

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 20-1786

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Phillip Palade, On Behalf of Himself and all Others Similarly Situated; Gregory Borse, On Behalf of Himself and all Others Similarly Situated; J. Thomas Sullivan, On Behalf of Himself and all Others Similarly Situated

*Plaintiffs - Appellants*

v.

Board of Trustees University of Arkansas System; Edward O. Fryar, Jr., Ph.D., In his Official Capacity as Trustee; Steve Cox, In his Official Capacity as Trustee; Tommy Boyer, In his Official Capacity as Trustee; Sheffield Nelson, In his Official Capacity as Trustee; C C Gibson, In his Official Capacity as Trustee; Stephen Broughton, M.D., In his Official Capacity as Trustee; Kelly Eichler, In her Official Capacity as Trustee; Morrill Harriman, In his Official Capacity as Trustee; Mark Waldrip, In his Official Capacity as Trustee; John Goodson, In his Official Capacity as Trustee

*Defendants - Appellees*

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Appeal from United States District Court  
for the Eastern District of Arkansas - Central

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Submitted: November 19, 2020

Filed: November 24, 2020

[Unpublished]

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Before ERICKSON, WOLLMAN, and STRAS, Circuit Judges.

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PER CURIAM.

Phillip Palade, Gregory Borse, and J. Thomas Sullivan appeal the district court's<sup>1</sup> without-prejudice dismissal of their action under, inter alia, 42 U.S.C. § 1983. Having carefully reviewed the record and the parties' arguments on appeal, we find no basis for reversal. See Zink v. Lombardi, 783 F.3d 1089, 1098 (8th Cir. 2015) (en banc) (per curiam) (standard of review). Accordingly, we affirm. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable James M. Moody, Jr., United States District Judge for the Eastern District of Arkansas.