

DISMISS and Opinion Filed April 4, 2013.



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

No. 05-13-00318-CV

**THE CADLE COMPANY, Appellant
V.
TOM HUDGINS, JR. D/B/A THE WORK OUT, Appellee**

**On Appeal from the 15th Judicial District Court
Grayson County, Texas
Trial Court Cause No. 88-00294**

MEMORANDUM OPINION

**Before Justices Francis, Lang, and Evans
Opinion by Justice Lang**

Before the Court is appellant's motion to dismiss the appeal. Appellant informs the Court that the parties have entered into a settlement agreement. Accordingly, we grant appellant's motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1).

/Douglas S. Lang/

DOUGLAS S. LANG
JUSTICE



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

JUDGMENT

THE CADLE COMPANY, Appellant

No. 05-13-00318-CV V.

TOM HUDGINS, JR. D/B/A THE WORK
OUT, Appellee

On Appeal from the 15th Judicial District
Court, Grayson County, Texas

Trial Court Cause No. 88-00294.

Opinion delivered by Justice Lang. Justices
Francis and Evans participating.

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

Subject to any agreement between the parties, it is **ORDERED** that appellee, TOM HUDGINS, JR. D/B/A THE WORK OUT, recover its costs of this appeal from appellant, THE CADLE COMPANY.

Judgment entered this 4th day of April, 2013.

/Douglas S. Lang/

DOUGLAS S. LANG

JUSTICE