

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

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**NO. 09-23-00079-CV**

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**GEORGE RUSSELL, THE ETHICIAN FOUNDATION A/K/A  
THE UNIVERSAL ETHICIAN FOUNDATION, AND  
THE ETHICIAN CHURCH, Appellants**

**V.**

**WATERWOOD IMPROVEMENT ASSOCIATION, INC., Appellee**

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**On Appeal from the 411th District Court  
San Jacinto County, Texas  
Trial Cause No. CV17,153**

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**MEMORANDUM OPINION**

George Russell, The Ethician Foundation a/k/a The Universal Ethician Foundation, and The Ethician Church, Appellants, filed a notice of accelerated appeal of the denial of their motion to dismiss, which was overruled by operation of law. Before this Court issued an opinion, Waterwood Improvement Association, Inc., Appellee, filed an agreed motion to set aside the trial court's interlocutory order

and remand the case to the trial court for dismissal of all claims in accordance with the parties' settlement agreement.

We grant the agreed motion, set aside the trial court's interlocutory order denying the motion to dismiss without reference to the merits, and remand the case to the trial court for dismissal of all claims in accordance with the parties' settlement agreement. *See* Tex. R. App. P. 42.1(a)(2)(B).

VACATED AND REMANDED.

PER CURIAM

Submitted on August 9, 2023  
Opinion Delivered August 10, 2023

Before Golemon, C.J., Horton and Wright, JJ.