

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 08-15582  
Non-Argument Calendar

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FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT FEBRUARY 17, 2009 THOMAS K. KAHN CLERK
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D. C. Docket No. 08-00216-CV-TWT-1

GREENWOOD NURSERY, INC.,  
a Texas corporation,

Plaintiff-Appellant,

versus

HOME DEPOT U.S.A., INC.,  
a Georgia corporation,

Defendant-Appellee.

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

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(February 17, 2009)

Before TJOFLAT, CARNES and WILSON, Circuit Judges.

PER CURIAM:

The judgment of the district court is affirmed. Appellant's claims are barred for the reasons the district court spelled out in its order of September 4, 2008.

**AFFIRMED.**