

Amend **CSHB 4** as follows:

On page 18, between lines 8 and 9 insert a new subsection (e) to read as follows:

(e) The defendant or group of defendants can only recover litigation costs under this chapter if the defendant or group of defendants:

- (1) has not filed for a continuance;
- (2) has not caused undue delay, and;
- (3) has not violated any rules of discovery under the Texas Rules of Civil Procedure.