

Court Advisory

Fourth Court of Appeals
Cadena-Reeves Justice Center
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San Antonio, Texas 78205-3037



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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 Tuesday, January 24, 2012, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Catherine Stone, Justice Sandee Bryan Marion, and Justice Steven C. Hilbig.

The following cases will be presented:

Engine Components, Inc. v. A.E.R.O. Aviation Company, Inc. – This appeal arises from a suit for indemnity filed by A.E.R.O. Aviation Company, Inc. against Engine Components, Inc. Both parties were sued in Wisconsin for a defective product. The Wisconsin case was settled, and A.E.R.O. Aviation Company, Inc. sought to recover the amount it paid to settle the case and its fees and expenses in litigating the Wisconsin case. A.E.R.O. Aviation Company, Inc. succeeded on its claim under Texas indemnity law. On appeal, Engine Components, Inc. contends the trial court erred in applying Texas law and that Wisconsin law should have been applied. Alternatively, Engine Components, Inc. argues that A.E.R.O. Aviation Company, Inc. was not entitled to recover under Texas law.

Saeco Electric & Utility, Ltd. v. Christopher D. Gonzales - Appellant, Saeco Electric & Utility, Ltd., appeals the trial court's order denying its motions for judgment notwithstanding the verdict and rendering final judgment in favor of appellee, Christopher D. Gonzales. Saeco also appeals the jury's award of future medical expenses to Gonzales. Saeco first argues the trial court erred in denying its motions for judgment notwithstanding the verdict and instead, rendering final judgment on the jury's verdict. Saeco contends this was error because Gonzales failed to request and obtain findings from the jury on the essential elements of his only viable claim—a premises defect action. As a result, Saeco claims the broad-form negligence question that was submitted to the jury is immaterial and not a controlling issue. Second, Saeco argues the evidence is factually insufficient to support the jury's award to Gonzales of future medical expenses.

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