

**UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT**

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No. 01-31343

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THE SCHOOL BOARD OF THE PARISH OF ST. CHARLES, on  
its own behalf & as collecting agent for; THE ST. CHARLES  
PARISH COUNCIL,

Plaintiffs - Appellants,

versus

QUALA SYSTEMS INC., doing business as Quala Wash,

Defendant - Appellee.

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Appeal from the United States District Court  
For the Eastern District of Louisiana  
No. 00-CV-2894-K

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November 11, 2002

Before EMILIO M. GARZA and CLEMENT, Circuit Judges, and HUDSPETH\*, District Judge.

PER CURIAM:\*\*

Because the plaintiffs have waived their claim for sales taxes due resulting from the  
defendant's sale of gaskets, the judgment of the district court is final and we therefore have appellate

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\* District Judge of the Western District of Texas, sitting by designation.

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 R. 47.5, the court has determined that this opinion should not be  
published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

jurisdiction. *See Clark v. Johnson*, 278 F.3d 459, 460 (5th Cir. 2002) (“In general, a district court's order is an appealable final decision if it ‘ends the litigation on the merits and leaves nothing for the court to do but execute the judgment.’”) (quoting *Coopers & Lybrand v. Livesay*, 437 U.S. 463, 467 (1978)).

We AFFIRM essentially for the reasons given by the district court.