

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

United States Court of Appeals
Fifth Circuit

FILED

October 15, 2012

No. 12-10055

Lyle W. Cayce
Clerk

COATS, ROSE, YALE, RYMAN & LEE, P.C.,

Plaintiff - Appellant

v.

NAVIGATORS SPECIALTY INSURANCE COMPANY,

Defendant - Appellee

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:11-CV-0642-D

Before HIGGINBOTHAM, ELROD, and HAYNES, Circuit Judges.

PER CURIAM:*

Coats, Rose, Yale, Ryman & Lee, P.C. (“Coats”) appeals the district court’s order granting summary judgment to Navigators Specialty Insurance Company (“Navigators”). Coats sued Navigators seeking a declaration that Navigators has a conflict of interest in defending an underlying lawsuit against Coats such that Navigators is obligated to pay for independent counsel to defend Coats. *See Northern County Mut. Ins. Co. v. Davalos*, 140 S.W.3d 685, 688 (Tex. 2004)(explaining such conflicts of interest). We have carefully considered the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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briefs, pertinent portions of the record, and counsel's oral arguments in light of the applicable law. For substantially the same reasons set forth in the district court's opinion, *Coats, Rose, Yale, Ryman & Lee, P.C. v. Navigators Specialty Insurance Company*, 830 F. Supp. 2d 216 (N.D. Tex. 2011), we conclude that the district court committed no error warranting reversal.

AFFIRMED.