

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
LEXINGTON DIVISION**

Ramsi A. Woodcock,

Plaintiff,

v.

Case No. 5:25-cv-00424-BJB

Eli Capilouto et al.,

Defendants.

PLAINTIFF'S NOTICE REGARDING STATE-COURT PROCEEDINGS

At the October 6, 2026 hearing on Woodcock's Emergency Motion for a Temporary Restraining Order (DN 65), the Court asked several questions about the procedural history of Woodcock's injunction motion in Franklin Circuit Court and asked to be kept apprised of the related proceedings in that court. Woodcock submits this notice to address those questions and explain why the Franklin Circuit Court proceeding poses no risk of conflicting orders. He also responds briefly to the Court's investigation caselaw question at the hearing.

The state proceeding. Woodcock moved in Franklin Circuit Court on September 10, 2026, for a temporary restraining order under Kentucky Civil Rule 65.03 and a temporary injunction under Rule 65.04. He did so after exhausting efforts to return the case to this Court and in the hope of returning to teaching in the fall semester. On September 24, 2026, that court denied without prejudice "Plaintiff's request for a temporary restraining order enjoining the completion of Defendants' investigation," and directed Defendants to notify it when the investigative report is complete and to give Woodcock ten days' notice before taking any further disciplinary action based on the report. Franklin Cir. Ct. Order ¶ 4 (DN 69-1) at 2444. No order of the state court authorizes or restrains the investigation or the reassignment. The notice provisions of paragraph 4 of the state court's order

are informational and do not conflict with the relief Woodcock seeks here. Moreover, since the Franklin Circuit Court will not rule on the constitutionality of the investigation and suspension before the investigation is over, there is no risk of contrary rulings as to the constitutionality of the investigation. This Court is the only tribunal that might review the constitutionality of the investigation in time to prevent further irreparable harm.

And no ruling on a request for interim relief in either court is capable of precluding the other. Kentucky gives preclusive effect only to “an existing final judgment rendered upon the merits,” and to issues “actually litigated,” “actually decided,” and “necessary to the court’s judgment.” *Yeoman v. Commonwealth, Health Policy Bd.*, 983 S.W.2d 459, 464–65 (Ky. 1998); *see Migra v. Warren City Sch. Dist. Bd. of Educ.*, 465 U.S. 75, 85 (1984) (state-court judgment has “the same claim preclusive effect in federal court that the judgment would have in the” state’s courts). The state court’s denial of a restraining order without prejudice decided nothing, and a ruling on a temporary injunction would not be a final judgment in any case. Moreover, “the pendency of an action in the state court is no bar to proceedings concerning the same matter in the Federal court having jurisdiction.” *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 292 (2005) (quoting *McClellan v. Carland*, 217 U.S. 268, 282 (1910)).

When Woodcock filed in Franklin Circuit Court on September 10, 2026, the mandate had not yet issued, so this Court could not yet act on remand. Order, *Woodcock v. Univ. of Ky.*, No. 26-5057 (6th Cir. Sept. 10, 2026), Dkt. 108 (DN 59) at 2178. The mandate issued at 1:26 p.m. on September 18, 2026. Mandate, *id.* (6th Cir. Sept. 18, 2026), Dkt. 109. By then, the state court had already convened, at 1:00 p.m. that day, the status conference that led to its September 24 ruling. Franklin Cir. Ct. Order at 1, ¶ 4 (Sept. 21, 2026); Franklin Cir. Ct. Order (DN 69-1) at 2443. Consistent with that timing, the state motion asked for interim relief only “until the mandate issues and the federal district court has an opportunity to act.” Verified Compl. & Mot. for TRO & Temporary Inj. at 63,

Woodcock v. Univ. of Ky., No. 26-CI-01010 (Franklin Cir. Ct. Sept. 10, 2026). Woodcock filed his motion in this Court on September 29, 2026, after the mandate issued. DN 65.

Woodcock does not anticipate any further developments in the state proceeding relevant to his motion for a temporary restraining order but will keep the Court informed if they materialize.

Date: October 6, 2026

Respectfully submitted,

/s/ Rima Kapitan

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