

**MODIFY and AFFIRM; and Opinion Filed May 18, 2016.**



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

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**No. 05-14-01616-CV**

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**LONE STAR ENGINE INSTALLATION CENTER, INC. AND RAFAEL SANCHEZ,  
Appellants**

**V.**

**BRENDA GONZALES AND GONZALO GONZALES, Appellees**

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**On Appeal from the 191st Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-11-15035**

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**SUPPLEMENTAL MEMORANDUM OPINION**

**Before Justices Fillmore, Evans, and Stoddart  
Opinion by Justice Fillmore**

In our opinion dated May 11, 2016, we suggested remittitur of \$900 of the economic damages and \$900 of the additional economic damages awarded to Brenda Gonzales and Gonzalo Gonzales. We stated that if the remittitur was filed by the Gonzaleses within fifteen days of the date of the opinion, we would modify the trial court's judgment to award the Gonzaleses actual damages in the amount of \$15,700.14, \$5,000 in mental anguish damages, \$15,700.14 in additional economic damages, and \$5,000 in additional mental anguish damages, as well as the attorney's fees awarded by the trial court, and affirm the trial court's judgment as modified.

On May 16, 2016, the Gonzaleses filed their consent to the suggestion of remittitur. Accordingly, we vacate our judgment, but not our opinion, dated May 11, 2016, and modify the

trial court's judgment to reflect the specified remittitur. The trial court's judgment is modified to award Brenda Gonzales and Gonzalo Gonzales, on their claims under the Texas Deceptive Trade Practices Act, actual damages of \$15,700.14, mental anguish damages of \$5,000, \$15,700.14 in additional economic damages, \$5,000 in additional mental anguish damages, \$15,000 in attorney's fee rendered through the trial of this case, \$7,500 as reasonable attorney's fees for this appeal, and \$5,000 in conditional attorney's fees if Lone Star Engine Installation Center, Inc. or Rafael Sanchez file an unsuccessful petition for review in the Texas Supreme Court, along with pre- and post-judgment interest. As modified, we affirm the trial court's judgment. This Court's opinion of May 11, 2016, otherwise remains in effect.

/Robert M. Fillmore/

ROBERT M. FILLMORE  
JUSTICE

141616SF.P05



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

**JUDGMENT**

LONE STAR ENGINE INSTALLATION  
CENTER, INC. AND RAFAEL SANCHEZ,  
Appellants

No. 05-14-01616-CV      V.

On Appeal from the 191st Judicial District  
Court, Dallas County, Texas,  
Trial Court Cause No. DC-11-15035.  
Opinion delivered by Justice Fillmore.  
Justices Evans and Stoddart participating.

BRENDA GONZALES AND GONZALO  
GONZALES, Appellees

We vacate our judgment dated May 11, 2016. In accordance with this Court's opinion of May 11, 2016, and supplemental opinion of May 18, 2016, we **MODIFY** the trial court's judgment to award appellees Brenda Gonzales and Gonzalo Gonzales, on their claims under the Texas Deceptive Trade Practices Act, \$15,700.14 in economic damages, \$5,000 in mental anguish damages, \$15,700.14 in additional economic damages, \$5,000 in additional mental anguish damages, \$15,000 in attorney's fees rendered through the trial of this case, \$7,500 as a reasonable attorney's fee for this appeal, and \$5,000 in contingent attorney's fees if appellant Lone Start Engine Installation Center, Inc. or appellant Rafael Sanchez files an unsuccessful petition for review in the Texas Supreme Court, along with pre- and post-judgment interest.

It is **ORDERED** that, as modified, the judgment of the trial court is **AFFIRMED**.

It is **ORDERED** that each party bear their own costs of this appeal.

Judgment entered this 18th day of May, 2016.