

**APPENDIX A – OPINION OF THE UNITED STATES
COURT OF APPEALS FOR THE EIGHTH CIRCUIT
DATED AND FILED JUNE 24, 2020**

United States Court of Appeals
For the Eighth Circuit

No. 19-2886

Donovan Middleton; Harvester Nutrition, LLC

Plaintiffs - Appellants

v.

Complete Nutrition Franchising, LLC; Complete Nutrition Franchise Holdings, LLC; CR Holdings, LLC; Dominus Health Intermediate Holdco, LLC; Dominus Health Holdings, LLC

Defendants - Appellees

No. 19-2887

Herman Hourie; Nutrition Castle, LLC

Plaintiffs - Appellants

v.

Complete Nutrition Franchising, LLC; Complete Nutrition Franchise Holdings, LLC; CR Holdings, LLC; Dominus Health Intermediate Holdco, LLC; Dominus Health Holdings, LLC

Defendants - Appellees

No. 19-2888

Edgar Rojas; Christina Soares

Plaintiffs - Appellants

v.

Complete Nutrition Franchising, LLC; Complete Nutrition Franchise Holdings, LLC; CR Holdings, LLC; Dominus Health Intermediate Holdco, LLC; Dominus Health Holdings, LLC

Defendants - Appellees

No. 19-2889

Bright Future Holdings, LLC

Plaintiff - Appellant

v.

Complete Nutrition Franchising, LLC; Complete Nutrition Franchise Holdings, LLC; CR Holdings, LLC; Dominus Health Intermediate Holdco, LLC; Dominus Health Holdings, LLC

Defendants - Appellees

No. 19-2890

Vivify, Inc.

Plaintiff - Appellant

v.

Complete Nutrition Franchising, LLC; Complete Nutrition Franchise Holdings, LLC; Dominus Health Intermediate Holdco, LLC; Dominus Health Holdings, LLC; CR Holdings, LLC

Defendants - Appellees

No. 19-2891

Warrior Fitness & Nutrition, LLC

Plaintiff - Appellant

v.

Complete Nutrition Franchising, LLC; Complete Nutrition Franchise Holdings, LLC; CR Holdings, LLC; Dominus Health Holdings, LLC; Dominus Health Intermediate Holdco, LLC

Defendants - Appellees

No. 19-2893

Katherina Jerak

Plaintiff - Appellant

v.

Complete Nutrition Franchising, LLC; Complete Nutrition Franchise Holdings, LLC; CR Holdings, LLC; Dominus Health Intermediate Holdco, LLC; Dominus Health Holdings, LLC

Defendants - Appellees

No. 19-2894

M.G. Nutrition, LLC

Plaintiff - Appellant

v.

Complete Nutrition Franchising, LLC; Complete Nutrition Franchise Holdings, LLC; CR Holdings, LLC; Dominus Health Intermediate Holdco, LLC; Dominus Health Holdings, LLC

Defendants - Appellees

Appeals from United States District Court
for the District of Nebraska - Omaha

Submitted: June 19, 2020

Filed: June 24, 2020

[Unpublished]

Before ERICKSON, WOLLMAN, and STRAS, Circuit Judges.

PER CURIAM.

In these consolidated appeals, 11 franchisees of the Complete Nutrition franchising system appeal the district court's¹ dismissal of their identical diversity actions raising claims under Nebraska state law. Following a careful review, we conclude that the district court did not err in dismissing the case, see Plymouth Cty. v. Merscorp, Inc., 774 F.3d 1155, 1158 (8th Cir. 2014) (de novo review of dismissal for failure to state a claim); and did not abuse its discretion in denying post-judgment leave to amend, see United States v. Mask of Ka-Nefer-Nefer, 752 F.3d 737, 743 (8th Cir. 2014) (denial of leave to amend is reviewed for abuse of discretion; district court has considerable discretion to deny post-judgment motion for leave to amend because such motions are disfavored). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Robert F. Rossiter, Jr., United States District Judge for the District of Nebraska.