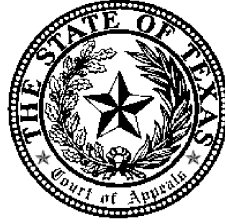


Dismissed and Opinion filed October 11, 2001.



In The  
**Fourteenth Court of Appeals**

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NO. 14-00-00921-CV

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**POLLACK CONSTRUCTION INC. D/B/A SIGNATURE HOMES, Appellant/Cross-Appellee**

**V.**

**EBERHARD LOTZE, Appellee/Cross-Appellant**

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**On Appeal from the 190th District Court  
Harris County, Texas  
Trial Court Cause No. 97-60565**

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**MEMORANDUM OPINION**

These are appeals from a judgment signed April 24, 2000.

On October 4, 2001, the parties filed an agreed motion to vacate the judgment of the trial court and dismiss the appeals in order to effectuate a settlement agreement. *See* TEX. R. APP. P. 42.1. The motion is granted.

Accordingly, the judgment of the trial court is ordered vacated and the appeals are ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed October 11, 2001.

Panel consists of Justices Yates, Edelman, and Wittig.

Do Not Publish. — TEX. R. APP. P. 47.3(b).