

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 11-1167

PETROLEUM ENHANCER, LLC,
Plaintiff - Counterclaim Defendant-Appellee,

v.

LESTER R. WOODWARD,
Defendant,**FILED**
Aug 10, 2012
LEONARD GREEN, ClerkPOLAR MOLECULAR CORPORATION,
Intervenor /Counterclaim/Third-Party Plaintiff,POLAR MOLECULAR HOLDING CORPORATION,
Intervenor/Counterclaim/Third-Party Plaintiff-Appellant,AFFILIATED INVESTMENTS, LLC, RICHARD
SOCIA, CARL HILL, BRUCE BECKER and
A. RICHARD NELSON,
Third-Party Defendants-Appellees.

Before: MARTIN, GILMAN, and WHITE, Circuit Judges.

JUDGMENTOn Appeal from the United States District Court
for the Eastern District of Michigan at Bay City.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the dismissal of Polar Holding's tortious-interference claim as addressed by the district court is AFFIRMED. IT IS FURTHER ORDERED that the dismissals of Polar Holding's breach-of-fiduciary duty claim against Socia and its civil-conspiracy claim against the individual third-party defendants are REVERSED, and the case is REMANDED for further proceedings on the latter two claims, as well as on Polar Holding's tortious-interference claim not addressed below.

ENTERED BY ORDER OF THE COURT

Leonard Green, Clerk