

AUGUST 23, 2001



JUDGMENT

The Fourteenth Court of Appeals

RIMKUS CONSULTING GROUP INC., Appellant

NO. 14-98-01101-CV

V.

JEAN-PAUL BUDINGER, Appellee

This cause, an appeal from the judgment in favor of Rimkus Consulting Group signed September 2, 1998, was heard on the transcript of the record. We have inspected the record and find the trial court erred in granting attorney's fees to appellee Jean-Paul Budinger. We therefore order that the portions of the judgment that grant such fees are **REVERSED** and judgment **RENDERED** that appellee take nothing by his claim for attorney's fees.

Further, we find no error in the remainder of the judgment and order it **AFFIRMED**.

We order Rimkus Consulting Group to pay all costs incurred by reason of this appeal.

We order this decision certified below for observance.



MANDATE

The Fourteenth Court of Appeals

NO. 14-98-01101-CV

RIMKUS CONSULTING GROUP INC., Appellant Appeal from the 133rd District Court of Harris
V. County. (Tr. Ct. No. 97-46391). Opinion
JEAN-PAUL BUDINGER, Appellee delivered by Senior Justice Lee. Also
participating Senior Justices Sears and Draughn.
(Panel sitting by assignment).

TO THE 133RD DISTRICT COURT OF HARRIS COUNTY, GREETINGS:

Before our Court of Appeals, on the 23rd day of AUGUST A.D. 2001, the cause upon appeal to revise or reverse your judgment was determined. Our Court of Appeals made its order in these words:

This cause, an appeal from the judgment in favor of Rimkus Consulting Group signed September 2, 1998, was heard on the transcript of the record. We have inspected the record and find the trial court erred in granting attorney's fees to appellee Jean-Paul Budinger. We therefore order that the portions of the judgment that grant such fees are **REVERSED** and judgment **RENDERED** that appellee take nothing by his claim for attorney's fees.

Further, we find no error in the remainder of the judgment and order it **AFFIRMED**.

We order Rimkus Consulting Group to pay all costs incurred by reason of this appeal.

We order this decision certified below for observance.

WHEREFORE, WE COMMAND YOU to observe the order of our said Court in this behalf and in all things have it duly recognized, obeyed and executed.

WITNESS, the HON. SCOTT BRISTER, Chief Justice of our Fourteenth Court of Appeals, with the Seal thereof affixed, at the City of Houston, _____.

ED WELLS, Clerk

By _____

Fourteenth Court of Appeals

HOUSTON, TEXAS 77002

RECORDS RETENTION SCHEDULE IN CIVIL CASES

(See Supreme Court Order in Special Supplement to Texas Rules of Court, 1997, Blue Book/page 62)

(Secretary to complete entire top portion at time opinion is delivered – have signed by authoring judge)

CASE NO.: 14-98-01101-CV DATE CASE FILED: 9-24-98

STYLE: Rimkus Consulting Group Inc.

VS. Jean-Paul Budinger

COUNTY: Harris

TRIAL COURT NO.: 97-46391

DESCRIPTION/SUBJECT OF CASE: Contract

PANEL: Lee Sears Draughn

PER CURIAM NO

(Author)

OPINION ISSUED: August 23, 2001

OPINION DECISION: aff/in part/revren/in part

RECOMMEND: DESTROY YES

HISTORICAL

COMMENTS: _____

SIGNED: Norman Lee
(Judge)

DATE: September 18, 2001

****FOR CLERK'S USE**

ONLY** _____

MANDATE ISSUED: _____

LETTER TO STATE ARCHIVES (date): _____

COMMENTS: _____

****FOR CLERK'S USE**

ONLY** _____

(Dispose of 10 years after final disposition)

DATE DESTROYED: _____

DATE SENT TO STATE ARCHIVES FOR PERMANENT RETENTION: _____