



**IN THE
TENTH COURT OF APPEALS**

No. 10-13-00236-CV

VARIAN MEDICAL SYSTEMS, INC.,

Appellant

v.

JANICE KENOYER AND ELEKTA, INC.,

Appellees

**From the 40th District Court
Ellis County, Texas
Trial Court No. 85321**

MEMORANDUM OPINION

Appellant, Varian Medical Systems, Inc., and appellees, Elekta, Inc. and Janice Kenoyer, have filed a joint motion to dismiss this appeal. *See* TEX. R. APP. P. 42.1(a)(2). Dismissal of this appeal would not prevent a party from seeking relief to which it would otherwise be entitled. The motion is granted, and the appeal is dismissed. Further, pursuant to their joint motion, the parties will bear their own costs.

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Motion granted; appeal dismissed
Opinion delivered and filed August 8, 2013
[CV06]