

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-30646

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COREY ALTON BARTON; STARR MARIE  
PRITCHARD; ANGEL DENISE WILLIAMS;  
and DAWN RENÉ VINCENT,

Plaintiffs-Appellants,

versus

G & N INVESTMENTS, INC.; UNIONAMERICA  
INSURANCE COMPANY LIMITED,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
(98-CV-164-A)

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May 6, 1999

Before REAVLEY, JOLLY and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

We accept the decision of the learned trial judge on the lack of complete diversity between the parties in the survival action. Complete diversity does exist, however, on the wrongful death claim, and the court will probably exercise supplemental jurisdiction over the survival action.

The judgment of dismissal is reversed, and the case is remanded.

REVERSED and REMANDED.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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