

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1904

SHEE ATIKA LANGUAGES, LLC, a limited liability company organized under the laws of the State of Alaska with its principal place of business in Sitka, Alaska; THE SHEE ATIKA LANGUAGES, LLC, LIQUIDATING TRUST, a trust organized under the laws of the State of Alaska with its principal place of business in Sitka, Alaska,

Plaintiffs - Appellants,

v.

GLOBAL LINGUIST SOLUTIONS, LLC, a limited liability company organized under the laws of the State of Delaware with its principal place of business in Falls Church, Virginia,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Leonie M. Brinkema, District Judge. (1:13-cv-00850-LMB-TRJ)

Submitted: February 27, 2015

Decided: May 5, 2015

Before KEENAN, WYNN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael J. Lockerby, Brian J. Kapatkin, Erik F. Benny, FOLEY & LARDNER LLP, Washington, DC, for Appellants. John S. Pachter, Jennifer A. Mahar, Edmund M. Amorosi, Todd M. Garland, Zachary D. Prince, SMITH PACTER MCWHORTER PLC, Tysons Corner, Virginia,

for Appellee.



Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellants Shee Atika Languages, LLC, and The Shee Atika Languages, LLC, Liquidating Trust, appeal the district court's order granting summary judgment to Appellee in their civil action. On appeal, Appellants contend that the district court erred by improperly interpreting various provisions of their contract with Appellee and by ignoring the contract's plain language and instead relying on extrinsic evidence. We affirm.

We review whether a district court erred in granting summary judgment de novo, applying the same legal standards as the district court and viewing the evidence in the light most favorable to the nonmoving party. Walker v. Mod-U-Kraf Homes, LLC, 775 F.3d 202, 208 (4th Cir. 2014). The district court must enter summary judgment "against a party who fails to make a showing sufficient to establish the existence of an element essential to that party's case, and on which that party will bear the burden of proof at trial." Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986).

"Where the record taken as a whole could not lead a rational trier of fact to find for the non-moving party, there is no genuine issue for trial." Matsushita Elec. Indus. Co., LTD. v. Zenith Radio Corp., 475 U.S. 574, 587 (1986) (internal quotation marks omitted). "The nonmoving party cannot create a genuine issue of material fact through mere speculation or the

building of one inference upon another.” Othentec Ltd. v. Phelan, 526 F.3d 135, 140 (4th Cir. 2008) (internal quotation marks omitted).

We have reviewed the record and the parties’ briefs, and we conclude that the district court did not err in granting summary judgment to Appellee. Accordingly, we affirm for the reasons stated by the district court. See Shee Atika Languages, LLC v. Global Linguist Solutions, LLC, No. 1:13-cv-00850-LMB-TRJ (E.D. Va. Aug. 4, 2014). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED