

# Court Advisory

Fourth Court of Appeals  
Cadena-Reeves Justice Center  
300 Dolorosa, Suite 3200  
San Antonio, Texas 78205-3037



Contact: Keith Hottle, Clerk of the Court  
Phone: (210) 335-2510

FOR IMMEDIATE RELEASE  
March 27, 2015

## **Fourth Court of Appeals to Hear Oral Argument**

The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, April 2, 2015, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Patricia O. Alvarez, and Justice Jason Pulliam.

The following case will be presented:

*City of San Antonio v. Casey Industrial Inc.* - Appellant CPS Energy was sued by Appellee Casey Industrial, Inc. for various claims pertaining to the construction of pollution control systems for one of CPS Energy's coal-fired power stations. Casey claims CPS Energy forced it to do more work than it was otherwise obligated to perform and CPS Energy failed to compensate Casey for the additional work. In its defense, CPS Energy argued Casey did not follow the contract procedures to obtain additional compensation, Casey's claims are outside the contract, and CPS Energy's governmental immunity is not waived. CPS Energy moved to dismiss Casey's suit. The trial court denied CPS Energy's plea to the jurisdiction, and CPS Energy sought this interlocutory appeal.

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