

United States Court of Appeals
For the Eighth Circuit

No. 17-3702

Bradley R. Hartke; Douglas P. Hartke; Joan L. Hartke, individually and as Trustees of the Joan L. Hartke QTIP Marital Trust dated 7/12/1996 and as Trustees of the Robert Eugene Hartke Family Trust dated 7/12/1996; The Joan L. Hartke QTIP Marital Trust dated 7/12/1996; The Robert Eugene Hartke Family Trust dated 7/12/1996

Plaintiffs - Appellees

v.

WIPT, Inc.

Defendant - Appellant

Roger Dean Waldner

Defendant

The One Stop, Inc.; RDW-KILT, Inc.

Defendants - Appellants

Community Bank

Defendant

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: October 17, 2018
Filed: January 17, 2018
[Unpublished]

Before SHEPHERD, KELLY, and STRAS, Circuit Judges.

PER CURIAM.

Bradley R. Hartke, Douglas P. Hartke, and Joan L. Hartke, individually and as trustees of Hartke-related trusts (collectively, Hartkes) filed an action in the United States District Court seeking a declaration that promissory notes they executed to entities owned by Roger Dean Waldner were unenforceable. The Women’s Investment Property Trust, Inc. (WIPT), The One Stop, Inc., and RDW-KILT, Inc. (collectively, Appellants)—counterclaimed, seeking recovery on the notes. All parties moved for judgment on the pleadings. The district court¹ denied Appellants’ motion for judgment on the pleadings and granted the Hartkes’ motion for judgment on the pleadings. This appeal followed.² We have jurisdiction, 28 U.S.C. § 1291, and review de novo the district court’s entry of judgment on the pleadings, Schnuck Markets, Inc. v. First Data Merchant Services Corp., 852 F.3d 732, 737 (8th Cir. 2017), and its interpretation and application of state law, Nolles v. State Committee for Reorganization of School Districts, 524 F.3d 892, 901 (8th Cir. 2008). Having carefully reviewed the parties’ briefs, the record, and the applicable legal principles, we find no reversible error in the district court’s disposition of this matter. Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

¹The Honorable Paul A. Magnuson, United States District Judge for the District of Minnesota.

²Waldner filed a separate, pro se appeal in No. 17-3685.