

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-04-00032-CV

QUIGLEY COMPANY, INC. AND PFIZER, INC., Appellants/Cross-Appellees

V.

SAMMY RAY ACKER, ET AL., Appellees/Cross-Appellants

On Appeal from the 60th District Court
Jefferson County, Texas
Trial Cause No. B-150896-AG

MEMORANDUM OPINION

We reinstate the appeal on the motion of the parties. *See* Tex. R. App. P. 8.3. The appellants/cross-appellees, Quigley Company, Inc. and Pfizer, Inc., and the appellees/cross-appellants, Sammy Ray Acker, et al., have filed a joint motion to set aside the trial court's judgment and render judgment in accordance with the parties' settlement agreement. *See* Tex. R. App. P. 42.1(a)(2). The parties have agreed to dismiss the action with prejudice and release the supersedeas bond.

In accordance with the parties' agreement, we vacate the trial court's judgment of December 19, 2003, and dismiss the case with prejudice. *See* Tex. R. App. P. 43.2(e). In accordance with the parties' agreement, the Jefferson County District Clerk shall release the supersedeas bond filed by the appellants.

JUDGMENT VACATED; CASE DISMISSED.

STEVE McKEITHEN
Chief Justice

Opinion Delivered April 11, 2013
Before McKeithen, C.J., Kreger and Horton, JJ.