

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION I
CASE NO. 18-CI-379
CONSOLIDATED WITH CASE NO. 18-CI-414
ELECTRONICALLY FILED

COMMONWEALTH OF KENTUCKY
ex rel. ANDY BESHEAR, ATTORNEY GENERAL;
KENTUCKY EDUCATION ASSOCIATION;
KENTUCKY STATE LODGE FRATERNAL ORDER
OF POLICE

PLAINTIFFS

v.

MATTHEW G. BEVIN, in his official capacity
as Governor of the Commonwealth of Kentucky;
BERTRAM ROBERT STIVERS, II, in his official
capacity as President of the Kentucky Senate;
DAVID W. OSBORNE, in his official capacity as
Speaker Pro Tempore of the Kentucky House of
Representatives; BOARD OF TRUSTEES OF
OF THE TEACHERS' RETIREMENT SYSTEM
OF THE STATE OF KENTUCKY; BOARD OF
TRUSTEES OF THE KENTUCKY
RETIREMENT SYSTEMS

DEFENDANTS

Consolidated with

COMMONWEALTH OF KENTUCKY, *ex rel.*
MATTHEW G. BEVIN, in his official capacity
as Governor of the Commonwealth of Kentucky

PLAINTIFF

v.

ANDY BESHEAR, in his official capacity as
Attorney General of the Commonwealth of
Kentucky

DEFENDANT

NOTICE OF APPEAL

Pursuant to CR 73, Matthew G. Bevin, in his official capacity as Governor of the Commonwealth of Kentucky, and Commonwealth of Kentucky, *ex rel.* Matthew G. Bevin, in his official capacity as Governor of the Commonwealth of Kentucky, appeal to the Kentucky Court of Appeals from the Franklin Circuit Court's final and appealable judgment, reflected in the Circuit Court's Opinion and Order entered on June 20, 2018 and the Circuit Court's Order entered on June 27, 2018, that Court having denied the Governor's Motion to Alter, Amend, or Vacate by Order entered on July 11, 2018.

Pursuant to CR 73.03(1), the Appellants are Matthew G. Bevin, in his official capacity as Governor of the Commonwealth of Kentucky; and Commonwealth of Kentucky, *ex rel.* Matthew G. Bevin, in his official capacity as Governor of the Commonwealth of Kentucky.¹

Pursuant to CR 73.03(1), the Appellees are Commonwealth of Kentucky *ex rel.* Andy Beshear, Attorney General; Andy Beshear, in his official capacity as Attorney General of the Commonwealth of Kentucky²; Kentucky Education Association; Kentucky State Lodge Fraternal Order of Police; Bertram Robert Stivers, II, in his official capacity as President of the Kentucky Senate; David W. Osborne, in his official capacity as Speaker Pro Tempore of the Kentucky House of Representatives; Board

¹ Commonwealth of Kentucky, *ex rel.* Matthew G. Bevin, in his official capacity as Governor of the Commonwealth of Kentucky, is the Plaintiff in Case No. 18-CI-414 and is listed as an Appellant out of an abundance of caution.

² Andy Beshear, in his official capacity as Attorney General of the Commonwealth of Kentucky, is the Defendant in Case No. 18-CI-414 and is listed as an Appellee out of an abundance of caution.

of Trustees of the Teachers' Retirement System of the State of Kentucky; and Board of Trustees of the Kentucky Retirement Systems.

Respectfully submitted,


/s/ M. Stephen Pitt

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CERTIFICATE OF SERVICE

I certify that the foregoing was served via first class U.S. mail this 10th day of August, 2018, to Hon. Andy Beshear, J. Michael Brown, La Tasha Buckner, S. Travis Mayo, Marc G. Farris, and Samuel Flynn, Office of the Attorney General, 700 Capital Avenue, Suite 118, Frankfort, KY 40601 (and by hand-delivery and electronic mail); Jeffrey Walther and Victoria Dickson, Walther, Gay & Mack, 163 E. Main St., Suite 200, Lexington, KY 40588; David Leighty and Alison Messex, Priddy, Cutler, Naake, Meade, 2303 River Road, Suite 300, Louisville, KY 40206; David Fleenor and Vaughn Murphy, Capitol Annex, Room 236, Frankfort, KY 40601; Eric Lycan, Office of the Speaker, Capitol Annex, Room 332, Frankfort, KY 40601; Mark Blackwell, Katherine Rupinen, and Joseph Bowman, Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, KY 40601; Robert B. Barnes, Teachers' Retirement System, 479 Versailles Road, Frankfort, KY 40601; Bill Johnson, Johnson Bearse, LLP, 326 West Main Street, Frankfort, KY 40601; and Barbara B. Edelman and Mindy G. Barfield, Dinsmore & Shohl LLP, 250 West Main Street, Suite 1400, Lexington, Kentucky 40507.


/s/ S. Chad Meredith