

CAUSE NO. 2019-73164

MARY MYERS,

Plaintiff,

vs.

THOMAS JONES, M.D.; THE SPINE
INSTITUTE OF SOUTHEAST TEXAS,
P.L.L.C.; U.S. PAIN & SPINE HOSPITAL,
L.P.; USPS SURGICAL INSTITUTE GP,
L.L.C.; USPS HEALTHCARE, L.L.C.; U.S.
PAIN & SPINE INSTITUTE, L.L.C.;
PICIG, LTD.; PICIG MANAGEMENT,
L.L.C.; DUANE AKWAR, M.D.; ZANE
ANESTHESIA, P.L.L.C.; IRVIN
TANTUCO, M.D.; TEXAS MEDICAL
DOCTORS, P.L.L.C.; PULMONARY &
INTERNAL MEDICINE ASSOCIATES,
L.L.P.; EUGENE HARRIS, R.N.;
CHELSEA MARIE FARIS, R.N.; GLORY
ANN CRISTOBAL, R.N.; NATIONAL
NEUROMONITORING SERVICES, L.L.C.;
LFF HOLDINGS GROUP, LTD., CO.;
APEX HEALTH MONITORING, L.L.C.;
MELODY SADIE ROBERTSON, CNIM;
CARY STERNICK, M.D.; BOSTON
SCIENTIFIC CORPORATION; BOSTON
SCIENTIFIC NEUROMODULATION
CORPORATION KYLE MARTENS, and
KYLE THOMPSON

Defendants.

IN THE DISTRICT COURT

129th JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

ORDER ON PLAINTIFF'S MOTION TO STRIKE DEFENDANT CHELSEA MARIE
FARIS, R.N.'s MOTION FOR HYBRID SUMMARY JUDGMENT

CAME FOR CONSIDERATION ~~Plaintiff's Motion to Strike~~ Defendant Chelsea Marie Faris, R.N.'s "Motion for Hybrid Summary Judgment" ~~and Plaintiff's corresponding Motion for Sanctions. Considering the submissions and the arguments of Counsel, the Court finds that the Motion for Hybrid Summary Judgment filed by Faris attempts to use Plaintiff's statutory expert report in a manner prohibited by Section 74.351(k) of the Texas Civil Practices & Remedies Code, and that the filing should be stricken on that basis. Plaintiff's Motion to Strike is therefore~~ **which has previously been addressed by the Court and removed from the submission docket.** GRANTED and Defendant Chelsea Marie Faris' "Motion for Hybrid Summary Judgment," filed December 16th, 2019, and further reply filed in support on February 13th, 2020, are hereby ~~ordered to be STRICKEN from the record.~~

IT IS SO ORDERED.

SIGNED this ____ day of _____, 2020.

Signed:
3/28/2020



JUDGE PRESIDING