

United States District Court
Southern District of Texas

ENTERED

February 08, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RICHARD S. LAUTER, not §
individually but solely as §
Creditor Trustee of the Gas- §
Mart USA, Inc. Creditor Trust, §
§
Plaintiff, §
§
v. §
CITGO PETROLEUM CORPORATION, §
§
Defendant. §

CIVIL ACTION NO. H-17-2028

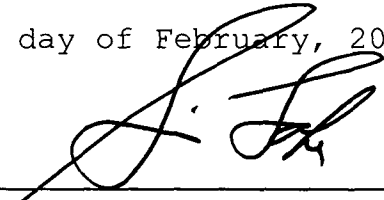
FINAL JUDGMENT

In accordance with the court's Memorandum Opinion and Order granting Citgo's motion to dismiss Counts I and II for lack of subject matter jurisdiction, and granting Citgo's motion for summary judgment on Count III, plaintiff's claims for breach of contract and violation of the automatic stay are **DISMISSED WITHOUT PREJUDICE**, and plaintiff's claim for preferential transfer is **DISMISSED WITH PREJUDICE**.

Costs are taxed to the plaintiff.

This is a **FINAL JUDGMENT**.

SIGNED at Houston, Texas, this 8th day of February, 2018.



SIM LAKE
UNITED STATES DISTRICT JUDGE