

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-20341

GARY PEAK, MIKE KIMBRO; JACQUELINE COGLEY,
OSCAR FAVELLA

Plaintiffs-Appellants

v.

VARTEC TELECOM, INC

Defendant-Appellee

No. 00-20409

GARY PEAK, MIKE KIMBRO; JACQUELINE COGLEY,
OSCAR FAVELLA

Plaintiffs-Appellees

v.

VARTEC TELECOM, INC

Defendant-Appellant

Appeals from the United States District Court
for the Southern District of Texas, Houston

January 10, 2001

Before KING, Chief Judge, and HIGGINBOTHAM and DUHÉ, Circuit
Judges.

PER CURIAM:*

The district court did not err in granting summary judgment in favor of defendant-appellee Vartec Telecom, Inc., nor did the district court abuse its discretion in refusing to award attorney's fees to Vartec.

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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