

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-40825

MARY SIERRA, Individually and as next friend of Liza Marie Sierra, a minor,

Plaintiff-Appellant,

versus

CIBA-GEIGY CORPORATION, Individually and doing business as
Basel Pharmaceuticals doing business as Basel Pharmaceutical; ET AL

Defendants,

NOVARTIS PHARMACEUTICALS CORPORATION,
formerly known as Ciba-Geigy Corporation

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas, Galveston
(G-96-CV-547)

April 20, 1999

Before GARWOOD, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Having reviewed the briefs and the record, and concluding that the sanctions imposed against the plaintiff by the district court did not constitute an abuse of discretion and were not otherwise violative of the Federal Rules of Civil Procedure, including Rule 26; that the procedure employed by the district court for the summary judgment motion likewise did not constitute an abuse of discretion and was not otherwise violative of the Federal Rules of Civil Procedure, including Rule 56; and that the summary judgment adverse to plaintiff was proper

*Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

because there is no material fact issue as to, *inter alia*, causation, the judgment in favor of defendant is

AFFIRMED.