

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 06-11653  
\_\_\_\_\_

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT December 7, 2006 THOMAS K. KAHN CLERK
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D. C. Docket No. 05-00969 CV-ORL-31-JGG

FIRST CLASS COACH AND EQUIPMENT, INC.,  
A Florida corporation,

Plaintiff-Appellant,

versus

THOMAS BUILT BUSES, INC.,  
A North Carolina corporation,  
DAIMLER CHRYSLER A.G.,  
A German based corporation,

Defendants-Appellees.

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

**(December 7, 2006)**

Before ANDERSON and BARKETT, Circuit Judges, and GOLDBERG,\* Judge.

PER CURIAM:

\_\_\_\_\_  
\*Honorable Richard W. Goldberg, Judge, United States Court of International Trade,  
sitting by designation.

After oral argument and careful consideration, we conclude that the judgment of the district court is due to be affirmed. We agree with the district court that the relevant provision of the Florida Motor Vehicle Licensing Act is not applicable to the buses involved here; we agree that deference is due to the agency decision to the same effect. We also agree that plaintiff's common law claims are barred by the release. Because plaintiff has not made a claim that the defendant has breached the territorial or other provisions of the 2003 agreement, and because plaintiff's claims all arise out of, or are in connection with, alleged violations of previous agreements, we conclude that the claims are barred by the release. Finally, because plaintiff has made no persuasive argument that the release is unconscionable, we also agree with the district court's rejection of that claim.

AFFIRMED.