

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-2074

BEST MEDICAL INTERNATIONAL, INC., a Virginia Corporation;
BEST VASCULAR, INC., a Delaware Corporation,

Plaintiffs - Appellants,

v.

ECKERT & ZIEGLER NUCLITEC GMBH, a German corporation,
successor to QSA Global GmbH,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Claude M. Hilton, Senior
District Judge. (1:10-cv-00617-CMH-IDD)

Submitted: April 30, 2015

Decided: May 11, 2015

Before NIEMEYER, KING, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James M. Brady, Shawn R. Weingast, BEST MEDICAL INTERNATIONAL,
INC., Springfield, Virginia, for Appellants. C. Dewayne Lonas,
Matthew J. Hundley, MORAN REEVES & CONN PC, Richmond, Virginia,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Best Medical International, Inc. ("Best") appeals the district court's order granting Eckert & Ziegler Nuclitec GMBH's ("EZN") second motion for supplemental attorney's fees, and a subsequent order denying Best's Fed. R. Civ. P. 59(e) motion. We have previously discussed the factual background and procedural history of this breach of contract case in our opinions in Best Med. Int'l, Inc. v. Eckert & Ziegler Nuclitec GMBH, 505 F. App'x 281 (4th Cir. 2013) (No. 11-2089 (L)) and Best Med. Int'l, Inc. v. Eckert & Ziegler Nuclitec GMBH, 565 F. App'x 232 (4th Cir. 2014) (No. 13-1708).

In this third appeal, Best argues that the district court erred in awarding EZN supplemental attorney's fees. Specifically, Best contends that the merger doctrine under Virginia law precluded the additional award of attorney's fees and that the award of attorney's fees was not authorized by the Settlement Agreement. We have reviewed the parties' briefs, the material submitted in the joint appendix, and the relevant case law, and find no reversible error in the district court's award of supplemental attorney's fees.* Accordingly, we affirm for the reasons stated by the district court. Best Med. Int'l, Inc. v.

* On appeal, Best does not challenge the reasonableness of the award.

Eckert & Ziegler Nuclitec GMBH, No. 1:10-cv-00617-CMH-IDD (E.D. Va. filed July 24, 2014 & entered July 25, 2014; Sept. 5, 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