

# Court Advisory

Fourth Court of Appeals  
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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 one appeal on Wednesday, June 18, 2014, beginning at 9:00 a.m., before the following panel of justices: Justice Sandee Bryan Marion, Justice Marialyn Barnard, and Justice Patricia O. Alvarez.

The following case will be presented:

*Damien Herrera and Blaine Castle v. Judy Stahl and Sue Hensley* - The parties are all condominium owners and members of the Chesapeake Condominium Owners Association (the "Association"). Damien Herrera is the Association's president, and Blaine Castle is the Association's secretary. Judy Stahl and Sue Hensley (collectively, "plaintiffs") originally sued only the Association for breach of contract, breach of fiduciary duty, and violations of the Texas Business Organizations Code. Plaintiffs later amended their petition to add Herrera and Castle (collectively, "defendants") as defendants in their individual capacity. Plaintiffs added a negligence claim against the Association and Herrera, and asserted fraud and defamation claims against all defendants. Defendants each moved to dismiss the defamation claims pursuant to the Texas Citizens' Participation Act ("the Act"). Following a non-evidentiary hearing, the trial court took the matter under advisement, and later denied the motions to dismiss. This interlocutory appeal by the defendants ensued.

The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, June 19, 2014, beginning at 2:00 p.m., before the following panel of justices: Justice Karen Angelini, Justice Marialyn Barnard, and Justice Patricia O. Alvarez.

The following case will be presented:

*Kenneth Mark Dorrough v. John Murray Faircloth and Helen Bowen* - Appellant Kenneth Mark Dorrough was commissioned by the Texas Parks and Wildlife Department as a Deputy Game Warden. In September 2009, Dorrough confronted Appellees John Murray Faircloth and Helen Bowen on their lakeside

