

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-11-00029-CV

**NNN Met Center 10-1, LLC; NNN Met Center 10-2, LLC; NNN Met Center 10-3, LLC;
NNN Met Center 10-4, LLC; NNN Met Center 10-5, LLC; NNN Met Center 10-6, LLC;
NNN Met Center 10-7, LLC; NNN Met Center 10-8, LLC; NNN Met Center 10-9, LLC;
NNN Met Center 10-10, LLC; NNN Met Center 10-11, LLC; NNN Met Center 10-13, LLC;
NNN Met Center 10-14, LLC; NNN Met Center 10-15, LLC; NNN Met Center 10-16, LLC;
NNN Met Center 10-17, LLC; NNN Met Center 10-18, LLC; NNN Met Center 10-19, LLC;
NNN Met Center 10-20, LLC; NNN Met Center 10-21, LLC; NNN Met Center 10-22, LLC;
NNN Met Center 10-23, LLC; NNN Met Center 10-24, LLC; NNN Met Center 10-25, LLC;
NNN Met Center 10-26, LLC; NNN Met Center 10-27, LLC; and
NNN Met Center 10-28, LLC, Appellants**

v.

**BACM 2005-3 Met Center Office, LLC; Mark L. Patterson; Jeffrey J. Zissa;
R. Terry Miller; E. Joe Berger, III; John A. Bain; Michael C. Elrod; Beverly A. Houston;
Juanita Strickland; Janie Mucha; LNR Partners, LLC; and
Barclays Capital Real Estate, Inc., Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 98TH JUDICIAL DISTRICT
NO. D-1-GN-10-004498, HONORABLE STEPHEN YELENOSKY, JUDGE PRESIDING**

MEMORANDUM OPINION

We previously abated this appeal because, as a result of NNN Met Center 10-25's filing for bankruptcy protection in the United States Bankruptcy Court for the Northern District of California, this suit has been automatically stayed.¹ *See* Tex. R. App. P. 8. Appellants have filed

¹ *See* 11 U.S.C. § 362.

an unopposed motion to extend abatement, informing us that the automatic stay has been extended until February 28, 2012. We grant appellants' motion.

Any party may file a motion to reinstate the appeal if permitted by federal law or the bankruptcy court. *See* Tex. R. App. P. 8.3. It is the parties' responsibility to notify the Court as soon as possible if an event occurs that would allow reinstatement. *Id.* Failure to notify this Court of a lift of the automatic stay or the conclusion of the bankruptcy proceeding may result in dismissal of the case for want of prosecution. *See* Tex. R. App. P. 42.3(b).

Bob Pemberton, Justice

Before Justices Puryear, Pemberton and Rose

Bankruptcy

Filed: November 17, 2011