

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-2163SI

IBP, Inc.,	*	
	*	
Appellant,	*	Appeal from the United States
	*	District Court for the Southern
v.	*	District of Iowa.
	*	
John E. Allis,	*	[UNPUBLISHED]
	*	
Appellee.	*	

Submitted: February 10, 1999
Filed: February 18, 1999

Before BOWMAN, Chief Judge, and FAGG and HANSEN, Circuit Judges.

PER CURIAM.

IBP, Inc. appeals from the denial of IBP's request for a preliminary injunction in this diversity-based dispute about the enforceability of a non-compete provision in an employment agreement between IBP and John E. Allis. Having considered the record and the parties' arguments, we are satisfied the district court appropriately considered the factors enumerated in Dataphase Sys., Inc. v. C L Sys., Inc., 640 F.2d 109, 114 (8th Cir. 1981) (en banc), and did not abuse its discretion in denying the requested injunction. Because the parties' submissions show they are thoroughly familiar with the issues before the court, we believe an extensive discussion about a non-compete provision that is unique to these parties would serve no useful

precedential purpose. Having rejected IBP's contentions of reversible error, we affirm without further discussion and remand to the district court for further proceedings. See 8th Cir. R. 47B.

A true copy.

Attest:

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