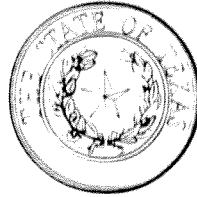


Dismissed; Opinion issued January 4, 2013



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-12-00954-CV

GK TRI-TEXAS, LLC, Appellant/Cross-Appellee

V.

SHERMCO INDUSTRIES, INC., Appellee/Cross-Appellant

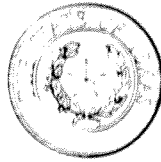
On Appeal from the 134th Judicial District Court
Dallas County, Texas
Trial Court Cause No. 08-13590-G

MEMORANDUM OPINION

Before Justices Bridges, O'Neill, and Murphy

The Court has before it the parties' agreed motion to dismiss appeal and vacate judgment pursuant to settlement. We **GRANT** the motion, **VACATE** the trial court's judgment without reference to the merits, and **REMAND** the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement. *See* TEX. R. APP. P. 42.1(a)(2).

PER CURIAM



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

JUDGMENT

GK TRI-TEXAS, LLC, Appellant/Cross-
Appellee

No. 05-12-00954-CV V.

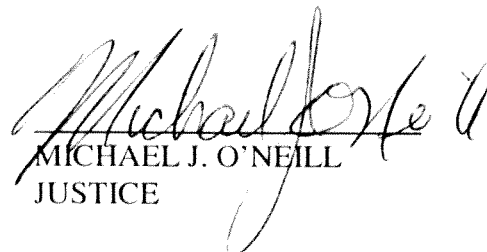
SHERMCO INDUSTRIES, INC.,
Appellee/Cross-Appellant

Appeal from the 134th Judicial District
Court of Dallas County, Texas. (Tr.Ct.No.
08-13590-G).

Opinion delivered per curiam before Justices
Bridges, O'Neill, and Murphy.

Based on the Court's opinion of this date, the trial court's judgment is **VACATED** without reference to the merits and the case is **REMANDED** to the trial court for rendition of judgment in accordance with the parties' settlement agreement. The parties are **ORDERED** to bear their own costs of this appeal.

Judgment entered January 4, 2013.


MICHAEL J. O'NEILL
JUSTICE