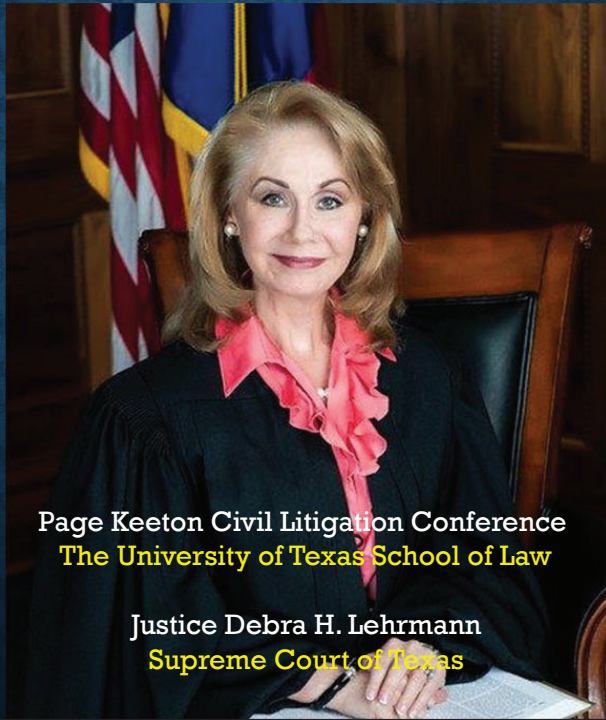


Texas Supreme Court Update
April 22, 2021



Page Keeton Civil Litigation Conference
The University of Texas School of Law

Justice Debra H. Lehrmann
Supreme Court of Texas

1

The Supreme Court of Texas



Jane Bland, Jimmy Blacklock, Jeff Boyd, John Devine, Brett Busby, Rebeca Huddle

Eva Guzman, CJ Nathan Hecht, Debra Lehrmann

2

Texas Constitution Due Course of Law

Tex. Southern Univ. v. Villareal, __ S.W.3d __, 2021 WL 1432232
(Tex. April 16, 2021)

ISSUE:

Does a state university's dismissal of a student for poor academic performance implicate a liberty or property interest protected by the Texas Constitution's due course of law clause?

3

Products Liability Design Defect

Emerson Electric Co. v. Johnson, __ S.W.3d __, 2021 WL 1432226
(Tex. April 16, 2021)

ISSUE:

Were the designer and manufacturer of an HVAC compressor and terminal liable to an HVAC technician for his injuries under a products liability theory?

4

Negligence: Supervisory Liability

AEP Tex. Cent. Co. v. Arredondo, 612 S.W.3d 289
(Tex. Nov. 20, 2020)

ISSUES:

- (1) Whether an electric utility owed a DUTY to ensure the safe performance of its independent contractor's work.
- (2) Whether genuine issues of material fact existed with respect to the contractor's own negligence.

5

Defamation: Defamation Mitigation Act

Warner Bros. Entm't, Inc. v. Jones, 611 S.W.3d 1
(Tex. May 8, 2020)

ISSUE:

Whether an allegedly defamed plaintiff complied with the Defamation Mitigation Act.

6

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