



**IN THE  
TENTH COURT OF APPEALS**

**No. 10-23-00057-CV**

**REXEL USA, INC.,**

**Appellant**

**v.**

**PERRY BUILDING & DESIGN, LLC  
D/B/A PERRY CONSTRUCTION,  
BRIAN MUNSON, LISA SHANNON  
AND CHRIS HORNER,**

**Appellees**

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**From the 335th District Court  
Burleson County, Texas  
Trial Court No. 30589**

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**MEMORANDUM OPINION**

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This appeal was referred to mediation by this Court on February 9, 2024. The appeal and all the appellate timetables were suspended until the receipt of the mediator's report. No mediator's report has been filed.

However, the parties' Agreed Motion to Dismiss Appeal was filed on March 21, 2024. In the motion, the parties note that appellant no longer desires to pursue any

portion of its appeal against the appellees and agree that all costs and attorney's fees should be taxed against and borne by the party incurring same.

Accordingly, after consideration of the parties' motion, the Court lifts the suspension of the appeal and grants the parties' Agreed Motion to Dismiss Appeal filed on March 21, 2024. Further, pursuant to the parties' agreement, all costs and attorney's fees in this appeal are ordered taxed against the party incurring same. *See* TEX. R. APP. P. 42.1(a)(1), (d).

TOM GRAY  
Chief Justice

Before Chief Justice Gray,  
Justice Johnson, and  
Justice Smith  
Suspension lifted  
Motion granted  
Appeal dismissed  
Opinion delivered and filed March 28, 2024  
[CV06]

