

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NAVIG8 CHEMICALS ASIA PTE., LTD. and NAVIG8 :
CHEMICALS POOL, INC., :
:
Petitioners, :
:
-v- :
:
CREST ENERGY PARTNERS, LP, :
:
Respondent. :
:
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15 Civ. 7639 (PAE)
OPINION & ORDER

PAUL A. ENGELMAYER, District Judge:

On November, 24, 2015, the Court entered a final judgment (the “Judgment”) in favor of Navig8 and against Crest Energy Partners, LP (“Crest”) in the amount of \$779,856.49. Dkt. 32. Navig8 now seeks an order pursuant to 28 U.S.C. § 1963, permitting the Judgment to be registered in the Southern District of Texas and the District of Puerto Rico prior to the expiration of the 30-day time for appeal. Dkt. 36.

Section 1963 provides that:

[a] judgment in an action for the recovery of money or property entered in any district court . . . may be registered by filing a certified copy of such judgment in any other district . . . when the judgment has become final by appeal or expiration of the time for appeal or *when ordered by the court that entered the judgment for good cause shown.*

28 U.S.C. § 1963 (emphasis added). “[G]ood cause is demonstrated where a judgment debtor lacks assets in the district rendering the judgment but holds assets in another district.”


Woodward & Dickerson v. Kahn, No. 89 Civ. 6733 (PKL), 1993 WL 106129, at *1 (S.D.N.Y. Apr. 2, 1993); *Capitol Records, Inc. v. MP3Tunes, LLC*, No. 07 Civ. 9931, 2015 WL 4557414, at *1 (S.D.N.Y. July 6, 2015). A judgment creditor “need not provide exact evidence of the

debtor's assets, and good cause may be supported by a lesser showing." *Capitol Records*, 2015 WL 4557414, at *1 (internal quotation marks and citation omitted).

In its letter, Navig8's counsel represents that an investigation into Crest's assets has uncovered no assets in the Southern District of New York. Dkt. 36, at 1. However, Crest maintains an office and place of business in Houston, Texas, causing Navig8's counsel to believe that, at a minimum, Crest possesses assets in the form of office equipment and furniture in the Southern District of Texas. *Id.* at 2. Additionally, Navig8's counsel states that Crest has asserted a claim for \$4 million in a lawsuit in the District of Puerto Rico, on which Navig8 intends to obtain an order of garnishment in the event a judgment is rendered in Crest's favor. *Id.* Navig8 has thus shown good cause to register the Judgment in the Southern District of Texas and the District of Puerto Rico.

The Court, therefore, grants Navig8's request for authorization to register the Judgment in the Southern District of Texas and the District of Puerto Rico.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: December 9, 2015
New York, New York