

**IN THE UNITED STATES COURT OF APPEALS**

**FOR THE FIFTH CIRCUIT**

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m 99-20634

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EVANSTON INSURANCE COMPANY,

Plaintiff-  
Counter Defendant-  
Appellee,

VERSUS

SURPLUS, INC.,  
DOING BUSINESS AS SURPLUS INSURANCE SERVICES;  
LYLE ASHLEY;  
AND  
PLUS PLANS, INC.,

Defendants-  
Counter Claimants-  
Appellants.

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Appeal from the United States District Court  
for the Southern District of Texas  
(H-98-CV-2043)

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May 11, 2000

Before POLITZ, SMITH, and DENNIS,  
Circuit Judges.

PER CURIAM:\*

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\* Pursuant to 5<sup>TH</sup> 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.

We have reviewed the briefs and oral arguments of counsel and have consulted the applicable law and pertinent portions of the record. We conclude that the district court properly construed the subject insurance policies and committed no reversible error. The judgment is AFFIRMED, essentially for the reasons given by the district court.