

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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NO. 97-20461  
Summary Calendar

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ASHOK K. CHAUHAN, AMITA CHAUHAN,  
ATUL CHAUHAN, and ARUN CHAUHAN,

Plaintiffs-Appellants

VERSUS

FORMOSA PLASTICS CORPORATION, USA,

Defendant-Appellee

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Appeals from the United States District Court  
For the Southern District of Texas  
(H-96-CV-1239)

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March 9, 1998

Before JOLLY, BENAVIDES and PARKER, Circuit Judges.

PER CURIAM:\*

Ashok Chauhan appeals from the district court's summary judgment against him on his claims against Formosa Plastics for breach of contract and detrimental reliance, fraudulent misrepresentation, breach of duty of good faith and fair dealing, and loss of reputation. Ashok, Amita, Atul and Arun Chauhan (all plaintiffs) appeal from the district court's Fed. R. Civ. P.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

12(b)(6) dismissal of their claims for abuse of process, loss of reputation, and intentional infliction of emotional distress. The plaintiffs also appeal from the district court's summary judgment against them on their claims for defamation on the basis of qualified privilege.

Having examined the record, pleadings and summary judgment evidence, we find no error by the district court. The claims unique to Ashok Chauhan were properly dismissed on summary judgment, because they are barred by the doctrine of res judicata. The claims of all plaintiffs for abuse of process, loss of reputation, and intentional infliction of emotional distress were properly dismissed for failure to state a claim upon which relief may be granted. Likewise, the claims of all plaintiffs for defamation were properly dismissed by summary judgment on the basis of qualified privilege, as plaintiffs produced no evidence of malice on the part of Formosa Plastics. Finding no error in the district court's disposition of this matter, we affirm.

AFFIRMED.