

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-2375**

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JEFFREY THOMPSON,

Plaintiff - Appellee,

versus

DIRECT IMPACT COMPANY,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Robert G. Doumar, Senior District Judge. (CA-97-1250-A)

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Argued: June 7, 1999

Decided: September 2, 1999

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Before WIDENER and MOTZ, Circuit Judges, and HOWARD, United States District Judge for the Eastern District of North Carolina, sitting by designation.

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Affirmed by unpublished per curiam opinion.

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**ARGUED:** Bernard Joseph DiMuro, DIMURO, GINSBERG & LIEBERMAN, P.C., Alexandria, Virginia, for Appellant. Gregory Lynn Murphy, VORYS, SATER, SEYMOUR & PEASE, L.L.P., Alexandria, Virginia, for Appellee. **ON BRIEF:** F. Allen Phaup, II, VORYS, SATER, SEYMOUR & PEASE, L.L.P., Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Direct Impact Company appeals the district court's finding that the contract between itself, and its employee, Jeffrey Thompson, was ambiguous, and asserts that the district court abused its discretion in directing a verdict of \$60,000 for the plaintiff based on the jury's special verdict finding for the plaintiff and awarding him damages in the amount of 20% of gross margin. Direct Impact additionally contends that competent evidence did not support the damage award and that the district court's instructions to the jury were prejudicial to Direct Impact.

We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm the decision of the district court on the reasoning contained in the district court's opinion. See Thompson v. Direct Impact, Co., No. CA-97-1250-A (E.D.V.A. Aug. 14, 1998).

AFFIRMED