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(Not Selected for publication in the Federal Reporter)

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Not for Publication in West's Federal Reporter See Fed. Rule of Appellate Procedure 32.1 generally governing citation of judicial decisions issued on or after Jan. 1, 2007. See also Fourth Circuit Rule 32.1 (Find CTA4 Rule 32.1)

United States Court of Appeals, Fourth Circuit.

Samuel J. **JUNIPER**, Plaintiff-Appellee,

v.

M & G POLYMERS USA, LLC, Defendant-Appellant.

**No. 07-1796.**

Submitted Sept. 25, 2008.

Decided Oct. 10, 2008.

Appeal from the United States District Court for the Southern District of West Virginia, at Huntington. **Robert C. Chambers**, District Judge. (3:03-cv-00572).

**Philip A. Miscimarra**, **Charis A. Runnels**, Morgan, Lewis & Bockius, LLP, Chicago, Illinois, for Appellant. **Anne E. Shaffer**, **Mark F. Underwood**, Underwood & Proctor, Huntington, West Virginia, for Appellee.

Before **NIEMEYER**, **MOTZ**, and **KING**, Circuit Judges.

Affirmed by unpublished PER CURIAM opinion.

Unpublished opinions are not binding precedent in this circuit. PER CURIAM:

\*1 M & G Polymers USA, LLC, appeals the district court's order accepting the recommendation of the magistrate judge and granting Samuel J. Juniper's summary judgment motion in this Employee Retirement Income Security Act action. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the

district court. *Juniper v. M & G Polymers USA, LLC*, No. 3:03-cv-00572 (S.D.W.Va. July 12, 2007). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

**AFFIRMED**

C.A.4 (W.Va.), 2008.

*Juniper v. M&G Polymers USA, LLC*

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