

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-50777  
Summary Calendar

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BIONUMERIK PHARMACEUTICALS, INC.,  
Plaintiff-Appellee,

VERSUS

M. GOPAL NAIR,  
Defendant-Appellant.

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Appeal from the United States District Court  
For the Western District of Texas, San Antonio Division  
(SA-99-CV-1302)

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March 27, 2002

Before DeMOSS, PARKER and DENNIS, Circuit Judges.

PER CURIAM:\*

M. Gopal Nair (hereinafter "Dr. Nair") appeals the judgment of the district court confirming the award of the arbitration panel. Dr. Nair contends that the district court employed an incorrect

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

standard of conduct in confirming the award. Dr. Nair further contends that the district court erred in confirming the award because the arbitrators ignored the plain language of the contract. After considering the briefs and record excerpts, the judgment of the district court confirming the award of the arbitration panel is affirmed for essentially the reasons stated by the district court in its July 13, 2001 order.

AFFIRMED.