

May 28, 2003

Charles R. Fulbruge III  
Clerk

**UNITED STATES COURT OF APPEALS**

**FIFTH CIRCUIT**

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No. 02-40958

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JOHN SHOEMAKER; TOM BOLSON; GEORGE MCGRAW;  
JEREMY LANDT; DICK BLACKWELL,

Plaintiffs-Appellants,

versus

UNOVA INC.; INTERMEC TECHNOLOGIES CORP.,

Defendants-Appellees.

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Appeal from the United States District Court  
For the Eastern District of Texas  
No. 4:00-CV-408

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Before DUHÉ, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

PER CURIAM:\*

John Shoemaker, Tom Bolson, George McGraw, Jeremy Landt, and Dick Blackwell (collectively, “Appellants”) appeal the district court’s grant of summary judgment in favor of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

UNOVA, Inc. and its subsidiary, Intermecc Technologies Corporation (collectively, “UNOVA”). Appellants, all former executives of a UNOVA subsidiary known as Amtech Systems Corporation (“Amtech”), argue that UNOVA improperly refused to award them bonuses for their work in orchestrating the sale of Amtech to a third party. Specifically, Appellants contend that UNOVA’s actions breached the terms of the Summary Plan Description for UNOVA’s Cash Value Added Management Incentive Compensation Plan. On appeal, they argue that the district court erred in concluding that no genuine issues of material fact existed as to their claims of breach of contract, promissory estoppel, fraud, negligent misrepresentation, quantum meruit and unjust enrichment.

We have read the briefs, heard the arguments of counsel, and consulted the pertinent portions of the record. On the basis of the record and the applicable case law, we find no reversible error. Accordingly, we AFFIRM essentially for the reasons given by the district court.