

United States Court of Appeals
For the Eighth Circuit

No. 17-2985

Soo Tractor Sweeprake Co., doing business as Radius Steel Fabrication

Plaintiff - Appellant

v.

Gavin/Solmonese LLC; Ted Gavin, Individually; Stephen Kunkel

Defendants - Appellees

Appeal from United States District Court
for the Northern District of Iowa - Sioux City

Submitted: June 14, 2018

Filed: June 25, 2018

[Unpublished]

Before WOLLMAN, BENTON, and KELLY, Circuit Judges.

PER CURIAM.

Soo Tractor Sweeprake Co. (Soo) appeals the district court's¹ dismissal, for lack of standing, of its diversity action asserting contract and commercial tort claims.

¹The Honorable Leonard T. Strand, Chief Judge, United States District Court for the Northern District of Iowa.

Having reviewed the record in light of the parties' arguments, we agree with the district court that, under Iowa law, Soo assigned its interest in the asserted claims prior to filing the instant action. See Branson Label, Inc. v. City of Branson, 793 F.3d 910, 915-16 (8th Cir. 2015) (standard of review); Red Giant Oil Co. v. Lawlor, 528 N.W.2d 524, 533 (Iowa 1995) ("Choses in action whether for breach of contract or for tort are assignable in this state.").

The judgment is affirmed. See 8th Cir. R. 47B.
