

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-1333**

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STATE OF NORTH CAROLINA, on the relation of  
James E. Long, Commissioner of Insurance, as  
Liquidator of Twentieth Century Life Insurance  
Company,

Plaintiff - Appellee,

versus

CANDACE L. COOPER,

Defendant - Appellant,

and

LOUIS J. HEVEY; GLENN H. MARTIN,

Defendants.

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**No. 96-1392**

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STATE OF NORTH CAROLINA, on the relation of  
James E. Long, Commissioner of Insurance, as  
Liquidator of Twentieth Century Life Insurance  
Company,

Plaintiff - Appellee,

versus

GLENN H. MARTIN,

Defendant - Appellant,

and

CANDACE L. COOPER; LOUIS J. HEVEY,

Defendants.

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Appeals from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, District Judge. (CA-92-783-5-F, CA-94-850-5-F2)

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Argued: May 7, 1998

Decided: June 23, 1998

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Before WIDENER, NIEMEYER, and LUTTIG, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**ARGUED:** Walter Wm. Hofheinz, LAW OFFICE OF WALTER WM. HOFHEINZ, Dallas, Texas; Noel Lee Allen, ALLEN & PINNIX, P.A., Raleigh, North Carolina, for Appellants. V. Lane Wharton, Jr., BODE, CALL & STROUPE, L.L.P., Raleigh, North Carolina, for Appellee. **ON BRIEF:** Anthony D. Taibi, BODE, CALL & STROUPE, L.L.P., Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Candace L. Cooper and Glenn H. Martin appeal the district court's orders granting summary judgment to the Plaintiff on the claim of breach of fiduciary duty as to Cooper and for violations of North Carolina's Racketeer Influenced and Corrupt Organizations Act, N.C. Gen. Stat. § 75D. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm essentially on the reasoning of the district court. North Carolina v. Cooper, No. CA-92-783-5-F, North Carolina v. Martin, No. CA-94-850-5-F2 (E.D.N.C., Jan. 16, 1996, Feb. 1, 1996; Feb. 22, 1996).

AFFIRMED