



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 2-09-387-CV

IN RE COSTCO WHOLESALE CORPORATION

RELATOR

ORIGINAL PROCEEDING

MEMORANDUM OPINION¹

The court has considered relator's emergency motion for temporary relief and petition for writ of mandamus and is of the opinion that relief should be denied. Accordingly, relator's emergency motion for temporary relief and petition for writ of mandamus are denied.

Relator shall pay all costs of this original proceeding, for which let execution issue.

PER CURIAM

PANEL: WALKER, J.; CAYCE, C.J.; and LIVINGSTON, J.

CAYCE, C.J. not participating.

DELIVERED: October 27, 2009

¹ See Tex. R. App. P. 47.4.