

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

No. 01-30185

INDUSTRIAS MAGROMER CUEROS Y PIELES S.A., Plaintiff-Appellee,

versus

LOUISIANA BAYOU FURS INC., ET AL., Defendants,

LOUISIANA BAYOU FURS INC., Defendants-Appellants.
WILLIAM L. BERRY,

Appeal from the United States District Court
for the Eastern District of Louisiana

October 23, 2002

ON PETITION FOR PANEL REHEARING

(Opinion June 24, 2002, 5th Cir., 2002, 2002 WL 1271001)

Before JONES, EMILIO M. GARZA, and STEWART, Circuit Judges.

PER CURIAM:

The Defendants-Appellants' (Louisiana Bayou Furs, Inc. ("Bayou Furs") and William L. Berry ("Berry")) Petition for Rehearing is DENIED. In denying rehearing, we clarify a statement in Part X of the opinion. In Part X, we stated that "the fact that we have granted judgment as a matter of law for Berry on the LUTPA claim does not affect the judgment or his liability for the damages." As the

Defendants-Appellants point out, the statutory claim for attorneys' fees in this case was under the Louisiana Unfair Trade Practices Act ("LUTPA"). Because we granted judgment as a matter of law in favor of Berry on the LUTPA claim, Berry is not liable to the Plaintiff-Appellee for attorneys' fees. However, this does not affect Bayou Furs's liability to the Defendants-Appellants or Berry's liability for the damages awarded by the jury. In all other respects, the Petition for Panel Rehearing is DENIED.