

February 9, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

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No. 04-60236

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AMERICAN GUARANTEE AND LIABILITY INSURANCE COMPANY

Plaintiff - Counter-Defendant - Appellee

vs.

AMERISTAR CASINOS INC; ET AL

Defendants

AMERISTAR CASINOS INC

Defendant - Counter-Claimant - Appellant

Appeal from the United States District Court
for the Southern District of Mississippi
(00-CV-257)

Before GARWOOD, JONES, and PRADO, Circuit Judges.

PER CURIAM:*

After hearing oral argument and considering the parties' briefs and pertinent portions of the record, we affirm the district court's grant of summary judgment in favor of American Guarantee.

AFFIRMED.

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.