

United States Court of Appeals
For the Eighth Circuit

No. 16-3567

In re: Mirapex Products Liability Litigation

Kathryn Gillette; Raif Szczepanski

Plaintiffs - Appellants

v.

Boehringer Ingelheim Pharmaceuticals, Inc.; Pfizer, Inc.; Pharmacia Corporation;
Pharmacia & Upjohn Company LLC

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: April 12, 2017

Filed: April 17, 2017

[Unpublished]

Before RILEY, MURPHY, and SHEPHERD, Circuit Judges.

PER CURIAM.

Kathryn Gillette and Raif Szczepanski appeal the district court's¹ adverse grant of summary judgment in their diversity action for damages based on a prescription drug's alleged side effect on Gillette. Having carefully reviewed the record and the parties' arguments on appeal, we conclude that summary judgment was properly granted for the reasons stated by the district court. See Beaulieu v. Ludeman, 690 F.3d 1017, 1024 (8th Cir. 2012) (grant of summary judgment is reviewed de novo, viewing record in light most favorable to nonmovant); Integrity Floorcovering, Inc. v. Broan-Nutone, LLC, 521 F.3d 914, 917 (8th Cir. 2008) (district court's determination of state law is reviewed de novo).² Accordingly, the judgment is affirmed. See 8th Cir. R. 47B.

¹The Honorable Michael J. Davis, United States District Judge for the District of Minnesota, adopting the report and recommendation of the Honorable Franklin L. Noel, United States Magistrate Judge for the District of Minnesota.

²We do not consider allegations or claims that were not mentioned below. See Stone v. Harry, 364 F. 3d 912, 914 (8th Cir. 2001) (stating general rule that claims not presented in district court may not be advanced for first time on appeal).