

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

RODNEY TOW,

Plaintiff,

VS.

AMEGY BANK N.A., *et al.*,

Defendants.

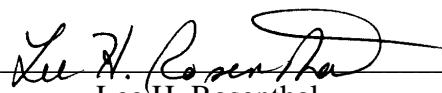
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CIVIL ACTION NO. H-11-03700

**ORDER**

On September 12, 2013, the bankruptcy court approved a settlement agreement between the estate of Royce Homes, L.P. and Donnie Lou Speer in the bankruptcy proceeding underlying this action. The bankruptcy court entered an Order Approving Compromise Controversy Under Bankruptcy Rule 9019. That order moots Donnie Lou Speer’s motion to dismiss filed in this case. (Docket Entry No. 86). Before the settlement agreement was approved, Donnie Lou Speer passed away. No legal representative had been appointed with the authority to finalize the settlement. On September 19, 2013, this court postponed a hearing on the motion to dismiss for sixty days to allow the appointment of an administrator legally able to execute the settlement agreement. No later than December 16, 2013, the administrator may move to reinstate Donnie Lou Speer’s motion to dismiss and seek any necessary action by this court to finalize the settlement approved in the underlying bankruptcy case.

SIGNED on September 26, 2013, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge