

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

File Name: 08a0596n.06

Filed: October 2, 2008

No. 07-6429

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

PADUCAH & LOUISVILLE RAILWAY, INC.,)
)
 Plaintiff-Appellant,)
)
 v.)
)
 QUIXX CORPORATION, UTILITY ENGINEERING)
 CORPORATION, and XCEL ENERGY, INC.,)
)
 Defendants-Appellees.)

ON APPEAL FROM THE
UNITED STATES DISTRICT
COURT FOR THE WESTERN
DISTRICT OF KENTUCKY

BEFORE: BOGGS, Chief Judge, GIBBONS, and GRIFFIN, Circuit Judges.

PER CURIAM.

Following an eleven-car derailment, plaintiff railway sued the repair facility that serviced its railcar seven years prior to the accident. The district court granted summary judgment in favor of defendants because it concluded, inter alia, that plaintiffs could not establish that defendants' alleged negligence proximately caused the derailment.

After reviewing the record, the parties' briefs, and the applicable law, we conclude that issuance of a panel opinion would not serve any jurisprudential purpose. Thus, we affirm the district court's well-reasoned decision for the reasons stated in that court's summary judgment opinion and order of September 18, 2007, and its opinion and order of October 29, 2007, denying plaintiff's motion for reconsideration.

No. 07-6429

Paducah & Louisville Ry., Inc. V. Quixx Corp.

AFFIRMED.