

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-15170
Non-Argument Calendar

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| FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT May 5, 2008 THOMAS K. KAHN CLERK |
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D. C. Docket No. 07-21093-CV-JLK

JOHN JAFFE,
BARBARA JAFFE,

Plaintiffs-Third-Party-Defendants-
Counter-Defendants-Appellees,

versus

BANK OF AMERICA, N.A.,

Defendant-Third-Party-Defendant-
Counter-Claimant-Appellee,

FOSHAN POLY MARINE ENGINEERING,
CO., LTD.

Third-Party-Defendant-
Counter-Defendant,

AGRICULTURAL BANK OF CHINA,

Intervenor-Third-Party-Defendant-
Counter-Defendant-Appellant.

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

(May 5, 2008)

Before BLACK, MARCUS and PRYOR, Circuit Judges.

PER CURIAM:

Agricultural Bank of China appeals the district court's continuation of a preliminary injunction, enjoining Bank of America from honoring letter of credit #3063656 obtained by John and Barbara Jaffe in connection with the construction of a luxury yacht. After review of the record and the parties' briefs, we conclude the district court did not abuse its discretion in continuing the injunction. *See BellSouth Telecomms., Inc. v. MCIMetro Access Transmission Servs., LLC*, 425 F.3d 964, 968 (11th Cir. 2005) (reviewing the district court's grant of preliminary injunction for abuse of discretion). The district court did not abuse its discretion in concluding the Jaffes met the prerequisites for the issuance of an injunction: (1) a substantial likelihood the movant will prevail on the merits; (2) a substantial threat the movant will suffer irreparable injury if the injunction is not granted; (3) the threatened injury to the movant outweighs the threatened harm to the

opposing party; and (4) granting the injunction is not adverse to the public interest. *See id.* Thus, we affirm the district court.

AFFIRMED.