

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

No. 98-1479

Frederick P. Moldan; Luann L. Moldan,	*	
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	*	
Appellants,	*	
	*	
v.	*	
	*	
State Bank and Trust Company of New Ulm, Minnesota, a state chartered financial institution doing business as a Minnesota corporation; Dan Glickman, as Secretary of Agriculture for the United States Department of Agriculture; doing business as Rural Utilities Service and Farm Services Agency; Brown County Rural Electric Association, a Minnesota chartered and member-owned cooperative association; John Does, 1-10; Jane Roes, 1-10; XYZ Corporation, 1-5,	*	Appeal from the United States District Court for the District of Minnesota.
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	*	[UNPUBLISHED]
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Appellees.	*	

Submitted: March 19, 1999

Filed: April 2, 1999

Before FAGG, HANSEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Frederick P. Moldan and Luann L. Moldan appeal from the district court's¹ order granting the summary judgment motion of defendants State Bank and Trust Company of New Ulm (State Bank) and the United States Secretary of Agriculture as to certain counts, and dismissing without prejudice the Moldans' remaining claims. Having carefully reviewed the record and the parties' submissions on appeal, we conclude that the district court's judgment is correct. Accordingly, we affirm. See 8th Cir. R. 47B.

We also deny State Bank's pending motion as moot.

A true copy.

Attest:

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

¹The Honorable James M. Rosenbaum, United States District Judge for the District of Minnesota.