

**DISMISS and Opinion Filed December 30, 2019**



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

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**No. 05-19-00799-CV**

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**STRATA BV SWD, LLC, BVCITI, LP; BVCITI GP, LLC; BV PARTNERS, LP;  
BV PARTNERS GP, LLC; THOMAS A LEISER; PRYOR BLACKWELL;  
AND CHARLES A. ANDERSON, Appellants**

**V.**

**MARATHON OIL COMPANY, Appellee**

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**On Appeal from the 193rd Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-17-14153**

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**MEMORANDUM OPINION**

**Before Justices Bridges, Whitehill, and Nowell  
Opinion by Justice Bridges**

The brief in this accelerated appeal has not been filed because the parties have been attempting to settle their dispute. The parties were scheduled to mediate on October 14, 2019. Based on the date of mediation, we ordered appellants to file either their opening brief or a motion to dismiss no later than November 4, 2019. On November 15, 2019, when appellants had not complied, we ordered them to file the opening brief or motion to dismiss no later than November 25, 2019. Our November 15th order cautioned appellants that failure to comply could result in dismissal of the appeal without further notice. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b),(c). To date,

appellants have failed to comply and have not otherwise communicated with the Court. Accordingly, we dismiss the appeal. *See id.* 38.8(a)(1), 42.3(b),(c).

/David L. Bridges/  
DAVID L. BRIDGES  
JUSTICE

190799F.P05



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

**JUDGMENT**

STRATA BV SWD, LLC, BVCITI, LP;  
BVCITI GP, LLC; BV PARTNERS, LP;  
BV PARTNERS GP, LLC; THOMAS A  
LEISER; PRYOR BLACKWELL; AND  
CHARLES A. ANDERSON, Appellants

On Appeal from the 193rd Judicial District  
Court, Dallas County, Texas  
Trial Court Cause No. DC-17-14153.  
Opinion delivered by Justice Bridges,  
Justices Whitehill and Nowell participating.

No. 05-19-00799-CV      V.

MARATHON OIL COMPANY, Appellee

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

We **ORDER** that appellee Marathon Oil Company recover its costs, if any, of this appeal from appellants Strata BV SWD, LLC, BVCITI, LP; BVCITI GP, LLC; BV Partners, LP; BV Partners GP, LLC; Thomas A Leiser; Pryor Blackwell; and Charles A. Anderson.

Judgment entered December 30, 2019.