

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 01-30266

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ENERGY DEVELOPMENT CORPORATION  
Plaintiff-Appellee

VERSUS

MICHAEL X. ST. MARTIN; VIRGINIA RAYNE ST. MARTIN;  
QUALITY ENVIRONMENTAL PROCESSES, INC.  
Defendant-Appellants

THE LOUISIANA LAND AND EXPLORATION COMPANY  
Defendant - Counter Plaintiff

VERSUS

SAMUEL J. STAGG, III, M.D.; husband of; JULIE M. STAGG; JAMES G.  
FISTER, husband of; LINDA F. FISTER; BAYOU AREA CHILDREN'S  
FOUNDATION, INC.

Counter Defendants - Appellants

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ENERGY DEVELOPMENT CORPORATION  
Plaintiff-Appellee

VERSUS

MICHAEL X. ST. MARTIN; VIRGINIA RAYNE ST. MARTIN;  
QUALITY ENVIRONMENTAL PROCESSES, INC.  
Defendant-Appellants

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
99-CV-1793

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February 20, 2002

Before GARWOOD, JOLLY, and DAVIS, Circuit Judges

PER CURIAM:\*

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\*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under

We AFFIRM the judgment of the district court essentially on the basis of its careful Memorandum Opinion dated December 12, 2000. The res judicata defense asserted by appellant for the first time on appeal was not timely raised in the district court and therefore is waived.

All outstanding motions in this case are DENIED.

AFFIRMED.

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the limited circumstances set forth in 5TH CIR. R. 47.5.4.