

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-20311

CHESTER J. REED,

Plaintiff-Appellant,

versus

PRUDENTIAL SECURITIES INC. ;
SCOTT A. JAFFE,

Defendants-Appellants.

Appeal from the United States District Court
for the Southern District of Texas
(CA-H-93-0819)

May 15, 1996

Before GARWOOD, HIGGINBOTHAM, and BENAVIDES, Circuit Judges.

PER CURIAM:*

We affirm. We find no error in the granting of summary judgment by the Magistrate Judge to Reed's claims of breach of fiduciary duty and security fraud. We are pointed to nothing in the record to sustain a finding of a fiduciary relationship. To the contrary, according to the record, these were arms-length transactions by a sophisticated purchaser. It may well be that a precipitous drop in stock price is seldom sufficient to trigger a limitations period for the filing of claims for fraud. There are

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

additional facts here. The price drop was directly inconsistent with Reed's claim that he was assured that AT&E was a safe, risk-free stock.

Reed's other claims are equally without merit, and we affirm the judgment for essentially the reasons stated by the court below.

AFFIRMED.