

CAUSE NO. 2008-24181

P-1  
JNPAX  
LFPLX

VIRGIE ARTHUR § IN THE DISTRICT COURT OF  
§  
§  
VS. § HARRIS COUNTY, TEXAS  
§  
§  
HOWARD K. STERN, ET AL. § 280th JUDICIAL DISTRICT  
§

ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE TO JOIN CBS STUDIOS, INC.

The Court considered "Plaintiff's Motion For Leave To Join CBS STUDIOS, INC." together with Defendant ART HARRIS's response to this motion.

The Court concludes as a matter of law that:

- (1) Plaintiff and Defendant NELDA TURNER colluded to designate CBS as a responsible third party; and no statute or rule prohibits such collusion.
- (2) A statute providing time limits trumps a docket control order.
- (3) Joining a new party would not be prejudicial to any current party, because we have not even gotten to the special appearance hearings yet, except for the default that was granted against Defendant BONNIE STERN.
- (4) It is up to CBS to assert its own defenses.
- (5) The Court does not have discretion to use good sense to deny an order that is a matter of right.

It is therefore **ORDERED** that Plaintiff's motion for leave to join CBS STUDIOS, INC. as a Defendant in this case is GRANTED; and Plaintiff has leave to file her Foruth Amended Original Petition and to join CBS STUDIOS, INC. as a Defendant in this case.

SIGNED this 11<sup>th</sup> day of August 2009.

*Tony Lindsay*  
TONY LINDSAY  
Judge Presiding

**FILED**  
Loren Jackson  
District Clerk

AUG 11 2009

Time: \_\_\_\_\_  
Harris County, Texas  
By \_\_\_\_\_  
Deputy