

FIRST COURT OF APPEALS OF TEXAS AT HOUSTON

Clifford Hall v. AT&T, Inc.

Hall v. AT&T · No. 01-15-00491-CV · Decided August 27, 2015

SUMMARY

This document is a joint and agreed motion by Clifford Hall and AT&T, Inc. to dismiss an appeal with prejudice after resolving the matter. The parties request that each bear its own costs and attorneys' fees.

CASE DETAILS

COURT	First Court of Appeals of Texas at Houston
JURISDICTION	Texas
DECIDED	August 27, 2015
DOCKET	01-15-00491-CV
PROCEDURAL POSTURE	The parties filed a joint and agreed motion requesting dismissal with prejudice of the appeal and all claims asserted or that could have been asserted on appeal.
PRECEDENTIAL VALUE	none
PARTIES	Clifford Hall v. AT&T, Inc.

TOPICS

appellate procedure civil procedure remedies

PRACTICE AREAS

appellate procedure civil procedure remedies

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed with prejudice pursuant to the parties' joint and agreed motion.

FACTUAL BACKGROUND

The parties stated that they had resolved the matter and all issues in the appeal or case pending before the First Court of Appeals. They jointly requested dismissal with prejudice, with each party bearing its own costs and attorney fees.

PROCEDURAL HISTORY

The matter was on appeal from the 281st Judicial District Court of Harris County, Texas. The parties represented that they had resolved the matter and requested dismissal with prejudice, with each party bearing its own costs and attorney fees.

OPINION

PER CURIAM.

ACCEPTED 01-15-00491-CV FIRST COURT OF APPEALS HOUSTON, TEXAS 8/27/2015 12:33:50 PM CHRISTOPHER PRINE CLERK CASE NO. 01-15-00491-CV IN THE FIRST COURT OF APPEALS FILED IN AT HOUSTON, TEXAS 1st COURT OF APPEALS HOUSTON, TEXAS 8/27/2015 12:33:50 PM CHRISTOPHER A. PRINE CLIFFORD HALL, Clerk Appellant vs. AT&T, INC., Appellee On Appeal from the 281st Judicial District Court of Harris County, Texas JOINT AND AGREED MOTION TO DISMISS WITH PREJUDICE Appellant Clifford Hall and Appellee AT&T, Inc. (collectively, the "Parties") respectfully move for the entry of an agreed order of dismissal with prejudice.

I. MOTION Appellant and Appellee have resolved this matter and all issues in this appeal and/or case pending before this Court. The Parties hereby request dismissal with prejudice of the above-styled and numbered case with each party bearing its respective costs and attorneys' fees. II. PRAYER WHEREFORE, Appellant Clifford Hall and Appellee AT&T, Inc. request that all claims asserted on appeal or which could have been asserted on appeal be dismissed with prejudice, with costs of court to be borne by the party incurring same.

Respectfully submitted, /s/ Gregg M. Rosenberg* Gregg M. Rosenberg Texas Bar No. 17268750 ROSENBERG & SPROVACH 3518 Travis, Suite 200 Houston, Texas 77002 (713) 960-8300 (phone) (713) 621-6670 (facsimile) gregg@rosenberglaw.com ATTORNEY-IN-CHARGE FOR APPELLANT *signed by permission /s/ Carolyn Russell Carolyn Russell Texas Bar No. 24003913 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

500 Dallas St., Ste. 3000 Houston, Texas 77002 (713) 655-0855 (phone) (713) 655-0020 (facsimile) carolyn.russell@ogletreedeakins.com ATTORNEY-IN-CHARGE FOR APPELLEE 2 CERTIFICATE OF CONFERENCE I hereby certify that on August 27, 2015, I conferred with lead counsel for Appellant, Gregg M. Rosenberg, who advised that Appellant is in agreement with and joins in the filing of this Motion. /s/ Carolyn Russell Carolyn Russell 3 CERTIFICATE OF SERVICE I hereby certify that a true and correct copy of the foregoing instrument was served on this 27th day of August, 2015, via the Court's e-filing system to: Gregg M. Rosenberg Tracey D. Lewis ROSENBERG & SPROVACH 3518 Travis Street, Suite 200 Houston, TX 77027 /s/ Carolyn Russell Carolyn Russell 4

