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Breaking News....

December, 2013

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Senior Counsel at Underwood Perkins, P.C. practicing in insurance coverage, property liability coverage, common carrier liability and coverage and commercial litigation.

Mandamus Filed and Emergency Stay Obtained to Stop Deposition

On December 13, 2013, we prevented an improper deposition of our client. In the underlying case of *Mary Valentine and Key Access Institute v. Ilse Rew*, Cause No. 201263996, 165th Judicial District Court of Harris County, Texas, Hanover had provided a defense to its additional insured's who had been sued by their former employer, the named insured. The named insured disagreed with this, and without filing suit against Hanover, instituted proceedings to take a deposition of its representative through a pre-suit deposition in *In Re Key Access Institute, LLC*, Cause No. 2013-68755, in the 152nd Judicial District Court, Harris County, Texas. As the result of the Judge's partial grant of that Petition, we filed a Petition for Writ of Mandamus in the 1st District Court of Appeals in Houston, Texas, styled as *In Re Hanover Insurance Company, Relator*, Case No. 01-13-01066-CV, on December 13, 2013, at approximately 1:45 p.m. In conjunction with the Petition, we filed an Emergency Motion for Stay of the deposition, in order to stop the deposition pending resolution of the Mandamus. By 4:20 p.m. the same day, we had secured a stay and stopped the deposition pending further review by the Appellate Court.

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Please let us know if you have any questions about these proceedings.

Link to the order granting stay:

http://uplawtx.com/docs/ORDER_ISSD_121313.pdf

Link to the Petition for writ of Mandamus:

<http://uplawtx.com/docs/FSPetitionforMandamus.pdf>