

## COURT OF APPEALS OF TEXAS, ELEVENTH DISTRICT

# Pioneer Natural Resources USA, Inc. v. Centralia Permian, LLC

No. 11-21-00241-CV · No. No. 11-21-00241-CV · Decided April 21, 2022

### SUMMARY

The Eleventh Court of Appeals of Texas granted the parties' joint motion to temporarily abate the appeal for ninety days to allow them to finalize settlement documents. The court directed the parties to notify it upon settlement and stated that the appeal would be reinstated if no settlement notification was filed by July 20, 2022.

### CASE DETAILS

|                       |                                                                                                                                                                                               |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals of Texas, Eleventh District                                                                                                                                                  |
| WRITING FOR THE COURT | Per Curiam; Chief Justice Bailey; Justice Trotter; Justice Williams                                                                                                                           |
| JURISDICTION          | Texas                                                                                                                                                                                         |
| DECIDED               | April 21, 2022                                                                                                                                                                                |
| DOCKET                | No. 11-21-00241-CV                                                                                                                                                                            |
| DISPOSITION           | other                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | During the pendency of an appeal from the 385th District Court of Midland County, the parties jointly moved to temporarily abate the appeal to complete settlement documents and obligations. |
| PRECEDENTIAL VALUE    | Published                                                                                                                                                                                     |
| PARTIES               | Pioneer Natural Resources USA, Inc. v. Centralia Permian, LLC                                                                                                                                 |

### TOPICS

[appellate procedure](#) [civil procedure](#) [commercial litigation](#)

### PRACTICE AREAS

[appellate procedure](#) [civil procedure](#) [commercial litigation](#)

### QUESTIONS PRESENTED

1. Whether the parties' joint motion to temporarily abate the appeal for ninety days should be granted to permit completion of settlement documents and obligations.

## HOLDINGS

1. The court granted the parties' joint motion and abated the appeal for ninety days from April 21, 2022, unless the parties notified the court sooner that their settlement had been finalized.

## KEY QUOTATIONS

*“Accordingly, we grant the parties’ joint motion and abate this appeal for ninety days from the date of this order—unless the parties notify this court sooner that they have finalized the settlement.”*

*“If the parties have not notified this court on or before July 20, 2022, that a final settlement agreement has been reached, this proceeding will be reinstated and Appellant’s brief will be due thirty days after reinstatement.”*

## FACTUAL BACKGROUND

The parties represented that they were preparing formal settlement documents and needed additional time to complete the settlement process and fulfill settlement obligations. They jointly requested that the appellate proceeding be temporarily abated for ninety days.

## PROCEDURAL HISTORY

Pioneer Natural Resources USA, Inc. appealed from the 385th District Court of Midland County, Texas. While the appeal was pending, the parties jointly requested a ninety-day abatement to prepare and execute formal settlement documents. The Court of Appeals granted the motion and abated the appeal, subject to earlier notice of settlement or reinstatement if no notice was filed by July 20, 2022.

## DISPOSITION

other

## REMAND INSTRUCTIONS

The appeal was abated for ninety days. The parties were instructed to notify the court immediately upon finalization of their settlement agreement and file an appropriate motion based on that agreement. If they had not notified the court by July 20, 2022, that a final settlement agreement had been reached, the proceeding would be reinstated and the appellant's brief would be due thirty days after reinstatement.

## OPINION

PER CURIAM.

Order filed April 21, 2022 In The Eleventh Court of Appeals \_\_\_\_\_ No. 11-21-00241-CV \_\_\_\_\_ PIONEER NATURAL RESOURCES USA, INC., Appellant V. CENTRALIA PERMIAN, LLC, Appellee On Appeal from the 385th District Court Midland County, Texas Trial Court Cause No. CV55324 ORDER The parties to this appeal have filed a joint motion to

temporarily abate this appeal to allow the parties time to prepare and execute formal settlement documents.

The parties request a ninety-day abatement to complete the settlement process and fulfill any settlement obligations. We grant that request. Accordingly, we grant the parties' joint motion and abate this appeal for ninety days from the date of this order—unless the parties notify this court sooner that they have finalized the settlement.

The parties are instructed to (1) notify this court immediately upon the finalization of their settlement agreement and (2) file an appropriate motion in this court based upon any such agreement. If the parties have not notified this court on or before July 20, 2022, that a final settlement agreement has been reached, this proceeding will be reinstated and Appellant's brief will be due thirty days after reinstatement.

It is so ordered. PER CURIAM April 21, 2022 Panel consists of: Bailey, C.J., Trotter, J., and Williams, J. 2