

FILED

August 25, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 03-60358

INGALLS SHIPBUILDING

Plaintiff - Appellant - Cross-Appellee

v.

FEDERAL INSURANCE CO

Defendant - Appellee

v.

TRANSOCEAN OFFSHORE INC

Cross-Appellant

NIGEL S BROUSSARD

Plaintiff

v.

TRANSOCEAN OFFSHORE INC; ET AL

Defendants

TRANSOCEAN OFFSHORE INC

Defendant - Cross Defendant - Counter
Claimant - Cross-Appellant

v.

CERTIFIED EMPLOYEE SERVICES INC

Defendant - Appellee

v.

MH PYRAMID INC

Defendant - Cross Claimant - Cross
Defendant - Cross-Appellee

and

CRAFT WELDING & CONTRACTING CO

Defendant - Cross Claimant - Counter
Defendant - Cross-Appellee

v.

INGALLS SHIPBUILDING

Appellant - Cross-Appellee

TRANSOCEAN OFFSHORE

Plaintiff - Appellee - Cross-Appellant

v.

TUDOR INSURANCE CO; ET AL

Defendants

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH,
PENNSYLVANIA; NATIONAL FIRE & MARINE INSURANCE COMPANY

Defendants - Appellants - Cross-Appellees

No. 03-60557

INGALLS SHIPBUILDING

Plaintiff

v.

FEDERAL INSURANCE COMPANY

Defendant

TRANSOCEAN OFFSHORE

Plaintiff - Appellee

v.

TUDOR INSURANCE COMPANY; ET AL

Defendants

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH,
PENNSYLVANIA; NATIONAL FIRE & MARINE INSURANCE COMPANY

Defendants - Appellants

Appeals from the United States District Court for the
Southern District of Mississippi, Biloxi

ON PETITION FOR REHEARING AND REHEARING EN BANC

Before WIENER and PRADO, Circuit Judges, and LITTLE, District
Judge.*

PER CURIAM:

The Petition for Rehearing filed by National Union Fire
Insurance Company of Pittsburg, Pennlsylvania ("National
Union") is DENIED, and as no member of this panel nor judge in
regular active service on the court has requested that the
court be polled on rehearing en banc (FED. R. APP, P. AND 5TH
CIR. R. 35), the Petition for Rehearing En Banc is also DENIED.

The Petition for Panel Rehearing filed by National Fire &
Marine Insurance Company ("National Fire") is GRANTED in part,

*District Judge for the Western District of Louisiana, sitting
by designation.

for the limited purpose of modifying the portion of our opinion that remanded for the district court to re-determine the amount of Transocean's defense costs for which National Fire is responsible. That portion of our opinion is hereby deleted and withdrawn. Therefore, the district court's original calculation of the portion of Transocean's defense costs for which National Fire is obligated is AFFIRMED.