

DENY and Opinion Filed October 21, 2014



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

No. 05-14-01156-CV

**IN RE LIFE PARTNERS, INC., LIFE PARTNERS HOLDINGS, INC.,
BRIAN D. PARDO, AND R. SCOTT PEDEN, Relators**

**Original Proceeding from the 191st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-11-10639**

MEMORANDUM OPINION

Before Justices O'Neill, Lang, and Brown
Opinion by Justice Brown

Relators filed this petition for writ of mandamus asking the Court to order the trial court to vacate its orders denying relators' motions to exclude the testimony of three expert witnesses and to enter new orders excluding the witnesses. The facts and issues are well known to the parties so we do not recount them here. Ordinarily, to obtain mandamus relief, a relator must show both that the trial court has clearly abused its discretion and that relator has no adequate remedy on appeal. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). Based on the record before us, we conclude relators have not shown they are entitled to the relief requested. *See* TEX. R. APP. P. 52.8(a); *Walker v. Packer*, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding). Accordingly, we **DENY** relators' petition for writ of mandamus.

In their response to the petition for writ of mandamus, the real parties in interest have asked the Court to sanction relators. *See* TEX. R. APP. P. 52.11. We **DENY** the request for sanctions.

/Ada Brown/

ADA BROWN
JUSTICE

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