



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

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No. 02-21-00246-CV

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LONE TREE RESOURCES & CONSULTING, INC., Appellant

v.

PERSEPOLIS, INC., FRANKFORD GATEWAY LLC, MOHAMAD 'MO' REZA  
KAEINI, DANIELA KAEINI, ALI A. IRANZAD & ATHENA LABELLE,  
Appellees

AND

MOHAMAD 'MO' REZA KAEINI AND DANIELA KAEINI, Appellants

v.

FARZIN ASFHAR, Appellee

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On Appeal from the 367th District Court  
Denton County, Texas  
Trial Court No. 18-9283-367

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

## MEMORANDUM OPINION AND JUDGMENT

We have considered the parties’ “Agreed Dismissal of Appeal.” It is the court’s opinion that the motion should be granted in part and denied in part; therefore, we set aside the trial court’s judgment without regard to the merits and remand this case to the trial court to render 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). Because we cannot both set aside the trial court’s judgment and dismiss the appeal, we deny the motion as to the parties’ request that we dismiss the appeal. *See* Tex. R. App. P. 43.2(d), (f); *Lantana Ridge Prop. Owners Ass’n, Inc. v. SJWTX, Inc.*, No. 03-19-00303-CV, 2021 WL 904865, at \*1 (Tex. App.—Austin Mar. 10, 2021, no pet.) (mem. op. on reh’g).

Each party must bear its own costs of appeal. *See* Tex. R. App. P. 42.1(d), 43.4.

Per Curiam

Delivered: December 30, 2021