

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-10617

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT Dec. 15, 2009 THOMAS K. KAHN CLERK
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D. C. Docket No. 04-03294-CV-CAP-1

FEDERAL TRADE COMMISSION,

Plaintiff-Counter-Defendant-Appellee,

versus

NATIONAL UROLOGICAL GROUP, INC.,
d.b.a. Warner Laboratories,

Defendant-Counter-Claimant-Appellant,

NATIONAL INSTITUTE FOR CLINICAL
WEIGHT LOSS, INC.,

Defendant-Counter-Claimant,

HI-TECH PHARMACEUTICALS, INC.,
corporations,
JARED WHEAT, THOMASZ HOLDA,
individually and as officers of the corporations,
STEPHEN SMITH, individually and as officer of
National Urological Group, Inc., and National
Institute for Clinical Weight Loss, Inc.,
TERRILL MARK WRIGHT, M.D., individually.,

Defendants-Appellants,

Appeal from the United States District Court
for the Northern District of Georgia

(December 15, 2009)

Before DUBINA, Chief Judge, BIRCH and BLACK, Circuit Judges.

PER CURIAM:

After having thoroughly reviewed the record, the briefs and having heard oral argument in this case, we are of the opinion that the well-reasoned decision and the judgement of the district court should be and is **AFFIRMED**.