



**IN THE  
TENTH COURT OF APPEALS**

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**No. 10-16-00210-CV**

**COMM TRADE USA, INC., INDIVIDUALLY AND  
O/B/O THE PARTNERSHIP AMONG COMM TRADE  
USA, INC., KEVIN S. HOOT AND KSH SERVICES,  
LLC, AND TIM DEARING,**

**Appellant**

**v.**

**KEVIN S. HOOT, INDIVIDUALLY AND  
KSH SERVICES, LLC,**

**Appellees**

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**From the 85th District Court  
Brazos County, Texas  
Trial Court No. 12-003124-CV-85**

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**MEMORANDUM OPINION**

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Appellant Comm Trade USA, Inc., individually and on behalf of the Partnership among Comm Trade USA, Inc., Kevin S. Hoot and KSH Services, LLC, and Tim Dearing have filed an "Agreed Motion to Dismiss Pursuant to Settlement." *See* TEX. R. APP. P. 42.1(a)(1). It states that Appellant and Appellees have settled this litigation and have

agreed to this motion. Dismissal of this appeal would not prevent a party from seeking relief to which it would otherwise be entitled. The motion is granted, and the appeal is dismissed.

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Motion granted; appeal dismissed  
Opinion delivered and filed December 7, 2016  
[CV06]

