

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 11-14013
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT FEB 6, 2012 JOHN LEY CLERK
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D.C. Docket No. 9:11-cv-80390-DMM

CHAD BROWN,
ERIC LOWE,
T. ZENON PHARMACEUTICALS LLC,
d.b.a. Pharmacy Matters,

Plaintiffs - Appellants,

versus

BLUE CROSS BLUE SHIELD OF FLORIDA, INC.

Defendant-Appellant.

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

(February 6, 2012)

Before TJOFLAT, PRYOR and KRAVITCH, Circuit Judges.

PER CURIAM:

The district court, in a comprehensive order dated August 8, 2011, granted appellee's motion to stay this action under the Colorado River¹ doctrine pending the final disposition of an action in an Iowa state court in which appellant Pharmacy Matters, a mail-order pharmacy, is seeking payment for blood factors it provided appellants Brown and Lowe—the same payment it seeks to recover in this lawsuit. Appellants appeal the stay order, arguing that the district court abused its discretion in granting the stay; that is, it applied the Colorado River factors erroneously and the facts it found with respect to those factors are clearly erroneous.

We disagree. The August 8 order demonstrates that the district court correctly applied the Colorado River factors and that the findings of fact it made with respect to the factors is supported by the record. Hence, granting the stay did not constitute an abuse of discretion.

AFFIRMED.

¹ See Colorado River Water Conservation Dist. v. United States, 424 U.S. 800, 96 S.Ct. 1236, 47 L. Ed.2d 483 (1976).