

NO. 07-09-0225-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL E  
OCTOBER 25, 2010

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INTERSTATE FIRE AND CASUALTY COMPANY AND  
UNITRIN COUNTY MUTUAL INSURANCE COMPANY, APPELLANTS

V.

GREAT WESTERN DRILLING LTD. D/B/A  
GREAT WESTERN DRILLING COMPANY, APPELLEE

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FROM THE 286TH DISTRICT COURT OF HOCKLEY COUNTY;  
NO. 07-04-20833; HONORABLE PAT PHELAN, JUDGE

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Before CAMPBELL and PIRTLE, JJ. and BOYD, S.J.<sup>1</sup>

**MEMORANDUM OPINION**

Pending before this Court is a *Motion to Dismiss and Remand* in which the parties represent they have reached a settlement and no longer wish to pursue this appeal. The motion is signed by counsel for all parties to this appeal. Pursuant to Rule

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<sup>1</sup>John T. Boyd, Senior Justice (Ret.), Seventh Court of Appeals, sitting by assignment. Tex. Gov't Code Ann. § 75.002(a)(1) (Vernon 2005).

42.1(a)(2)(B), we grant the motion, set aside the trial court's judgment as it pertains to the parties to this appeal, and without passing on the merits of the appeal, remand the cause to the trial court for the parties to effectuate their settlement agreement. Having granted relief at the request of the parties, no motion for rehearing will be entertained and our mandate will issue forthwith.

Patrick A. Pirtle  
Justice