

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 06-1291

GOLDBERGER, SELIGSOHN & SHINROD, P.A.;
ALLEN S. GOLDBERGER,

Appellants

v.

GULF INS CO;
TARGET PROFESSIONAL ASSOCIATES

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil No. 03-cv-5420)
District Judge: The Honorable Jose L. Linares

Submitted Under Third Circuit LAR 34.1(a)
April 10, 2007

Before: SMITH, NYGAARD, and HANSEN, * Circuit Judges.

*Honorable David R. Hansen, Senior Circuit Judge for the Eighth Circuit Court of Appeals, sitting by designation.

(Filed April 27, 2007)

OPINION OF THE COURT

NYGAARD, Circuit Judge.

This cause came to be heard on the record from the United States District Court for the District of New Jersey. Appellants Goldberger, Seligsohn & Shinrod, P.A., a New Jersey law firm and Allen S. Goldberger, Esq., a New Jersey attorney, appeal the District Court's grant of summary judgment to Appellee Gulf Insurance Company. The Appellants had sought a declaratory judgment in the District Court that Gulf Insurance Company owes them coverage under a professional liability policy for a legal malpractice claim.

After thorough study of the briefs filed by the parties, as well as the record and transcripts of hearings conducted in the District Court, we will affirm essentially for the reasons stated by the District Court. The facts and procedural history of this case are well known to the parties and the court, and it is not necessary that we restate them here. The reasons why we write an opinion of the court are threefold: to instruct the District Court, to educate and inform the attorneys and parties, and to explain our decision. We use a not-precedential opinion in cases such as this, in which a precedential opinion is rendered unnecessary because the opinion has no institutional or precedential value. *See* United States Court of Appeals for the Third Circuit, Internal Operating Procedure

(I.O.P.) 5.3. Under the usual circumstances when we affirm by not-precedential opinion and judgment, we briefly set forth the reasons supporting the court's decision. In this case, however, we have concluded that neither a full memorandum explanation nor a precedential opinion is necessary. Judge Linares' ruling is an excellent statement of his reasoning and fully supports his order. No further refutation of the appellant's allegations of error is necessary.

Hence, we believe it wholly unnecessary to further opine, or offer additional explanations and reasons to those given by the District Court, why we will affirm. It is sufficient to say that, essentially for the reasons given by the District Court in its opinion dated the 29th day of December, 2005, we will affirm.

It is now hereby ORDERED and ADJUDGED that the Judgment of the District Court entered on December 29, 2005 be, and the same is hereby AFFIRMED.