

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-30039
Summary Calendar

PACIFIC INSURANCE COMPANY, Limited,

Plaintiff - Counter -
Defendant - Appellee,

versus

LOUISIANA AUTOMOBILE DEALERS
ASSOCIATION, INC.; ET AL

Defendants,

LOUISIANA AUTOMOBILE DEALERS
ASSOCIATION, INC.; ROBERT C.
ISRAEL,

Defendants - Counter-
Claimants - Appellants.

Appeal from the United States District Court
for the Middle District of Louisiana
(97-CV-676)

July 12, 2000

Before HIGGINBOTHAM, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

The Louisiana Automobile Dealers Association, Inc. ("LADA")
appeals the district court's 54(b) grant of summary judgment in
favor of LADA's insurer, Pacific Insurance Company, Ltd., that

* 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this opinion should not be published and is not precedent except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.

Pacific was not required to defend or indemnify LADA regarding two class actions filed against LADA.

Having considered the arguments of the parties and the opinion of the district court, we affirm the district court's conclusion that Pacific had no duty to provide coverage because the LADA failed to give notice of the claims, a condition precedent to coverage in the policy, for two years. We are unpersuaded by LADA's arguments that the failure to give notice is not controlling: we find no meaningful distinction between a "named insured" and an "insured" for purposes of the notice requirement; Pacific need not demonstrate prejudice under the circumstances here; and no claims were brought against LADA's officers and directors that would require coverage.

AFFIRMED.