

May 8, 2006

Charles R. Fulbruge III  
Clerk

**UNITED STATES COURT OF APPEALS  
For the Fifth Circuit**

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No. 05-50839

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CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY

Plaintiff - Appellant

VERSUS

GILLIG CORPORATION

Defendant - Appellee

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Appeal from the United States District Court  
For the Western District of Texas  
1:04-CV-94

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Before GARWOOD, DAVIS, and GARZA, Circuit Judges.

PER CURIAM:\*

After considering pertinent portions of the record, briefs of the parties and argument of counsel we are satisfied that the district court committed no reversible error.

Accordingly, we AFFIRM the judgment of the district court essentially for the reasons stated in its thorough May 12, 2005

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

order denying a new trial.

AFFIRMED.