

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 93-3852

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SOUTHERN PACIFIC TRANSPORTATION  
COMPANY,

Plaintiffs-Defendant  
in Counterclaim-Appellee-  
Cross-Appellant,

versus

BUILDERS TRANSPORT, INC. and  
JERRY W. CONDERY,

Defendants-Appellants  
in Counterclaim-Third Party  
Plaintiffs-Defendants-  
Appellants-Cross-Appellees,

versus

HERMAN G. MYERS, JAMES PHILIP, JR.,  
JOSEPH V. LAVERGNE, JOANN HERD MYERS,  
MARY ELLEN LOUPE PHILLIP & JUDY STELLY  
LAVERGNE,

Defendants-Third Party  
Defendants-Plaintiffs-  
Appellees-Cross-Appellants.

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Appeals from the United States District Court  
for the Eastern District of Louisiana  
(CA-90-3177-N)

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(February 14, 1995)  
Before VAN GRAAFEILAND\*, JOLLY, and WIENER, Circuit Judges.

PER CURIAM:\*\*

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\* Circuit Judge sitting by designation.

\*\*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on

After a study of the briefs and the authorities cited therein, and after reviewing the evidence and considering the able arguments of counsel, we are convinced that the district court committed no error that merits reversal. Its judgment is therefore

A F F I R M E D.

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the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.