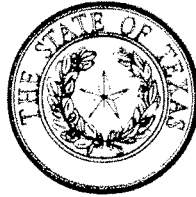


DISMISS; Opinion issued January 23, 2013.



In The  
Court of Appeals  
Fifth District of Texas at Dallas

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No. 05-12-00920-CV

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AMERIPLAN CORPORATION, DANIEL BLOOM AND DENNIS BLOOM,  
Appellants  
v.  
LAWRENCE MCKENZIE, Appellee

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On Appeal from the 191st Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-11-06272

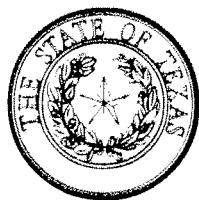
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**OPINION**

Before Justices Lang-Miers, Myers and Lewis  
Opinion by Justice Lewis

Before the Court is appellants' January 16, 2013 unopposed motion to dismiss appeal. In the motion, appellants state the parties have resolved the issue on appeal and request dismissal of the appeal with costs assessed against the party incurring same. We grant appellants' motion and dismiss this appeal.

  
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DAVID LEWIS  
JUSTICE



**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

AmeriPlan Corporation, Daniel Bloom and  
Dennis Bloom, Appellants

No. 05-12-00920-CV      V.

Lawrence McKenzie, Appellee

On Appeal from the 191st Judicial District  
Court, Dallas County, Texas  
Trial Court Cause No. DC-11-06272.  
Opinion delivered by Justice Lewis.  
Justices Lang-Miers and Myers  
participating.

In accordance with this Court's opinion of this date, this appeal is **DISMISSED**.

Pursuant to the parties' agreement, it is **ORDERED** that each party bear its own costs of  
this appeal.

Judgment entered this 23<sup>rd</sup> day of January, 2013.

A handwritten signature in cursive script that reads "David Lewis".

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DAVID LEWIS  
JUSTICE