

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-20765

JERRY KRIM, Jerry Krim on behalf of himself and all other
similarly situated, HAROLD L. HARRIS, individually and as
Trustee of Mazel, Inc., Profit Sharing Plan,

Plaintiffs-Appellants,

VERSUS

FIRST CITY BANCORPORATION OF TEXAS, INC., ET AL.,

Defendants,

A. ROBERT ABOUD, FRANK C. CIHAK, ROBERT D. RICHLEY,
DONALDSON LUFKIN & JENRETTE SECURITIES CORP.,
C. IVAN WILSON, ROBERT W. BROWN, DANIEL C. ARNOLD, ROBERT RICE,
ROBERT H. ALLEN, J. EVANS ATTWELL, WILLIAM T. BUTLER, M.D.,
J.A. ELKINS, JR., JAMES H. EVANS, C. JACKSON GRAYSON, JR.,
ROBERT N. MURRAY, RALPH S. O'CONNOR, MARGARET S. WILSON,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(H-90-CV-2269)

November 8, 1999

Before DAVIS, JONES and MAGILL¹, Circuit Judges.

PER CURIAM:**

After reviewing the record in this case and considering the
briefs of the parties and their argument, we agree with the
district court that it had no subject matter jurisdiction.

¹Circuit Judge of the Eighth Circuit, sitting by designation.

**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this opinion should not be published and is not precedent except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.

Accordingly, we affirm the judgment of the district court essentially for the reasons stated in its July 30, 1998 Memorandum Opinion and Order.

AFFIRMED. All pending motions are hereby MOOT, in light of the opinion.