

NO. 07-03-0141-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL A  
NOVEMBER 3, 2004

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MINERAL EXCHANGE, LTD., APPELLANT

V.

TEXACO INC., ET AL, APPELLEES

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FROM THE 223<sup>RD</sup> DISTRICT COURT OF GRAY COUNTY;  
NO. 32160; HONORABLE LELAND W. WATERS, JUDGE

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Before JOHNSON, C.J., and REAVIS and CAMPBELL, JJ.

**MEMORANDUM OPINION**

Pending before this Court is an agreed motion filed by appellants/conditional appellees Mineral Exchange, Ltd. and Kaari Oil Company and appellee/conditional appellant Texaco Exploration and Production, Inc. by which they request this appeal be dismissed with prejudice and that each party bear its own costs and fees. Without passing

on the merits of the appeal, the motion is granted. Having dismissed the appeal at the request of all parties, no motion for rehearing will be entertained and our mandate will issue forthwith.

Accordingly, the appeal is dismissed with prejudice. See Tex. R. App. P. 42.1(a)(2)(A).

Don H. Reavis  
Justice