

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 one appeal on Tuesday, June 13, 2017, beginning at 2:00 p.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Irene Rios.

The following case will be presented:

Ninja Jump Inc. v. Luz Lobo and Jorge Lobo, Individually and as Next Friend of Aaron Joshua Lobo, a Minor - This is an appeal from jury verdict in a personal injury case in which five issues are presented: (1) The jury charge contains harmful Casteel error because it fails to delineate in the proportional responsibility question different causes of action asserted against Ninja Jump and failed to delineate different causes of action asserted against three settling defendants; (2) the trial court erred by granting the plaintiff's motion to strike a responsible third party; (3) the trial court erred by excluding the defendant's expert witness; (4) whether the award of exemplary damages should be reversed because the jury's finding on the underlying theory of liability was not unanimous; and (5) whether the plaintiff presented legally and factually sufficient evidence of gross negligence.

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