

NO. 07-11-0260-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
APRIL 4, 2012

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ACTAVIS MID ATLANTIC LLC AND  
ACTAVIS ELIZABETH LLC, APPELLANTS

V.

STATE OF TEXAS AND VEN-A-CARE  
OF THE FLORIDA KEYS, INC., APPELLEES

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FROM THE 419<sup>TH</sup> DISTRICT COURT OF TRAVIS COUNTY;<sup>1</sup>  
NO. D-1-GV-08-001566; HONORABLE LORA J. LIVINGSTON, JUDGE

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Before QUINN, C.J., and CAMPBELL and PIRTLE, JJ.

**MEMORANDUM OPINION**

Pending before this Court is the parties' *Agreed Motion to Set Aside the Judgment Without Regard to the Merits and Remand the Case to the Trial Court* in which they represent that they have reached a settlement of all disputes.

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<sup>1</sup>Originally appealed to the Third Court of Appeals, this appeal was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. Tex. Gov't Code Ann. § 73.001 (West 2005).

To accord the trial court with jurisdiction to accomplish the relief requested by the parties and effectuate the settlement agreement, we grant the motion and, without passing on the merits of the appeal, set aside the trial court's judgment and remand the cause to the trial court for rendition of judgment. See Tex. R. App. P. 42.1(a)(2)(B). See also *Sutton v. Horseshoe Hills, Ltd.*, 278 S.W.3d 923 (Tex.App.–Houston [14th Dist. 2009, no pet.); *Vigil v. Montero*, 225 S.W.3d 271 (Tex.App.–El Paso 2006, no pet.). Having set aside the judgment at the request of the parties, no motion for rehearing will be entertained and our mandate will issue forthwith.

Patrick A. Pirtle  
Justice