

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION I
CASE NO. 17-CI-01348
Electronically filed

JEFFREY C. MAYBERRY, *et al.*

Plaintiffs

and

COMMONWEALTH OF KENTUCKY

Intervening Plaintiff

v.

KKR & CO. LLP, *et al.*

Defendants

MOTION FOR EXTENSTION OF TIME

NOTICE

The undersigned will make the following motion and tender the attached order at motion hour before the Franklin Circuit Court on Wednesday, April 7, 2021, at 9:00 a.m., or as soon thereafter as counsel may be heard.

MOTION

The Intervening Plaintiff, Commonwealth of Kentucky, through its Attorney General, respectfully moves the Court for an extension of time in which to file an amended intervening complaint in this action. In support of this motion, the Commonwealth of Kentucky states as follows:

As the Court recognized in its order entered February 18, 2021, Kentucky Retirement Systems has entered into a contract with a law firm for an independent investigation into the nature and scope of the Defendants' conduct that is at issue in this action. This Court observed that the Commonwealth of Kentucky "should be permitted to submit its Amended Complaint following completion of the Retirement Systems' investigation so as to allow the Amended Complaint to be more fully developed." (Feb. 18, 2021 Order, at 2.) At the time of the hearing held on February 8 on the Commonwealth's last motion for an extension of time, the Kentucky Retirement Systems anticipated that the report of the independent investigation would be concluded by late March. On that basis, the Court granted an extension of time, to and including April 12, 2021, for the Commonwealth to file its amended intervening complaint.

Despite the expectation that the independent investigation would be completed before April, to the best of the Office of the Attorney General's understanding, the Kentucky Retirement Systems has not yet received the results of the independent investigation. As a result, the Office of the Attorney General has not been permitted to more fully develop its amended intervening complaint in light of the results of the Kentucky Retirement Systems' independent investigation.

Accordingly, the Commonwealth of Kentucky respectfully requests an additional extension of time, to and including April 30, 2021, in which to file its amended intervening complaint in this action.

Respectfully submitted,

/s/ Aaron J. Silletto

Victor B. Maddox (KY Bar No. 43095)
J. Christian Lewis (KY Bar No. 87109)
Justin D. Clark (KY Bar No. 89313)
Steve Humphress (KY Bar No. 84880)
Aaron J. Silletto (KY Bar No. 89305)
Office of the Attorney General
1024 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601
Phone: (502) 696-5300
victor.maddox@ky.gov
christian.lewis@ky.gov
justind.clark@ky.gov
steve.humphress@ky.gov
aaron.silletto@ky.gov
Counsel for the Commonwealth of Kentucky

CERTIFICATE OF SERVICE

I certify that on April 1, 2021, a copy of the above was filed electronically with the Court and served through the Court's electronic filing system upon the following:

Richard M. Guarnieri (rguar@truelawky.com)
Philip C. Lawson (plawson@truelawky.com)
True Guarnieri Ayer, LLP
Counsel for Randy Overstreet and Bobby D. Henson

Glenn A. Cohen (gcohen@derbycitylaw.com)
Lynn M. Watson (watson@derbycitylaw.com)
Seiller Waterman, LLC
Counsel for William Cook

Laurence J. Zielke (lzielke@zielkefirm.com)
John H. Dwyer, Jr. (jdwyer@zielkefirm.com)
Karen C. Jaracz (kjaracz@zielkefirm.com)
Belinda G. Brown (belindab@zielkefirm.com)
Zielke Law Firm, PLLC
Counsel for Timothy Longmeyer

Mark Guilfoyle (mguilfoyle@dbllaw.com)
Patrick Hughes (phughes@dbllaw.com)

Kent Wicker (kwicker@dbllaw.com)
Andrew D. Pellino (apellino@dbllaw.com)
Dressman, Benzinger & Lavelle, PSC
Counsel for Thomas Elliot

John W. Phillips (jphillips@ppoalaw.com)
Susan D. Phillips (sphillips@ppoalaw.com)
Sean Ragland (sragland@ppoalaw.com)
Phillips Parker Orberson & Arnett, PLC
Counsel for Jennifer Elliot

Brent L. Caldwell (bcaldwell@caldwelllawyers.com)
Noel Caldwell (noelcaldwell@gmail.com)
Counsel for Vince Lang

Michael L. Hawkins (mhawkins@mlhlawky.com)
Michael L. Hawkins & Associates, PLLC
Counsel for Brent Aldridge

Albert F. Grasch, Jr. (al.grasch@rgcmlaw.com)
J. Mel Camenisch, Jr. (mel.camenisch@rgcmlaw.com)
J. Wesley Harned (wes.harned@rgcmlaw.com)
Rose Grasch Camenisch Mains, PLLC
Counsel for T.J. Carlson

David J. Guarnieri (dguarnieri@mmlk.com)
Jason R. Hollon (jhollon@mmlk.com)
McBrayer McGinnis Leslie & Kirkland, PLLC

Kenton E. Knickmeyer (kknickmeyer@thompsoncoburn.com)
Mike Bartolacci (mbartolacci@thompsoncoburn.com)
Shaun Broeker (sbroeker@thompsoncoburn.com)
Thompson Coburn LLP
Counsel for David Peden

Kevin P. Fox (kfox@lgpllc.com)
Stewart C. Burch (sburch@lgpllc.com)
Logan Burch & Fox
Counsel for William A. Thielen

Barbara B. Edelman (barbara.edelman@dinsmore.com)
Grahmn N. Morgan (grahmn.morgan@dinsmore.com)
John M. Spires (john.spires@dinsmore.com)
Dinsmore & Shohl, LLP

Abigail Noebels (anoebels@susmangodfrey.com)
Barry Barnett (bbarnett@susmangodfrey.com)
Steven Shepard (sshepard@susmangodfrey.com)
Ryan Weiss (rweiss@susmangodfrey.com)
Counsel for KKR & Co., L.P.; Henry R. Kravis; and George R. Robert

Peter E. Kazanoff (pkazanoff@stblaw.com)
Paul C. Curnin (pcurnin@stblaw.com)
David Elbaum (david.elbaum@stblaw.com)
Michael J. Garvey (mgarvey@stblaw.com)
Sara A. Ricciardi (sricciardi@stblaw.com)
Michael Carnevale (michael.carnevale@stblaw.com)
Simpson Thacher & Barlett, LLP
Counsel for Prisma Capital Partners, L.P.; Pacific Alternative Asset Management Company, LLC; Girish Reddy, and Jane Buchan

Donald J. Kelly (dkelly@wyattfirm.com)
Virginia H. Snell (vsnell@wyattfirm.com)
Jordan M. White (jwhite@wyattfirm.com)
Wyatt, Tarrant & Combs, LLP

Brad S. Karp (bkarp@paulweiss.com)
Lorin L. Reisner (lreisner@paulweiss.com)
Andrew J. Ehrlich (aehrlich@paulweiss.com)
Brette Tannenbaum (btannenbaum@paulweiss.com)
Paul, Weiss, Rifkind, Wharton & Garrison LLP
Counsel for Blackstone Group, L.P.; Blackstone Alternative Asset Management Company, L.P.; Steven A. Scharzman; and J. Tomilson Hill

Philip Collier (pcollier@stites.com)
Thad M. Barnes (tbarnes@stites.com)
Jeffrey S. Moad (jmoad@stites.com)
Linda Walls (lwalls@stites.com)
Stites & Harbison PLLC
Counsel for R.V. Kuhns & Associates, Inc.; Rebecca A. Gratsinger; and Jim Voytk

Margaret A. Keeley (mkeeley@wc.com)
Ana C. Reyes (areyes@wc.com)
Alexander Zolan (azolan@wc.com)
Williams & Connolly LLP

Susan Pope (spope@fbtlaw.com)
Cory Skolnick (cskolnick@fbtlaw.com)

Frost Brown Todd LLC
Counsel for Ice Miller, LLP

Charles E. English, Jr. (benglish@elpolaw.com)
E. Kenly Ames (kames@elpolaw.com)
English, Lucas, Priest & Owsley

Steven G. Hall (shall@bakerdonelson.com)
Sarah-Nell H. Walsh (swalsh@bakerdonelson.com)
Kristin S. Tucker (ktucker@bakerdonelson.com)
Robert G. Brazier (rbrazier@bakerdonelson.com)
Baker Donelson Bearman Caldwell & Berkowitz, PC
Counsel for Cavanaugh MacDonald Consulting, LLC; Thomas J. Cavanaugh; Todd B. Green; and Alisa Bennett

Dustin E. Meek (dmeek@tachaulaw.com)
Tachau Meek PLC
Counsel for Government Finance Officers Association of the United States and Canada

Perry M. Bentley (perry.bentley@skofirm.com)
Connor B. Egan (connor.egan@skofirm.com)
Christopher E. Schaefer (christopher.schaefer@skofirm.com)
Chadler M. Hardin (chad.hardin@skofirm.com)
Paul C. Harnice (paul.harnice@skofirm.com)
Sarah Jackson Bishop (sarah.bishop@skofirm.com)
Matthew D. Wingate (matthew.wingate@skofirm.com)
John W. Bilby (john.bilby@skofirm.com)
Stoll Keenon Ogden PLLC
Counsel for Kentucky Retirement Systems

Michelle Ciccarelli Lerach (mlerach@bottinilaw.com)
James D. Baskin (jbaskin@bottinilaw.com)
Francis A. Bottini, Jr. (bottini@bottinilaw.com)
Albert Y. Chang (achang@bottinilaw.com)
Bottini & Bottini, Inc.

Jeffrey M. Walson (jeff@walsonlcm.com)
Walson Law-Consultancy-Mediation
Counsel for Plaintiffs Jeffrey C. Mayberry, Hon. Brandy O. Brown, Martha Michelle Miller, Steve Robers, and Teresa Stewart

Anne B. Oldfather (aoldfather@oldfather.com)
Oldfather Law Firm

Vanessa B. Cantley (vanessa@bccnlaw.com)
Patrick E. Markey (patrick@bccnlaw.com)
Bahe Cook Cantley & Nefzger, PLC

Casey L. Dobson (cdobson@scottdoug.com)
S. Abraham Kuczaj, III (akuczaj@scottdoug.com)
David D. Shank (dshank@scottdoug.com)
Sameer Hashmi (shashmi@scottdoug.com)
Paige Arnette Amstutz (pamstutz@scottdoug.com)
Jane Webre (jwebre@scottdoug.com)
Scott Douglass McConnico, LLP

Jonathan W. Cuneo (jonc@cuneolaw.com)
Monica Miller (monica@cuneolaw.com)
David Black (dblack@cuneolaw.com)
Mark Dubester (mark@cuneolaw.com)
Cuneo Gilbert & Laduca, LLP
Counsel for Plaintiffs Jason Lainhart, Don D. Commer, and Ben Wyman

/s/ Aaron J. Silletto
Counsel for the Commonwealth of Kentucky

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ORDER

This action having come before the Court on the motion by the Intervening Plaintiff, Commonwealth of Kentucky, for an extension of time in which to file an amended intervening complaint in this action, and the Court being sufficiently advised,

IT IS HEREBY ORDERED that the Intervening Plaintiff's motion for an extension of time be, and hereby is, GRANTED. The Intervening Plaintiff shall have until April 30, 2021, in which to file an amended intervening complaint.

SO ORDERED, on this the ____ day of _____, 2021.

JUDGE, FRANKLIN CIRCUIT COURT