

EXHIBIT A

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CAUSE NO. 2015-69681

NCA
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EVELYN KELLY, INDIVIDUALLY,
AND ON BEHALF OF THE
ESTATE OF DAVID
CHRISTOPHER DUNN

IN THE DISTRICT COURT OF

V.

HARRIS COUNTY, TEXAS

THE METHODIST HOSPITAL

189TH JUDICIAL DISTRICT

ORDER

ON THIS DATE CAME TO BE HEARD the following:

- Plaintiff's Amended Motion for Summary Judgment;
- Defendant's Traditional and No-Evidence Motion for Summary Judgment; and
- Defendant's Final Supplemental Motion to Dismiss Plaintiffs' Causes of Action for Violation of Due Process and Civil Rights as Moot, and Chapter 74 Motion to Dismiss

The Court, after considering the above-referenced Motions, the parties' responses and replies, the pleadings on file and the arguments of counsel, including Plaintiff's oral motion in open court voluntarily dismissing all claims for Intentional Infliction of Emotional Distress, is of the opinion that Houston Methodist's Final Supplemental Motion to Dismiss Plaintiffs' Causes of Action for Violation of Due Process and Civil Rights as Moot should be GRANTED and Houston Methodist's Motion to Dismiss pursuant to Chapter 74 should be DENIED. As the Court has determined Plaintiff's claims to be moot, it lacks subject matter jurisdiction to rule on Plaintiff's Amended Motion for Summary Judgment.

It is therefore ORDERED, ADJUDGED AND DECREED that Plaintiffs' lawsuit against Defendant **HOUSTON METHODIST HOSPITAL F/K/A THE METHODIST HOSPITAL** is hereby dismissed in its entirety with prejudice to the re-

filing of same.

Signed this ____ day of _____, 2017.

Signed:
10/13/2017



PRESIDING JUDGE

APPROVED AND ENTRY REQUESTED:

SCOTT PATTON PC

By: /s/ Dwight W. Scott, Jr.

DWIGHT W. SCOTT, JR.

Texas Bar No. 24027968

dscott@scottpattonlaw.com

CAROLYN CAPOCCIA SMITH

Texas Bar No. 24037511

csmith@scottpattonlaw.com

3939 Washington Avenue, Suite 203

Houston, Texas 77007

Telephone: (281) 377-3311

Facsimile: (281) 377-3267

**ATTORNEYS FOR DEFENDANT,
HOUSTON METHODIST HOSPITAL
f/k/a THE METHODIST HOSPITAL**

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