

NOT DESIGNATED FOR PUBLICATION

No. 126,895

IN THE COURT OF APPEALS OF THE STATE OF KANSAS

BARTLETT FAMILY REAL ESTATE FUND, LLC, et al.,  
*Appellants,*

v.

PAUL ROBBEN, et al.,  
*Appellees.*

MEMORANDUM OPINION

Appeal from Johnson District Court; RHONDA K. MASON, judge. Oral argument held on July 9, 2024. Opinion filed August 9, 2024. Appeal dismissed.

*Deron A. Anliker*, of Duggan Shadwick Doerr & Kurlbaum LLC, of Overland Park, for appellants.

*Robert M. Pitkin*, of Horn Aylward & Bandy, L.L.C., of Kansas City, Missouri, for appellees.

Before ARNOLD-BURGER, C.J., BRUNS and SCHROEDER, JJ.

PER CURIAM: This appeal is the second appeal arising from a lawsuit brought by Bartlett Family Real Estate Fund, LLC; PRES, LLC; Foxfield Villa Associates, LLC; Ernest J. Straub III; and Richard A. Bartlett (collectively the Plaintiffs) against Paul Robben and RDC Holdings, LLC (collectively the Defendants). In this appeal, the Plaintiffs seek reversal of the district court's order awarding the Defendants deposition transcript costs. In light of our opinion issued today in *Bartlett Family Real Estate Fund v. Robben*, No. 126,815—which reverses the district court's order granting summary

judgment to the Defendants—we find the issue presented in this appeal to be moot. We, therefore, dismiss this appeal.

Appeal dismissed.