

Opinion issued May 15, 2008



In The
Court of Appeals
For The
First District of Texas

NO. 01-07-01097-CV

PERFORMANCE FOOD GROUP OF TEXAS, L.P., Appellant

V.

**NIEL MORGAN, ANTONE'S LP., LEGACY BRANDS GROUP, INC. F/K/A
ANTONE'S MANAGEMENT, INC.; ANTONE'S FRANCHISE SYSTEMS,
LTD; ANTONE'S SYSTEM, LLC F/K/A ANTONE'S FRANCHISE CORP.;
NCM INVESTMENTS, INC., ANTONE'S 601, LLC F/K/A PO-BOY
BEVERAGE CORP.; M&M HOLDINGS, L.P.; AND MORGAN
MANAGEMENT CORPORATION, Appellees**

**On Appeal from the 270th District Court
Harris County, Texas
Trial Court Cause No. 2007-01486**

MEMORANDUM OPINION

The parties have filed an agreed motion to dismiss the appeal. No opinion has issued. Accordingly, the motion is granted, and the appeal is **dismissed**. TEX. R. APP. P. 42.1(a)(1).

All other pending motions in this appeal are overruled as moot. The Clerk is directed to issue mandate within 10 days of the date of this opinion. TEX. R. APP. P. 18.1.

PER CURIAM

Panel consists of Justices Taft, Jennings, and Bland.