



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 02-11-00143-CV**

STEVE JOHNSTON, MANDY  
GARNER ELLIS, RICKY ELLIS,  
AND EGW UTILITIES, INC.

APPELLANTS

V.

RIEX CO., L.P. D/B/A COWTOWN  
BOLT & GASKET CO.

APPELLEE

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FROM THE 153RD DISTRICT COURT OF TARRANT COUNTY  
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**MEMORANDUM OPINION<sup>1</sup> AND JUDGMENT**  
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We have considered the parties' "Joint Motion To Set Aside Judgment Pursuant To Settlement Agreement And Remand To The Trial Court."

The motion is **GRANTED**. We set aside without regard to the merits the trial court's judgment and remand this case to the trial court for rendition of

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<sup>1</sup>See Tex. R. App. P. 47.4.

judgment in accordance with the parties' agreement. See Tex. R. App. P. 42.1(a)(2)(B); *Innovative Office Sys., Inc. v. Johnson*, 911 S.W. 2d 387, 388 (Tex. 1995).

Costs of the appeal shall be paid by appellant, for which let execution issue. See Tex. R. App. P. 42.1(d).

PER CURIAM

PANEL: GABRIEL, J.; LIVINGSTON, C.J.; and DAUPHINIOT, J.

DELIVERED: August 31, 2011