

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

October 11, 2011

No. 10-51058

Lyle W. Cayce
Clerk

MATKIN-HOOVER ENGINEERING INCORPORATED; JOHN MATKIN,
P.E.; JEFF CARROLL, P.E.,

Plaintiffs - Appellees

v.

EVEREST NATIONAL INSURANCE COMPANY,

Defendant - Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:08-CV-451

Before JOLLY, HIGGINBOTHAM, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

AFFIRMED. *See* 5th Cir. R. 47.6.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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