

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

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**NO. 09-16-00136-CV**

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**RICHARD F. BUNCH III AND MICHELLE BUNCH, ET AL, Appellants**

**V.**

**THE WOODLANDS LAND DEVELOPMENT COMPANY, LP, ET AL,  
Appellees**

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**On Appeal from the 359th District Court  
Montgomery County, Texas  
Trial Cause No. 12-02-01950-CV**

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**MEMORANDUM OPINION**

The appellants, Richard F. Bunch III and Michelle Bunch, filed a motion to sever that portion of the trial court's judgment in favor of HVJ Associates, Inc., set aside the severed portion, and remand the severed portion of the case to the trial court for rendition of judgment in accordance with the parties' agreement. None of the parties filed an objection to the appellants' motion to sever, set aside, and

remand. A severable portion of the appeal may be disposed of by agreement of the parties if it will not prejudice the remaining parties. *See* Tex. R. App. P. 42.1(b).

We grant the motion, sever the Bunches' appeal of the trial court's summary judgment dismissing with prejudice the Bunches' claims against HVJ Associates, Inc., vacate without regard to the merits the trial court's judgment dismissing the Bunches' claims against HVJ Associates, Inc., and remand that part of the case to the trial court for rendition of judgment in accordance with the parties' agreement. *See* Tex. R. App. P. 43.2(d).

We direct the Clerk of the Court to change the style of the appeal to *Richard F. Bunch III and Michelle Bunch, et al. v. The Woodlands Land Development Company, LP*.

APPEAL SEVERED; VACATED AND REMANDED.

PER CURIAM

Submitted on September 28, 2016  
Opinion Delivered September 29, 2016

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