



CIVIL LAW UPDATE 2022

Civil Law Update - Panelists

Michael J. Bentley, Bradley (Jackson, Miss.)

**Allison A. Jones – Downer, Jones, Marino & Wilhite
(Shreveport, LA.)**

Martin A. Stern, Adams and Reese (New Orleans, LA.)



**EN BANC GRANTED:
BUT NOT YET DECIDED**

Cargill v. Garland, 20 F.4th 1004 (5th Cir. 2022), vacated and r'hrd en banc granted by 37 F.4th 1091 (5th Cir. 2022); En Banc Argument held Sept. 13, 2022 – decision pending



Feds for Med. Freedom v. Biden,
30 F.4th 503 (5th Cir.
2022), vacated and
r'hrq en banc
granted by 37 F.4th
1093 (5th Cir. 2022);
En Banc Argument
held Sept. 13, 2022 –
decision pending.





DECISIONS RENDERED ON REHEARING EN BANC

Daves v. Dallas County, Texas, 22 F.4th 522 (5th Cir. 2022) (en banc)



Planned Parenthood Gulf Coast, Inc. v. Phillips, 24 F.4th 442, 444 (5th Cir. 2022)

Case Details

Panel: Higginbotham, Elrod and Ho

Written by: Elrod

Substituted Opinion on Panel Rehearing



Douglass v Nippon Yusen Kabushiki Kaisha, 46 F.4th 226
(5th Cir. 8/16/22) (en banc)



Harness v. Watson,
2022 U.S. App. LEXIS
23757 (5th Cir. 2022)
(en banc) (decided
August 24, 2022)





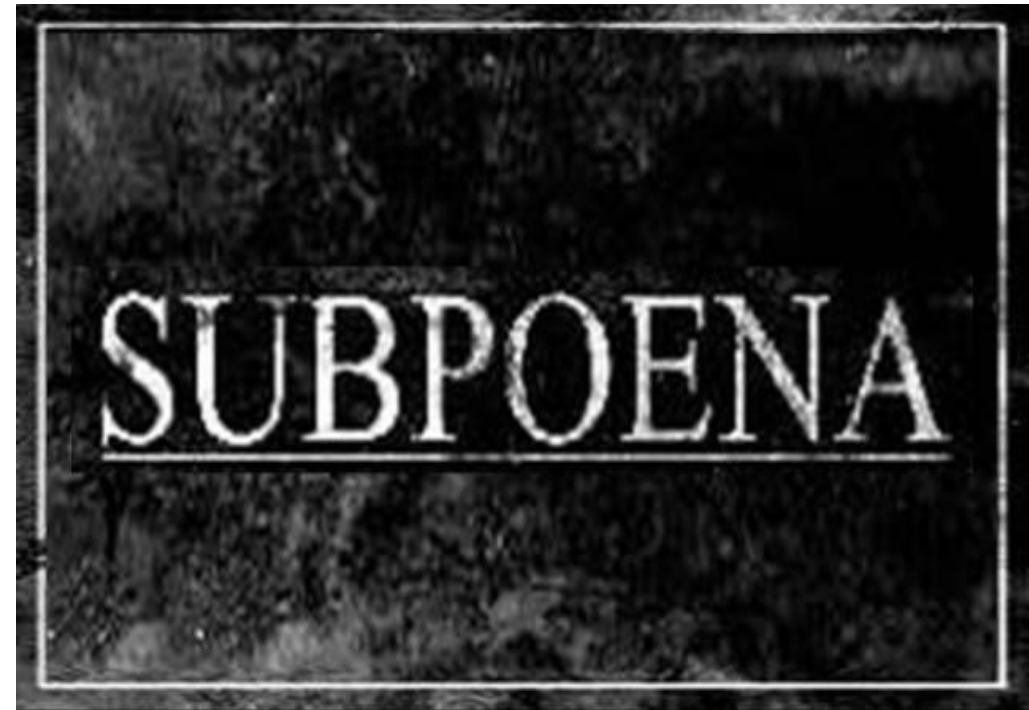
CASES OF INTEREST

Leonard v. Martin 38 F.4th 481 (5th Cir. 6/30/22).

Case Detail:

Panel: Jones, Haynes and Costa

Written by: Jones



Owens v. Circassia Pharmaceuticals, 33 F.4th 814 (5th Cir. 2022)

(employment law)

Case Details

Panel: Willett, Englehardt and
Wilson

Written by: Englehardt

Case Background

In this case, the Fifth Circuit discusses the type of evidence required to meet the “unworthy of credence” standard for pretext in employment-discrimination cases under Reeves v. Sanderson Plumbing Products, Inc., 530 U.S. 133, 147 (2000)

Franlink Inc. v. BACE Servs., Inc., No. 21-20316, 2022 WL 4533725, ___ F.4th ___

Case Detail:

Decided. September 28, 2022

**Panel: Jolly, Smith and
Englehardt**

Written by: Jolly

X John Hancock

Ueckert v. Guerra, 38 F.4th 446 (5th Cir. 2022)

Case Detail

Panel: Smith, Higginson and Willett

Written by: Willett

Date decided: June 27, 2022



NetChoice, LLC v Paxton, No. 21-51178, 2022 WL 4285917
(5th Cir. 2022)

Case Detail

**Panel: Jones, Southwick and
Oldham**

Written by: Oldham

**Date decided: September 16,
2022**



Hardison v. Skinner, 2022 U.S. App. LEXIS 18995

Case Details

Panel: Dennis, Southwick and Wilson

Written by: Wilson (Dissent by Dennis)

Date decided July 11, 2022

Case Background

Fifth Circuit discusses the ultimate employment action standard and the constructive discharge issue in employment cases. It is an unpublished decision, but the case is important because of Judge Dennis dissent.

Env't Texas Citizen Lobby, Inc. v. ExxonMobil Corp., 2022
U.S. App. LEXIS 24584

Case Details

**Panel: Costa, Davis and
Oldham**

Written by: Costa

Decided: August 27, 2022



Civil Law Update

Q&A