

“Section 74.351’s regulation of discovery and discovery-related sanctions sets it apart from the pre-suit requirements in the cases cited by the defendants and brings it into direct collision with Rules 26 and 37.”
Passmore v. Baylor Health Care System, 823 F.3d 292 (5th Cir. 2016).

JUDGES FOR REVIEW

Jolly
Jones*
Smith*
Clement*
Owen*
Higginson
Costa

JUDGES AGAINST REVIEW

Stewart
Davis
Dennis
Prado
Elrod
Southwick
Haynes
Graves