

REVERSE and REMAND and Opinion Filed August 16, 2022



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

No. 05-22-00251-CV

**TEXAS STANDARD CONSTRUCTION, LTD., Appellant
V.
LATTIMORE MATERIALS CORP., Appellee**

**On Appeal from the 68th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-21-04990**

MEMORANDUM OPINION

Before Justices Myers, Carlyle, and Goldstein
Opinion by Justice Goldstein

By motion filed August 11, 2022, the parties inform the Court they have settled their differences and request, pursuant to their agreement, that we reverse the trial court's judgment and remand for a new trial. *See* TEX. R. APP. P. 42.1(a)(2)(A). We grant the motion and, without regard to the merits, reverse the trial court's September 24, 2021 judgment and remand the cause to the trial court for a new trial. *See id.*

/Bonnie Lee Goldstein/
BONNIE LEE GOLDSTEIN
JUSTICE

220251F.P05



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

JUDGMENT

TEXAS STANDARD
CONSTRUCTION, LTD., Appellant

No. 05-22-00251-CV V.

LATTIMORE MATERIALS CORP.,
Appellee

On Appeal from the 68th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-21-04990.

Opinion delivered by Justice
Goldstein, Justices Myers and
Carlyle participating.

In accordance with this Court's opinion of this date and without regard to the merits, we **REVERSE** the trial court's September 24, 2021 judgment and **REMAND** this cause to the trial court for a new trial.

As agreed by the parties, we **ORDER** that each party bear its own costs of this appeal.

Judgment entered August 16, 2022