

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



MEMORANDUM OPINION

No. 04-08-00228-CV

Richard L. **EMERY**, Donna S. Emery, and R.L. Emery Investment Group, Inc.,
Appellants

v.

Paul T. **PHILIPPUS**, III,
Appellee

From the 131st Judicial District Court, Bexar County, Texas
Trial Court No. 2005-CI-19845
Honorable Peter Sakai, Judge Presiding

PER CURIAM

Sitting: Alma L. López, Chief Justice
Catherine Stone, Justice
Karen Angelini, Justice

Delivered and Filed: August 13, 2008

VACATED AND DISMISSED

On June 16, 2008, this appeal was abated for mediation. The parties have filed a joint motion stating that they were able to reach a full and complete settlement and requesting that this court vacate the trial court's judgment and dismiss the case. The appeal is hereby reinstated on our docket. The motion is granted. The trial court's judgment is vacated, and this appeal and the underlying cause are dismissed. TEX. R. APP. P. 42.1(a)(2); 43.2(e). Costs are taxed against the parties who incurred them.

PER CURIAM

