



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-21-00037-CV

KOBI ELECTRIC, LLC; KOBI INTERNATIONAL, INC.; AND FOUAD SAADE
A/K/A FRANK SAADE, Appellants

v.

UMB BANK, N.A., Appellee

AND

UMB BANK, N.A., Appellant

v.

MICHAEL SAWILOWSKY, Appellee

On Appeal from the 17th District Court
Tarrant County, Texas
Trial Court No. 017-299994-18

Before Walker, J.; Sudderth, C.J.; and Kerr, J.
Per Curiam Memorandum Opinion and Order

MEMORANDUM OPINION AND ORDER

We have considered the “Joint Motion of UMB Bank, N.A., and Michael Sawilowsky to Vacate and Render Judgment Pursuant to Settlement.” Because it will not prejudice the remaining parties, we grant the motion in part and dismiss UMB Bank’s notice of appeal. *See* Tex. R. App. P. 42.1(b). The appeal filed by Kobi Electric, LLC; Kobi International, Inc.; and Fouad Saade remains pending. The style of this case shall now be *Kobi Electric, LLC; Kobi International, Inc.; and Fouad Saade a/k/a Frank Saade v. UMB Bank, N.A.*¹ UMB Bank and Sawilowsky’s requests to vacate the trial court’s judgment regarding the claims between them, to enter judgment dismissing those claims with prejudice pursuant to their settlement agreement, and to assess costs equally between them will be carried with the case. *See, e.g., Dawson v. Lipham*, No. 02-15-00136-CV, 2016 WL 438394, at *1 (Tex. App.—Fort Worth Feb. 4, 2016) (per curiam) (mem. op.), *disp. on merits*, 2016 WL 3569248 (Tex. App.—Fort Worth June 30, 2016, no pet.) (mem. op.).

Per Curiam

Delivered: October 28, 2021

¹We will not consider UMB Bank’s July 22, 2021 appellant’s brief in our disposition of the remainder of this appeal. UMB Bank’s appellee’s brief remains due no later than November 5, 2021.