

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 16-16126

D.C. Docket No. 1:12-cv-01250-AT

MONOPOLY HOTEL GROUP, LLC,

Plaintiff - Appellant,

versus

HYATT HOTELS CORPORATION,

Defendant - Appellee.

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

(July 31, 2017)

Before WILLIAM PRYOR, MARTIN and ROSENBAUM, Circuit Judges.

PER CURIAM:

Monopoly Hotel Group, LLC, appeals the grant of summary judgment in favor of Hyatt Hotels Corporation and against its complaint of breach of contract and breach of fiduciary duty. Monopoly entered into a licensing agreement with Hawthorn International, LLC, that permitted Monopoly to develop hotels abroad using the Hawthorn Suites brand. The chief executive officer of Hawthorn later sent Monopoly a letter stating that if Monopoly would agree to a few conditions—including allowing Hyatt to have a role in approving development projects submitted by Monopoly—then Hawthorn would alter certain terms in the licensing agreement. Monopoly agreed. Monopoly asserts that this agreement created a contract between Hyatt and Monopoly either because the chief executive officer of Hawthorn sent the letter on behalf of Hyatt or because Hyatt accepted the benefits of the contract by approving development projects submitted by Monopoly. Monopoly also asserts that it was in a fiduciary relationship with Hyatt.

This appeal presents two issues: (1) whether Hyatt and Monopoly were parties to a contract; and (2) whether Hyatt and Monopoly were in a fiduciary relationship. Monopoly presents no evidence that warrants a reasonable inference that Hyatt was a party to a contract with Monopoly, nor does Monopoly offer any evidence that Hyatt had a fiduciary duty to Monopoly. For these reasons and the

reasons stated in the well-reasoned order of the district court dated August 16, 2016, we affirm the grant of summary judgment in favor of Hyatt.