

Filed 8/26/96

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

DRY CREEK CATTLE COMPANY,)
a Wyoming Partnership,)
)
Plaintiff-Appellant,)
) No. 95-8018
v.)
) (D.C. No. 94-0109)
) (D. Wyoming)
THE BASQUE CARTEL;)
Steve Adami; Tom Borgialli;)
Simon Iberlin; Martin S.)
Harriet; John Iberlin;)
Lowham Associates, a Wyoming)
Corporation; Paul Lowham;)
Farmers National Company;)
Garry Davis; and Mary K. Davis.)
)
Defendants-Appellees.)

ORDER AND JUDGMENT*

BEFORE: **KELLY**, Circuit Judge, **BARRETT**, AND **JONES****, Senior
Circuit Judges.

On appeal, the Plaintiffs contend that the district court erred when it entered summary judgment in favor of the Defendants. We review the district court's decision to grant summary judgment *de novo*. *Lanphere & Urbaniak v. Colorado*, 21 F.3d 1508, 1511 (10th Cir.), *cert. denied*, --- U.S. ---, 115 S. Ct. 638 (1994). After a thorough examination of the parties' briefs, the auction videotape, and the record, we find that the

* This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

** The Honorable Nathaniel R. Jones, Senior United States Circuit Judge for the Sixth Circuit, sitting by designation.

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district court correctly entered summary judgment for the Defendants.

Furthermore, it would be duplicative and serve no useful purpose to reiterate the excellent legal analysis developed by the court below in its published opinion. *Love v. Basque Cartel*, 873 F. Supp. 563 (D. Wyo. 1995). Accordingly, we adopt the opinion of the district court and, therefore, affirm.

Entered for the Court:

Nathaniel R. Jones
Senior Circuit Judge