

Ben Mesches and Ryan Paulsen Author Texas Lawbook Article: 'Texas Supreme Court Term Preview: Key Business Cases'

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PRACTICES Litigation, Appellate, Environmental Litigation

Partner [Ben Mesches](#) and Counsel [Ryan Paulsen](#) authored an article in *Texas Lawbook*. Read an excerpt below:

As the Supreme Court of Texas prepares to hear the first slate of oral arguments in the 2022-23 term, here is a preview of key business cases currently on the court's argument docket.

Noneconomic Damages

The court will hear two cases later this fall that will give it the opportunity to clarify standards governing noneconomic damage awards.

The petitioners in *Gregory v. Chohan* challenge a \$39 million jury verdict (including nearly \$36 million in noneconomic damages) and seek guidance regarding the standard of review for assessing claims of excessive noneconomic damages. Argument is scheduled for Nov. 30.

The case number is 21-0017.

In *United Rentals North America, Inc. v. Evans*, the petitioners request the court's direction on the standards for factual sufficiency review of noneconomic damages. They also raise questions regarding application of Batson challenges to peremptory strikes against white male prospective jurors and whether the shipper of equipment owes a duty to ensure that the motor carrier and driver safely perform their work. Argument is scheduled for Nov. 30.

The case number is 20-0737.

Force Majeure

Point Energy Partners Permian, LLC v. MRC Permian Company gives the court a chance to address an issue of increasing importance in light of the economic impact of the pandemic and recent natural disasters: the interpretation of force majeure clauses. Argument is scheduled for Oct. 25.

The case number is 21-0461.

Excerpted from *Texas Lawbook*. To read the full article, click [here](#).