

Court Advisory

Fourth Court of Appeals
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FOR IMMEDIATE RELEASE
June 6, 2016

Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in two appeals on Tuesday, June 14, 2016, beginning at 9:00 a.m., before the following panel of justices: Justice Karen Angelini, Justice Rebeca C. Martinez, and Justice Patricia O. Alvarez.

The following cases will be presented:

David Gillespie and Michael O'Brien v. A.L. Hernden and Frederick R. Zlotucha – To help resolve an oil and gas lease dispute, Appellants David Gillespie and Michael O'Brien hired attorney A.L. Hernden. A second attorney, Frederick R. Zlotucha, also worked on the case. After the case settled, Appellants sued Hernden and Zlotucha over the attorney's fees agreement. Appellants asserted claims of fraud, breach of contract, breach of fiduciary duty, barratry, and violations of the DTPA.

Appellants filed a traditional motion for summary judgment, and the attorneys filed traditional and no-evidence motions. The trial court denied Appellants' traditional motion and granted the attorneys' motions.

Appellants argue the trial court erred when it (1) denied their traditional motion for summary judgment because they proved as a matter of law that the attorney fee agreement was illegal and unconscionable and (2) granted the attorneys' traditional and no-evidence motions because the summary judgment evidence raised genuine issues of material fact on each claim or defense.

Larry A. Vick and Linda H. Vick v. Floresville Independent School District, City of Floresville, Wilson County, Linebarger Goggan Blair & Sampson, LLP, Rashay K. Chapa, and Wilson County Appraisal District - Appellants challenge the orders granting the pleas to the jurisdiction filed by several governmental entities in a suit concerning ad valorem taxes.

