

Court Advisory

Fourth Court of Appeals
Cadena-Reeves Justice Center
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FOR IMMEDIATE RELEASE
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Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in two appeals on Wednesday, June 17, 2015, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Luz Elena D. Chapa.

The following cases will be presented:

Juanita Sprute, M.D. and Jefferson Family Practice Associates v. Arnold L. Levey – This appeal challenges the trial court’s orders dismissing the underlying health care liability claims for failure to file an expert report and awarding attorney’s fees. Juanita Sprute, M.D. and Jefferson Family Practice Associates assert the trial court abused its discretion in failing to award them the total amount of attorney’s fees requested. Arnold L. Levey asserts the trial court erred by: (1) dismissing his claims against Sprute and the Association because they failed to produce the medical records necessary for the preparation of an expert report; (2) denying his request for a jury trial to determine the reasonableness of the amount of attorney’s fees to award; and (3) awarding any attorney’s fees.

Rosa Obregon Perez, Ricardo O. Perez, Individually and as Next Friend of Rose Elia Perez, Maria Perez Jalomus, Juan Jose Perez, Julio Perez, Jr., and Fernando Perez v. The Goodyear Tire & Rubber Company - After their husband and father died as a result of a rollover accident that was precipitated by tire failure, appellants sued Goodyear Tire & Rubber Company, asserting defective design, manufacture, and marketing claims. Goodyear moved for summary judgment on all of appellants’ claims, and the trial court granted the motion in its entirety. On appeal, appellants argue that the trial court erred in granting Goodyear’s no-evidence summary judgment, and specifically contend that the trial court erred in excluding certain expert witness testimony.

The oral arguments will be held in the Fourth Court’s Courtroom, Caden-Reeves Justice Center, Third Floor, 300 Dolorosa, San Antonio, Texas.