

Opinion issued October 1, 2020



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00628-CV

**IN RE WENDY QUAN AND BRENDA UNG, INDIVIDUALLY AND
DERIVATIVELY ON BEHALF OF CAPITAL PLASTICS INT'L, INC.,
ELEMENT PLASTICS MFG., INC., AND CASH 10702 INVESTMENT,
LLC, AND PING CHU AND ANDY CHEN, DERIVATIVELY ON BEHALF
OF CAPITAL PLASTICS INT'L, INC., ELEMENT PLASTICS MFG., INC.,
AND CASH 10702 INVESTMENT, LLC, Relators**

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relators, Wendy Quan and Brenda Ung, individually and derivatively on behalf of Capital Plastics Int'l, Inc., Element Plastics Mfg., Inc., and Cash 10702 Investment, LLC, and Ping Chu and Andy Chen, derivatively on behalf of Capital Plastics Int'l, Inc., Element Plastics Mfg., Inc., and Cash 10702 Investment, LLC,

filed a petition for writ of mandamus challenging the trial court's September 1, 2020 order compelling relators to present Wendy Quan, Brenda Ung, and Ping Chu for deposition on September 3 and 4, 2020, and further challenging the trial court's refusal to consider relators' motion for reconsideration of the September 1, 2020 order compelling depositions.¹ Relators also filed a Motion for Emergency Relief, requesting that this Court stay the depositions of Wendy Quan, Brenda Ung, and Ping Chu pending resolution of the petition for writ of mandamus. On September 4, 2020, the Court denied relators' request for emergency relief. Relators have filed a motion to dismiss their petition.

Accordingly, we grant relators' motion and dismiss the petition. We dismiss all pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Lloyd, and Landau.

¹ The underlying case is *Wendy Quan and Brenda Ung, individually and derivatively on behalf of Capital Plastics Int'l, Inc., Element Plastics Mfg., Inc., and Cash 10702 Investment, LLC, and Ping Chu and Andy Chen, derivatively on behalf of Capital Plastics Int'l, Inc., Element Plastics Mfg., Inc., and Cash 10702 Investment, LLC v. Jeff Quan, Ka Yan Lee, Harmony Quan, Mega Time II, LLC, Lawrence Lee, and Melody Quan*, No. 20-DCV-271902, in the 240th District of Fort Bend County, Texas, the Honorable Frank J. Fraley presiding.