



the record and considered the parties' briefs, we find no merit in Woodke's contentions.

The district court's instructions were adequate as given. Anyway, to the extent that Woodke complains the district court should have given his damage-related instruction, the district court's refusal to give the instruction is harmless because the jury found against Woodke on the merits.

We also reject Woodke's contention that the district court abused its discretion in refusing to admit certain documents offered by Woodke. Woodke testified about the production costs contained in the challenged documents and put other cost-related documents into evidence; thus, the challenged evidence was merely cumulative of Woodke's testimony and other documentary evidence.

Accordingly we affirm the district court.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.