

CAUSE NO. 2022-68307

MARK BURKE

Plaintiff

vs.

**HCA HOUSTON HEALTHCARE
KINGWOOD**

Defendant

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

234TH JUDICIAL DISTRICT

PROPOSED FINAL JUDGMENT

BEFORE THIS COURT, on August 2, 2023, Defendant and Counter-Plaintiff HCA Houston Healthcare Kingwood (“Defendant”) filed its Notice of Nonsuit as to all of its remaining claims against Plaintiff and Counter-Defendant Mark Burke (“Plaintiff”). On July 20, 2023, the Court previously issued an order dismissing all of Plaintiff’s claims including his claims against Defendant and its attorneys, Nicole Andrews, Benjamin Hamel, and Madison Addicks (“attorneys”). As included therein, the Court also awarded Defendant and its attorneys their reasonable and necessary attorneys’ fees and sanctioned Plaintiff in the form of monetary relief. All claims now being finally resolved the Court now renders judgment as follows:

It is hereby, ORDERED, ADJUDGED, AND DECREED that Defendant and its attorneys shall recover from and against Plaintiff their reasonable and necessary attorneys’ fees in the amount of \$4,079.50. It is further,

ORDERED, ADJUDGED, AND DECREED that Defendant and its attorneys shall recover from and against Plaintiff sanctions in the amount of \$500. It is further,

ORDER, ADJUDGED, AND DECREED that all payments ordered above shall be paid by sending payment to Defendant’s attorneys Serpe Andrews, PLLC, America Tower, 2929 Allen

Parkway, Suite 1600, Houston, Texas 77019 within thirty (30) days of the entry of this final judgment. It is further,

ORDERED, ADJUDGED, AND DECREED that Defendant and its attorneys conditionally shall recover from and against Plaintiff their reasonable and necessary appellate attorneys' fees and costs of court, in the event this judgment is appealed unsuccessfully, the amount of such fees to be determined after the conclusion of any and all appeals. It is further,

ORDERED, ADJUDGED, AND DECREED that Defendant and its attorneys shall recover from and against Plaintiff reasonable and necessary attorneys' fees incurred for enforcement and collection of this Judgment. It is further,

ORDERED, ADJUDGED, AND DECREED that all writs and processes for the enforcement and collection of this Judgment or the costs of court may issue as necessary and when appropriate.

Any other requests for relief not expressly granted herein are DENIED. This Judgment is final, disposes of all claims and parties, and is appealable.

SIGNED this ____ day of _____, 2023.

JUDGE PRESIDING

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Brenda Hernandez on behalf of Benjamin Hamel
Bar No. 24103198
bhernandez@serpeandrews.com
Envelope ID: 78120616
Filing Code Description: Notice
Filing Description: Defendant HCA Houston Healthcare Kingwood's Notice of Nonsuit
Status as of 8/2/2023 11:33 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Nicole G.Andrews		nandrews@serpeandrews.com	8/2/2023 10:24:10 AM	SENT
Cynthia L.Saiter		csaiter@scottdoug.com	8/2/2023 10:24:10 AM	SENT
Michelle Joyner		mjoyner@scottdoug.com	8/2/2023 10:24:10 AM	SENT
Amanda Johnson		ajohnson@serpeandrews.com	8/2/2023 10:24:10 AM	SENT
Abril Rivera		arivera@scottdoug.com	8/2/2023 10:24:10 AM	SENT
Mark Burke		browserweb@gmail.com	8/2/2023 10:24:10 AM	SENT
Benjamin Hamel		bhamel@serpeandrews.com	8/2/2023 10:24:10 AM	SENT
Madison Addicks		maddicks@serpeandrews.com	8/2/2023 10:24:10 AM	SENT