

August 21, 2006

Charles R. Fulbruge III
Clerk

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 05-20806
Summary Calendar

CX REINSURANCE COMPANY LIMITED, formerly known as CNA Reinsurance
Company LTD,

Plaintiff-Appellee,

versus

TECHNICAL CONSTRUCTION SERVICES INC.; RAUL F. RIVAS, Individually;
ARC SERVICES LC, doing business as Allied Construction Services,

Defendants-Appellants.

Appeal from the United States District Court
for the Southern District of Texas
(4:03-CV-4147)

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

In this insurance coverage dispute, a policy holder and additionally insured parties (collectively the “insured parties”) appeal from the district court’s grant of summary judgment in favor of the insurance provider. The insured parties dispute the district court’s determination that (1) claims for the personal injury to an independent contractor’s employee are excluded from coverage and (2) the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

insurance provider did not waive its coverage defense. The court has carefully reviewed the briefs and pertinent parts of the record and has found no reversible error of law or fact. Accordingly, we AFFIRM essentially for the reasons stated by the district court.