

**DISMISS; Opinion Filed March 12, 2014.**



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

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**No. 05-13-01211-CV**

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**CHAMPION CONTRACTORS & SERVICES, LLC AND RANDAL DEAN, Appellants**

**V.**

**SAMUEL SUSTER, DANIEL SUSTER, AND CIMA CONTRACTORS, LLC, Appellees**

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**On Appeal from the County Court at Law No. 6  
Collin County, Texas  
Trial Court Cause No. 006-01576-2011**

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**MEMORANDUM OPINION**

Before Justices Moseley, Francis, and Lang  
Opinion by Justice Moseley

By motion filed February 28, 2014, the parties inform us that they have settled and as part of the settlement, they request we vacate the trial court's judgment and dismiss the case. *See* TEX. R. APP. P. 42.1(a)(2). We grant the motion, vacate the trial court's judgment without regard to the merits, and dismiss the case. *See id.* 43.2(e).

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/Jim Moseley/  
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JIM MOSELEY  
JUSTICE



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

**JUDGMENT**

CHAMPION CONTRACTORS &  
SERVICES, LLC AND RANDAL DEAN,  
Appellants

No. 05-13-01211-CV      V.

SAMUEL SUSTER, DANIEL SUSTER,  
AND CIMA CONTRACTORS, LLC,  
Appellees

On Appeal from the County Court at Law  
No. 6, Collin County, Texas  
Trial Court Cause No. 006-01576-2011.  
Opinion delivered by Justice Moseley.  
Justices Francis and Lang participating.

In accordance with this Court's opinion of this date, we **VACATE** the trial court's judgment without regard to the merits and **DISMISS** the case.

We **ORDER** that costs be taxed against the party that incurred them. After all costs of appellants Champion Contractors & Services, LLC and Randal Dean have been paid, the obligations of Kirby Vogler and Tim Wilson, as sureties on appellants' supersedeas bond, are **DISCHARGED**.

Judgment entered this 12th day of March, 2014.

/Jim Moseley/  
JIM MOSELEY  
JUSTICE