

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-15582
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT February 27, 2007 THOMAS K. KAHN CLERK
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D. C. Docket No. 04-00999-CV-HS-S

BETTY J. BROWN,
personal representative
for the estate of Robert D. Brown,
deceased,

Plaintiff-Appellant,

versus

FIRST DATABANK, INC.,
a corporation,

Defendant-Appellee,

ALBERT JOHARY, DR., et al.,

Defendants.

Appeal from the United States District Court
for the Northern District of Alabama

(February 27, 2007)

Before TJOFLAT, BLACK and HULL, Circuit Judges.

PER CURIAM:

The district court, exercising its gate-keeping function under Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 113 S.Ct. 2786 (1993), found that the methodology used by appellant's expert witness, Dr. Sims, was not sufficiently reliable to support Sims's opinion that a causal relationship existed between the decedent's use of Metoclopramide and the decedent's depression and eventual suicide. Having made that finding, the court excluded Dr. Sims's opinion and granted appellee summary judgment. This appeal followed.

This appeal turns on one issue: whether the district court abused its discretion in excluding Dr. Sims's opinion on the ground that her methodology was unreliable. After examining the record on which the court made its finding, we conclude that the court's exclusion of the proffered opinion was not an abuse of discretion.

AFFIRMED.