

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-10254

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MARCH 1, 2010 JOHN LEY CLERK
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D. C. Docket No. 07-01372-CV-T-26-EAJ

HOME DEPOT USA, INC.,
a Delaware corporation,

Plaintiff-Counter-
Defendant-Appellee,

versus

AMORE CONSTRUCTION COMPANY,
a Florida corporation,

Defendant-Cross-
Defendant-Counter-
Claimant-Appellant,

DAVID BARRON LAND DEVELOPMENT, INC.,
a Florida corporation,

Defendant-Cross-
Claimant-Counter-
Claimant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(March 1, 2010)

Before TJOFLAT, PRYOR and MARTIN, Circuit Judges.

PER CURIAM:

In this case, the district court, following a bench trial, found for plaintiff Home Depot on its claim for declaratory relief and against defendants Amore Construction and David Barron Land Development on their counterclaims for breach of contract, unjust enrichment, quantum meruit, and negligent misrepresentation. After hearing oral argument of counsel in defendants' appeal, we agree with the district court, for the reasons stated in its dispositive order of December 15, 2008, that the defendants' counterclaims lack merit.

AFFIRMED.