

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-10035
Summary Calendar

AMOCO PRODUCTION CO.,

Plaintiff,

versus

HYDROBLAST CORPORATION,

Defendant - Third Party Plaintiff - Appellant,

versus

FIREMANS FUND INSURANCE COMPANY,

Third Party Defendant - Appellee.

Appeal from the United States District Court
for the Northern District of Texas
(5:98-CV-264-C)

July 7, 2000

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:*

Third party plaintiff-appellant, Hydroblast Corporation, appeals the summary judgment granted in favor of third party defendant-appellee, Firemans Fund Insurance Company, the main claim having been settled previously. Hydroblast contends that the pollution exclusion endorsement in the Firemans Fund policy excludes coverage only for environmental-type injuries, and that, consequently, the district court erred by holding that the endorsement excludes coverage for the workplace accident in which

*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Hydroblast employees were injured as a result of actual, physical contact with a chemical cleaning solvent.

Consistent with FED. R. CIV. P. 56, and having reviewed the briefs and the summary judgment evidence, the summary judgment was proper, essentially for the reasons stated by the district court. ***Amoco Production Co. v. Hydroblast Corp.***, No. 5:98-CV-264-C (N.D. Tex. 10 Dec. 1999) (unpublished).

AFFIRMED