

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 10-3654

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Texarkana Behavioral Associates, L.C.,	*	
	*	
Appellant,	*	
	*	Appeal from the United States
v.	*	District Court for the
	*	Western District of Arkansas.
Universal Health Services, Inc.,	*	
	*	[UNPUBLISHED]
Appellee.	*	

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Submitted: September 22, 2011  
Filed: October 6, 2011

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Before MELLOY, SMITH, and BENTON, Circuit Judges.

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PER CURIAM.

In this diversity-based action, Texarkana Behavioral Associates, L.C. (TBA) appeals from the district court's<sup>1</sup> adverse grant of summary judgment on its claims under Arkansas law against Universal Health Services, Inc. for misappropriation of trade secrets, breach of contract, and tortious interference with a contractual relationship. TBA also appeals the district court's denial of TBA's motion to compel discovery. After de novo review of the summary judgment decision, *Mayer v. Countrywide Home Loans*, 647 F.3d 789, 791 (8th Cir. 2011), we affirm for the

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<sup>1</sup>The Honorable Harry F. Barnes, United States District Judge for the Western District of Arkansas.

reasons discussed in the district court's order, *Texarkana Behavioral Associates, L.C. v. Universal Health Services, Inc.*, 748 F. Supp. 2d 1008 (W.D. Ark. 2010). *See* 8th Cir. R. 47B. Additionally, for the reasons discussed in the district court's order, *see id.*, we hold that the district court did not abuse its discretion in denying TBA's motion to compel discovery. *See Kilpatrick v. King*, 499 F.3d 759, 766 (8th Cir. 2007) ("We review the denial of a motion to compel discovery for gross abuse of discretion.").

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