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Dorsaneo, Texas Litigation Guide

Publication 719 Release 124 March 2017

HIGHLIGHTS

- **Lawyer as Witness.** The Texas Supreme Court has held that a lawyer should not have to withdraw because trial court rulings have made the lawyer’s knowledge the only means of supporting an issue. See Ch. 3.
- **Proprietary Government Acts.** The Texas Supreme Court has extended the distinction between proprietary and governmental acts to breach of contract claims against municipalities. See Ch. 210A.
- **Employment Law.** The U.S. Supreme Court has handed down several employment opinions in the areas of health care coverage, constructive discharge, and civil rights. See Chs. 203, 203A.

This release updates *Texas Litigation Guide* with recent Texas Supreme Court and court of appeals decisions and federal cases. Many of the significant developments in this release are summarized below.

Pretrial, Trial, and Appellate Practice

Lawyer As Witness. In *In re Keenan*, 2016 Tex. LEXIS 885 (Sept. 30, 2016), the Texas Supreme Court held that a lawyer should not be forced to withdraw because the trial court’s rulings have made the lawyer’s knowledge the only means of presenting factual support on a key issue. See Ch. 3, *Professional Responsibility*, § 3.07[6].

Pre-Suit Deposition Requirements. In *In re City of Dallas*, 2016 Tex. LEXIS 884 (Sept. 30, 2016), the Texas Supreme Court held that for a party to properly obtain Rule 202 pre-suit discovery, the court must have subject-matter jurisdiction, including the minimum amount in controversy, over the anticipated action. See Ch. 10, *Depositions Before Suit*, § 10.03[2].

Standing of LLC Member. In *Sherman v. Boston*, 486 S.W.3d 88, 94 (Tex. App.—Houston [14th Dist.] 2016, pet. denied), the court of appeals held that a member of a limited liability company lacks standing to

assert claims individually when the cause of action belongs to the company. See Ch. 12, *Pleading the Parties*, § 12.03[1][e].

No Fees Challenged Claims Nonsuited Before Hearing Date. In *Thuesen v. Amerisure Ins. Co.*, 487 S.W.3d 291, 301 (Tex. App.—Houston [14th Dist.] 2016, no pet. h.) the court of appeals held that a party cannot be a prevailing party if the trial court did not rule on the motion; absent a ruling, no party has prevailed on the motion. See Ch. 14, *Sanctions for Improper Pleading*, § 14.01[1][c].

No Recovery of Attorney's Fees Against LLC. In *Alta Mesa Holdings, L.P. v. Ives*, 488 S.W.3d 438, 452–455 (Tex. App.—Houston [14th Dist.] 2016, pet. denied), the court of appeals held that attorney's fees may not be recovered against a limited liability company under Tex. Civ. Prac. & Rem. Code § 38.001 because that statute specifies only individuals and corporations. See Ch. 22, *Attorney's Fees*, § 22.20[1][b].

Proving Attorney's Fees. In *Nathan Halsey & Bonamour Pac., Inc. v. Halter*, 486 S.W.3d 184, 187–188 (Tex. App.—Dallas 2016, no pet. h.), the court of appeals held that the lack of billing records or other documentation concerning attorney's fees does not render evidence legally insufficient to support a fee award in a non-lodestar case. See Ch. 22, *Attorney's Fees*, § 22.41.

Date Resident Left Texas Need Not Be Specified. In *Ulusal v. Lentz Eng'g, L.C.*, 491 S.W.3d 910, 915 (Tex. App.—Houston [1st Dist.] 2016, no pet. h.), the court of appeals held that while Tex. Civ. Prac. & Rem. Code § 17.044(a)(3) makes long-arm service appropriate on a prior resident that leaves the state after the cause of action arises but before suit is filed, it does not require a specific date to be identified. See

Ch. 32, *Personal Jurisdiction and Service on Nonresidents*, § 32.09[3][c].

Employer Could Not Enforce Arbitration Agreement It Did Not Sign. In *Golden Age Senior Living of El Paso, LLC v. Atwood*, 486 S.W.3d 44, 48 (Tex. App.—El Paso 2016, no pet. h.), the court of appeals held that nonsignatories may not rely on an arbitration agreement to compel arbitration unless they were acting on behalf of a signatory from which they derive their arbitration rights. See Ch. 44, *Arbitration*, § 44.02[1][c].

Premature Claim of Arbitrator Bias. In *Venture Cotton Coop. v. Freeman*, 494 S.W.3d 186, 196–198 (Tex. App.—Eastland 2015, no pet.), the court of appeals held that a claim of potential bias may be premature if it is made before the parties are actually denied access to unbiased arbitrators. See Ch. 44, *Arbitration*, § 44.04[2].

Transfer of Venue. *Double Diamond-Delaware, Inc. v. Alfonso*, 487 S.W.3d 265, 273 (Tex. App.—Corpus Christi 2016, no pet.), discussing the rule that the appellate court must consider the entire record on appeal of a venue decision, including the record of the trial on the merits, has been added to Ch. 61, *Venue*. See §§ 61.20[4][a], 61.21[3][c].

Forum Non Conveniens. In *re Oceanografia, S.A. de C.V.*, 494 S.W.3d 728, 732–733 (Tex. 2016), in which the Texas Supreme Court discussed the principles under which a foreign forum may be considered inadequate because of corruption or other matters, has been added to Ch. 61, *Venue*. See § 61.30[2][b].

Discovery. In *In re Nat'l Lloyds Ins. Co.*, 60 Tex. Sup. Ct. J. 54 (Tex. 2016), the Texas Supreme Court granted mandamus to correct an abuse of discretion in compelling production of reports and emails when

the discovery order was not tailored with regard to time, place, and subject matter. See Ch. 90, *Discovery: Scope and Limitations*, §§ 90.02[2], 90.08[2].

Privileges. Ch. 90, *Discovery: Scope and Limitations*, has been updated to incorporate changes clarifying Texas Rules of Evidence 509 and 510, governing the physician-patient privilege and the mental health information privilege. See § 90.06[2][i], [j].

Summary Judgment. *Haver v. Coats*, 491 S.W.3d 877, 881–883 (Tex. App.—Houston [14th Dist.] 2016, no pet.) held that a no-evidence motion for summary judgment may not be used to raise a challenge based on the affirmative defense of qualified immunity; instead, the defendant must file a traditional motion and establish each element of the affirmative defense as a matter of law. See Ch. 101, *Summary Judgment*, § 101.04[2].

Dismissal of Baseless Claims. In *Koenig v. Blaylock*, 497 S.W.3d 595 (Tex. App.—Austin 2016, pet. denied), the court of appeals held that the time limit in which a court must grant or deny dismissal under Civil Rule 91a is “merely directory” and does not limit the court’s power to dismiss after the period has elapsed. See Ch. 103, *Dismissal*, § 103.02[3][b].

Inability to Afford Payment of Costs on Appeal. Revisions to Civil Rule 145 and Appellate Rule 20 changed the procedures by which persons who are unable to afford to pay for the appellate record and other costs of appeal may seek to proceed without payment; Ch. 149, *The Appellate Record*, and the other chapters in Unit III, *Appellate Practice*, have been revised to reflect the final version of these changes.

Business and Commercial Litigation

No Immunity for Cities for Breach of Contract Claims Based on Proprietary

Acts. In two recent cases, *Wasson Interests, Ltd. v. City of Jacksonville*, 489 S.W.3d 427, 433 (Tex. 2016), and *Wheelabrator Air Pollution Control, Inc. v. City of San Antonio*, 489 S.W.3d 448, 450 (Tex. 2016), the Texas Supreme Court extended the distinction between proprietary and governmental acts (the proprietary-governmental dichotomy) to breach of contract claims against municipalities. See Ch. 210A, *Contracts*, § 210A.42[4][a][iv].

Violation of Fair Credit Reporting Act (FCRA). In *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1550 (U.S. 2016), the U.S. Supreme Court made it clear that not all violations of the FCRA’s procedural requirements are actionable. See Ch. 234, *Credit: Reporting and Discrimination*, § 234.11[6][d][i].

“Reasonably Equivalent Value” Requirement in TUFTA. In *Janvey v. Golf Channel, Inc.*, 487 S.W.3d 560, 562–564, 579 (Tex. 2016), the Texas Supreme Court held that the TUFTA’s “reasonably equivalent value” requirement, sufficient for a transferee to prove the elements of a good-faith affirmative defense under Tex. Bus. & Com. Code § 24.009(a), can be satisfied with evidence that the transferee (1) fully performed under a lawful arm’s length contract for fair market value, (2) provided consideration that had objective value at the time of the transaction, and (3) made the exchange in the ordinary course of the transferee’s business. See Ch. 241, *Fraudulent Transfers*, § 241.02[4].

Employment Litigation

Religious Institutions’ Obligation to Provide Contraceptive Coverage. In *Zubik v. Burwell*, 136 S. Ct. 1557 (2016), the U.S. Supreme Court addressed the issue faced by the Fifth Circuit in *East Texas Baptist University v. Burwell*, as well as by other circuits, regarding a religious institu-

tion's obligation to provide contraceptive coverage to its employees. The institutions agreed that their religious exercise is not infringed when they "need do nothing more than contract for a[n] [insurance] plan that does not include coverage for some or all forms of contraception," even if their employees receive cost-free contraception coverage from the same insurance company. See Ch. 203, *Employer-Employee Relations*, § 203.29[3].

Defendant's Right to Attorney's Fees in Title VII Action. The U.S. Supreme Court held in *CRST Van Expedited, Inc. v. E.E.O.C.*, 136 S. Ct. 1642 (2016), that a favorable ruling on the merits is not a prerequisite for finding that the defendant is the prevailing party and thus entitled to an award of attorney's fees. See Ch. 203A, *Employment Litigation*, § 203A.24[5].

Right to Bring Section 1983 Action When Employee Has Not Engaged in Protected Activity. In *Heffernan v. City of Paterson*, 136 S. Ct. 1412 (2016), the U.S. Supreme Court held that when an employer demotes an employee in order to prevent the employee from engaging in constitutionally protected political activity, the employee is entitled to challenge that unlawful action under the First Amendment and Section 1983, even if the employer's actions were based on a factual mistake about the employee's behavior. See Ch. 203A, *Employment Litigation*, § 203A.31[4][a].

Federal Employee's Claim for Constructive Discharge. The U.S. Supreme Court held in *Green v. Brennan*, 136 S. Ct. 1769 (2016), that when a federal employee is constructively discharged—*i.e.*, not fired, but who resigns in the face of intolerable discrimination—the "matter alleged to be discriminatory" includes the employee's resignation, and the 45-day limitations period for exhausting administrative remedies

(as a prerequisite to filing suit) begins running only after the employee resigns. See Ch. 203A, *Employment Litigation*, § 203A.37[7].

Appropriate Law Enforcement Authority for Whistleblower. The Texas Supreme Court held in *McMillen v. Texas Health & Human Servs. Comm'n* (2016) 485 S.W.3d 427, 428–430 (Tex. 2016), that an attorney who served as deputy counsel for the Texas HHSC OIG had a good faith belief that he was reporting the Commission's illegal practice of obtaining payments from certain recipients of Medicaid benefits, to an appropriate law enforcement agency, by submitting a report of this illegal practice to the OIG. See Ch. 203A, *Employment Litigation*, § 203A.70[4][c].

Employee's Burden of Proof in Sabine Pilot Action. In *Peine v. Hit Servs. L.P.*, 479 S.W.3d 445 (Tex. App.—Houston [14th Dist.] 2015, no pet. h.), the Fourteenth District discusses in detail an employee's burden of proof on an employer's motion for summary judgment in a *Sabine Pilot* action. See Ch. 203A, *Employment Litigation*, § 203A.81[4].

Personal Injury Litigation

Statute of Limitations. *Durham v. Children's Med. Ctr. of Dallas*, 488 S.W.3d 485 (Tex. App.—Dallas 2016, pet. filed) held that: (1) the statute tolling limitations on minors' claims until their 14th birthday, Tex. Civ. Prac. & Rem. Code § 74.251(a), applies only when the minor was under the age of 12, so when patient was exactly that age at time of treatment, the statute was inapplicable and the claim was time-barred unless some other tolling rule applied; and (2) statutory claims for wrongful death and survival were not protected by the Open Courts provision, so they were barred because the patient was a 12-year old minor at the time of treatment, and died more than

two years after the last treatment. See Ch. 321, *Medical Malpractice* § 321.12[1].

Claims Against Governmental Entities. *Univ. of Tex. M.D. Anderson Cancer Ctr. v. Jones*, 485 S.W.3d 145 (Tex. App.—Houston [14th Dist.] 2016, pet. filed) held that because pharmaceutical drugs are tangible personal property, a government health care provider that prescribes and dispenses a drug to a patient has engaged in a “use” of the property, even if the drug is taken personally by the patient and is not administered by any government medical professional. See Ch. 293, *Claims Against Governmental Entities* § 293.10[5][c].

Defamation. *Levatino v. Apple Tree Café Touring, Inc.*, 486 S.W.3d 724 (Tex. App.—Dallas 2016, pet. denied) held that although communications in or relating to judicial proceedings are within the right to petition under the Texas Citizens Participation Act, the judicial action must be one pending at the time of the communication at issue, and statements relating to a mere potential or contemplated action are not covered. See Ch. 333, *Defamation* § 333.42[1].

TCPA Motion. *Inwood Forest Cmty. Improvement Ass’n v. Arce*, 485 S.W.3d 65 (Tex. App.—Houston [14th Dist.] 2015, pet. denied) held that when a presiding judge expresses an intent to grant a TCPA motion at the conclusion of hearing, but no order is entered, the motion is denied by operation of law 30 days after the hearing, and a subsequent order of the judge purporting to grant the motion has no effect. See Ch. 333, *Defamation* § 333.42[2][d].

Products Liability. Ch. 320, *Products Liability*, has been revised to address recent cases from the Texas courts of appeals, including *Lopez v. Huron*, 490 S.W.3d 517 (Tex. App.—San Antonio 2016, no pet.),

which held that the statutory definition of “products liability action” in Civil Practices and Remedies Code Chapter 82 incorporates the economic loss doctrine for distinguishing tort and contract claims, so that when the only claimed loss is damage to the product itself, the claim sounds in contract only and does not constitute a “products liability action” or implicate statutory indemnity. See § 291.05[2][c]; § 320.10[2][a].

Insurance Litigation

Employee Injury. *Pinkus v. Hartford Cas. Ins. Co.*, 487 S.W.3d 616 (Tex. App.—Dallas 2015, pet. denied) held that when an employee is injured during travel, but cannot establish that the trip met the “origination” and “furtherance” elements, the trip was outside the course and scope of employment and no analysis of the “coming and going” rule, the “dual purpose” rule or their exceptions is required. See Ch. 340, *Workers’ Compensation* § 340.04[3][b].

Real Estate Litigation

Option Contract. Ch. 280, *Adjoining Landowners*, and Ch. 252, *Real Estate Sales Contracts* have been revised to include *N. Shore Energy v. Harkins*, 60 Tex. Sup. Ct. J. 48 (Tex. 2016) (per curiam), which held that when an option contract permitted an oil and gas producer to execute a mineral lease over certain acreage, but the producer never that exercised option, it had no interest in the land and could not maintain a trespass claim against a rival producer. See § 280.02[1]; § 252.01[2].

Deed. *Saving v. City of Mansfield*, 491 S.W.3d 433 (Tex. App.—Fort Worth 2016, no pet.) held that a deed is void if the grantee is a nonexistent entity, even if the parties are both aware that the entity does not exist and contemplate its future creation. See Ch. 254, *Deeds and Conveyances*, § 254.03[3].

Family Law Proceedings

Associate Judge's Report. A SAPCR modification order signed by associate judge was not final, appealable order because it was never signed by referring court. See Ch. 360A, *Temporary Orders*, § 361A.10[9].

Informal Marriage. It is an open question whether a third party can ever prove that two cohabitants are informally married if they both swear that they do not have an agreement to be married. See Ch. 362, *Divorce*, § 362.01[2][b][i].

Property Division. A party seeking reimbursement for capital improvements must show (1) the fair market value of the property in its improved condition on the date of dissolution *and* (2) the fair market value that the property would have had on the date of dissolution had the improvements not been made. See Ch. 363, *Divi-*

sion of Property, § 363.55[4].

Standing. Agreeing with several other courts of appeals, the Houston Fourteenth Court of Appeals has held that to establish standing based on six months of “actual care, custody, and control” of a child, a party must show that he or she had actual, rather than legal, control. See Ch. 370, *SAPCR Procedures*, § 370.02[1][d][iii].

UCCJEA. Under the UCCJEA, temporary emergency jurisdiction is reserved for extraordinary circumstances. See Ch. 374, *Interstate SAPCR Issues*, § 374.03[1][f].

Termination of Parental Rights. The fact that a parent signs an affidavit of relinquishment as part of a plea agreement does not constitute evidence that the parent signed the affidavit under duress. See Ch. 381, *Termination of Parent-Child Relationship*, § 381.102[1][d].

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March 2017

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| <input type="checkbox"/> | 154-33 thru 154-37 | 154-33 thru 154-37 |

VOLUME 13

Revision

| | | |
|--------------------------|---------------------------------------|--------------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 202-3. | 202-3 thru 202-4.1 |
| <input type="checkbox"/> | 202-31 thru 202-33 | 202-31 thru 202-34.1 |
| <input type="checkbox"/> | 203-3. | 203-3 thru 203-4.1 |
| <input type="checkbox"/> | 203-57 | 203-57 thru 203-58.1 |
| <input type="checkbox"/> | 203-73 | 203-73 thru 203-74.1 |
| <input type="checkbox"/> | 203-93 | 203-93 thru 203-94.1 |
| <input type="checkbox"/> | 203-98.8(11) thru 203-98.23 | 203-98.9 thru 203-98.31 |
| <input type="checkbox"/> | 203A-9 thru 203A-10.1 | 203A-9 thru 203A-10.1 |
| <input type="checkbox"/> | 203A-21 | 203A-21 thru 203A-22.1 |
| <input type="checkbox"/> | 203A-55 thru 203A-61 | 203A-55 thru 203A-62.1 |
| <input type="checkbox"/> | 203A-89 thru 203A-99 | 203A-89 thru 203A-100.1 |
| <input type="checkbox"/> | 203A-104.9 thru 203A-120.1. | 203A-105 thru 203A-120.3 |
| <input type="checkbox"/> | 203A-134.1 thru 203A-139 | 203A-135 thru 203A-140.1 |
| <input type="checkbox"/> | 203A-159. | 203A-159 thru 203A-160.1 |
| <input type="checkbox"/> | 203A-210.1 thru 203A-217 | 203A-211 thru 203A-218.1 |
| <input type="checkbox"/> | 203A-237 thru 203A-241 | 203A-237 thru 203A-242.1 |
| <input type="checkbox"/> | 203A-249. | 203A-249 thru 203A-250.1 |
| <input type="checkbox"/> | 203A-319 thru 203A-323 | 203A-319 thru 203A-323 |

VOLUME 14

Revision

| Check As Done | <i><u>Remove Old Pages Numbered</u></i> | <i><u>Insert New Pages Numbered</u></i> |
|------------------------------|---|---|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 210A-7 thru 210A-13 | 210A-7 thru 210A-14.1 |
| <input type="checkbox"/> | 210A-130.3 thru 210A-137 | 210A-131 thru 210A-138.3 |
| <input type="checkbox"/> | 210A-195. | 210A-195 |
| <input type="checkbox"/> | 221-23 thru 221-25 | 221-23 thru 221-25 |
| <input type="checkbox"/> | 221-51 thru 221-53 | 221-51 thru 221-53 |

VOLUME 15

Revision

| | | |
|--------------------------|----------------------------------|----------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 230-1. | 230-1 thru 230-2.1 |
| <input type="checkbox"/> | 230-18.1 thru 230-22.1 | 230-19 thru 230-22.1 |
| <input type="checkbox"/> | 230-125 thru 230-129 | 230-125 thru 230-131 |
| <input type="checkbox"/> | 231-5. | 231-5 thru 231-6.1 |
| <input type="checkbox"/> | 231-21 thru 231-22.1 | 231-21 thru 231-22.1 |
| <input type="checkbox"/> | 231-81 thru 231-83 | 231-81 thru 231-83 |
| <input type="checkbox"/> | 232-43 | 232-43 thru 232-44.1 |
| <input type="checkbox"/> | 233-7 thru 233-11 | 233-7 thru 233-11 |
| <input type="checkbox"/> | 234-3 thru 234-7 | 234-3 thru 234-7 |
| <input type="checkbox"/> | 234-45 thru 234-91 | 234-45 thru 234-73 |
| <input type="checkbox"/> | 234-103 thru 234-115 | 234-103 thru 234-113 |

VOLUME 16

Revision

| | | |
|--------------------------|--------------------------------|----------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 235-1. | 235-1 |
| <input type="checkbox"/> | 235-11 | 235-11 thru 235-12.1 |
| <input type="checkbox"/> | 235-34.1 thru 235-35 | 235-35 thru 235-36.1 |
| <input type="checkbox"/> | 241-5 thru 241-18.1 | 241-5 thru 241-18.3 |
| <input type="checkbox"/> | 241-45 thru 241-47 | 241-45 thru 241-47 |

VOLUME 17

Revision

| | | |
|--------------------------|----------------------------------|------------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 250-63 | 250-63 thru 250-64.1 |
| <input type="checkbox"/> | 251-7 thru 251-11 | 251-7 thru 251-12.1 |
| <input type="checkbox"/> | 251-19 thru 251-21 | 251-19 thru 251-21 |
| <input type="checkbox"/> | 252-9. | 252-9 thru 252-10.1 |
| <input type="checkbox"/> | 252-34.5 thru 252-34.9 | 252-34.5 thru 252-34.9 |
| <input type="checkbox"/> | 253-67 thru 253-69 | 253-67 thru 253-70.1 |
| <input type="checkbox"/> | 254-15 thru 254-20.1 | 254-15 thru 254-20.1 |

| Check As Done | <i>Remove Old Pages Numbered</i> | <i>Insert New Pages Numbered</i> |
|------------------------------|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> | 255-33 thru 255-34.6(3) | 255-33 thru 255-34.6(3) |
| <input type="checkbox"/> | 260-13 thru 260-14.1 | 260-13 thru 260-14.1 |
| <input type="checkbox"/> | 261-14.1 thru 261-15 | 261-15 thru 261-16.1 |

VOLUME 18

Revision

| | | |
|--------------------------|------------------------------------|--------------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 270-25 | 270-25 thru 270-26.1 |
| <input type="checkbox"/> | 271-48.3 thru 271-50.3 | 271-49 thru 271-50.5 |
| <input type="checkbox"/> | 271-58.1 thru 271-58.5 | 271-58.1 thru 271-58.5 |
| <input type="checkbox"/> | 280-21 | 280-21 thru 280-22.1 |
| <input type="checkbox"/> | 280-49 thru 280-52.1 | 280-49 thru 280-52.1 |
| <input type="checkbox"/> | 281-39 thru 281-51 | 281-39 thru 281-52.1 |
| <input type="checkbox"/> | 281-62.1 thru 281-63 | 281-63 thru 281-64.3 |
| <input type="checkbox"/> | 282-45 thru 282-52.3 | 282-45 thru 282-52.3 |
| <input type="checkbox"/> | 282-85 thru 282-87 | 282-85 thru 282-88.1 |
| <input type="checkbox"/> | 283-37 thru 283-38.1 | 283-37 thru 283-38.1 |
| <input type="checkbox"/> | 283-88.3 thru 283-88.5 | 283-88.3 thru 283-88.7 |
| <input type="checkbox"/> | 285-5 thru 285-7 | 285-5 thru 285-8.1 |
| <input type="checkbox"/> | 285-26.15 thru 285-26.17 | 285-26.15 thru 285-26.17 |

VOLUME 19

Revision

| | | |
|--------------------------|---|-----------------------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 291-17 thru 291-25 | 291-17 thru 291-26.1 |
| <input type="checkbox"/> | 291-40.1 thru 291-40.17 | 291-40.1 thru 291-40.19 |
| <input type="checkbox"/> | 291-61 | 291-61 thru 291-62.1 |
| <input type="checkbox"/> | 293-20.3 thru 293-21 | 293-21 thru 293-22.9 |
| <input type="checkbox"/> | 293-33 thru 293-44.1 | 293-33 thru 293-44.1 |
| <input type="checkbox"/> | 293-57 thru 293-61 | 293-57 thru 293-62.1 |
| <input type="checkbox"/> | 293-74.3 thru 293-74.7 | 293-74.3 thru 293-74.7 |
| <input type="checkbox"/> | 293-106.7 thru 293-106.9 | 293-106.7 thru 293-106.11 |
| <input type="checkbox"/> | 293-136.8(3) thru 293-136.8(8)(a) | 293-136.8(3) thru 293-136.8(8)(a) |
| <input type="checkbox"/> | 300-7 thru 300-9 | 300-7 thru 300-9 |
| <input type="checkbox"/> | 302-11 | 302-11 |
| <input type="checkbox"/> | 302-25 thru 302-32.5 | 302-25 thru 302-32.7 |
| <input type="checkbox"/> | 310-5. | 310-5 |
| <input type="checkbox"/> | 310-67 thru 310-103. | 310-67 thru 310-93 |

VOLUME 20

Revision

| Check As Done | <i><u>Remove Old Pages Numbered</u></i> | <i><u>Insert New Pages Numbered</u></i> |
|------------------------------|---|---|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 320-9. | 320-9 thru 320-10.1 |
| <input type="checkbox"/> | 320-57 thru 320-58.3 | 320-57 thru 320-58.5 |
| <input type="checkbox"/> | 320-67 | 320-67 thru 320-68.1 |
| <input type="checkbox"/> | 321-29 thru 321-30.2(1) | 321-29 thru 321-30.2(1) |
| <input type="checkbox"/> | 321-69 thru 321-72.1 | 321-69 thru 321-72.1 |
| <input type="checkbox"/> | 321-86.1 | 321-86.1 |
| <input type="checkbox"/> | 321-110.1 thru 321-110.3 | 321-110.1 thru 321-110.3 |
| <input type="checkbox"/> | 322-37 thru 322-38.1 | 322-37 thru 322-38.2(1) |
| <input type="checkbox"/> | 322-54.15 thru 322-54.25 | 322-54.15 thru 322-54.25 |
| <input type="checkbox"/> | 332-22.1 thru 332-24.1 | 332-23 thru 332-24.5 |
| <input type="checkbox"/> | 333-58.1 thru 333-65 | 333-59 thru 333-66.1 |
| <input type="checkbox"/> | 333-88.3 thru 333-88.19 | 333-88.3 thru 333-88.21 |
| <input type="checkbox"/> | 336-21 thru 336-24.3 | 336-21 thru 336-24.3 |
| <input type="checkbox"/> | 337-5 thru 337-6.1 | 337-5 thru 337-6.1 |

VOLUME 21

Revision

| | | |
|--------------------------|-------------------------------------|----------------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 340-33 thru 340-34.3 | 340-33 thru 340-34.3 |
| <input type="checkbox"/> | 340-45 thru 340-50.1 | 340-45 thru 340-50.1 |
| <input type="checkbox"/> | 340-68.1 thru 340-71 | 340-69 thru 340-72.1 |
| <input type="checkbox"/> | 340-78.3 thru 340-78.7 | 340-78.3 thru 340-78.7 |
| <input type="checkbox"/> | 340-88.5 thru 340-88.10(1). | 340-88.5 thru 340-88.10(3) |
| <input type="checkbox"/> | 343-20.1 thru 343-27 | 343-21 thru 343-28.9 |

VOLUME 22

Revision

| | | |
|--------------------------|----------------------------------|------------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 360-65 | 360-65 thru 360-66.1 |
| <input type="checkbox"/> | 360A-41 thru 360A-43 | 360A-41 thru 360A-44.1 |
| <input type="checkbox"/> | 361-9 thru 361-47. | 361-9 thru 361-41 |
| <input type="checkbox"/> | 362-12.1 thru 362-19 | 362-13 thru 362-20.1 |
| <input type="checkbox"/> | 362-49 | 362-49 thru 362-50.1 |
| <input type="checkbox"/> | 362-170.1 thru 362-171 | 362-171 thru 362-172.1 |
| <input type="checkbox"/> | 363-93 thru 363-104.3. | 363-93 thru 363-104.5 |
| <input type="checkbox"/> | 370-9 thru 370-13. | 370-9 thru 370-14.1 |
| <input type="checkbox"/> | 370-40.3 thru 370-41 | 370-41 thru 370-42.3 |
| <input type="checkbox"/> | 371-75 | 371-75 thru 371-76.1 |

VOLUME 23

| | | |
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| Check As Done | <i>Remove Old Pages Numbered</i> | <i>Insert New Pages Numbered</i> |
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Revision

- | | | |
|--------------------------|------------------------------------|--------------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 372-25 thru 372-37 | 372-25 thru 372-37 |
| <input type="checkbox"/> | 372-102.3 thru 372-102.5 | 372-102.3 thru 372-102.5 |
| <input type="checkbox"/> | 373-31 thru 373-33 | 373-31 thru 373-34.1 |
| <input type="checkbox"/> | 374-11 thru 374-17 | 374-11 thru 374-18.1 |
| <input type="checkbox"/> | 381-95 thru 381-103. | 381-95 thru 381-103 |
| <input type="checkbox"/> | 381-127 thru 381-130.1 | 381-127 thru 381-130.1 |

VOLUME 24

Revision

- | | | |
|--------------------------|----------------------------------|----------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 394-6.1 thru 394-7 | 394-7 thru 394-8.1 |
| <input type="checkbox"/> | 394-16.1 thru 394-18.1 | 394-17 thru 394-18.1 |
| <input type="checkbox"/> | 394-99 thru 394-100.1 | 394-99 |
| <input type="checkbox"/> | 402-15 | 402-15 thru 402-16.1 |
| <input type="checkbox"/> | 402-43 | 402-43 |

VOLUME 25

Revision

- | | | |
|--------------------------|--------------------------------|----------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | 422-7. | 422-7 thru 422-8.1 |
| <input type="checkbox"/> | 422-23 | 422-23 thru 422-24.1 |
| <input type="checkbox"/> | 423-17 thru 423-22.1 | 423-17 thru 423-22.1 |
| <input type="checkbox"/> | 423-31 thru 423-32.1 | 423-31 thru 423-32.1 |
| <input type="checkbox"/> | 423-49 thru 423-51 | 423-49 thru 423-51 |

VOLUME 26

Revision

- | | | |
|--------------------------|------------------------------|--------------------|
| <input type="checkbox"/> | Title page. | Title page |
| <input type="checkbox"/> | I-91 thru I-105 | I-91 thru I-106.1 |
| <input type="checkbox"/> | I-145 thru I-152.1 | I-145 thru I-152.1 |
| <input type="checkbox"/> | I-295 thru I-305. | I-295 thru I-306.1 |
| <input type="checkbox"/> | I-437 thru I-439. | I-437 thru I-440.1 |
| <input type="checkbox"/> | I-605 thru I-609. | I-605 thru I-610.1 |
| <input type="checkbox"/> | I-639 thru I-647. | I-639 thru I-648.1 |
| <input type="checkbox"/> | I-719 thru I-721. | I-719 thru I-721 |
| <input type="checkbox"/> | I-789 thru I-799. | I-789 thru I-800.1 |
| <input type="checkbox"/> | I-867 thru I-887. | I-867 thru I-888.1 |

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