

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-05-00149-CV**

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**Jack in the Box Eastern Division, L.P., Appellants**

**v.**

**SPC Jack, Ltd. and SPC Jack GP, LLC, Appellees**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 201ST JUDICIAL DISTRICT  
NO. GN303932, HONORABLE PETER M. LOWRY, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

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Appellant, Jack in the Box Eastern Division, L.P., has filed an unopposed motion to abate this appeal, representing that the parties have agreed in principle to a resolution of the case and that they are finalizing settlement. Appellant filed this motion on June 16, 2005, the day before its extended brief deadline. Appellant states that it anticipates completion of the settlement process by June 30, 2005. We grant the motion and abate this appeal. The parties shall file a letter on or before August 1, 2005 informing this Court of the status of the case.

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Bob Pemberton, Justice

Before Justices B. A. Smith, Puryear and Pemberton

Filed: June 28, 2005

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