

Commonwealth of Kentucky

Court of Appeals

NO. 2011-CA-000232-MR

AMERICAN SADDLEBRED HORSE
HORSE ASSOCIATION, INC.

APPELLANT

v.

APPEAL FROM FAYETTE CIRCUIT COURT
ACTION NO. 09-CI-05292

EDWARD BENNETT, ET AL.

APPELLEES

AND

NO. 2011-CA-001572-MR

AMERICAN SADDLEBRED HORSE
HORSE ASSOCIATION, INC.

APPELLANT

v.

APPEAL FROM FAYETTE CIRCUIT COURT
ACTION NO. 09-CI-05292

EDWARD BENNETT, ET AL.

APPELLEES

ORDER

* * * * *

This Court has considered appellant's motion for leave to raise issues in appellant's brief pursuant to CR 76.03(8), to consolidate the above-styled appeals, and for leave to file a consolidated brief. No response to the motion has been filed.

Having considered the motion to consolidate the appeals and to file a consolidated brief, the Court ORDERS the motions be, and they are hereby, GRANTED. The appeals shall be consolidated for all purposes, including briefing. Therefore, the brief filed on August 30, 2011, in appeal 2011-CA-000232 shall be STRICKEN and the briefing time shall be STAYED until after the record is certified in 2011-CA-001572.

The Court notes that appellant filed a prehearing statement in 2011-CA-001572 on September 8, 2011. Therefore, the Court ORDERS that the motion for leave to raise additional issues in appellant's brief is hereby DENIED AS MOOT. The Court further ORDERS that no prehearing conference shall be held in the later appeal and that the time for taking further steps in the appeal shall run from the date of entry of this order. CR 76.03(3). The Court also notes that appellant filed a designation of evidence in the Fayette Circuit Court on September 19, 2011. Therefore, the Clerk of the Fayette Circuit Court shall certify the record in 2011-CA-001572 on or before 30 days from the date of entry of this order.

Appellant's consolidated brief shall be filed on or before 30 days from the date the record is certified in 2011-CA-001572.

ENTERED: _____

9/23/11



CHIEF JUDGE, COURT OF APPEALS