

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 93-7223

NEIL REEVES BOUCHILLON, ET AL.,

Plaintiffs-Appellants,

VERSUS

CLYDE R. ALLEN, ETC., ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
(CA-2:91-116(R)(N))

(December 6, 1993)

Before REAVLEY and DAVIS, Circuit Judges, and TRIMBLE,¹ District Judge.

PER CURIAM:²

Appellant challenges the district court's order in which it declined to disturb the plan administrator's distribution of retirement and profit sharing proceeds following Dr. Neil Bouchillon's death. The sole question presented on appeal is the interpretation of the beneficiary language in the two plans.

¹ District Judge of the Western District of Louisiana, sitting by designation.

²Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

Both plans give the administrator the "power to interpret the provisions of this Trust and to determine their application to the facts of any individual case, to determine all questions relating to the eligibility of any employee or his Beneficiaries or heirs under this Agreement" Considering the authority granted the plan administrator, we review his interpretation of the beneficiary language under an abuse-of-discretion standard. Under that standard, we agree with the district court that the administrator's interpretation of the disputed language was not unreasonable and not an abuse of his discretion.

AFFIRMED.