

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF TEXAS
 CORPUS CHRISTI DIVISION

PDVSA PETROLEO S.A.,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. 2:09-CV-38
	§	
TRIGEANT, LTD., <i>et al</i> ,	§	
	§	
Defendants.	§	

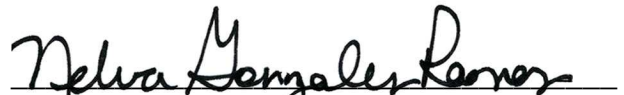
ORDER

On January 14, 2013, this Court entered a judgment in this fraudulent transfer case, unwinding a March 4, 2008 foreclosure and restoring the parties, BTB Refining, LLC (BTB), Trigeant, Ltd. (Trigeant), and PDVSA Petroleo, S.A. (PDVSA), to their respective pre-foreclosure positions. D.E. 291. That judgment was appealed and the matter was settled pending appeal, rendering the Court’s judgment final.

On June 27, 2014, Trigeant filed a suit to quiet title against BTB in the 347th Judicial District Court, Nueces County, Texas. Trigeant seeks to remove a cloud presented by BTB’s alleged interest in the property previously subjected to foreclosure. D.E. 381-2. On July 17, 2014, BTB filed a motion for a preliminary and permanent injunction in this Court seeking to enjoin Trigeant from proceeding with the quiet title litigation. BTB claims that the litigation interferes with this Court’s judgment. D.E. 381. Thereafter, on July 28, 2014, BTB filed for relief under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Florida. D.E. 387-1.

Pursuant to 11 U.S.C. § 362(a), any action by any entity against BTB to recover a claim or establish an interest in property is automatically stayed pending further order of the Bankruptcy Court. Consequently, the Court DENIES AS MOOT the motion for injunctive relief (D.E. 381) because any relief that could be afforded by this Court would be duplicative of the § 362 stay.

ORDERED this 11th day of August, 2014.


NELVA GONZALEZ RAMOS
UNITED STATES DISTRICT JUDGE