

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

SUMMIT FINANCIAL RESOURCES, L.P.,)

Plaintiff,)

v.)

KATHY'S GENERAL STORE, INC.,)

Defendant.)

CIVIL ACTION

No. 08-2145-CM

MEMORANDUM AND ORDER

On June 20, 2013, the Tenth Circuit issued an Order and Judgment reversing the decision of the district court and remanding with directions to vacate judgment in favor of Kathy's General Store and enter judgment in favor of Summit. Accordingly, it is hereby

ORDERED that this court's Judgment entered May 5, 2010, is hereby VACATED.

Judgment is entered in favor of Summit Financial Resources, LLP.

Dated this 17th day of July, 2013, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge