

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-2696MN

Mitchell Luskin,

Appellant,

v.

State Farm Fire & Casualty Company,
an Illinois Corporation,

Appellee.

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Appeal from the United States
District Court for the District
of Minnesota.

[UNPUBLISHED]

Submitted: February 9, 1998
Filed: February 20, 1998

Before FAGG and MURPHY, Circuit Judges, and SMITH,* District Judge.

PER CURIAM.

This declaratory judgment action concerns a personal liability umbrella policy coverage dispute between Mitchell Luskin and State Farm Fire & Casualty Company (State Farm). Luskin brought this action after he was sued by his twelve-year-old son for personal injury damages exceeding the limits of his automobile insurance policy. Relying on a household exclusion in the umbrella policy, State Farm denied coverage and the district court held the household exclusion was valid and enforceable under

*The Honorable Ortrie D. Smith, United States District Judge for the Western District of Missouri, sitting by designation.

Minnesota law. Having carefully reviewed the case and having considered de novo the disputed issues of state law, we conclude no error of law appears. As a federal court sitting in diversity, we are in no position to extend Minnesota law, and we thus affirm the decision of the district court without further discussion. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.