

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-7651
Summary Calendar

WALLER BROTHERS, INCORPORATED,

Plaintiff-Appellant,

versus

EXXON CORPORATION,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
(CA-H-92-0089(P)(H))

(March 30, 1994)

Before POLITZ, Chief Judge, GARWOOD and BARKSDALE, Circuit Judges.

PER CURIAM:*

Before the court is an appeal by Waller Brothers, Incorporated of an adverse summary judgment in favor of Exxon Corporation. Finding neither error nor abuse of discretion, we AFFIRM the district court on the basis of the uncontested material facts and the authorities and legal reasoning set forth in the careful, comprehensive, and scholarly Memorandum Opinion and Order rendered by the district court on July 12, 1993.

*Local 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.