

**F I L E D**

December 14, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 06-50552  
Summary Calendar

---

MID-CONTINENT CASUALTY COMPANY,

Plaintiff–Counter Defendant–Appellee,

versus

DANESHJOU COMPANY, INC.; ET AL,

Defendants,

DANESHJOU COMPANY, INC.; M. B. DANESHJOU,

Defendants–Counter Claimants–Appellants.

---

Appeal from the United States District Court  
for the Western District of Texas  
(USDC No. 1:05–CV–182–SS)

---

Before REAVLEY, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Daneshjou Company Inc. and M.B. Daneshjou (collectively “Daneshjou”) appeal the

---

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

district court's summary declaratory judgment that Mid-Continent Casualty Company owes Daneshjou no duty to defend or indemnify. We affirm for the reasons given by the district court in its very thorough discussion of the issue of manifestation and the evidence regarding the same.

**AFFIRMED.**