

Opinion issued September 23, 2021



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-21-00398-CV

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**IN RE WEINGARTEN REALTY INVESTORS, Relator**

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**Original Proceeding on Petition for Writ of Mandamus**

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**MEMORANDUM OPINION**

Weingarten Realty Investors filed a petition for writ of mandamus challenging the trial court's July 5, 2021 order granting in part the motion to compel filed by real parties in interest, Landry's Seafood Inn & Oyster Bar-Galveston, Inc. ("La Griglia") and Morton's of Chicago/Houston, Inc. ("Morton's").<sup>1</sup> Weingarten also sought emergency relief.

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<sup>1</sup> The underlying case is *Landry's Seafood Inn & Oyster Bar-Galveston, Inc. and Morton's of Chicago/Houston, Inc. v. Weingarten Realty Investors and WRI/Post*

The Court granted the motion in part, staying the trial court's order, and requested a response. Real parties in interest, Landry's Seafood Inn & Oyster Bar-Galveston, Inc. Landry's LLC, Morton's of Chicago/Houston, Inc., and Morton's of Chicago, Inc., filed a response, and Weingarten filed a reply to the response.

We deny the petition. *See* TEX. R. APP. P. 52.8(a). The stay of the trial court's July 5, 2021 order is now lifted.

**PER CURIAM**

Panel consists of Justices Goodman, Hightower, and Rivas-Molloy.

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*Oak, Inc.*, cause number 2020-34588, pending in the 151st District Court of Harris County, Texas, the Honorable Mike Engelhart presiding.