

**SET ASIDE AND REMAND and Opinion Filed August 11, 2023**



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

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**No. 05-23-00364-CV**

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**BDR 2012 HOLDING COMPANY, LLC,  
ROBERTS TRUCK CENTER, LTD., AND  
BDR PREFERRED HOLDINGS, LLC, Appellants  
V.  
SUMMIT TRUCK GROUP, LLC, Appellee**

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**On Appeal from the 44th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-22-03591**

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**MEMORANDUM OPINION**

Before Justices Partida-Kipness, Reichek, and Miskel  
Opinion by Justice Reichek

Before the Court is the parties' joint motion for disposition of the appeal pursuant to their settlement agreement. We grant the motion and, pursuant to their settlement agreement, set aside the trial court's judgement without regard to the merits and remand the case to the trial court for rendition of a joint order of dismissal with prejudice of all of the parties' claims against one another. *See* TEX. R. APP. P. 42.1(a)(2)(B).

/Amanda L. Reichek/  
AMANDA L. REICHEK  
JUSTICE



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

**JUDGMENT**

BDR 2012 HOLDING COMPANY,  
LLC, ROBERTS TRUCK CENTER,  
LTD., AND BDR PREFERRED  
HOLDINGS, LLC, Appellants

No. 05-23-00364-CV      V.

On Appeal from the 44th Judicial  
District Court, Dallas County, Texas  
Trial Court Cause No. DC-22-03591.  
Opinion delivered by Justice Reichek.  
Justices Partida-Kipness and Miskel  
participating.

SUMMIT TRUCK GROUP, LLC,  
Appellee

In accordance with this Court's opinion of this date, we **SET ASIDE** the trial court's judgment without regard to the merits and **REMAND** the case to the trial court for rendition of a joint order of dismissal with prejudice of all of the parties' claims against one another.

We **ORDER** appellee Summit Truck Group, LLC recover its costs of this appeal from appellants BDR 2012 Holding Company, LLC, Roberts Truck Center, Ltd., and BDR Preferred Holdings, LLC.

Judgment entered August 11, 2023