



Case Summaries March 27, 2026

Case summaries are prepared by court staff as a courtesy. They are not a substitute for the actual opinions.

DECIDED CASES

Diamond Hydraulics, Inc. v. GAC Equip., LLC, ___ S.W.3d ___, 2026 WL ___ (Tex. Mar. 27, 2026) [24-1049]

At issue in this case is whether there was good cause for Diamond Hydraulics to offer the testimony of an untimely identified expert.

Austin Crane Service hired Diamond Hydraulics to repair one of its cranes. That repaired crane later bent, and Austin Crane sued Diamond for breach of contract and breach of warranty. Diamond retained an engineering firm to study the crane and designated one of its engineers as an expert witness. Shortly before trial, that witness changed jobs, moved out of state, and refused to testify.

Diamond filed a motion to substitute a new testifying expert, which the trial court denied. Diamond proceeded to trial without a causation expert. The jury found for Austin Crane, Diamond appealed, and the court of appeals affirmed. The Supreme Court granted the petition.

The Court held that the trial court abused its discretion when it found that Diamond lacked good cause for its untimely designation. While the “good cause” standard is demanding, it was nevertheless met in this case. Because Diamond lacked control over the original expert’s unavailability, attempted to find alternatives, and relied on this critical testimony, there was good cause for the late expert designation.