

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-13496

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MARCH 27, 2007 THOMAS K. KAHN CLERK

D. C. Docket No. 03-00272-CV-MHS-1

GEORGIA TELEVISION COMPANY,
d.b.a. WSB TV,

Plaintiff,

NOVARTIS ANIMAL HEALTH US, INC.,
a Delaware corporation,

Plaintiff-Appellant,

versus

EARLE PALMER BROWN, LLC,
a Delaware limited liability company,
PANORAMIC COMMUNICATIONS, LLC,

Defendants,

UPS CAPITAL CORPORATION,

Defendant-Appellee.

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

(March 27, 2007)

Before EDMONDSON, Chief Judge, BIRCH and WILSON, Circuit Judges.

PER CURIAM:

Novartis Animal Health US appeals the district court's order granting summary judgment in favor of UPS Capital Corporation ("UPS"). We review the district court's order *de novo*. *State Farm & Cas. Co. v. Steinberg*, 393 F.3d 1226, 1230 (11th Cir. 2004). The issues on appeal were: (1) whether Article 9 of the Uniform Commercial Code controlled the parties' relationship and (2) whether there was sufficient evidence in the record to support a claim that UPS acted in bad faith. After carefully considering the briefs, reviewing the record on appeal, and having the benefit of oral argument, we find no error on the part of the district court on either issue. The district court properly granted summary judgment. Accordingly, we affirm.

AFFIRMED.