

Order filed January 12, 2023



In The
Fourteenth Court of Appeals

NO. 14-19-00861-CV

IN RE FEDEX GROUND PACKAGE SYSTEM, INC., Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
On Appeal from the 270th District Court
Harris County, Texas
Trial Court Cause No. 2017-49530**

ORDER

On October 29, 2019, relator FedEx Ground Package System, Inc., filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221; *see also* Tex. R. App. P. 52. In the petition, relator asked this court to compel the Honorable Dedra Davis, presiding judge of the 270th District Court of Harris County, to vacate her October 28, 2019 order denying FedEx's motions to quash subpoenas and for protective orders. We conditionally granted FedEx's petition on May 28, 2020.

Real party in interest Zach Brown filed a petition for writ of mandamus in the Texas Supreme Court, seeking relief from this court's ruling. On September 9, 2022, the Supreme Court granted Brown's petition in part and directed this court to vacate our order granting relief quashing brown's trial subpoena and address whether Rule

176 of the Texas Rules of Civil Procedure applies in this case.

On January 6, 2023, the parties advised this court that they have reached a settlement of all claims and requested that we abate this case so that they may finalize the settlement. We grant the motion.

The original proceeding is abated for a period of thirty days from the date of this order, at which time the parties are directed to advise the court of the status of the settlement. The original proceeding is treated as a closed case, and removed from this court's active docket. The original proceeding will be reinstated on this court's active docket when the parties file a motion to dismiss the original proceeding or other dispositive motion. The court also will consider an appropriate motion to reinstate the original proceeding, or the court may reinstate the original proceeding on its own motion.

PER CURIAM

Panel consists of Chief Justice Christopher and Justices Wise and Hassan.