

United States Court of Appeals
for the Fifth Circuit

No. 25-50217

United States Court of Appeals
Fifth Circuit

FILED

July 29, 2026

Lyle W. Cayce
Clerk

THOMAS B. BENNETT, *Trustee for* THE MTE LITIGATION TRUST,

Plaintiff—Appellee,

versus

MARK SIFFIN,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:21-CV-214

Before KING, SOUTHWICK, and HAYNES, *Circuit Judges.*

PER CURIAM:*

Appellant Mark Siffin appeals the jury's verdict finding him liable for fraud and awarding \$40 million damages against him. Siffin, the CEO of various oil companies, was sued by the trustee of a litigation trust created under a bankruptcy plan for the benefit of the oil companies' creditors, a group of lenders. The jury found that Siffin committed fraud by entering into an amendment to a loan agreement and authorizing loan draws on the

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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companies' behalf while knowing the companies were in default of the loan agreement.

Siffin raises multiple issues on appeal, contending that the district court erred in denying his motions for summary judgment and judgment as a matter of law, admitting certain evidence at trial, and denying his post-judgment renewed motion for judgment as a matter of law and motion for new trial. We conclude that the economic-loss rule does not prevent the claim here and the other arguments fail to reverse. Accordingly, we AFFIRM.