

Dismissed and Opinion filed November 18, 1999.



In The
Fourteenth Court of Appeals

NO. 14-97-01024-CV

OWENS-CORNING FIBERGLAS CORPORATION, PITTSBURGH CORNING CORPORATION, and FULLER-AUSTIN INSULATION COMPANY, Appellants

V.

CONRAD J. MERDIAN, ET AL., Appellees

**On Appeal from the 61st District Court
Harris County, Texas
Trial Court Cause No. 90-61663**

OPINION

This is an appeal from a judgment signed December 18, 1995, and an order signed March 1, 1996, which modified the final judgment. On September 4, 1997, the parties informed this court in a joint motion that they had reached a settlement in the main appeal filed under our number 14-96-00507-CV. On September 25, 1997, based on the settlement agreement between the parties, we entered an order abating the main appeal to allow the parties to complete their obligations under the terms of the settlement agreement. Also on September 25, 1997, we severed this appeal from the main appeal.

On September 8, 1998, appellant, Fuller-Austin Insulation Company, Inc., and appellees filed a joint motion to abate this appeal pending settlement. On September 24, 1998, this Court granted the motion. Since that time, none of the parties notified this court of the completion of the settlement.

By order filed October 28, 1999, this Court ordered the parties to show meritorious grounds for retaining this appeal on or before November 8, 1999. No response was filed. Accordingly, the appeal is ordered dismissed.

PER CURIAM

Opinion filed November 18, 1999.

Panel consists of Chief Justice Murphy, Justices Anderson and Hudson.

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