

**CAUSE NO.: 2011-59277**

**CHRIS POLSTON,**

**Plaintiff,**

**v.**

**AUTOZONE TEXAS, L.P. AND  
CONRAD CASTILLO,**

**Defendants.**

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**IN THE DISTRICT COURT OF**

**HARRIS COUNTY, TEXAS**

**133<sup>rd</sup> JUDICIAL DISTRICT**

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**DEFENDANTS' MOTION FOR JUDGMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Defendants AutoZone Texas, L.P. and Conrad Castillo and file this their Motion for Judgment and in support thereof would respectfully show the Court as follows:

**1.**

On the 22nd day of July, 2014, this cause came on for jury trial. All parties announced ready and proceeded to present evidence before the jury. The jury, after hearing the evidence and having received the charge of the court and having heard the arguments of counsel, thereafter retired and considered a verdict and answered the questions submitted to them. On July 31, 2014, the jury returned its verdict. Based upon this verdict, Defendants hereby request the Court to enter final judgment. Attached hereto as Exhibit A is the Final Judgment form for entry by the court.

WHEREFORE, PREMISES CONSIDERED, Defendants AutoZone Texas, L.P. and Conrad Castillo respectfully request the Court to enter judgment in the form as attached hereto as Exhibit A, and for such other and further relief to which they may show themselves justly entitled.

Respectfully submitted,

BURFORD & RYBURN, L.L.P.

By: /s/ Simon D. Whiting  
SIMON D. WHITING  
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**ATTORNEYS FOR DEFENDANTS AUTOZONE  
TEXAS, L.P., CONRAD CASTILLO AND  
CONSTANCE WIESEPAPE**

**CERTIFICATE OF SERVICE**

In keeping with Rule 21a of the TEXAS RULES OF CIVIL PROCEDURE, I hereby certify that a true and correct copy of the foregoing instrument has been served upon all attorneys of record via:

- Certified Mail/Return Receipt Requested
- Telephonic Document Transfer (Facsimile)
- Federal Express/Express Mail
- Courier/Receipted Delivery
- Registered Mail/Return Receipt Requested
- Hand Delivery (In Person)
- Electronic Mail

DATED: August 4, 2014.

/s/ Simon D. Whiting  
NICOLE L. TONG

# EXHIBIT A

Unofficial Copy Office of Chris Daniel District Clerk

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AUTOZONE TEXAS, L.P. AND  
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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

133<sup>rd</sup> JUDICIAL DISTRICT

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**FINAL JUDGMENT**

ON THE 22<sup>ND</sup> OF JULY, 2014, came on to be heard the above-entitled and numbered cause. Plaintiff Chris Polston appeared in person and by his attorney of record and announced ready for trial. AutoZone Texas, L.P., Defendant herein, appeared by its attorney of record and its corporate representative and announced ready for trial. Conrad Castillo, Defendant herein, appeared in person and by his attorney of record and announced ready for trial.

A jury having been previously requested, the Court duly impaneled a jury consisting of twelve (12) citizens of Harris County, Texas and one (1) alternate citizen of Harris County, Texas. On July 23, 2014, one (1) juror was dismissed for medical reasons, and the alternate juror was impaneled as juror number 12. The case then proceeded to trial.

At the conclusion of the evidence, the Court submitted the case to the jury on special questions. The jury elected a presiding juror, and after considering the evidence, returned a verdict on the 31st day of July 2014, that was signed by the jurors. In particular, ten (10) of the twelve (12) jurors answered “no” to Question Number 1, which asked, “Did Conrad Castillo falsely imprison Chris Polston?”; answered “no” to Question Number 2, which asked, “Did Conrad Castillo commit fraud against Chris Polston?”; and answered “no” to Question Number 3, which asked, “Did Conrad Castillo intentionally inflict emotional distress on Chris

Polston?" The findings of the jury were duly received by the Court, and the jury's verdict was approved in open court by the Court, and was filed with the papers in this cause.

The Court, after considering said jury verdict and the answers of the jury, finds and is of the opinion that Judgment should be rendered upon said verdict in favor of Defendants AutoZone Texas, L.P. and Conrad Castillo and against Plaintiff Chris Polston.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that Plaintiff Chris Polston take nothing from his suit against Defendants AutoZone Texas, L.P. and Conrad Castillo and that all costs of Court expended or incurred in this case are hereby judged and taxed against the Plaintiff, for which let execution issue.

All other relief not expressly granted herein is denied.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2014.

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JUDGE PRESIDING