

NO. 09-CI-5292

FAYETTE CIRCUIT COURT  
DIVISION 3  
HONORABLE JAMES D. ISHMAEL

AMERICAN SADDLEBRED  
HORSE ASSOCIATION, INC.

PLAINTIFF

v.

NOTICE OF APPEAL

EDWARD R. BENNETT, CARL T.  
FISCHER, JR., KRIS KNIGHT, TOM  
FERREBEE, SIMON FREDRICKS,  
M.D. AND LYNN W. VIA

DEFENDANTS

\* \* \* \* \*

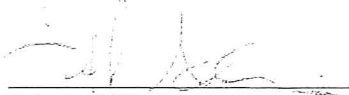
PLEASE TAKE NOTICE that Plaintiff, American Saddlebred Horse Association, Inc., hereby appeals to the Kentucky Court of Appeals from the September 1, 2011 Order of the Fayette Circuit Court, Division Three, Civil Action No. 09-CI-5292.

The Appellant is the American Saddlebred Horse Association, Inc., represented by Edward H. Stopher, Jefferson K. Streepey, Raymond G. Smith and Jeff W. Adamson, of the firm Boehl Stopher & Graves, LLP, AEGON Center, 400 West Market Street, Louisville, Kentucky 40202.

The Appellees against whom this appeal is taken are Edward R. Bennett, Carl T. Fischer, Jr., Kris Knight, Tom Ferrebee, Simon Fredricks, and Lynn W. Via, who are represented by Lewis G. Paisley, Culver V. Halliday, and Stephen A. Houston, of the firm Stoll Keenon Ogden PLLC, 2000 PNC Plaza, 500 West Jefferson Street, Louisville, KY 40202.

Pursuant to CR 73.02(1)(b), a filing fee of \$175.00 has been paid to the Clerk of this Court simultaneously with the filing of this Notice of Appeal.

BOEHL STOPHER & GRAVES, LLP



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Raymond G. Smith  
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COUNSEL FOR PLAINTIFF

CERTIFICATE OF SERVICE

It is hereby certified this 3rd day October, 2011 that a copy of the foregoing was served via First Class Mail, postage prepaid, to the following:

Hon. Lewis G. Paisley  
Culver V. Halliday  
Stephen A. Houston  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
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Louisville, Kentucky 40202-2828

  
\_\_\_\_\_  
COUNSEL FOR PLAINTIFF

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BS&G LLP

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COMMONWEALTH OF KENTUCKY  
FAYETTE CIRCUIT COURT  
22<sup>ND</sup> JUDICIAL CIRCUIT  
DIVISION 3

<p>AMERICAN SADDLEBRED HORSE ASSOCIATION, INC.,</p> <p style="text-align: right;">Plaintiff</p> <p>v.</p> <p>EDWARD R. BENNETT, CARL T. FISCHER, JR., KRIS KNIGHT, TOM FERREBEE, SIMON FREDERICKS, M.D., and LYNN W. VIA,</p> <p style="text-align: right;">Defendants</p>	<p>Case No. 09-CI-05292</p> <p style="text-align: center;"><u>ORDER</u></p>
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This matter came before the Court on Plaintiff's Motion to Withhold Records Relating to the Termination of Alan Balch's Employment and Motion of Alan F. Balch for Leave to File Memorandum in Support of ASHA's Motion to Withhold Records Relating to the Termination of Alan F. Balch's Employment with ASHA. The Court having reviewed the Defendants' Response In Opposition to ASHA's Motion to Withhold Records and entertained oral arguments on August 26, 2011,

IT IS HEREBY ORDERED that:

(1) Plaintiff's Motion to Withhold Records Relating to the Termination of Alan F. Balch's Employment with ASHA is hereby DENIED.

(2) Plaintiff shall produce to the Defendants copies of the records relating to the termination of Alan F. Balch's employment immediately.

(3) The Defendants may share with other ASHA members copies of the records relating to the termination of Alan F. Balch's employment. The Defendants should be discreet when sharing copies of those records.

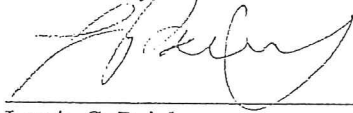
(4) The Defendants shall not place copies of the records relating to the termination of Alan F. Balch's employment, or their contents, on a public website, public social networking site or otherwise publish them to the general public.

/s/ JAMES D. ISHMAEL, JR.  
A TRUE COPY  
ATTEST: WILMA F. LYNCH, CLERK  
FAYETTE CIRCUIT COURT  

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JUDGE, FAYETTE CIRCUIT COURT

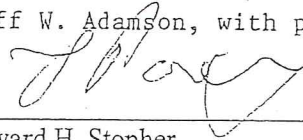
Tendered by:



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Jeff W. Adamson, with permission by:



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and

James B. cooper  
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CERTIFICATE OF SERVICE

A copy of the foregoing Order was entered on \_\_\_\_\_, 2011, and served via first class United States Mail, postage prepaid, to the following on the \_\_\_\_ day of \_\_\_\_\_, 2011.

SEP 01 2011

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*Hilma J. Lynch*  
*Salvador*