

SET ASIDE and REMAND; and Opinion Filed August 1, 2018.



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

No. 05-18-00502-CV

KOMplete GROUP, INC., Appellant

V.

**FACTORY MUTUAL INSURANCE COMPANY,
ZURICH AMERICAN INSURANCE COMPANY, AND SCOR, AS SUBROGEEES OF
BUILDING MATERIALS CORPORATION OF AMERICA D/B/A GAF, Appellees**

**On Appeal from the 68th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-12370**

MEMORANDUM OPINION

Before Justices Lang-Miers, Evans, and Schenck
Opinion by Justice Lang-Miers

Before the Court is the parties' joint motion to vacate the trial court's judgment. The parties inform the Court that they have settled their differences and ask that we set aside the trial court's judgment and remand this case to the trial court. We grant the motion, set aside the trial court's February 12, 2018 judgment without regard to the merits, and remand the case to the trial court for rendition of judgment in accordance with the parties' agreement. *See* TEX. R. APP. P. 42.1(2)(B).

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE



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

JUDGMENT

KOMplete GROUP, INC., Appellant

No. 05-18-00502-CV V.

FACTORY MUTUAL INSURANCE
COMPANY, ZURICH AMERICAN
INSURANCE COMPANY, AND SCOR,
AS SUBROGEEs OF BUILDING
MATERIALS CORPORATION OF
AMERICA D/B/A GAF, Appellees

On Appeal from the 68th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DC-15-12370.

Opinion delivered by Justice Lang-Miers.

Justices Evans and Schenck participating.

In accordance with this Court's opinion of this date, the trial court's February 12, 2018 judgment is **SET ASIDE** and the case is **REMANDED** to the trial court for rendition of judgment in accordance with the parties' agreement.

Subject to any agreement between the parties, it is **ORDERED** that appellees FACTORY MUTUAL INSURANCE COMPANY, ZURICH AMERICAN INSURANCE COMPANY, AND SCOR, AS SUBROGEEs OF BUILDING MATERIALS CORPORATION OF AMERICA D/B/A GAF recover their costs of this appeal from appellant KOMplete GROUP, INC.

Judgment entered this 1st day of August, 2018.