

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

June 22, 2017

Lyle W. Cayce
Clerk

No. 16-60646

NANETTE GROSS, Individually and as representative of Terry Gross,
deceased; DIANE HORTON, Individually and as Administratrix of the Estate
of Bobby Horton, deceased; KEVIN HORTON,

Plaintiffs - Appellants

v.

NCH CORPORATION,

Defendant - Appellee

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:13-CV-423

Before DAVIS, JONES, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

This tragic case arises from an early-2010 outbreak of Legionnaire's disease at the Hotel Chester in Starkville, Mississippi. Four of the five plaintiffs contracted the disease from the hotel's cooling system, and the plaintiffs allege that the fifth plaintiff did as well. Two of the plaintiffs died, and another became severely sick.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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The plaintiffs sued multiple parties for negligence. All but NCH Corporation, which had provided water treatment for the hotel since 2004, were later dismissed. NCH then moved for both summary judgment and to strike the plaintiffs' experts. In a well-reasoned order, the district court granted NCH's motions and dismissed the plaintiffs' claims with prejudice. For essentially the same reasons given by the district court, we AFFIRM.