



COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH

NO. 2-08-055-CV

KIMBERLY VERHOEV

APPELLANT

V.

PROGRESSIVE COUNTY MUTUAL  
INSURANCE COMPANY

APPELLEE

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FROM THE 67TH DISTRICT COURT OF TARRANT COUNTY  
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MEMORANDUM OPINION<sup>1</sup> AND JUDGMENT  
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We have considered the parties' "Agreed Motion For Dismissal Of Appeal." It is the court's opinion that the motion should be granted; therefore, we withdraw our prior opinion and judgment of July 30, 2009 and dismiss the appeal. *See* Tex. R. App. P. 42.1(a)(2), 43.2(f). Appellant and appellee's motions for rehearing are denied as moot.

Costs of the appeal shall be paid by the party incurring the same, for which let execution issue. *See* Tex. R. App. P. 43.4.

PER CURIAM

PANEL: GARDNER and WALKER, JJ.

DELIVERED: December 3, 2009

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<sup>1</sup> [...](#) *See* Tex. R. App. P. 47.4.