

Order entered March 14, 2013



In The  
**Court of Appeals**  
**Fifth District of Texas at Dallas**

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No. 05-11-00935-CV

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**ICON BENEFIT ADMINISTRATORS II, L.P., AMERICAN ADMINISTRATIVE  
GROUP INC., AND HEALTHSMART PREFERRED CARE, II, L.P. Appellants**

**V.**

**JOELLA MULLIN, STANLEY SELF, ANDREA DAVENPORT, ET AL, Appellees**

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**On Appeal from the County Court at Law No. 2  
Dallas County, Texas  
Trial Court Cause No. CC-08-01067-B**

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**ORDER**

The Supplemental Clerk's Record filed with this Court on February 9, 2012 and the Sealed Clerk's Record filed with this Court on May 4, 2012 contain "Plaintiffs' Icon Benefit Administrators II, L.P. and American Administrative Group, Inc. and Non-Party's Healthsmart Preferred Care II, L.P. Reply in Support of their Motion to Enforce Protective Order" (Plaintiffs' Reply) dated June 15, 2011. Although Plaintiffs' Reply indicates an Affidavit of Bryan H. Jones dated June 15, 2011 is attached as Exhibit "A," the Jones Affidavit does not appear in the Sealed Record or the Supplemental Record.

Further, the Reporter's Record of the June 16, 2011 hearing on the "Motion to Enforce Protective Order and Motion to Clarify" indicates Plaintiffs' Reply also contained an Affidavit of

Alex Arnet dated June 1, 2011 attached as Exhibit “B,” that was filed conditionally under seal. The Arnet Affidavit is not in the Sealed Record or the Supplemental Record, nor is it referenced in Plaintiffs’ Reply.

We hereby **ORDER** the trial court to deliver any exhibits it received as attachments to Plaintiffs’ Reply, including the Arnet Affidavit, to the Dallas County Clerk on or before **MARCH 22, 2013**. If the documents were received under conditional seal, they should be maintained under seal.

We **FURTHER ORDER** the Dallas County Clerk to file by **MARCH 26, 2013** a record containing: (1) the documents received from the trial court pursuant to the above order and (2) all attachments to Plaintiff’s Reply, including the Jones Affidavit. If any documents in this supplemental record were received under conditional seal, then that part of the record should be filed as a sealed record.

/s/ DOUGLAS S. LANG  
JUSTICE