

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 07-10164  
\_\_\_\_\_

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT NOV 18, 2008 THOMAS K. KAHN CLERK
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D. C. Docket No. 03-23269-CV-JAL

KOBARID HOLDINGS, SA,  
a Luxemborg Corporation,  
TAMBOURINE COMERCIO, INTERNATIONAL SA,  
a Portugese Corporation, et. al.,

Plaintiffs-Appellees,

versus

EDWARD MERRIT REIZEN,

Defendant-Appellant.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Florida  
\_\_\_\_\_

**(November 18, 2008)**

Before HULL, MARCUS and KRAVITCH, Circuit Judges.

PER CURIAM:

In this appeal, we are called upon to address whether the Appellee Hawksbay Ltd. (“Hawksbay”) presented sufficient evidence to support a jury verdict and final judgment of almost \$40 million rendered against Appellant Edward Merrit Reizen (“Reizen”) in this diversity action. Hawksbay claimed that Reizen breached his fiduciary duty, engaged in fraud, fraudulent concealment, conversion, civil theft, and aided and abetted a breach of fiduciary duty in violation of Florida law. On appeal, Reizen claims that the district court erred by denying his (1) motion for a new trial on the breach of fiduciary duty count, (2) motion for a directed verdict or new trial on the fraud, fraudulent concealment, conversion, civil theft, and aiding and abetting a breach of fiduciary duty counts, and (3) motion for a new trial or remittitur on the punitive damage award. After thorough review of the record and having taken oral arguments, we affirm the final judgment of the district court in all respects.

We are satisfied that there was sufficient evidence adduced at trial to support Hawksbay’s claims of fraud, fraudulent concealment, conversion, civil theft, and aiding and abetting a breach of fiduciary duty. We are also convinced that the evidence presented amply supported the jury’s award of damages.

**AFFIRMED.**