

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 96-41041
Summary Calendar

ASSICURAZIONI GENERALI, S.P.A.,

Plaintiff-Appellant-Cross-Appellee,

VERSUS

KOCH SERVICE, INC.,; KOCH REFINING CO.,

Defendants-Appellees-Cross-Appellants.

Appeal from the United States District Court
For the Southern District of Texas

(C-96-CV-48)

April 11, 1997

Before WISDOM, KING, and SMITH, Circuit Judges.

PER CURIAM:*

Assicurazioni Generali asserts that the exclusions contained in an insurance policy it issued to Koch Service, Inc. relieve it of any duty to defend Koch in suits arising from asbestos exposure. The district court found that, under Texas law, any ambiguity contained in an insurance agreement must be construed

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

in favor of coverage. We affirm. See Old Republic Insurance Co. v. Comprehensive Healthcare Assoc., Inc., 2 F.3d 105 (5th Cir. 1993).

AFFIRMED.