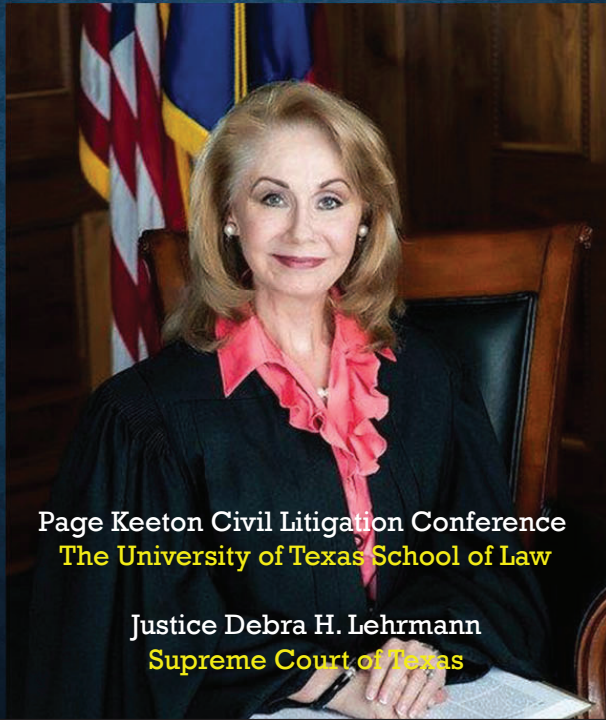


Texas Supreme Court Update  
April 22, 2021



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

Justice Debra H. Lehrmann  
Supreme Court of Texas

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# The Supreme Court of Texas



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

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## **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?

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## **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?

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## **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.

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## **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.

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