



JUDGMENT

Court of Appeals

First District of Texas

NO. 01-17-00364-CV

STAR ELECTRICITY, INC. D/B/A STARTEX POWER F/K/A STAR ELECTRICITY,
L.L.C. D/B/A STARTEX POWER, Appellant

V.

NORTHPARK OFFICE TOWER, LP, NORTHPARK OFFICE TOWER GP, LLC,
JETALL COMPANIES INC., 1415 NLW, LLC, MOHAMMED A. CHOUDHRI A/K/A
ALI CHOUDHRI A/K/A ALI JETALL, THE ESTATE OF NAEEM CHOUDHRI,
SHAHNAZ CHOUDHRI A/K/A SHAHNAZ AKHTER, A.I.G.W.T., INC., 5700
THOUSAND OAKS, LLC, 411 NORTH BELT, LLC, AND INNER BELT
HOLDINGS, LLC, Appellees

Appeal from the 129th District Court of Harris County. (Tr. Ct. No. 2010-71330).

This Court today considered a motion for rehearing filed by appellees, NORTHPARK OFFICE TOWER, LP, NORTHPARK OFFICE TOWER GP, LLC, JETALL COMPANIES INC., 1415 NLW, LLC, MOHAMMED A. CHOUDHRI A/K/A ALI CHOUDHRI A/K/A ALI JETALL, THE ESTATE OF NAEEM CHOUDHRI, SHAHNAZ CHOUDHRI A/K/A SHAHNAZ AKHTER, A.I.G.W.T., INC., 5700 THOUSAND OAKS, LLC, 411 NORTH BELT, LLC, AND INNER BELT HOLDINGS, LLC. We order that the motion be denied, but that this Court's former judgment of May 14, 2019, be vacated, set aside, and annulled. We further order that this Court's opinion of May 14, 2019, be withdrawn.

This case is an appeal from the final judgment signed by the trial court on April 13, 2017. After submitting the case on the appellate record and the arguments properly raised by the parties, the Court holds that there was reversible error in the portion of the trial court's judgment that granted summary judgment to appellees, NORTH PARK OFFICE TOWER, LP, NORTH PARK OFFICE TOWER GP, LLC, JETALL COMPANIES INC., 1415 NLW, LLC, MOHAMMED A. CHOUDHRI A/K/A ALI CHOUDHRI A/K/A ALI JETALL, THE ESTATE OF NAEEM CHOUDHRI, SHAHNAZ CHOUDHRI A/K/A SHAHNAZ AKHTER, A.I.G.W.T., INC., 5700 THOUSAND OAKS, LLC, 411 NORTH BELT, LLC, AND INNER BELT HOLDINGS, LLC, on the damages element of appellant STAR ELECTRICITY, INC. D/B/A STARTEX POWER F/K/A STAR ELECTRICITY, L.L.C. D/B/A STARTEX POWER's breach-of-contract claim based on the Electric Service Agreement. Further, the Court holds that there was reversible error in the portion of the trial court's judgment dismissing appellant's fraudulent transfer claim against appellee 1415 NLW, LLC. Further, the Court holds that there was reversible error in the portion of the trial court's judgment dismissing appellant's remaining claims on the ground of res judicata. Accordingly, the Court **reverses** the referenced portions of the trial court's judgment and **remands** the case to the trial court for further proceedings.

The Court further holds that there was no reversible error in the remaining portions of the trial court's judgment. Therefore, the Court **affirms** the remaining portions of the trial court's judgment.

The Court **orders** that appellees, NORTH PARK OFFICE TOWER, LP, NORTH PARK OFFICE TOWER GP, LLC, JETALL COMPANIES INC., 1415 NLW, LLC, MOHAMMED A. CHOUDHRI A/K/A ALI JETALL, THE ESTATE OF NAEEM CHOUDHRI, SHAHNAZ CHOUDHRI A/K/A SHAHNAZ AKHTER, A.I.G.W.T., INC., 5700 THOUSAND OAKS, LLC, 411 NORTH BELT, LLC, AND INNER BELT HOLDINGS, LLC, jointly and severally, pay all appellate costs.

The Court **orders** that this decision be certified below for observance.

Judgment rendered July 14, 2020.

Panel consists of Chief Justice Radack and Justices Goodman and Countiss. Opinion delivered by Chief Justice Radack.