

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-04-00054-CV

IN RE QUIGLEY COMPANY, INC. AND PFIZER, INC.

Original Proceeding

MEMORANDUM OPINION

Quigley Company, Inc. and Pfizer, Inc., filed a petition for writ of mandamus and request for temporary relief. On September 9, 2004, we abated the proceeding following the filing of a notice of bankruptcy. *See* Tex. R. App. P. 8.1., 8.2. On April 5, 2013, the relators filed an agreed motion to dismiss the petition on the grounds that they have secured the bankruptcy court's permission to proceed and the underlying dispute has been resolved through settlement. *See* Tex. R. App. P. 8.3(a). Accordingly, we reinstate the original proceeding, vacate our order of February 3, 2004, and dismiss this original proceeding without reference to the merits.

PETITION DISMISSED.

PER CURIAM

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