

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-14-00482-CV**

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**GEORGE E. RHYMES JR. AND RHYMES INDUSTRIAL FILTRATION &  
CONSULTING, LLC, Appellants**

**V.**

**FILTER RESOURCES, INC., Appellee**

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**On Appeal from the 136th District Court  
Jefferson County, Texas  
Trial Cause No. D-194,154**

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**MEMORANDUM OPINION**

The Court's opinion and judgment of September 22, 2016, are withdrawn and the following are substituted in their place. *See* Tex. R. App. P. 19.1.

George E. Rhymes Jr. and Rhymes Industrial Filtration & Consulting, LLC and Filter Resources, Inc. filed an agreed motion to set aside and vacate the trial court's judgment without reference to the merits and to remand the case to the trial court for rendition of judgment in accordance with the parties' agreement.

*See* Tex. R. App. P. 42.1(a)(2)(B). We grant the motion, set aside the trial court's judgment without regard to the merits, and remand the case to the trial court for rendition of judgment in accordance with the parties' agreement. *See* Tex. R. App. P. 43.2(d).

VACATED AND REMANDED.

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STEVE McKEITHEN  
Chief Justice

Submitted on November 16, 2016  
Opinion Delivered November 17, 2016

Before McKeithen, C.J., Horton and Johnson, JJ.