

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

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**NO. 03-18-00068-CV**

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**Glenn Hegar, Comptroller of Public Accounts of the State of Texas; and Ken Paxton,  
Attorney General of the State of Texas, Appellants**

**v.**

**RPM Dining, LLC, Appellee**

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**FROM THE 98TH DISTRICT COURT OF TRAVIS COUNTY,  
NO. D-1-GN-17-004451, THE HONORABLE KARIN CRUMP, JUDGE PRESIDING**

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**ORDER AND MEMORANDUM OPINION**

**PER CURIAM**

The parties have filed an agreed motion to abate the appeal. The appeal was previously abated pending the Texas Supreme Court's resolution of *EBS Solutions, Inc. v. Hegar*, No. 18-0503. We reinstate the case and will grant the motion.

In the agreed motion, the parties inform the Court that they have reached a settlement in principle and have resolved their dispute pending the execution of a final settlement agreement. They ask the Court to abate the appeal to allow them to finalize their agreement and permit proceedings in the trial court to effectuate the agreement. We abate this appeal to allow the parties to finalize the settlement and to conduct proceedings in the trial court to effectuate the agreement. *See* Tex. R. App. P. 42.1(a)(2)(C) (appellate court may abate appeal and permit proceedings in trial court to effectuate parties' settlement agreement). The parties shall submit

either a joint status report concerning the status of settlement negotiations or a motion to reinstate and dismiss the appeal on or before August 31, 2020. The appeal will remain abated until further order of this Court.

It is so ordered on June 26, 2020.

Before Chief Justice Rose, Justices Baker and Triana

Abated and Remanded

Filed: June 26, 2020