

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
Nos. 06-14222 & 06-14497  
\_\_\_\_\_

D. C. Docket Nos.  
04-21589-CV-FAM & 00-01334-MD-FAM

<p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT June 13, 2007 THOMAS K. KAHN CLERK</p>
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CHARLES B. SHANE, M.D.,  
JEFFREY BOOK, D.O.,  
H. ROBERT HARRISON, M.D.,  
GLENN L. KELLY, M.D.,  
LEONARD J., KLAY, M.D.,  
MARTIN MORAN, M.D.,  
MANUEL PORTH, M.D.,  
THOMAS BACKER, M.D.,  
SUSAN HANSEN, M.D.,  
ANDRES TALEISNIK, M.D.,  
JULIO TALEISNIK, M.D.,  
ROGER WILSON, M.D.,  
MEDICAL ASSOCIATION OF GEORGIA,  
FLORIDA MEDICAL ASSOCIATION,  
LOUISIANA STATE MEDICAL SOCIETY,

Plaintiffs-Appellants,

versus

HUMANA, INC.,  
COVENTRY HEALTH CARE, INC.,  
HUMANA HEALTH PLAN, INC.,  
PACIFICARE HEALTH SYSTEMS, INC.,  
PRUDENTIAL INSURANCE COMPANY OF AMERICA, et al.,

Defendants-Appellees.

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

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**(June 13, 2007)**

Before CARNES and WILSON, Circuit Judges, and WALTER,\* District Judge.

PER CURIAM:

The judgment of the district court is affirmed for the reasons set out in the district court's order granting summary judgment, which was filed on June 19, 2006, except that we do not reach the issue of whether the "plus factors" requirement from antitrust law is applicable in civil RICO cases. Even if that requirement is not applicable, the district court's judgment is still due to be affirmed under the facts and circumstances of this case.

**AFFIRMED.**

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\*Honorable Donald E. Walter, United States District Judge for the Western District of Louisiana, sitting by designation.