

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

OJSC UKRNAFTA,

Plaintiff,

v.

CARPATSKY PETROLEUM CORP., *et al.*,

Defendants.

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CIVIL ACTION H-09-891

FINAL JUDGMENT

In accordance with the court’s memorandum opinion and order signed on October 2, 2017 (Dkt. 53), the Final Award issued on September 24, 2010, in the arbitration between defendant Carpatsky Petroleum Corporation (“CPC”) and plaintiff OJSC Ukrnafta (“Ukrnafta”) conducted by the Arbitration Institute of the Stockholm Chamber of Commerce SCC V (124/2007) is CONFIRMED in all respects.

In accordance with the court’s memorandum opinion and order signed on November 13, 2018 (Dkt. 71), CPC’s motion for summary judgment is GRANTED, and all of Ukrnafta’s claims against CPC are DISMISSED WITH PREJUDICE. Judgment is ENTERED in favor of CPC.

In accordance with the court’s order signed on this date, and Ukrnafta’s voluntary dismissal, all of Ukrnafta’s claims against defendants Taurex Resources PLC and Kuwait Energy Company, K.S.C. are DISMISSED WITHOUT PREJUDICE.

This is a FINAL JUDGMENT as to defendants CPC, Taurex Resources PLC, and Kuwait Energy Company, K.S.C.

Signed at Houston, Texas on December 6, 2018.

A handwritten signature in black ink, appearing to read 'G. Miller', written over a horizontal line.

Gray H. Miller
United States District Judge

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ORDER


On November 13, 2018, the court issued an order granting summary judgment in favor of defendant Carpatsky Petroleum Corporation (“CPC”). Dkt. 71. The court also ordered plaintiff OJSC Ukrnafta (“Ukrnafta”) to show cause why its claims against the other defendants should not be dismissed. *Id.* Ukrnafta filed a response stating that it voluntarily dismisses its claims against defendant Taurex Resources PLC and Kuwait Energy Company, K.S.C., but it would like to proceed against defendant Robert Bensch. Dkt. 76. The court will allow the claims against Bensch to proceed. However, it finds that it is in the interest of justice to sever the claims against Bensch and enter a final judgment with regard to all other defendants.

Accordingly, all of Ukrnafta’s claims against defendants Taurex Resources PLC and Kuwait Energy Company, K.S.C. are DISMISSED WITHOUT PREJUDICE.

Ukrnafta’s claims against Robert Bensch are SEVERED. Ukrnafta shall serve this order on Bensch within ten days of the date of this order. Bensch shall file an answer pursuant to the Federal Rules of Civil Procedure within twenty-one days of service. The parties shall file a joint discovery/case management plan and proposed scheduling order within twenty days after Bensch files his answer.

The court will enter a final judgment with regard to the claims against CPC, Taurex Resources PLC, and Kuwait Energy Company, K.S.C. concurrently with this order.

Signed at Houston, Texas on December 6, 2018.



Gray H. Miller
United States District Judge