

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-3852

In re: Baycol Products Litigation

*

*

*

*

Vincent J. Caravella,

*

*

Appellant,

*

v.

*

Appeal from the United States

*

District Court for the

*

District of Minnesota.

Bayer AG; Bayer Corporation;
Smithkline Beecham Corporation,
doing business as GlaxoSmithKline,

*

*

[UNPUBLISHED]

*

*

Appellees.

*

Submitted: December 29, 2009

Filed: January 7, 2010

Before WOLLMAN, RILEY, and SMITH, Circuit Judges.

PER CURIAM.

Vincent Caravella appeals the district court's¹ adverse grant of summary judgment in his products-liability diversity action. Having carefully reviewed the

¹The Honorable Michael J. Davis, Chief Judge, United States District Court for the District of Minnesota.

record, we find no abuse of discretion in the district court's exclusion of the opinion of Caravella's expert, see Bland v. Verizon Wireless, L.L.C., 538 F.3d 893, 896 (8th Cir. 2008), or in the court's discovery rulings, see Ahlberg v. Chrysler Corp., 481 F.3d 630, 637 (8th Cir. 2007). We also agree with the district court's determination that, without an expert opinion as to causation, there were no trialworthy issues on Caravella's claims under New York law. See Bannister v. Bemis Co., 556 F.3d 882, 884 (8th Cir. 2009) (reviewing de novo summary judgment order and interpretation of state law). Accordingly, we affirm. See 8th Cir. R. 47B.
