

CAUSE NO. 2022-27795A

TRAFIGURA TRADING LLC,	§	IN THE DISTRICT COURT OF
<i>Plaintiff-Garnishor,</i>	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
AMEGY BANK TEXAS, N.A.,	§	
<i>Defendant-Garnishee.</i>	§	113th JUDICIAL DISTRICT

AGREED MOTION FOR TAKE-NOTHING JUDGMENT

TO THE HONORABLE JUDGE OF THIS COURT:

Trafigura Trading LLC (“Garnishor”) and Amegy Bank Texas, N.A. (“Garnishee”) (collectively, the “Parties”) file this Agreed Motion for Take-Nothing Judgment (the “Motion”), and would respectfully show the Court as follows:

In this action, Garnishor applied for and obtained a Writ of Garnishment on July 1, 2022 (the “Writ”) to be served on Garnishee. The Writ sought to satisfy or partially satisfy the Final Judgment obtained against Judgment Debtor Quinwood Coal Sales LLC (“Judgment Debtor”) for the total sum of \$3,600,000.00. According to the Return of Service on file, Garnishee was served with the Writ on or about July 6, 2022.

Garnishee filed its Answer to Writ of Garnishment (the “Answer”) on or about August 3, 2022. In the Answer, Garnishee stated that it held one account belonging to Judgment Debtor, Account Number XXXXXX0754 (the “Account”), having a balance of \$2,496.03 (the “Funds”). Garnishee also stated it has no knowledge of any other persons who are indebted to Judgment Debtor, or who have in their possession effects belonging to Judgment Debtor. Garnishee has not claimed any interest in the Funds. Judgment Debtor has been provided with notice of this proceeding but, to date, has not made an appearance.

The Parties, to avoid incurring further expenses, have agreed to resolve this matter fully and finally. Therefore, the Parties request that the Court grant this Motion and find:

1. That Garnishee has incurred and is entitled to recover its costs in connection with responding to the Writ (“Garnishee’s Costs”);
2. That Garnishee’s Costs shall be taxed against the Judgement Debtor in the amount of \$2,496.03 to be paid out of the Funds;
3. That Garnishee be released and discharged from all liability to any party to this action with respect to debt payable by the Funds and is discharged from this suit; and
4. That the Court grant such other and further relief deemed just and proper.

Dated: November 17, 2022

Respectfully submitted,

**PILLSBURY WINTHROP SHAW
PITTMAN LLP**

By: /s/ Ryan Steinbrunner

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TRAFIGURA TRADING LLC**

AGREED:

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By: /s/ Yasmin Atasi

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**ATTORNEYS FOR ZIONS
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BANK**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served in accordance with the Texas Rules of Civil Procedure on November 17, 2022.

/s/ Ryan Steinbrunner
Ryan Steinbrunner

Automated Certificate of eService

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