

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-15426

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT SEPT 16, 2008 THOMAS K. KAHN CLERK
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D.C. Docket No. 07-01446-CV-CAP-1

TANYA SPICER, individually
and on behalf of all similarly
situated individuals,

Plaintiff-Appellant,

versus

THE RYLAND GROUP, INC.
D.b.a. Ryland Homes,
RYLAND MORTGAGE CO.,

Defendants-Appellees.

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

(September 16, 2008)

Before WILSON and PRYOR, Circuit Judges, and MIDDLEBROOKS,* District
Judge.

* Honorable Donald M. Middlebrooks, United States District Judge for the Southern
District of Florida, sitting by designation.

PER CURIAM:

Appellant, Tanya Spicer, on behalf of herself and a putative nationwide class of individuals, appeals the district court's order, granting a motion to dismiss in favor of Appellees, Ryland Group, Inc., that was based on the district court's determination that defendants' offering a discount on settlement services, conditioned upon the use of an affiliated business arrangement in this case was not a violation of the Real Estate Settlement Procedures Act, 12 U.S.C. §§2607(a) and (b). See Spicer v. Ryland Group, Inc., 523 F.Supp. 1356 (N.D. Ga. 2007). We have considered the briefs, the relevant parts of the record, and the well-reasoned opinion by the district court and conclude that the district court did not err, and properly granted Defendant-Appellees' motion to dismiss against Plaintiff-Appellant.

AFFIRMED.