

**Commonwealth of Kentucky**

**Court of Appeals**

NO. 2023-CA-0767-MR

ROGER QUARLES, ET AL.

APPELLANTS

v.

APPEAL FROM FAYETTE CIRCUIT COURT  
HONORABLE JULIE GOODMAN, JUDGE  
ACTION NO. 20-CI-00332

HAYNES PROPERTIES, ET AL.

APPELLEES

ORDER

\* \* \* \* \*

BEFORE: THOMPSON, CHIEF JUDGE; ACREE AND MCNEILL, JUDGES.

On July 27, 2023, Appellee Burley Tobacco Growers Cooperative Association filed a motion to dismiss the above-styled appeal. Appellants moved for additional time to file a response and tendered a response on August 14, 2023, thereto and,

Appellees S&GF Management and Haynes Properties separately moved to dismiss this appeal, and Appellants filed a response thereto on September 5, 2023.

Having reviewed the record and being otherwise sufficiently advised, IT IS HEREBY ORDERED that Appellants' motion for additional time to file a

response to Appellees' motion to dismiss is hereby GRANTED. The Clerk of this Court SHALL FORTHWITH file the response tendered by Appellants on August 14, 2023.

IT IS FURTHER ORDERED that Appellee Burley Tobacco, S&GF Management, and Haynes Properties' motions to dismiss shall be, and hereby are, DENIED.

We note, however, "[t]his Court retains authority to review decisions on motion panel that do not finally dispose of the case when the case is considered by a full-judge panel to which it is assigned." *Commonwealth Bank & Tr. Co. v. Young*, 361 S.W.3d 344, 350 (Ky. App. 2012).

ENTERED: 10/05/2023

  
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JUDGE, COURT OF APPEALS

W. Graddy, IV  
J. Saoirse Friend  
J. Billings  
C. Cole  
K. Henry  
D. KUSH  
Fayette CC