

Supreme Court of Kentucky

FINAL

DATE 9-1-2020
Karen Cobb

2018-SC-000191-DG

CSX TRANSPORTATION, INC

APPELLANT

V. ON APPEAL FROM COURT OF APPEALS
CASE NO. 2016-CA-001849-MR
JEFFERSON CIRCUIT COURT NO. 09-CI-00800

LARRY M. BOGGS

APPELLEE

AND

2018-SC-000440-DG

LARRY M. BOGGS

CROSS-APPELLANT

V. ON CROSS-APPEAL FROM COURT OF APPEALS
CASE NO. 2016-CA-001849-MR
JEFFERSON CIRCUIT COURT NO. 09-CI-00800

CSX TRANSPORTATION, INC

CROSS-APPELLEE

ORDER AFFIRMING

The vote of the six members of this Court participating in the determination of this appeal being equally divided, pursuant to SCR 1.020, the opinion of the Court of Appeals hereby stands affirmed.

Keller, Lambert and Wright, JJ., would affirm the opinion of the Court of Appeals. Minton, C.J.; Hughes and VanMeter, JJ., would reverse the opinion of the Court of Appeals. Nickell, J., not sitting.

ENTERED: August 20, 2020.


CHIEF JUSTICE