

**FILED**

May 16, 2005

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

Charles R. Fulbruge III  
Clerk

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No. 04-20469

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HENDRY CORPORATION, a Florida Corporation,  
Plaintiff-Counter Defendant-Appellant,

VERSUS

RENDA MARINE, INC., a foreign corporation,  
Defendant-Counter Claimant-Appellee,

FEDERAL INSURANCE CO., a foreign corporation,  
Defendant-Appellee.

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Appeal from the United States District Court  
For the Southern District of Texas  
4:02-CV-2395

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Before DAVIS, STEWART and DENNIS, Circuit Judges.

PER CURIAM:\*

After reviewing the record in this case and based upon the briefs of the parties and argument of counsel, we affirm the district court's judgment essentially for the reasons stated in its Memorandum and Opinion dated March 16, 2004.

AFFIRMED.

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\*Pursuant to 5<sup>TH</sup> 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.