



October 12, 2020

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Honorable Donna Roth
295TH JUDICIAL DISTRICT COURT
201 Caroline, 14th Floor
Houston, Texas 77002

Re: Cause No. 2020-61396; *Torres, et al. v. Texas Children's Hospital, et al.*; In the 234th Judicial District Court of Harris County, Texas

Appeal No. 14-20-682-CV; *Torres v. Texas Children's Hospital*; In the Fourteenth Court of Appeals, Houston, Texas

Dear Judge Roth,

I am writing on behalf of Defendant Texas Children's Hospital ("TCH") to apprise you of the following development in the appeal of the above-captioned case. Approximately one hour ago, the Court of Appeals issued an order denying Plaintiffs' Third Amended Emergency Motion for Relief Under Rule 29.3 that Plaintiffs filed in the Court of Appeals on October 9, 2020. Exhibit "A."

The following point about the Court of Appeals' order bears mention. In their Third Amended Emergency Motion for Relief, Plaintiffs notified the Court of Appeals that Plaintiffs had filed an emergency motion for reconsideration of this Court's October 2, 2020 order denying a temporary injunction (which remains pending in this Court) based on a new declaration by Dr. Claxito Machado. Plaintiffs noted that, if this Court was unable to hear their emergency motion for reconsideration in the morning or afternoon of October 12, 2020, Plaintiffs asked that the Court of Appeals extend its order staying its decision until October 12, 2020, at 5:00 p.m. until this Court could schedule a hearing on that motion. *Id.*

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In its order denying Plaintiffs' Third Amended Emergency Motion for Relief, the Court of Appeals denied the above relief and noted that "any further relief should be pursued in the Supreme Court of Texas." At the date and time of the filing of this letter, Plaintiffs have not requested any further relief in the Supreme Court of Texas.

Very truly yours,

/s/ Kevin Yankowsky

Kevin Yankowsky

*Counsel for Defendant Texas Children's
Hospital*

cc: Mr. Kevin Acevedo
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