

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 11-11680

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
APRIL 24, 2012  
JOHN LEY  
CLERK

D.C. Docket No. 1:08-md-01928-DMM

JEANNE DIANE COLLINS,  
as surviving statutory beneficiary for the  
wrongful death of Floyd Collins,

Plaintiff-Appellant,

versus

BAYER CORPORATION,  
a Pennsylvania corporation,

Defendant-Appellee.

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

(April 24, 2012)

Before HULL and COX, Circuit Judges, and BOWEN,\* District Judge.

PER CURIAM:

After review and oral argument before this Court, we conclude that Plaintiff-Appellant Jeanne Diane Collins has shown no reversible error in the district court's order, dated 31 January 2011, granting summary judgment in favor of Defendant-Appellee Bayer Corporation ("Bayer"). Collins has also shown no abuse of discretion in the district court's order, dated 17 March 2011, denying Collins's 11 February 2011 motion for either a Daubert hearing or appointment of an independent expert witness, which motion was filed after the court's ruling on Bayer's summary judgment motion.

Among other things, the district court did not abuse its discretion in excluding the expert opinions of Dr. Toback and Dr. Ahmed, for the reasons outlined in the district court's summary judgment order.

The district court did not err in granting summary judgment in favor of Bayer on Collins's products liability, personal injury, and unfair competition and false advertising claims, because Collins lacked evidence as to causation.

**AFFIRMED.**

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\*The Honorable Dudley H. Bowen, Jr., United States District Judge for the Southern District of Georgia, sitting by designation.