

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-14054
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MAY 3, 2006 THOMAS K. KAHN CLERK
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D. C. Docket No. 99-01317-MD-PAS

VALLEY DRUG COMPANY, et al.,

Plaintiffs,

TRUSTEES OF THE CORRECTION OFFICERS BENEVOLENT
ASSOCIATION
SECURITY BENEFITS FUND- RETIREES,
CORRECTIONS OFFICERS BENEVOLENT ASSOCIATION
SECURITY
BENEFITS FUNDS ACTIVE,,
TRUSTEES OF THE LOCAL 445 FREIGHT DIVISION WELFARE
FUND,
TRUSTEES OF THE LOCAL 445 CONSTRUCTION DIVISION
WELFARD FUND,
NEW YORK CITY TRANSIT AUTHORITY,
BLUECROSS BLUE SHIELD OF FLORIDA,
BLUECROSS BLUESHIELD OF MINNESOTA,
BLUECROSS BLUESHIELD OF TENNESSEE,
CAREFIRST,
FEDERATED MUTUAL INSURANCE COMPANY,
HEALTH CARE SERVICES CORPORATION,
MUTUAL OF OMAHA INSURANCE COMPANY,

Plaintiffs-Appellants,

versus

GENEVA PHARMACEUTICALS,
ABBOTT LABORATORIES,

Defendants-Appellees.

Appeals from the United States District Court
for the Southern District of Florida

(May 3, 2006)

Before TJOFLAT, ANDERSON and BIRCH, Circuit Judges.

PER CURIAM:

In this class action, the district court, pursuant to a settlement agreement that had been negotiated and would be presented to the court for approval, established April 11, 2005, as the deadline for the claims administrator's receipt of opt-out requests. Appellants missed this deadline and moved the court for Fed. R. Civ. P. 6(b) relief – so that they could take their claims elsewhere. The court held a hearing on appellants' motions, considered the parties submissions and arguments, and denied the motions. Appellants appeal the court's rulings.

We review the district court's decision for abuse of discretion. After

considering the parties briefs and the relevant portions of the record, we find no such abuse.

AFFIRMED.