300
Lexington, KY 40507

Hon. Glenn Cohen
Hon. Lynn Watson
Seiller Waterman LLC
462 S. Fourth Street, 22nd Floor
Louisville, KY 40202

Hon. Kevin Fox
Hon. Stewart Burch
Logan, Burch, & Fox
114 Clinton Street
Frankfort, KY 40601

Hon. Albert Grasch, Jr.
Hon. Mel Camenisch, Jr.
Hon. Wesley Harned
Rose, Grasch, Camenisch, Mains
326 South Broadway
Lexington, KY 40508

Hon. David Guarnieri
Hon. Jason Hollon
McBrayer PLLC
201 East Main Street, Suite 900
Lexington, KY 40507

Hon. Kenton Knickmeyer
Hon. Mike Bartolacci
Hon. Shaun Broeker
Thompson Coburn LLP
505 N. 7th Street
St. Louis, MO 63101

Hon Michael Hawkins

Hawkins and Associates, PLLC
420 Ann St.
Frankfort, KY 40601

David Peden
William Thielen
T.J. Carlson
Brent Aldridge
David Eager
J.T. Fulkerson
c/o Kentucky Retirement Systems
1260 Louisville Road
Frankfort, KY 40601

Adam Tosh
111 West 16th Avenue
Suite 400
Anchorage, AK 99501