

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-14647

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT May 23, 2008 THOMAS K. KAHN CLERK

D. C. Docket No. 02-01597 CV-BE-S

FRANK T. COLUMBIA,
for the use and benefit of
United States of America,

Plaintiff-Appellant,

versus

MEDICAL CENTER EAST, INC.,
d.b.a. Eastern Health System, Inc.,

Defendant-Appellee.

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

(May 23, 2008)

Before DUBINA and BARKETT, Circuit Judges, and SCHLESINGER*, District Judge.

*Honorable Harvey E. Schlesinger, United States District Judge for the Middle District of Florida, sitting by designation.

PER CURIAM:

Appellant Frank T. Columbia (“Columbia”) appeals the district court’s order granting partial summary judgment to appellee Medical Center East, Inc., (“MCE”), on Columbia’s False Claims Act claims. The appeal presents two issues: (1) whether the district court erred in limiting Columbia’s claims to the years in which he was employed at MCE; and (2) whether the district court erred in granting summary judgment to MCE.

“We review a grant of summary judgment by a district de novo.” *Shuford v. Fidelity Nat. Property & Cas. Ins. Co.*, 508 F.3d 1337, 1341 (11th Cir. 2007) (citations omitted). “We apply the same legal standards that bound the district court and view all facts and reasonable inferences in the light most favorable to the nonmoving party.” *Id.* (citations omitted).

We review a district court’s discovery decisions for abuse of discretion. *Burger King Corp. v. Weaver*, 169 F.3d 1310, 1315 (11th Cir. 1999).

After reviewing the record, reading the parties briefs, and having the benefit of oral argument, we affirm the district court’s grant of summary judgment in favor of MCE because there was no evidence before the district court that MCE fraudulently billed, or otherwise improperly sought reimbursement, for contrast materials. Because we see also no abuse of discretion in the district court’s

discovery rulings, we affirm the district court's denial of discovery on pre-2000 claims as well as the district court's refusal to review claims outside of the stated time range.

AFFIRMED.