

COURT OF APPEALS OF TEXAS, THIRD DISTRICT, AT AUSTIN

Andrea R. Biller v. NNN Met Center 15 5, LLC; NNN Met Center 15 6, LLC; NNN Met Center 15 7, LLC; NNN Met Center 15 8, LLC; NNN Met Center 15 10, LLC; NNN Met Center 15 11, LLC; NNN Met Center 15 16, LLC; NNN Met Center 15 18, LLC; NNN Met Center 15 19, LLC; NNN Met Center 15 21, LLC; NNN Met Center 15 22, LLC; NNN Met Center 15 23, LLC; NNN Met Center 15 25, LLC; NNN Met Center 15 26, LLC; NNN Met Center 15 27, LLC; NNN Met Center 15 28, LLC; NNN Met Center 15 29, LLC; NNN Met Center 15 30, LLC; NNN Met Center 15 31, LLC; NNN Met Center 15 32, LLC; NNN Met Center 15 33, LLC; NNN Met Center 15 35, LLC; NNN Met Center 15 36, LLC; NNN Met Center 15 38, LLC; NNN Met Center 15 39, LLC; NNN 1 & 2 Met Center TIC; and Lexington Insurance Company

Biller v. NNN Met Center · No. 03-13-00452-CV · Decided February 21, 2014

SUMMARY

The Texas Court of Appeals, Third District, granted the parties' joint request to continue abating the appeal for 30 days while they pursued settlement negotiations. The court abated the appeal until March 21, 2014, tolled appellate deadlines during the abatement, and required the parties to file a motion to reinstate or a joint status report by that date.

CASE DETAILS

COURT	Court of Appeals of Texas, Third District, at Austin
WRITING FOR THE COURT	J. Woodfin Jones; Chief Justice Jones; Justice Pemberton; Justice Field
JURISDICTION	Texas
DECIDED	February 21, 2014
DOCKET	03-13-00452-CV
DISPOSITION	other

PROCEDURAL POSTURE	The court considered the parties' joint request to continue abatement of the appeal pending settlement negotiations.
PRECEDENTIAL VALUE	published
PARTIES	Andrea R. Biller v. NNN Met Center 15 5, LLC, NNN Met Center 15 6, LLC, NNN Met Center 15 7, LLC, NNN Met Center 15 8, LLC, NNN Met Center 15 10, LLC, NNN Met Center 15 11, LLC, NNN Met Center 15 16, LLC, NNN Met Center 15 18, LLC, NNN Met Center 15 19, LLC, NNN Met Center 15 21, LLC, NNN Met Center 15 22, LLC, NNN Met Center 15 23, LLC, NNN Met Center 15 25, LLC, NNN Met Center 15 26, LLC, NNN Met Center 15 27, LLC, NNN Met Center 15 28, LLC, NNN Met Center 15 29, LLC, NNN Met Center 15 30, LLC, NNN Met Center 15 31, LLC, NNN Met Center 15 32, LLC, NNN Met Center 15 33, LLC, NNN Met Center 15 35, LLC, NNN Met Center 15 36, LLC, NNN Met Center 15 38, LLC, NNN Met Center 15 39, LLC, NNN 1 & 2 Met Center TIC, Lexington Insurance Company

TOPICS

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QUESTIONS PRESENTED

1. Whether the court should continue the abatement of the appeal for 30 days pending the parties' settlement negotiations.

KEY QUOTATIONS

"We grant the motion and abate the appeal until March 21, 2014." (2)

"All appellate deadlines will be tolled during the period of abatement." (2)

FACTUAL BACKGROUND

The parties were engaged in continuing settlement negotiations during an abated appeal. They jointly requested that the appellate court continue the abatement for 30 days. The court granted the request and tolled all appellate deadlines during the abatement period.

PROCEDURAL HISTORY

The appeal arose from the District Court of Travis County, 201st Judicial District, in cause number D-1-GN-12-001271. The appeal had already been abated, and the parties jointly requested an additional 30-day abatement

while continuing settlement negotiations. The court granted the request and ordered the parties to file a motion to reinstate or a joint status report by March 21, 2014.

DISPOSITION

other

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