

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-20612

WESTCHESTER FIRE INSURANCE COMPANY,

Plaintiff-Appellant,
Cross-Appellant,

versus

HEEDINGTON INSURANCE LIMITED; TEXACO, INC.;
TEXACO REFINING AND MARKETING, INCORPORATED,

Defendants-Appellees
Cross-Appellants.

Appeal from the United States District Court for the
Southern District of Texas
(1-93-CV-515)

April 9, 1996

Before REAVLEY, GARWOOD and JOLLY, Circuit Judges.

PER CURIAM:*

After consideration of the briefs and argument of counsel and relevant portions of the record, we find ourselves essentially in agreement with the reasoning of the district court on the basis of which it denied plaintiff recovery. We do not consider plaintiff-appellant's argument respecting the \$10,000,000-\$11,000,000

*Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

coverage overlap inasmuch as that issue was not raised in the district court. Accordingly, the judgment of the district court is

AFFIRMED.