

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

Nos. 06-11352 & 06-13188
Non-Argument Calendar

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| <p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT October 31, 2006 THOMAS K. KAHN CLERK</p> |
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D.C. Docket No. 04-21392-CV-DLG

RAFAEL FERNANDEZ,

Plaintiff-Appellant,

versus

SILVERSTONE INVESTMENTS, INC.,
JUAN C. MARTINEZ,
JEAN MARC-ROGLIANO,
ELENA FRAGA,

Defendants-Appellees.

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

(October 31, 2006)

Before TJOFLAT, BLACK and BARKETT, Circuit Judges.

PER CURIAM:

The district court denied appellant's motion for judgment as a matter of law notwithstanding the jury's verdict and alternative motion for a new trial on the issue of damages. The court denied the motion for judgment as a matter of law because the evidence did not point so overwhelmingly in favor of the plaintiff that a reasonable jury could not return a verdict for the defendants. After reviewing the relevant portions of the trial transcript, we agree with the district court and thus affirm its ruling.

AFFIRMED.