

In the United States Court of Appeals

For the Fifth Circuit

---

m 01-21256

---

RICHARD M. COAN,  
AS TRUSTEE FOR AROCHEM INTERNATIONAL, INC., AND AROCHEM CORPORATION,

Plaintiff-Appellant,

VERSUS

CHASE MANHATTAN BANK, N.A., ET AL.,

Defendants,

ERNST & YOUNG,

Defendant-Appellee.

---

Appeal from the United States District Court  
for the Southern District of Texas  
m H-94-CV-3930

---

December 10, 2002

Before SMITH, BARKSDALE, and  
EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

The plaintiff sued Ernst & Young for breach of contract, the statute of limitations having expired on an action for professional malpractice. The district court granted summary judgment, finding no issues of material fact.

We have read the briefs and have heard the arguments of counsel, and have consulted pertinent portions of the record. The summary judgment record does not reflect actual knowledge on the part of Ernst & Young. On the basis of applicable caselaw and the summary judgment record, we affirm, essentially for the reasons given by the district court.

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5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