

Court of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-04-00931-CV

YMCA OF SAN ANTONIO d/b/a YMCA of San Antonio and The Hill Country,
Appellants

v.

John A. ADAMS and Jane A. Adams, Individually,
and as Next Friends of Adam Adams, A Minor,
Appellees

From the 150th Judicial District Court, Bexar County, Texas
Trial Court No. 2002-CI-00178
Honorable Martha Tanner, Judge Presiding

PER CURIAM

Sitting: Phylis J. Speedlin, Justice
Rebecca Simmons, Justice
Steven C. Hilbig, Justice

Delivered and Filed: June 17, 2009

DISMISSED

The parties have filed a joint motion, stating that they have fully resolved and settled all issues in dispute. They request that (1) this appeal be dismissed; (2) the Bexar County District Clerk release the funds deposited by the YMCA in lieu of supersedeas bond and to disburse the funds in accordance with the parties' agreement; and (3) this court issue the mandate contemporaneously with this opinion.

The motion is granted. This appeal is dismissed and this court renders judgment that the appellees take nothing in their claims against appellants. The Bexar County District Clerk is ordered to disburse the funds deposited by YMCA as follows:

- (1) \$235,000.00 payable to Thomas Kemmy Trust Account; and
- (2) \$294,402.73, plus accrued interest, payable to RiverStone Claims Management LLC.

Finally, the clerk of this court is directed to issue the mandate in this appeal contemporaneously with the issuance of the court's opinion and judgment.

PER CURIAM