

Dismiss and Opinion Filed June 12, 2018



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

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No. 05-12-01394-CV

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**ENRIQUE N. PONTE, JR. M.D. AND PEDIATRIX MEDICAL SERVICES, INC.,**  
**Appellants**

**V.**

**MARCELA BUSTAMANTE AND JOSE BUSTAMANTE, AS NEXT FRIENDS OF**  
**DANIELLA BUSTAMANTE, Appellees**

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**On Appeal from the 101st Judicial District Court**  
**Dallas County, Texas**  
**Trial Court Cause No. 08-08056**

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**MEMORANDUM OPINION ON REMAND**

Before Justices Stoddart, Whitehill, and Schenck  
Opinion by Justice Whitehill

This case is before us on remand from the Texas Supreme Court. *See Bustamante v. Ponte*, 529 S.W.3d 447 (Tex. 2017). The parties have filed a joint motion to dismiss the appeal in which they aver that they have settled their dispute and obtained trial court approval of the settlement. We grant the motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a).

/Bill Whitehill/  
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BILL WHITEHILL  
JUSTICE

121394RF.P05



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

**JUDGMENT**

ENRIQUE N. PONTE, JR. M.D. AND  
PEDIATRIX MEDICAL SERVICES,  
INC., Appellants

No. 05-12-01394-CV      V.

On Appeal from the 101st Judicial District  
Court, Dallas County, Texas  
Trial Court Cause No. 08-08056.  
Opinion delivered by Justice Whitehill.  
Justices Stoddart and Schenck participating.

MARCELA BUSTAMANTE AND JOSE  
BUSTAMANTE, AS NEXT FRIENDS OF  
DANIELLA BUSTAMANTE, Appellees

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

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

Judgment entered June 12, 2018.