

**UNITED STATES COURT OF APPEALS**  
**FOR THE FIFTH CIRCUIT**

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No. 97-40874

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BANK UNITED OF TEXAS FSB; JAMES D. DUNCAN;  
MARISA A. RISPOLI,

Plaintiffs-Appellants,

versus

UNUM LIFE INSURANCE COMPANY OF AMERICA,

Defendant-Appellee.

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Appeal from the United States District Court  
For the Southern District of Texas  
(G-95-CV-580)

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May 12, 1998

Before POLITZ, Chief Judge, REAVLEY and JOLLY, Circuit Judges.

PER CURIAM:\*

Bank United of Texas FSB, James D. Duncan, and Marisa A. Rispoli appeal  
an adverse summary judgment in their suit against UNUM Life Insurance Company

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

of America. Having considered the briefs, oral arguments of counsel, and pertinent parts of the record, on the facts as found, authorities cited, and reasons assigned by the district court in its thorough and comprehensive Findings of Fact and Conclusions of Law signed and entered April 14, 1997, the judgment appealed is **AFFIRMED.**