

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 09-14157  
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MAY 12, 2010 JOHN LEY CLERK
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D.C. Docket No. 08-81260-CV-DTKH

CLAUDE DAVID CHASTAIN, on behalf of  
himself and all others similarly situated,

Plaintiff-Appellant,

versus

N.S.S. ACQUISITION CORP.,  
d.b.a. Bev Smith Toyota,

Defendant-Appellee.

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

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(May 12, 2010)

Before BLACK, PRYOR and COX, Circuit Judges.

PER CURIAM:

Plaintiff-Appellant Claude David Chastain brought a putative class action against N.S.S. Acquisition Corp. d/b/a Bev Smith Toyota alleging violations of the

Truth in Lending Act, the Florida Motion Vehicle Retail Sales Finance Act, the Equal Credit Opportunity Act, and the Florida Deceptive and Unfair Trade Practice Act. The district court dismissed the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). (R.1-20.)

Appellant's brief acknowledges that this case "is a virtual mirror image of *Hunter v. Bev Smith Ford, LLC*," a putative class action that was dismissed by the district court and was pending on appeal at the time this appeal was briefed. (Appellant's Br. at 11.) And, Appellant makes no additional arguments to those made in the *Hunter* appeal as to why the district court erred when it dismissed his complaint.

Since this appeal was briefed, a panel of this court heard oral argument in *Hunter* and issued an opinion affirming the dismissal of that case. *Hunter v. Bev Smith Ford, LLC*, Case No. 08-13324 (11th Cir. Nov. 17, 2009). In this case, as we did in *Hunter*, we reject Appellant's arguments and affirm.

AFFIRMED.