

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

July 15, 2010

Lyle W. Cayce  
Clerk

No. 09-60652

D.C. Docket No. 1:07-CV-568

PENTHOUSE OWNERS ASSOCIATION, INC.,

Plaintiff - Appellee

v.

CERTAIN UNDERWRITERS AT LLOYDS LONDON,

Defendant - Appellant

Appeal from the United States District Court for the  
Southern District of Mississippi, Biloxi

Before JOLLY, SMITH, and OWEN, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is reversed in part, vacated in part, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that appellee pay to appellant the costs on appeal to be taxed by the Clerk of this Court.

A True Copy  
Attest

ISSUED AS MANDATE: 06 AUG 2010

Clerk, U.S. Court of Appeals, Fifth Circuit

By: [Signature]  
Deputy

New Orleans, Louisiana 06 AUG 2010

