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## FOR THE FIFTH CIRCUIT United States Courses

United States Court of Appeals Fifth Circuit

FILED

November 9, 2012

No. 11-41349

Lyle W. Cayce Clerk

CHESAPEAKE OPERATING, INC.,

Plaintiff-Appellee

v.

WILBUR DELMAS WHITEHEAD, doing business as Whitehead Production Equipment,

Defendant-Appellant

v.

CASH FLOW EXPERTS, INCORPORATED

Defendant-Appellee

Appeal from the United States District Court for the Southern District of Texas USDC No. 2:10-CV-301

Before JOLLY, JONES and GRAVES, Circuit Judges.

PER CURIAM:\*

The court has reviewed this appeal in light of the briefs and pertinent portions of the record, and affirms the district court judgment for essentially the reasons stated by that court. Accordingly, the judgment of the district court is AFFIRMED. See 5TH CIRCUIT LOC. RULE 47.6.

 $<sup>^{*}</sup>$  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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.