

Oilfield Development Specialists, LLC,

Plaintiff,

*versus*

Quetzal Energy Ltd., *et al.*,

Defendants.

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Civil Action H-12-1278

### Opinion on Personal Jurisdiction

1. *Background.*

In 2006 Oilfield Development Specialists, LLC, approached Cliff M. West and Robert Bensch about developing oilfields in Colombia. In March of 2007 Oilfield and Canaguaro Investors, LLC, – controlled by West and Bensch – signed an agreement that gave Oilfield a 2% royalty when it acquired the working interests in the oilfields. In July of 2007, Condor Exploration, Inc., – of which West and Bensch were officers – bought the interests. When Oilfield asked for its 2% royalty, Condor said it was not a party to the agreement and refused to pay

2. *Jurisdiction.*

Condor says that the court does not have jurisdiction over it because it does not do business in Texas and has no workers in Texas. It argues that its headquarters have been in New York since April of 2010 and that its two officers who live in Houston have been inactive since then.

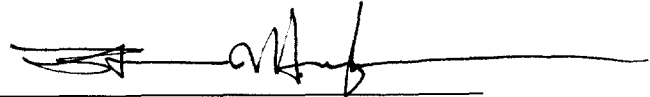
When Condor bought the interests – the transaction from which Oilfield's claims arise – its headquarters were in Houston. It argues that since its default in 2010, the company has been run by its creditors in New York. This is belied by two e-mails in February of 2011 from West to Oilfield that say that Condor intends to honor the royalty. Both e-mails came from a Condor address and one e-mail proclaimed West as the legal representative and chief operating

officer of Condor with a Houston mailing address and telephone number. Condor does not say it does not know West nor does it disavow his title. Oilfield's claims against it arise from Condor's conduct in Houston.

3. *Conclusion.*

The motion to dismiss for want of jurisdiction by Condor Exploration, Inc., will be denied.

Signed on January 4, 2013, at Houston, Texas.



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Lynn N. Hughes  
United States District Judge