

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 03-14287  
\_\_\_\_\_

**FILED**  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
May 11, 2004  
THOMAS K. KAHN  
CLERK

D. C. Docket No. 01-02955-CV-TWT-I

JOSEPH G. KOLLMAN,

Plaintiff-Appellant,

versus

INTERNATIONAL BROTHERHOOD OF ELECTRICAL  
WORKERS AFL-CIO-CFL, LOCAL UNION 613,  
WHITEHEAD ELECTRIC COMPANY,  
HOLDER CONSTRUCTION COMPANY,

Defendants-Appellees.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Northern District of Georgia  
\_\_\_\_\_

Before BARKETT and HILL, Circuit Judges, and FORRESTER\*, District Judge.

PER CURIAM:

\_\_\_\_\_  
\*Honorable J. Owen Forrester, United States District Judge for the Northern District of Georgia, sitting by designation.

After a thorough review of the record and the law relevant to this case, we AFFIRM the district court's grants of summary judgment. With regard to Kollman's hybrid § 301/fair representation claims, we find that Kollman has failed to advance sufficient evidence to support his § 301 claim. Because we find that Joseph Kollman's ("Kollman's") fraud and intentional infliction of emotional distress claims have no merit, we need not decide if they are precluded by Georgia's Workers' Compensation Act. We agree with the district court's conclusion that under Georgia law, Holder cannot be held liable for tortious interference because Holder was not a "stranger" to Kollman's employment agreement.<sup>1</sup>

AFFIRMED.

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<sup>1</sup>We deny Holder's motion for sanctions.