



**NUMBER 13-16-00506-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**BARBARA PETROHAN,  
AS MEMBER/MANAGER  
OF ANIMAL MEDICAL CENTER  
OF MCALLEN, L.L.C.,**

**Appellant,**

**v.**

**ROBERT ZAMORANO JR.,  
AS MEMBER/MANAGER OF  
ANIMAL MEDICAL CENTER  
OF MCALLEN, L.L.C.,**

**Appellee.**

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**On appeal from the County Court at Law No. 7  
of Hidalgo County, Texas.**

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## **IN RE BARBARA PETROHAN**

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### **On Petition for Writ of Injunction.**

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## **MEMORANDUM OPINION**

### **Before Chief Justice Valdez and Justices Rodriguez and Benavides Memorandum Opinion by Justice Benavides**

In cause number 13-16-00506-CV, appellant Barbara Petrohan as member/manager of Animal Medical Center of McAllen, L.L.C. (Animal Medical Center), appeals a final summary judgment rendered in favor of appellee Roberto Zamorano as member/manager of Animal Medical Center. The summary judgment orders “the winding up and termination” of Animal Medical Center. See TEX. BUS. ORGS. CODE ANN. § 11.314 (West, Westlaw through 2015 R.S.). Petrohan further appeals a post-judgment order appointing Gil Peralez as receiver for the dissolution of the company.

In cause number 13-16-00507-CV, Petrohan as member/manager of Animal Medical Center filed a petition for writ of injunction seeking to prevent the receiver Peralez from taking any action to manage, dissolve, or wind up Animal Medical Center until Petrohan’s appeal in cause number 13-16-00506-CV has been finally determined. This Court granted that request, in part, insofar as we directed receiver Peralez to refrain from taking any action to dissolve or wind up Animal Medical Center, and denied the request, in part, as we directed receiver Peralez to conserve Animal Medical Center and its business and to avoid any damage to the parties interested in this entity.

The parties to these matters have now filed an “Agreed Joint Motion for Disposition Pursuant to Settlement” in each of these causes. According to the motions, the appeal

and original proceeding have been resolved by agreement, and thus, the parties request that we dismiss the appeal and original proceeding and order that all costs shall be borne by the party incurring same. See TEX. R. APP. P. 42.1(a)(1), 43.2(f), 43.6.

The Court, having examined and fully considered the agreed joint motions for disposition pursuant to settlement, is of the opinion that they should be granted. In the interests of judicial economy, we issue this consolidated opinion addressing both causes. We REINSTATE these matters, LIFT the stay previously imposed in these causes, GRANT the joint motions for disposition pursuant to settlement, and DISMISS this appeal and original proceeding. Costs will be taxed against the party incurring same. See *id.* R. 42.1(d).

GINA M. BENAVIDES,  
Justice

Delivered and filed the  
23rd day of February, 2017.