

CAUSE NO. 2022-68307

MARK BURKE

Plaintiff

vs.

HCA HOUSTON HEALTHCARE  
KINGWOOD

Defendant

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

234<sup>TH</sup> JUDICIAL DISTRICT

**ORDER ON DEFENDANT’S MOTION TO DISMISS**

On this day the Court considered Defendant HCA Houston Healthcare Kingwood’s Motion to Dismiss with Prejudice for Plaintiff’s Failure to Serve an Expert Report and, after having considered the motion, Plaintiff’s response, if any, the arguments of counsel, if any, and all other relevant matters of record, the Court finds Defendant’s motion is meritorious and should be granted. It is therefore:

ORDERED that Defendant’s Motion to Dismiss is GRANTED. It is further,

ORDERED that Plaintiff Mark Burke shall take nothing on his claims and causes of action asserted in this cause against Defendant and his claims and causes of action are hereby dismissed with prejudice. It is further,

ORDERED that Defendant’s reasonable attorneys’ fees and costs in the amount of \_\_\_\_\_ are awarded against Plaintiff. It is further,

ORDERED that Plaintiff Mark Burke is hereby ordered to pay the above referenced amounts totaling \_\_\_\_\_ by sending payment to Defendants’ attorneys Nicole G. Andrews, Ben E. Hamel, and Madison J. Addicks, Serpe Andrews, PLLC, American Tower, 2929 Allen Parkway, Suite 1600, Houston, Texas 77019, within thirty (30) days of this Order.

All Motions not herein granted are denied.

All objections not herein sustained are overruled.

All relief not herein granted is denied.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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JUDGE PRESIDING