

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-20900

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MICHAEL HORAN,

Plaintiff-Appellant,

versus

BP ACQUISITION CORP., ET AL.,

Defendants,

J. WILLIAM BOYAR, LEONARD SIMON,  
BOYAR SIMON & MILLER, P.C.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
(H-93-CV-2494)

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November 10, 1999

Before DUHÉ, BARKSDALE, and DENNIS, Circuit Judges.

PER CURIAM:\*

Pursuant to our review of the record and the briefs, and essentially for the reasons stated by the district court, the judgment is **AFFIRMED**. See *Southmark Corp. v. Coopers & Lybrand (Matter of Southmark Corp.)*, 163 F.3d 925 (5th Cir. 1999).

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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