

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-30810

ECLIPSE TELECOMMUNICATIONS INC.

Plaintiff - Counter Defendant - Appellant

v.

GREG J HAGERMAN, doing business as National Voice and Data

Defendant - Counter Claimant - Appellee

Appeal from the United States District Court
for the Middle District of Louisiana, Baton Rouge
USDC No. 97-CV-1014-C

June 14, 2002

Before KING, Chief Judge, PARKER, Circuit Judge, and ELLISON,
District Judge*.

PER CURIAM:**

The district court heard the evidence and, with one small exception, its conclusions of law and fact are due to be affirmed. The exception relates to the amount of damages. The parties are agreed that the amount of damages should be reduced to \$223,004.75. Accordingly, the judgment of the district court is AFFIRMED, except that the amount of damages is reduced to \$223,004.75, and the case is REMANDED to the district court with instructions to enter an amended judgment so providing. Costs shall be borne by Appellant.

**

* United States District Judge for the Southern District of Texas, 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.