

Court Advisory

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



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FOR IMMEDIATE RELEASE
May 8, 2015

Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Wednesday, May 13, 2015, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Luz Elena D. Chapa.

The following case will be presented:

Michael A. Cerny and Myra L. Cerny, Individually and as Next Friends of Cameron A. Cerny, a Child v. Marathon Oil Corporation, Marathon Oil EF LLC, and Plains Exploration & Producing Company – This appeal concerns whether summary judgment was properly granted in favor of the defendant companies in a suit filed by plaintiffs claiming private nuisance, negligence, and negligence per se. Plaintiffs' claims are based on allegations that the emissions from oil and gas operations in the Eagle Ford Shale near their home in Karnes County caused damage to their health and their property.

The Fourth Court of Appeals will hear oral arguments in one appeal on Wednesday, May 13, 2015, beginning at 2:30 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:

Art Reyna v. Irene Baldrige and Kathy Hill - Appellant Art Reyna, a member of the Leon Valley City Council, was sued by Appellees and then-fellow council members Irene Baldrige and Kathy Hill for libel per se. When Baldrige and Hill sought reelection in May 2013, Reyna mailed a printed campaign advertisement to voters days before the election. In the ad, Reyna republished excerpts from pending civil litigation against Baldrige and Hill, and included the following sentence: "Whether the recent lawsuit by Leon Valley property owners outlining criminal wrongdoing on the part of Baldrige and Alcocer for personal gain or Hill's diverting the public proceeds of the City's 60th birthday party to a

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private interest group, their record is clear—they chose private gain over the public good.”

Baldrige and Hill lost their re-election bids, and they sued Reyna. Reyna moved to dismiss the suit under section 27.003 of the Texas Citizens Participation Act. The trial court denied the motion and Reyna appeals.

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