



NUMBER 13-08-00099-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

HYDROCHEM INDUSTRIAL SERVICES, INC., **Appellant,**

v.

ALCOA, REYNOLDS METALS COMPANY,
RON WARPULA AND PAUL STANLEY DANSER, JR., **Appellees.**

**On appeal from the 28th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Rodriguez, Garza, and Benavides
Memorandum Opinion Per Curiam**

This cause is before the Court on the record and the parties' Joint Motion to Dismiss Appeal and Cross-Appeal. On August 11, 2009, the Court abated this matter by agreement of the parties in order to allow them the opportunity to formalize settlement proceedings.

The Court, having examined and fully considered the documents on file and the

Joint Motion to Dismiss Appeal and Cross-Appeal, is of the opinion that the parties' joint motion should be granted. Accordingly, this case is hereby REINSTATED and the Parties' Joint Motion to Dismiss Appeal and Cross-Appeal, is hereby GRANTED, and this appeal is DISMISSED and all pending motions are MOOT.

Pursuant to agreement, costs are taxed against the party incurring same. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Having dismissed the appeal at joint request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Delivered and filed the
21st day of October, 2010.